

Agenda

SUTTER COUNTY BOARD OF EDUCATION

Regular Meeting

Wednesday, February 8, 2023 - 5:30 p.m.
Sutter County Superintendent of Schools Office
970 Klamath Lane – Board Room
Yuba City, CA 95993

- *Public Hearing to Sunshine 2022-2023 Bargaining Proposals CSEA Chapter 634 (Classified Employees)*

A full Board packet is available for review at the Sutter County Superintendent of Schools Office Reception Desk, 970 Klamath Lane, Yuba City, CA (8:00 a.m. – 5:00 p.m., Monday through Friday – excluding legal holidays) and the Sutter County Superintendent of Schools' website at www.sutter.k12.ca.us.

5:30 p.m. 1.0 Call to Order

2.0 Pledge of Allegiance

3.0 Roll Call of Members:

June McJunkin, Trustee Area 2, President
Victoria Lachance, Trustee Area 5, Vice President
Gurv Pamma, Trustee Area 1, Member
Kash Gill, Trustee Area 3, Member
Harjit Singh, Trustee Area 4, Member

4.0 Items of Public Interest to Come to the Attention of the Board

Members of the public wishing to address the Board on specific agenda items, or any item of interest that is within the subject matter jurisdiction of the Board, will be given an opportunity to do so. At the discretion of the Board president, time limits may be imposed upon such presentations. No action may be taken on items not appearing on the posted agenda.

5.0 CONSENT AGENDA **[Action Item]**

5.1 Approval of Minutes of January 18, 2023

The above items are self-explanatory. All items on the Consent Agenda are considered a routine item or one that has been previously discussed. Any Board Member may request that an item be pulled for further discussion.

- 6.0 Special Education and SELPA Department Presentation
Jessica Burrone and Dr. Carolyn Patton

- 7.0 Summary Finding of Career Training Center Request for
Qualifications - James Peters **[Action Item]**

A summary of findings from the Career Training Center Design-Build Request for Qualifications will be presented to the Board and request approval to negotiate and enter into a contract on behalf of the Sutter County Board of Education.

- 8.0 Public Hearing to Sunshine 2022-2023 Bargaining Proposals CSEA
Chapter 634 (Classified Employees) – Ron Sherrod

Pursuant to Government Code Section 3547, the initial negotiations proposals of the exclusive representative union shall be “sunshined” for public comment.

CSEA, Local Chapter 634 is presenting its proposals for the 2022-2023 school year for sunshining.

SCSOS is presenting its proposals for the 2022-2023 school year for sunshining.

- 9.0 Quarterly Report on Williams/Valenzuela Uniform Complaints
(October 1, 2022 – December 31, 2022)
Brian Gault

Education Code 35186 requires the county superintendent to report on the number and nature of complaints.

- 10.0 Sutter County Career Training Center Compliance for Student
Financial Assistance Programs Report – Ron Sherrod

Audit of the Sutter County Career Training Center compliance with compliance requirements regarding Institutional eligibility and participation, reporting, student eligibility, disbursements, return of Title IV funds, cash management, and administrative requirements described in Chapter 3 of the 2016 edition of the U.S. Department of Education’s Guide for Audits of Proprietary Schools and For Compliance Attestation Engagements of Third-Party Servicers Administering Title IV Programs (Guide) for the period ended June 30, 2022.

- 11.0 Disclosure of Collective Bargaining Agreement for Sutter County
Superintendent of Schools Staff Association (CTA)
Ron Sherrod

The disclosure of the Collective Bargaining Agreement is a statement of costs associated with the agreement with the Sutter County Superintendent of Schools Staff Association (CTA) July 1, 2021 – June 30, 2023.

- 12.0 Business Services Report
 - 12.1 Monthly Financial Report – January 2023
Nic Hoogeveen
 - 12.2 Quarterly Facilities Update – James Peters

- 13.0 Select and Convene Superintendent’s Salary Committee
Ron Sherrod **[Action Item]**

Education Code Section 1209 states that a county superintendent of schools shall not increase his or her salary, financial remuneration, benefits, or pension in any manner or for any reason without bringing the matter to the attention of the county board of education for its discussion at a regularly scheduled public meeting of the board and without the approval of the county board of education.

We would like to convene the committee to review the Superintendent’s current salary schedule for comparability and possible adjustments to the structure of the schedule.

- 14.0 New and Revised Board Bylaws – Second Reading
Maggie Nicoletti **[Action Item]**

The following new and revised Board Bylaws are submitted for a second reading and Board approval:

- BB 9010 – Public Statements
- BB 9121 – President/Vice President
- BB 9124 – Attorney
- BB 9322 – Agenda/Meeting Materials

- 15.0 New and Revised Board Policies – Second Reading
Ron Sherrod **[Action Item]**

The following new and revised Board Policies are submitted for a second reading and Board approval:

- 3514.1 AR – Hazardous Substances
- 3514.1 BP – Hazardous Substances
- 3514.2 AR – Integrated Pest Management
- 3515 SP/BP – Campus Security
- 3470 BP – Debt Issuance and Management
- 3512 BP/AR – Equipment
- 3513.4 SP/BP – Drug and Alcohol

- 16.0 Anticipated Employee Salary Increases of \$10,000 or more During the 2022/23 School Year – Ron Sherrod

Pursuant to Education Code Section 1302, the county superintendent of schools shall not increase by ten thousand dollars (\$10,000) or more the salary or bonus of any employee of the county office of education unless the matter is brought to the attention of the county board of education for its discussion at a regularly scheduled public meeting of the county board of education.

We are anticipating recent settlements with the employee units to result in employees in various classifications exceeding this threshold as follows:

Deputy Superintendent	School Psychologist
Assistant Superintendent	Speech and Language Pathologist
Senior Director	Teacher Special Ed/Alternative Education
Director	School Nurse
Principal	Coordinator I
Lead Nurse	

17.0 Items from the Superintendent/Board

18.0 Adjournment

In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the Board Meeting room, to access written documents being discussed at the Board Meeting, or to otherwise participate at Board Meetings, please contact Superintendent Tom Reusser at 530-822-2900 for assistance. Notification at least 48 hours prior to the meeting will enable the Superintendent's Office to make reasonable arrangements to ensure accessibility to the Board Meeting and to provide any required accommodations, auxiliary aids or services.

All Open Session Agenda related documents, including materials distributed less than 72 hours prior to the scheduled meeting, are available to the public for viewing at the Sutter County Superintendent of Schools Office located at 970 Klamath Lane, Yuba City, CA 95993.

Agenda Item No. 5.0

BOARD AGENDA ITEM: Consent Agenda

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

☒ Action

☐ Reports/Presentation

☐ Information

☐ Public Hearing

☐ Other (specify)

PREPARED BY:

Maggie Nicoletti

SUBMITTED BY:

Tom Reusser

PRESENTING TO BOARD:

Tom Reusser

BACKGROUND AND SUMMARY INFORMATION:

The following items will appear under the Consent Agenda for Board approval:

1. Minutes of the January 18, 2023, Board Meeting

**Unapproved
SUTTER COUNTY BOARD OF EDUCATION MINUTES
Regular Meeting
January 18, 2023**

1.0 Call to Order

A regular meeting of the Sutter County Board of Education was called to order by President McJunkin, 5:30 p.m., January 18, 2023, at the Sutter County Superintendent of Schools Office, 970 Klamath Lane, Yuba City, California.

2.0 Pledge of Allegiance

The Pledge of Allegiance was led by Harjit Singh.

3.0 Roll call of Members

June McJunkin, President – Present
Victoria Lachance, Vice President – Present
Gurv Pamma, Member – Present
Harjit Singh, Member - Present
Kash Gill, Member – Absent

Tom Reusser, Ex-officio Secretary – Present

Staff Members Present: James Peters, Joe Hendrix, Brian Gault, Nic Hoogeveen, and Maggie Nicoletti

4.0 Items of Public Interest to come to the attention of the Board

None.

5.0 Consent Agenda

5.1 Approval of Minutes of December 14, 2022

5.2 Acceptance of donation of \$500.00 from Golden State Water Company, to be used for students at the Feather River Academy during the December holiday season

5.3 Acceptance of donation of \$2,500.00 from the Winn Foundation, to be used for staff development/retreat for staff at Feather River Academy and Pathways Charter Academy

A motion was made to approve the Consent Agenda

Motion: Lachance *Seconded:* Singh

Action: Motion Carried

Ayes: 4 (Lachance, Singh, Pamma and McJunkin)

Noes: 0

Absent: 1 (Gill) *Abstain:* 0

6.0 Facilities, Maintenance, Operations and Fleet (FMOF) Department

James Peters, Director of FMOF, gave an overview of the FMOF Department.

7.0 Accept Sutter County Superintendent of Schools Audit Report

This item was placed later on the agenda due to the presenter not being in attendance. Michael Dunsdon from Crowe LLP introduced herself and presented the Sutter County Superintendent of Schools Audit Report for 2021-2022 to the Board. Pertinent questions were asked and answered.

A motion was made to accept Sutter County Superintendent of Schools Audit Report.

<i>Motion:</i>	Singh	<i>Seconded:</i>	Pamma
<i>Action:</i>	Motion Carried		
<i>Ayes:</i>	4 (Singh, Pamma, Lachance and McJunkin)		
<i>Noes:</i>	0		
<i>Absent:</i>	1 (Gill)	<i>Abstain:</i>	0

8.0 Public Hearing – New Pacific School Yuba City Appeal of the Yuba City Unified School District’s Denial of the Charter Petition

President McJunkin declared the Public Hearing open at 6:00 p.m. Joe Hendrix presented a PowerPoint outlining the background of the Appeal. Joe stated that at the end of the Public Hearing, the Board will adopt a Resolution to either approve or deny the petition.

Public Comments:

- Mercedes Geraldo, CSA President for YCUSD, Chapter 265, has concerns about this Charter School and stated she is not in support of the school. Her concerns include transportation for at-risk students, the site for the school and food services for the students. She encouraged the Board to deny the petition.
- Rachel Kennedy, Labor Relations Representative for YCUSD and SCOE West, stated a location site has not been secured for the school and this has not been resolved. She therefore asked the Board to decline the petition.
- Superintendent Reusser stated he visited the school in Roseville with Trustee Gill and it reminded him of Winship-Robbins and said it was ran exactly the same way. He further stated that this is how he learned how to teach. He was very impressed.
- Eric Garber, Principal of New Pacific School – Roseville, stated the mission of the school is impressive to him; he supports the school. He likes the idea of designing school around the students.
- Unidentified speaker - asked where the physical location of the school is in Roseville. Address was given: 143 Clinton Avenue, Roseville, CA
- Paul Keefer stated they cannot have a location until they have a charter, (negotiations for this are done in closed session). The school comes first, then the location. He further stated they have contracted with the High School District in Roseville to supply the food for lunches.
- Heather Marshall, Director of Sutter Peak Charter Academy, stated school choices and having options for kids are what is best for kids and she is in favor of doing what is best for kids. She hopes that when the Board makes their decision tonight that they consider what is best for kids.
- Tim Loboda, PCI educator and Director of Education Services, stated they wanted to partner with SCSOS and have a relationship with the people in the community and they want to offer something where kids can thrive.

Joe summarized the report and stated the staff believes it is a good program.

Lead Petitioner Paul Keefer, founder of New Pacific Charter School, presented a PowerPoint which highlighted the following:

- About Pacific Charter Institute (PCI)
- How is New Pacific School Unique
- 2022 YCUSD and PCE data comparison
- Our Path Forward

At the conclusion of the PowerPoint, Mr. Keefer thanked the Board for the opportunity to present.

There being no further comments, President McJunkin declared the Public Hearing closed at 6:30 p.m.

9.0 Adopt or Deny the New Pacific School Yuba City Petition

The Sutter County Board of Education has two options for action with regard to the New Pacific School Yuba City Charter:

1. Approve the Petition – Resolution No. 22-23-IV – Resolution to Approve the Petition to Establish the New Pacific School – Yuba City Charter School
2. Deny the Petition – Resolution No. 22-23-V – Resolution to Deny the Petition to Establish the New Pacific School – Yuba City Charter School and Written Findings in Support Thereof

Trustee Singh said parents and students should have choices on where to send their children to school. He further stated that he wants to make sure that the Yuba City school is separate from the Roseville campus. In reviewing the petition, Trustee Singh stated there are many aspects of the petition that he liked. Some concerns are the new laws with Universal TK charter schools. Trustee Singh stated that an MOU is not enough, it has to be done right in the original charter; wants everything done right from the get-go. Trustee Pamma said he was concerned about the cost of the school for the county to start up the school and for ongoing maintenance. He is also concerned about the lunches and the transportation. Trustee Lachance is concerned about the facility (location) not being named yet and she is not comfortable with the location they had mentioned. She is also concerned about maintenance.

A motion was made to deny the Petition – Resolution No. 22-23-V – Resolution to Deny the Petition to Establish the New Pacific School – Yuba City Charter School and Written Findings in support thereof.

Roll call vote: Singh, aye; Pamma, abstain; Lachance, aye; McJunkin; aye.

<i>Motion:</i>	Lachance	<i>Seconded:</i> Singh
<i>Action:</i>	Motion Carried	
<i>Ayes:</i>	3 (Lachance, Singh, and McJunkin)	
<i>Noes:</i>	0	
<i>Absent:</i>	1 (Gill)	<i>Abstain:</i> 1 (Pamma)

10.0 School Accountability Report Cards (SARCs)

Brian Gault stated SARCs are presented for the Feather River Academy, Pathways Charter Academy and Special Education. They will be brought back to the Board as an information item after they are submitted to CDE.

Motion to approve School Accountability Report Cards (SARCs) as presented.

<i>Motion:</i>	Pamma	<i>Seconded:</i> Lachance
<i>Action:</i>	Motion Carried	

Ayes: 4 (Pamma, Singh, Lachance, and McJunkin)
Noes: 0
Absent: 1 (Gill) Abstain: 0

11.0 Business Services Report

11.1 Monthly Financial Report – December 2022

Nic reviewed the Summary Report of Revenues, Expenditures and Changes in Fund Balances for the month of December 2022 with Board Members and pointed out pertinent changes. Nic reviewed information that was brought to the Board at the First Interim Report.

11.2 Investment Report – Nic reviewed the September 2022 Investment Report with the Board and stated these reports have been delayed by the Treasurer's Office. The percentage rate is 1.4%.

11.3 Facilities Update – James stated that most of the districts were impacted by the recent storms and quite a few schools lost power. He was involved in Emergency Services meetings regarding the storms. RFQs received two responses and we will have two interviews. Information will be brought to the Board.

12.0 SCSOS Graduation Requirements

Lorilee distributed a handout which outlined the Sutter County Adult Education High School graduation requirements and reviewed the requirements with the Board.

13.0 Public Hearing to Sunshine Bargaining Proposal for 2023-2024

Negotiations of Sutter County Superintendent of Schools with the Teacher Association of Sutter County

President McJunkin declared the Public Hearing open at 7:08 p.m. Ron Sherrod explained the proposal process to the Board and presented Sutter County Superintendent of Schools proposal for the 2023-2024 school year to sunshine. There being no comments from the public, President McJunkin closed the Public Hearing at 7:11 p.m.

14.0 New and Revised Board Bylaws – First Reading

The following new and revised Board Bylaws are submitted for a first reading:

- BB 9010 – Public Statements
- BB 9121 – President/Vice President
- BB 9124 – Attorney
- BB 9322 – Agenda/Meeting Materials

Maggie stated that BB 9010 and BB 9124 are new to the Board. The above listed Board Bylaws will be brought back to the Board for a second reading and Board approval.

15.0 New and Revised Board policies – First Reading

The following new and revised Board Policies are submitted for a first reading:

- 3514.1 AR – Hazardous Substances

- 3514.1 BP – Hazardous Substances
- 3514.2 AR – Integrated Pest Management
- 3515 SP/BP – Campus Security
- 3470 BP – Debt Issuance and Management
- 3512 BP/AR – Equipment
- 3513.4 SP/BP – Drug and Alcohol Free Schools

Ron reviewed the revisions made to the policies and administrative regulations with the Board. These policies and administrative regulations will be brought back to the Board for a second reading and Board approval.

16.0 Select and Convene Superintendent's Salary Committee

President McJunkin suggested the Board table this item until the February 2023 Board Meeting since Trustee Gill was not present at this meeting.

A motion was made to table the agenda item.

Motion: Lachance *Seconded:* Singh
Action: Motion Carried
Ayes: 4 (Lachance, Singh, Pamma and McJunkin)
Noes: 0
Absent: 1 (Gill) *Abstain:* 0

17.0 Second Reading of BP/SP 2100 Policy and Regulation Drafting Authority and Precedence

Superintendent Reusser stated we have existing policies that may be Board Policy but the policies have nothing to do with the Board. This policy will allow the Superintendent to change the policies without requiring the Board to have a first and second reading.

A motion was made to approve BP/SP 2100 Policy and Regulation Drafting Authority and Precedence.

Motion: Pamma *Seconded:* Lachance
Action: Motion Carried
Ayes: 4 (Pamma, Lachance, Singh and McJunkin)
Noes: 0
Absent: 1 (Gill) *Abstain:* 0

18.0 Items from the Superintendent/Board

Superintendent Reusser reported on the following:

- The office has been very busy now that the holidays are over.
- Cosmetology classes will be starting on February 6th. We have teachers lined up for the classes.
- We are discussing partnering with Highland Charter School; they will pay for their students to attend our classes.
- Tom was sworn in on January 3, 2023, for his second term as Sutter County Superintendent of Schools.

- Vicky inquired about a CSBA conference being held in Washington DC. He asked if Board members would like to attend.

June stated that Kathy Smith-McQuerry resigned from AeroSTEM. June thanked Joe for stepping up to help the school during the absence of a director. She appreciated the breakfast that was served to AeroSTEM staff and the interim Director appointment that was made.

19.0 Adjournment

A motion was made to adjourn the meeting at 7:29 p.m.

Motion: Singh

Seconded: Lachance

Action: Motion Carried

Ayes: 4 (Singh, Lachance, Pamma and McJunkin)

Noes: 0

Absent: 1 (Gill)

Abstain: 0

Agenda Item No. 6.0

BOARD AGENDA ITEM: Special Education and SELPA Department Presentation

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

☐ Action

☐ Reports/Presentation

☒ Information

☐ Public Hearing

☐ Other (specify)

PREPARED BY:

Special Education and SELPA

SUBMITTED BY:

Special Education and SELPA

PRESENTING TO BOARD:

Jessica Burrone and

Dr. Carolyn Patton

BACKGROUND AND SUMMARY INFORMATION:

Jessica Burrone, Director of Special Education, and Dr. Carolyn Patton, Assistant Superintendent of SELPA, will present a department overview to the Board.

Agenda Item No. 7.0

BOARD AGENDA ITEM: Summary finding of Career Training Center RFQs

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

X Action

James Peters

 Reports/Presentation

SUBMITTED BY:

X Information

James Peters

 Public Hearing

PRESENTING TO BOARD:

 Other (specify)

James Peters

BACKGROUND AND SUMMARY INFORMATION:

A summary of findings from the Career Training Center Design-Build Request for Qualifications and request approval to negotiate and enter into a contract on behalf of the Sutter County Board of Education

Career Training Center Design-Build Request for Qualifications (CTC DB RFQ) Summary of Findings and Recommendation

The Sutter County Superintendent of Schools (SCSOS) and staff are pleased to announce the conclusion of the Request for Qualifications (RFQ) process to identify a single entity comprised of professional designers and contractors to provide design-build (DB) services for the Career Training and Conference Center (CTC).

The SCSOS assembled an RFQ committee to support the RFQ process, conducted through the Facilities, Maintenance, Operations & Fleet department (FMOF). The committee members are as follows:

- Tom Reusser, Superintendent
- Joe Hendrix, Deputy Superintendent
- Ron Sherrod, CPA, Assistant Superintendent of Business Services
- Elizabeth Bhatti, Director of Compliance
- James Peters, Director of FMOF
- Francis Harrington, Principal, Harrington Design Associates
- Jerry Handy, Owner/Operator, 4J Construction Management

The RFQ process began with advertising in August of 2022, and two entities submitted responses highlighting their team, previous experience, references, and design-build approach to our project. The responding firms were scored and ranked as follows:

1. Arntz Builders Inc, and PBK Architects, Inc.
2. Hilbers Inc. and NMR Architects

Both firms were well qualified and invited to an extended presentation and interview on November 17, 2022. The interviews proved to be productive and informational. Both entities performed well, and the committee was given the opportunity to assess the nature and composition of the teams. The interviews were not scored but evaluated on the committee members' impressions.

With committee expectations fulfilled, both firms were invited to participate in a Request for Proposal (RFP). The RFP contained all pertinent information on the proposed contract, general conditions, space programming, and design paradigm. The firms were asked to respond with a conceptual design and space programming that would enhance the conceptual design provided in the RFQ, provide a life cycle analysis of building components, provide preliminary subcontractor data, and provide soft costs (included below) for the project. All criteria were included in the committee evaluation of the design-build entity's qualifications and value to the SCSOS.

Attachment 1 – Price Proposal - Summary

Item	Arntz-PBK proposal	Hilbers-NMR proposal
Design Phase Services	\$ 1,324,062.00	\$ 1,231,918.00
Construction Phase Services	\$ 2,348,268.00	\$ 630,000.00
Costs of Bonds & Insurance as a % of total project cost	3.18%	1.45%
Construction Phase Services fee as a % of total project cost	5%	5.5%

The RFQ committee reviewed the RFQ and RFP responses individually and met to share notes and to score, in each phase, respectively. The RFP review meeting was conducted on January 26th, 2023, and after extensive deliberation, the committee recommended **Hilbers Inc. and NMR Architects** as the selected design-build entity. Superintendent Reusser concurred and approved the recommendation.

The Sutter County Superintendent of Schools and the RFQ committee seek approval from the Sutter County Board of Education to negotiate and enter into a contract on their behalf, with **Hilbers Inc. and NMR Architects**, as a design-build entity, for the Career Training and Conference Center.

Agenda Item No. 8.0

BOARD AGENDA ITEM: Public Hearing to Sunshine 2022-2023 Bargaining Proposals
CSEA Chapter 634 (classified employees)

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

- ☐ Action
☐ Reports/Presentation
☐ Information
☒ Public Hearing
☐ Other (specify)

PREPARED BY:

CSEA, Chapter 634
& Ron Sherrod

SUBMITTED BY:

CSEA, Chapter 634
& Ron Sherrod

PRESENTING TO BOARD:

Ron Sherrod, Asst. Superintendent,
Business Services

BACKGROUND AND SUMMARY INFORMATION:

Pursuant to Government Code Section 3547, the initial negotiations proposals of the exclusive representative union shall be “sunshined” for public comment.

CSEA, Local Chapter 634 is presenting its proposals for the 2022-2023 school year for sunshining.

The SCSOS is presenting its proposals for the 2022-2023 school year for sunshining.

SUTTER COUNTY BOARD OF EDUCATION

NOTICE OF PUBLIC HEARING

The Sutter County Board of Education hereby gives notice that a Public Hearing will be held as follows:

TOPIC OF HEARING:

Sunshine 2022-2023 Initial Bargaining Proposals – CSEA Chapter 634
(Classified Employees)

HEARING DATE: February 8, 2023

TIME: 5:30 p.m.

LOCATION: Board Room
Sutter County Superintendent of Schools
970 Klamath Lane
Yuba City, CA 95993

Copies of the proposals are available for review at the Sutter County Superintendent of Schools Office.

For additional information, contact Superintendent Tom Reusser, Sutter County Superintendent of Schools, 970 Klamath Lane, Yuba City, California. (530) 822-2900

Posted: 1/31/2023



California
School
Employees
Association

8217 Auburn Boulevard
Citrus Heights, CA 95610

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www.csea.com

Adam Weinberger
Association President

Keith Pace
Executive Director

Member of the AFL-CIO

*The nation's largest
independent classified
employee association*



January 19, 2023

Sent Via Electronic Mail Only

kimcsea@gmail.com

Kimberley Leverett
Chapter President Chapter #634

RE: Initial Proposal for Contract Reopener 2022-2023

Dear President Leverett:

I have received the initial proposal for the contract reopener between the Sutter County Superintendent of Schools and California School Employees Association and its Sutter COE Chapter #634 for the 2022-2023 school year(s).

It has been reviewed in accordance with Policy 610. I have found no apparent violations of law, CSEA's Constitution and Bylaws or Policy. **This initial proposal will need to be approved by the membership prior to starting negotiations.**

Please remember, once a tentative agreement has been reached, a signed copy of the tentative agreement must be forwarded to the field office immediately for a Policy 610 review **before** the tentative agreement may be ratified.

Please feel free to contact my office if you have any questions or concerns.

Sincerely,

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION

Shawana V. Grace
Field Director

Cc: Regional Representative #74; Ron Walker, Area A Director; Rachel Kennedy, Labor Relations Representative; Chapter Contract File #634

Initial Proposal

From California School Employees Association and its
Sutter County Superintendent of Schools Chapter #634 (CSEA) to the
Sutter County Superintendent of Schools (SCSOS)
for the 2022/2023 2nd Reopener

The California School Employees Association and its Sutter County Superintendent of Schools Chapter #634 (CSEA) propose to negotiate the following articles of the current contract for the 2022-2023 2nd year reopener. The articles we intend to change will be as follows:

Article 8- Reassignment, Transfer and Promotions: CSEA proposes to create new language around minimum increase for promotions.

Article 10- Salary and Expenses: CSEA proposes to negotiate a fair and equitable pay increase and make changes to Addendum A 1-4: Salary schedules.

Article 11- Health Benefits: CSEA proposes to request an increase in employer contribution.

Article 18- Disciplinary Action Procedure: CSEA proposes to update the procedure for progressive discipline.

**SUTTER COUNTY SUPERINTENDENT OF SCHOOLS
("Superintendent")**

AND

**CALIFORNIA SCHOOLS EMPLOYEE ASSOCIATION,
LOCAL CHAPTER 634 ("CSEA")**

2022/2023 PROPOSAL

SALARY

ARTICLE 10 - SALARY AND EXPENSES

The Superintendent proposes a fair and equitable salary and benefit "total compensation" package that aligns with current funding levels.

BENEFITS

ARTICLE 11 - HEALTH BENEFITS

The Superintendent proposes a fair and equitable salary and benefit "total compensation" package that aligns with current funding levels.

RE-OPENERS (up to 3):

#1 ARTICLE 4 – ASSOCIATION RIGHTS

The Superintendent proposes to define "Chapter business".

#2 ARTICLE 8 – REASSIGNMENT, TRANSFER, AND PROMOTIONS

The Superintendent proposes to revise the initial placement of members following a promotion.

#3 ARTICLE 12 – HOLIDAYS

The Superintendent proposes to incorporate the newly established Juneteenth holiday.



SUTTER COUNTY SUPERINTENDENT OF SCHOOLS
"Superintendent"

1-30-23
DATE

BOARD AGENDA ITEM: Quarterly Report on Williams/ Uniform Complaints

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

 Action

 X Reports/Presentation

 Information

 Public Hearing

 Other (specify)

PREPARED BY:

Tania Martinez

SUBMITTED BY:

Tania Martinez

PRESENTING TO BOARD:

Brian Gault

BACKGROUND AND SUMMARY INFORMATION:

As per California Education Code Section 35186 the county superintendent reports on the number and nature of complaints filed for:

- 1) Textbooks and instructional materials
- 2) Teacher vacancies or mis-assignments
- 3) Facilities and conditions

None of the districts had any complaints filed during the period of October 2022 to December 2022.



970 Klamath Lane
Yuba City, CA 95993
PHONE: (530) 822-2933
FAX: (530) 822-3085

QUARTERLY REPORT ON WILLIAMS/VALENZUELA UNIFORM COMPLAINTS

(Education Code § 35186)

District: Sutter County Superintendent of Schools

Person completing this form: Brian Gault

Title: Assistant Superintendent, Educational Services

BG

The Quarterly Report will be submitted at the Sutter County Superintendent of School's Board Meeting on February 8, 2023 for the reporting months of October, November and December 2022.

Please indicate the date this information will be reported publicly at your District's governing board meeting: February 8, 2023

Please check the box that applies:

- ☒ No complaints were filed with any school in the district during the quarter indicated above.
- ☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total Number of Complaints	Number Resolved	Number Unresolved
Textbooks & Instructional Materials	0		
Teacher Vacancies or Misassignments	0		
Facilities/Conditions	0		
TOTALS	0		

Tom Reusser

PRINT NAME OF DISTRICT SUPERINTENDENT

SIGNATURE OF DISTRICT SUPERINTENDENT

Agenda Item No. 10.0

BOARD AGENDA ITEM: Sutter County Career Training Center Compliance
For Student Financial Assistance Programs Report

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

 Action

Nicolaas Hoogeveen

 Reports/Presentation

SUBMITTED BY:

X Information

Nicolaas Hoogeveen

 Public Hearing

PRESENTING TO BOARD:

 Other (specify)

Ron Sherrod

BACKGROUND AND SUMMARY INFORMATION:

Audit of Sutter County Career Training Center compliance with compliance requirements regarding Institutional eligibility and participation, reporting, student eligibility, Disbursements, return of Title IV funds, cash management, and administrative Requirements described in Chapter 3 of the 2016 edition of the U.S. Department of Education's Guide For Audits of Proprietary Schools and For Compliance Attestation Engagements of Third-Party Servicers Administering Title IV Programs (Guide) for the period ended June 30, 2022.



COMPLIANCE REPORT

**SUTTER COUNTY SUPERINTENDENT OF SCHOOLS
YUBA CITY, CALIFORNIA**

TIN NUMBER: 94-6002768
OPE ID NUMBER: 03874300
UEI NUMBER: K1AMKBFKHL51

COMPLIANCE AUDIT
OF THE TITLE IV PROGRAMS

at 990A Klamath Lane
Yuba City, California 95993

FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY
GRANT PROGRAM (84.007)
FEDERAL PELL GRANT PROGRAM (84.063)
FEDERAL DIRECT LOAN PROGRAM (84.268)

For the Stub Period Ended June 30, 2022

An abstract background graphic featuring a complex arrangement of overlapping, semi-transparent geometric shapes, primarily triangles and polygons, in shades of gray and white, creating a sense of depth and architectural structure.

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SUTTER COUNTY SUPERINTENDENT OF SCHOOLS
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1415 West Diehl Road, Suite 400
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**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR
STUDENT FINANCIAL ASSISTANCE PROGRAMS AND REPORT
ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY
THE *GUIDE FOR AUDITS OF PROPRIETARY SCHOOLS AND FOR
COMPLIANCE ATTESTATION ENGAGEMENTS OF THIRD-PARTY
SERVICERS ADMINISTERING TITLE IV PROGRAMS***

To the Board of Trustees
Sutter County Superintendent of Schools
Yuba City, California

Report on Compliance for Student Financial Assistance Programs

Opinion on SFA Programs

We have audited Sutter County Superintendent of Schools' compliance with the compliance requirements regarding:

- Institutional Eligibility and Participation
- Reporting
- Student Eligibility
- Disbursements
- Return of Title IV Funds
- G5 and Cash Management
- Administrative Requirements

described in Chapter 3 of the 2016 edition of the U.S. Department of Education's *Guide for Audits of Proprietary Schools and for Compliance Attestation Engagements of Third-Party Servicers Administering Title IV Programs* (Guide) relative to Sutter County Superintendent of Schools' Student Financial Assistance (SFA) programs, for the stub period ended June 30, 2022.

In our opinion, Sutter County Superintendent of Schools complied, in all material respects, with the compliance requirements referred to above for the stub period ended June 30, 2022.

Basis for Opinion on SFA Programs

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States (*Government Auditing Standards*); and the Guide. Our responsibilities under those standards and the Guide are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of Sutter County Superintendent of Schools and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for SFA programs. Our audit does not provide a legal determination of Sutter County Superintendent of Schools' compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to Sutter County Superintendent of Schools' SFA programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Guide will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about Sutter County Superintendent of Schools' compliance with the requirements of the SFA programs as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Guide, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding Sutter County Superintendent of Schools' compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Guide, but not for the purpose of expressing an opinion on the effectiveness of Sutter County Superintendent of Schools' internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Other Matters

Government Auditing Standards requires the auditor to perform limited procedures on Sutter County Superintendent of Schools' response to the accompanying schedule of findings and questioned costs. Sutter County Superintendent of Schools' response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Report on Internal Control Over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Guide. Accordingly, this report is not suitable for any other purpose.

Sikich LLP

Naperville, Illinois
December 29, 2022

SUTTER COUNTY SUPERINTENDENT OF SCHOOLS

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

For the Stub Period Ended June 30, 2022

Part A - Information About Universe and Audit Sample

Total Population:

	Pell	Direct Loan	FSEOG	Total
Universe				
Dollars	\$ 222,994	\$ 287,472	\$ 5,100	\$ 515,566
Number of Students	65	58	25	70

Students Enrolled, Graduated or Students on an Approved Leave of Absence:

	Pell	Direct Loan	FSEOG	Total
Universe				
Dollars	\$ 203,665	\$ 265,946	\$ 4,950	\$ 474,561
Number of Students	58	54	24	63
Sample				
Dollars	\$ 79,099	\$ 94,152	\$ 2,100	\$ 175,351
Number of Students	23	20	11	25

Withdrew, Dropped Out, Enrolled but Never Began Attendance During the Audit, or Terminated Students:

	Pell	Direct Loan	FSEOG	Total
Universe				
Dollars Returned/Refunded	\$ 3,248	\$ 13,856	\$ -	\$ 17,104
Number of Students	7	4	1	7
Sample				
Dollars Returned/Refunded	\$ 3,248	\$ 13,856	\$ -	\$ 17,104
Number of Students	7	4	1	7

The IPA's definition of material noncompliance is as follows for each attribute:

Institutional Eligibility and Participation - Any finding cited for this attribute would be considered an instance of material noncompliance.

Reporting - Findings encountered with reporting requirements would be considered material instances of noncompliance.

Student Eligibility/Disbursements - Findings in the sample resulting in a dollar value in excess of 10% of the total awards for the sample would be considered material instances of noncompliance.

Return of Title IV Funds - Findings in the drop sample resulting in a dollar value in excess of 10% of the total awards for the drop sample would be considered material instances of noncompliance.

G5 and Cash Management - Any finding cited for this attribute would be considered a material instance of noncompliance.

Administrative Requirements - Any finding cited for this attribute would be considered a material instance of noncompliance.

SUTTER COUNTY SUPERINTENDENT OF SCHOOLS

SCHEDULE OF FINDINGS AND QUESTIONED COSTS (Continued)

For the Stub Period Ended June 30, 2022

Part B - Audit Findings

There are no findings in the current audit period.

Schedules A, B, and C have not been submitted as they do not apply.

SUTTER COUNTY SUPERINTENDENT OF SCHOOLS

AUDITOR’S COMMENTS ON THE RESOLUTION OF PRIOR AUDIT/ATTESTATION FINDINGS

For the Stub Period Ended June 30, 2022

Independent Auditor’s Comments on Resolution of Prior Audit Findings

The Institution has yet to receive a final audit determination letter for the year ended August 31 2021. There were no findings in that prior audit period.

Other Auditor’s Comments

The Institution changed ownership on September 1, 2021. The “stub” period runs from September 1, 2021 through June 30, 2022.

AUDITOR INFORMATION SHEET

SUTTER COUNTY SUPERINTENDENT OF SCHOOLS
990A KLAMATH LANE
YUBA CITY, CALIFORNIA 95991
TIN NUMBER: 94-6002768
OPE ID NUMBER: 03874300
UEI NUMBER: K1AMKBFKHL51

School Information

Telephone Number	<u>(530) 674-9199</u>
Fax Number	<u>(530) 671-7319</u>
President	<u>Tom Reusser</u>
Contact Person and Title	<u>Joanna Alvarado, Compliance Coordinator</u>

Audit Firm Information

Lead Auditor	<u>Todd Kolbaba</u>
Email Address	<u>todd.kolbaba@sikich.com</u>
License Number (Home State)	<u>066-003284</u>
License Number (Out of State)	<u>OFR526</u>
Firm's Name	<u>Sikich LLP</u>
Partner in Charge	<u>Ray Krouse, CPA</u>
Street	<u>1415 West Diehl Road, Suite 400</u>
City, State, Zip	<u>Naperville, Illinois 60563</u>
Telephone Number	<u>(630) 566-8400</u>
Fax Number	<u>(630) 566-8401</u>

Programs Audited:

FSEOG	84.007	<u>X</u>
FWS	84.033	<u></u>
Perkins	84.037 and 84.038	<u></u>
Pell	84.063	<u>X</u>
Direct Loan	84.268	<u>X</u>
TEACH	84.379	<u></u>
IASG	84.408	<u></u>

For the award year that ended during the audit period, the audited ratios are:

Correspondence courses to total courses	<u>0%</u>	Regular students enrolled in correspondence courses to total regular students	<u>0%</u>
Regular students who are incarcerated to total regular students	<u>0%</u>	Regular students enrolled based on ability to benefit to total regular students	<u>0%</u>

Audited completion and placement rate for all short-term programs:

<u>Program Name</u>	<u>Completion Rate</u>	<u>Placement Rate</u>
No short-term programs	N/A	N/A

AUDITOR INFORMATION SHEET (Continued)

The campuses/locations that are considered as part of the school:

Address and Name of Location	Was 50% or More of a Program Offered at this Location?	Is Location Listed on the School's Eligibility Letter?	Did School Notify ED Before Offering Instruction Here?	Date Location was Opened	Date Location was Closed	Date of Auditors' Last Visit to the Location	Reason the Location was not Visited for this Audit Engagement
------------------------------------	---	---	---	-----------------------------------	--------------------------------	---	--

Yuba City	Yes	Yes	Yes	1999	N/A	12/23/22	N/A
-----------	-----	-----	-----	------	-----	----------	-----

Name and address of the school's primary accrediting organization:	Accrediting Commission of Career Schools and Colleges 2101 Wilson Boulevard, Suite 302, Arlington, Virginia 22201
--	--

Name and address of any other organizations accrediting the school or its programs:	None
---	------

Does the school use a servicer to help it administer all or any portion of its Title IV program responsibilities?	Yes
---	-----

If yes, how many servicers does the school use?	1
---	---

Campus Ivy LLC

Location of the school's accounting and administrative records for Title IV programs administered:	990A Klamath Lane, Yuba City, California 95993 970 Klamath Lane, Yuba City, California 95993
--	---

Has the school stopped participating in all Title IV programs?	No
--	----

Campus Ivy LLC
Servicer Information Sheet
December 31, 2021

Name of Servicer: Campus Ivy LLC
 Servicer Address: 7771 W. Oakland Park Blvd. Suite 108
 Fort Lauderdale, FL 33351

Servicer Information

President: Cid Yousefi
 Contact Person: Siana Stewart
 Title: Chief Operating Officer
 Telephone Number: (954) 281-4943
 Fax Number: (786) 347-9220

Servicer Auditor Information

Audit Firm: Alvarez & Mendoza, PA, CPA
 Partner in Charge: Domingo Alvarez
 Firm Address: 1981 NW 88 Court, Suite 201
 City, State: Doral, FL 33172
 Lead Auditor: Domingo Alvarez
 Email Address: domingo@alvarezandmendoza.com
 License Number: AD64306
 Telephone Number: (305) 275-3011
 Fax Number: (305) 275-3011
 Last Compliance Attestation: June 11, 2021
 Engagement Period: 1/1/21 - 12/31/21
 Dates of Field Work: 6/4/22 - 6/11/22 (Virtual)

DIVISION OF DUTIES FOR COMPLIANCE REQUIREMENTS

Compliance Requirement	Performed by School	Performed by Campus Ivy	Explanation of Divided Performance
1. Institutional Eligibility and Participation			
A. Participation agreement/ECAR	X		
B. Legal authorization	X		
C. Approved locations	X		
D. Eligible programs	X		
E. Accreditation	X		
F. Bonuses, commissions and other incentives payments	X		
G. Student recruiting and admissions	X		
H. Zone alternative	X		
I. TEACH grant eligibility and administration	N/A		
J. Calculation of 90/10 ratio	X		
K. Calculation of other institutional eligibility ratios	X		

Campus Ivy LLC
Servicer Information Sheet (Continued)
December 31, 2021

Compliance Requirement	Performed by School	Performed by Campus Ivy	Explanation of Divided Performance
2. Reporting			
A. Enrollment reporting roster file	X	X	2
i. Completion	X	X	2
ii. Changes in enrollment status	X		
B. FISAP	X	X	2, 9, 10
C. Gainful Employment Reporting	N/A	N/A	N/A
3. Student Eligibility			
A. Determining eligibility	X	X	3
B. Regular student	X		
C. Enrolled in eligible program	X		
D. Citizenship	X	X	3
E. Social security number	X	X	3
F. Not in overpayment or default status	X	X	3
G. Selective service	X	X	3
H. Academic credentials	X		
I. SAR/ISIR	X	X	3
J. Verification	X	X	5
K. Prior degrees	X		
L. Incarcerated students	X		
M. Maintaining satisfactory academic progress	X		
N. Professional judgment decisions	X		
O. Dependency overrides	X		
P. Financial need	X	X	4
Q. Calculating the Pell	X	X	8
R. Calculating loan amounts	X	X	11
S. Master promissory note confirmation process	X	X	11
T. PLUS loan amounts and confirmation process	X	X	11
U. TEACH grant	N/A	N/A	N/A
V. IASG	N/A		
W. Attendance in distance education program	X		
X. Student Confirmations	X		
4. Disbursements			
A. Confirming student eligible for each disbursement	X	X	1
B. Valid ISIR/SAR on file	X	X	3
C. Determining payment period	X	X	6
D. Entering COD data		X	6, 11
E. Early disbursements	X	X	6
F. Verification is complete	X	X	5
G. Notices	X		
H. Transfer students	X	X	6
I. FWS	N/A	N/A	N/A
J. Initial counseling	X		
K. Exit counseling	X		
L. Delivering credit balances and authorizations	X		
M. Maintaining subsidiary ledger for students with credit balance	X		

Campus Ivy LLC
Servicer Information Sheet (Continued)
December 31, 2021

Compliance Requirement	Performed by School	Performed by Campus Ivy	Explanation of Divided Performance
5. Return of Title IV Funds			
A. Policy	X		
B. Determining date of withdrawal	X		
C. Post-withdrawal disbursements	X	X	7
D. Return calculations	X	X	7
E. Overpayment calculations	X		
F. Allocation of return of Title IV funds	X	X	7
G. Timing of return of Title IV funds	X		
H. Notifying borrowers of returns of loan proceeds	X		
6. G5 and Cash Management			
A. Forecasting cash needs	X	X	1
B. Withdrawing Federal funds	X	X	1
C. Disbursing funds			
i. Posting credits to student accounts	X		
ii. Making the funds available to the student	X		
D. Returning excess funds	X	X	1
E. Accounting for and returning interest earnings	X	X	1
F. Performing monthly Direct Loan reconciliations	X	X	1
7. Perkins Loan Program	N/A	N/A	N/A
A. Approving and maintaining deferment, loan cancellation, and discharge for death or disability documentation			
B. Perkins master promissory notes			
C. Loan status and loan balances in NSLDS			
D. Deferment of loan payments			
E. Billing and collections			
F. Liquidation			
8. Administrative Requirements			
A. Written procedures	X		
B. Direct Loan quality assurance system	X		
C. Satisfactory academic progress measurements	X		
D. Reporting change in ownership	X		
E. Reporting possible illegal conduct	X		
F. Perkins Loan and grant overpayments	X		
G. Annual security and fire safety reports	X		
H. Completion, graduation, and transfer-out rates	X		
I. Prospective student disclosures for gainful employment programs	N/A		
J. Student Warnings for gainful employment program eligibility	N/A		
9. Close Out Audit (If Applicable)	N/A	N/A	N/A
A. Retaining and storing of records			
B. Collection of outstanding Perkins Loans			
C. Continuing to comply with withdrawal calculations during teach-out, if applicable			
D. Returning unexpended Title IV funds to ED			
E. Returning to Direct loan proceeds received but not delivered or credited to student accounts			
F. Disbursements after participation ends			

EXPLANATION OF DIVIDED PERFORMANCE FOR COMPLIANCE REQUIREMENTS

Campus Ivy is a Third-Party Servicer and processes all electronic file transfers between its full-service schools and the Department of Education's COD, CPS and NSLDS systems.

Campus Ivy will review all eligibility criteria when processing Title IV funds and communicates to the institution any anomalies it finds. The institution is responsible for developing its internal policies and procedures for all aspects of Title IV regulations with regards to the Federal Student Aid programs it administers. The institution is also responsible for maintaining an accurate system of record for all students and is sent all relevant data to keep its records updated in a timely manner.

All financial aid information is maintained on the Campus Ivy Core system and the school's student information system houses the student academic records and ledgers where all disbursement information is recorded.

The Campus Ivy Core system is a cloud-based application hosted by Microsoft with a layered security approach, which uses SSL Certificates, IP address access restriction and the encryption of personally identifiable information. The environment is setup with redundancies to minimize down time and the possibility of loss of data. Microsoft Azure SQL database automatically creates backups of every active database every hour.

Relationship Keys

1. IVY relies on the Institution to notify them when a student is eligible to receive Pell or FDLP disbursements. IVY determines the amount to be disbursed. IVY prepares the federal portion of the expenditures. The Institution is responsible for any matching share. [Responsibility is split 50% Campus Ivy & 50% the school]
2. IVY completes the based upon the data provided by the Institution. [Responsibility is split 25% Campus Ivy & 75% the school]
3. IVY will cross check the ISIR for compliance. If discrepancies exist IVY will notify the Institution and request documentation be sent so the discrepancy can be resolved. [Responsibility is split 25% Campus Ivy & 75% the school]
4. Institutions must notify IVY as to other financial aid. [Responsibility is split 25% Campus Ivy & 75% the school]
5. The Institution completes all verification paperwork on students and forwards that information, as well as other documentation that may be needed, to IVY for a review of the Institution's verification and documentation procedures. [Responsibility is split 50% Campus Ivy & 50% the school]
6. Transcripts will be requested through NSLDS by either the Institution or IVY. IVY will review the transcript if required for the current award year, otherwise IVY and the institution will review the ISIR for this information. The Institution will request disbursements from IVY when student reaches hours and are maintaining satisfactory progress. The Institution complies with 668.23(h) of Title IV regulations. [Responsibility is split 50% Campus Ivy & 50% the school]

7. Return to Title IV Process

a. IVY receives the R2T4 calculation and will check for accuracy and completion. IVY enters the information into its R2T4 calculator and verifies accuracy. If a refund is necessary, IVY or the school will generate a refund in the Core system and include that refund on the next disbursement roster. [Responsibility is split 50% Campus Ivy & 50% the school]

b. IVY completes the R2T4 calculation and provides the school with a copy for their review. IVY bases the calculation on official documentation from the school's System of record, those records include Transcripts, attendance detail, grades, Student Ledger Account, Leave of Absence documentation, etc. If a refund is necessary, IVY will generate a refund in the Core system and include that refund on the next disbursement roster. [Responsibility is split 50% Campus Ivy & 50% the school]

8. IVY calculates the amount of student Pell awards based on data supplied by the Institution. The Institution provides documentation to IVY for completion of the reports/recordkeeping. [Responsibility is split 50% Campus Ivy & 50% the school]

9. IVY prepares the federal portion of the expenditures based on institutional information and accounting records. [Responsibility is split 25% Campus Ivy & 75% the school]

10. IVY verifies that matching is accurate. [Responsibility is split 25% Campus Ivy & 75% the school]

11. IVY will determine loan eligibility using the Expected Family Contribution and the institution's Cost of Attendance Budget form the ISIR. IT is highly recommended that the Institution completes the IVY Award Letter and include any other aid available, the Institution's loan period, grade level, and the loan amount requested. IVY will export and import the originations and disbursement updates to the Common Origination and Disbursement system. It is the responsibility of the Institution to verify that funds are in the bank and then disburse the funds to students. The monthly reconciliation will be completed monthly by Campus Ivy and the school. The Institution must notify IVY of any adjustments. IVY completes reconciliation based upon accounting records and notifications provided by the institution. The Campus Ivy Core system is used to communicate with COD and maintains all reconciliations between the two systems. [Responsibility is split 75% Campus Ivy & 25% the school]



970 Klamath Lane
Yuba City, CA 95993
Phone (530) 822-2900
Fax (530) 671-3422

Corrective Action Plan

Audit Firm: Sikich LLP

Audit Period: Year Ended June 30, 2022

A. Comments on Findings and Recommendations:

There are no findings in the current audit period.

B. Actions Taken or Planned:

The school will continue to monitor processes to verify reports and maintain compliance.

X 

Agenda Item No. 11.0

BOARD AGENDA ITEM: Disclosure of Collective Bargaining Agreement for Sutter
County Superintendent of Schools Staff Association (CTA)

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

☐ Action

Paramjeet Kaur

☐ Reports/Presentation

SUBMITTED BY:

☒ Information

Paramjeet Kaur

☐ Public Hearing

PRESENTING TO BOARD:

☐ Other (specify)

Ron Sherrod

BACKGROUND AND SUMMARY INFORMATION:

The disclosure of Collective Bargaining Agreement is a statement of costs associated with the agreement with the Sutter County Superintendent of Schools Staff Association (CTA) July 1, 2021 through June 30, 2023.

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

In Accordance with AB 1200 (Statutes of 1991, Chapter 1213) and GC 3547.5

Sutter County Superintendent of Schools

School District

Name of Bargaining Unit: **Sutter County Superintendent of Schools Staff Association**Certificated X Classified The proposed agreement covers the period beginning **July 1, 2021** and ending**June 30, 2023**

and will be acted upon by the Governing Board at its meeting on

February 8, 2023**A. Proposed Change in Compensation**

Compensation		Cost Prior to Proposed Agreement	Fiscal Impact of Proposed Agreement		
			Current Year Increase/Decrease 2021-22	Year 2 Increase/Decrease 2022-23	Year 3 Increase/Decrease 2023-24
1.	Salary Schedule	\$ 4,613,358.74	\$ 228,199.00	\$ 387,325.00	
			4.95%	8.00%	0.00%
2.	Other Compensation Stipends, Bonuses, etc.		\$ 57,020.00		
			1.24%	0.00%	0.00%
	Description of Other Compensation				
	Off schedule 1% of 2022-23		\$ -	\$ 52,400	\$ (52,400)
3.	Statutory Benefits STRS, PERS, FICA, WC, UI, Medicare, etc.	\$ 1,029,958	\$ 67,636	\$ 91,835	\$ -
			6.57%	8.92%	0.00%
4.	Health/Welfare Plans	\$ 805,657	\$ -	\$ -	\$ -
			0.00%	0.00%	0.00%
5.	Total Compensation Add items 1 thru 4 to equal 5		\$ 352,855	\$ 479,160	\$ -
		\$ 6,448,974	5.47%	7.43%	0.00%
6.	Step and Column Due to movement plus any changes due to the settlement. This is a subset of Item No. 1		\$ -		
7.	Total Number of Represented Employees (Use FTEs if appropriate)		57.45	57.45	57.45
8.	Total Compensation Cost for Average Employee	\$ 112,253.68	\$ 6,141.95	\$ 8,340.47	\$ -
			5.47%	7.43%	0.00%

Disclosure of Collective Bargaining Agreement
Page 2

9. Were any additional steps, columns, or ranges added to the schedules? If yes, please explain.

No

10. Are staffing adjustments necessary for the district to implement the proposed agreement?
If yes, please provide details.

No

11. Describe any contingency language included in the proposed agreement (e.g. reopeners, etc.).

None

12. Will this agreement create, increase, or decrease deficit spending in the current or subsequent two years?

No

13. Please identify the source of funding for the proposed agreement for the current year.

Increased cost will be absorbed by General Fund and by programs by decreasing expenditures

14. If this is a single-year agreement, how will the ongoing cost of the proposed agreement be funded in subsequent years (i.e. what will allow the district to afford this contract beyond the current year)?

General Fund unrestricted for programs that are not self-balancing.

15. If this is a multi-year agreement, what is the source of funding, including assumptions used, to fund these obligations in subsequent years?

N/A

16. Based on the district's multi-year projection, do unrestricted reserves continue to remain at, or above, the State's required minimum reserve level in the current and two subsequent years? If no, how does the district plan to restore its unrestricted reserves?

Yes

Disclosure of Collective Bargaining Agreement
Page 3

B. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

	Column 1 Latest Board- Approved Budget Before Settlement 2022-23 First Interim	Column 2 Adjustments as a Result of Settlement	Column 3 Other Revisions	Column 4 Total Current Budget
REVENUES LCFF (8010-8099)	10,002,595		-	10,002,595
Remaining Revenues (8100- 8799)	32,804,410		-	32,804,410
TOTAL REVENUES	\$ 42,807,005	\$ -	\$ -	\$ 42,807,005
EXPENDITURES 1000 Certificated Salaries	8,789,102	672,544	-	9,461,646
2000 Classified Salaries	11,674,497		-	11,674,497
3000 Employee Benefits (Stat.) & Health & Welfare	7,816,904 1,764,512	159,471		7,976,375 1,764,512
4000 Books and Supplies	1,707,497		-	1,707,497
5000 Services and Operating Expenses	\$ 7,896,610		-	\$ 7,896,610
6000 Capital Outly	1,015,345		-	1,015,345
7000 Other	468,744		-	468,744
TOTAL EXPENDITURES	\$ 41,133,211	\$ 832,015	-	\$ 41,965,226
OPERATING SURPLUS (DEFICIT)	\$ 1,673,794	\$ (832,015)	\$ -	\$ 841,779
OTHER SOURCES AND TRANSFERS IN	\$ 54,357		\$ -	\$ 54,357
OTHER USES AND TRANSFERS OUT	\$ (4,514,058)		\$ -	\$ (4,514,058)
CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE	(2,785,907)	\$ (832,015)	\$ -	\$ (3,617,922)
BEGINNING BALANCE	\$ 17,820,597			\$ 17,820,597
ENDING BALANCE	\$ 15,034,690	\$ (832,015)	-	\$ 14,202,675

Agenda Item No. 12.1

BOARD AGENDA ITEM: Business Services Report

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

 Action

Nic Hoogeveen

 Reports/Presentation

SUBMITTED BY:

 X Information

Nic Hoogeveen

 Public Hearing

PRESENTING TO BOARD:

 Other (specify)

Nic Hoogeveen

BACKGROUND AND SUMMARY INFORMATION:

The monthly financial report for January will be reviewed.

Summary Report of Revenues, Expenditures and Changes in Fund Balance (Unrestricted and Restricted Combined)

January 2023

12/16/22-01/15/23

Description	Account Codes	Original Budget	Operating Budget	Actuals to Date	Projected Yr Totals	Difference (Col D - B)	2022-23 % Actuals as a % of Budget
		7/1/22 (A)	12/15/22 (B)	1/15/23 (C)	1/15/23 (D)	(E)	
A. Revenues							
1. Local Control Funding Formula	8010-8099	\$ 9,778,465	\$ 10,002,595	\$ 3,379,328	\$ 10,002,595	-	A 33.8%
2. Federal Revenues	8100-8299	\$ 4,895,206	\$ 5,386,725	\$ 1,114,990	\$ 5,399,088	12,363	B 20.7%
3. Other State Revenues	8300-8599	\$ 14,004,106	\$ 15,264,984	\$ 4,867,769	\$ 15,423,029	158,045	C 31.9%
4. Other Local Revenues	8600-8799	\$ 12,255,528	\$ 12,157,890	\$ 3,818,025	\$ 12,219,642	61,752	D 31.4%
5. TOTAL REVENUES		\$ 40,933,305	\$ 42,812,194	\$ 13,180,112	\$ 43,044,354	\$ 232,160	30.6%
B. Expenditures							
1. Certificated Salaries	1000-1999	\$ 9,388,755	\$ 8,777,389	\$ 4,025,820	\$ 8,873,709	96,320	E 45.9%
2. Classified Salaries	2000-2999	\$ 11,149,653	\$ 11,677,986	\$ 5,303,040	\$ 11,895,568	217,582	F 45.4%
3. Employee Benefits	3000-3999	\$ 9,588,122	\$ 9,570,169	\$ 3,963,067	\$ 9,609,125	38,956	G 41.4%
4. Books and Supplies	4000-4999	\$ 1,075,493	\$ 1,717,553	\$ 457,169	\$ 1,725,748	8,195	H 26.6%
5. Services, Other Operation	5000-5999	\$ 5,944,845	\$ 7,917,780	\$ 2,831,453	\$ 7,960,789	43,009	I 35.8%
6. Capital Outlay	6000-6999	\$ 511,989	\$ 1,015,345	\$ 341,235	\$ 1,060,768	45,423	J 33.6%
7. Other Outgo	7100-7299	\$ 467,846	\$ 555,364	\$ 155,870	\$ 547,624	(7,740)	K 28.1%
8. Direct Support/Indirect	7300-7399	\$ (116,949)	\$ (94,389)	\$ (33,432)	\$ (94,389)	-	L 35.4%
9. Debt Service	7400-7499	\$ -	\$ -	\$ -	\$ -	-	M 0.0%
10. TOTAL EXPENDITURES		\$ 38,009,754	\$ 41,137,197	\$ 17,044,222	\$ 41,578,942	441,745	41.4%
C. Excess (Deficiency) of Revenues Over Expenditures Before Other Financing Sources and Uses (A5-B10)							
		\$ 2,923,551	\$ 1,674,997	\$ (3,864,110)	\$ 1,465,412	\$ (209,585)	-263.7%
D. Other Financing Sources/Uses							
1. Transfers In	8910-8979	\$ 50,000	\$ 54,357	\$ -	\$ 54,357	-	N 0.0%
2. Transfer Out	7610-7629	\$ 2,589,923	\$ 4,514,058	\$ -	\$ 4,514,058	-	O 0.0%
3. Contributions	8980-8999	\$ -	\$ -	\$ -	\$ -	-	P 0.0%
Total, Other Fin Sources/Uses		\$ (2,539,923)	\$ (4,459,701)	\$ -	\$ (4,459,701)	\$ -	0.0%
E. Net Change to Fund Balance							
		\$ 383,628	\$ (2,784,704)	\$ (3,864,110)	\$ (2,994,289)	\$ (209,585)	
F. Fund Balance (Fund 01 only)							
1. Beginning Balance		\$ 16,969,611	\$ 17,820,597	\$ 17,820,597	\$ 17,820,597	-	
2. Adjustments/Restatements		\$ -	\$ -	\$ -	\$ -		
Ending Balance		\$ 17,353,239	\$ 15,035,893	\$ 13,956,487	\$ 14,826,308	\$ (209,585)	
G. Components of Ending Fund Balance							
Designated Amounts	9711-9730	\$ 10,500	\$ 10,500		\$ 10,500	\$ -	
Legally Restricted	9740-9760	\$ 5,721,404	\$ 5,596,540		\$ 5,367,805	\$ -	
Assigned	9780	\$ 9,591,351	\$ 7,146,290		\$ 7,143,353	\$ -	
Restricted Economic Uncertainty	9789	\$ 2,029,984	\$ 2,282,563		\$ 2,304,650	\$ -	
Unassigned/Unappropriated	9790	\$ -	\$ -		\$ -	\$ -	

Explanation of Differences
Net Change in Current Year Budget January Board Report
12/16/22-01/15/23

	<u>Amount</u>	<u>Explanation of Differences</u>
A <u>Local Control Funding Formula (8010-8099)</u>		
	<u>\$ -</u>	
B <u>Federal Revenues (8100-8299)</u>		
One Stop	\$ 12,036	<i>Increasing Covid WD 1196 Grant to updated award</i>
Special Education Local Plan Area (SELPA)	\$ 327	<i>Update to ADR grant funds available</i>
	<u>\$ 12,363</u>	
C <u>Other State Revenues (8300-8599)</u>		
Curriculum, Instruction, and Accountability (CIA)	\$ 183	<i>Budget CAASPP revenue</i>
Student Support and Outreach (SSO)	\$ (11,948)	<i>Adjusting Budget to new Award amount for Tobacco-Use Prevention</i>
County Office	\$ 169,810	<i>Establish Budget for rest of Arts, Music Block Grant</i>
	<u>\$ 158,045</u>	
D <u>Other Local Revenues (8600-8799)</u>		
County Office	\$ 63,779	<i>Increase Budget for Twin Cities Flooring overpayment</i>
Special Education	\$ (9,158)	<i>Adjustments to billbacks for supplies, revenue, student attendance and Grants</i>
Curriculum, Instruction, and Accountability (CIA)	\$ 4,500	<i>Establish Educator of the Year Donation budget</i>
Feather River Academy (FRA)	\$ 2,631	<i>Winn Foundation Donation and adjustment to prior year payable moved to current year</i>
	<u>\$ 61,752</u>	
E <u>Certificated Salaries (1000-1999)</u>		
Special Education	\$ 96,320	<i>Adjustments to YCUSD and LOUSD Home Health Care billback and 2nd Interim adjustments to certified employees subs and extra duty salaries</i>
	<u>\$ 96,320</u>	
F <u>Classified Salaries (2000-2999)</u>		
County Office	\$ 169,810	<i>Establish budget for the remainder of Arts, Music Block Grant</i>
Special Education	\$ 47,772	<i>2nd Interim adjustments to classified employees subs and extra duty salaries</i>
	<u>\$ 217,582</u>	
G <u>Employee Benefits (3000-3999)</u>		
Special Education	\$ 38,943	<i>2nd Interim adjustments to certified and classified employees benefits</i>
Special Education Local Plan Area (SELPA)	\$ 13	<i>Adjustments for expenses through June</i>
	<u>\$ 38,956</u>	
H <u>Books and Supplies (4000-4999)</u>		
County Office	\$ 800	<i>Increase Budget for Special Ed refrigerator</i>
Special Education	\$ 7,188	<i>Increase Budget for supplies and furniture; and B. Rosellini Ed Foundation Grant</i>
Curriculum, Instruction, and Accountability (CIA)	\$ 653	<i>Increase Budget for books and budget for CAASPP</i>
Student Support and Outreach (SSO)	\$ 3,435	<i>Establish Budget for MC Minigrant 22.23.09</i>
Feather River Academy (FRA)	\$ 2,257	<i>Establish Budget for Winn Foundation Donation</i>
Pathways Charter Academy	\$ (6,138)	<i>Adjustments to cover cost of Centegix</i>
	<u>\$ 8,195</u>	

Explanation of Differences
Net Change in Current Year Budget January Board Report
12/16/22-01/15/23

	<u>Amount</u>	<u>Explanation of Differences</u>
I <u>Services, Other Operations (5000-5999)</u>		
County Office	\$ 32,220	2nd Interim Adjustments; Establish budgets for fingerprinting, security cameras and Special Ed fridge; reimburse ROP for Recology and Labor costs for Storage cleanout; Vision Screening 21-22 expense
Special Education	\$ (10,355)	Billbacks for LOUSD CPI and removing subcontracts for students not attending
Curriculum, Instruction, and Accountability (CIA)	\$ 3,576	Establish Educator of the Year Donation budget; increases to books and postage budgets
Shady Creek Outdoor School	\$ 13,000	2nd Interim increases to Utilities budget
Regional Occupation Program (ROP)	\$ (2,393)	Facilities reimbursement for Storage Cleanout labor
Feather River Academy (FRA)	\$ (8,084)	Adjustments to cover Centegix with ESSER II to 1 Year cost
One Stop	\$ 11,250	Increasing Covid WD 1196 Grant to updated Award
Special Education Local Plan Area (SELPA)	\$ 3,795	Adjustments to cover School Services of CA expense and ADR grant funds available
	<u><u>\$ 43,009</u></u>	
J <u>Capital Outlay (6000-6999)</u>		
County Office	\$ 21,431	Increase budgets for security cameras and SUHS Classroom Fire Replacement
Feather River Academy (FRA)	\$ 19,193	Adjustments to cover Centegix ESSER II to 1 Year; and establish budget for the remaining Arts, Music Block Grant
Pathways Charter Academy	\$ 4,799	Adjustments to cover Centegix ESSER II to 1 Year
	<u><u>\$ 45,423</u></u>	
K <u>Other Outgo (7100 - 7299)</u>		
Special Education Local Plan Area (SELPA)	\$ (7,740)	Adjustments for School Services of CA expense and SSO Mini Grants MC 22.23.09
	<u><u>\$ (7,740)</u></u>	
L <u>Direct Support / Indirect (7300-7399)</u>		
	<u><u>\$ -</u></u>	
M <u>Debt Services (7400 - 7499)</u>		
	<u><u>\$ -</u></u>	
N <u>Transfers In (8910-8979)</u>		
	<u><u>\$ -</u></u>	
O <u>Transfers Out (7610-7629)</u>		
	<u><u>\$ -</u></u>	
P <u>Contributions (8980-8999)</u>		
	<u><u>\$ -</u></u>	
Net Change in Current Year Budget	<u><u>\$ (209,585)</u></u>	

Agenda Item No. 12.2

BOARD AGENDA ITEM: Quarterly Facilities Update

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

 Action

James Peters

 Reports/Presentation

SUBMITTED BY:

X Information

James Peters

 Public Hearing

PRESENTING TO BOARD:

 Other (specify)

James Peters

BACKGROUND AND SUMMARY INFORMATION:

Quarterly facilities projects update

FY22-23 Quarterly update

Facilities

- The Career Training & Conference Center (CTC) RFQ process has been completed, and the design-build entity has been approved. Currently in the contract phase.
- We are upgrading the irrigation controllers at Klamath and FRA to 'Smart Rain' controllers.

Klamath

- Painting in the common area hallways complete (5-year rotation). Commencing with restroom remodels.
- No update - The HVAC project assessments are complete and are currently contracted with M2 Mechanical to coordinate efforts between the manufacturer and independent engineering teams to fully redesign the building HVAC for current efforts and future planning. We are pushing hard to go to bid in early Spring 2023.

FRA

- No update - AB841 application has been approved to receive State funding for assessments and recommendations for the HVAC systems. Alco Building Solutions is contracted to perform this phase of the project. Information received will help to determine the critical path for replacements. We intend to replace up to four (04) units, aiming to go to bid in early Spring 2023.
- No update - Boyd Hall asphalt slurry and stripe are pushed back to Spring. We could not get the contractor out before the asphalt plants began to shut down for winter.

Cosmetology

- Staff and students aligned to commence on February 6th
- Building signage in progress.

Shady Creek

- The water system main break at the Dome Cabins (naturalist housing) is fixed.
- We lost the Raptor Ridge boiler in November. Accelerating the replacement was a painstaking process, but the boiler is replaced and running!
- No update - Engineering underway. The HVAC project is contracted with M2 Mechanical. We hope to go to bid in early Spring 2023.

Special Ed

- No update - Classroom 103 at Sutter Union High School successfully opened in time for the first day of school. We accomplished this by breaking the project into two phases. We are currently In design for the restroom and kitchenette, which make up phase 2.

Districts

- We continue to support the Districts by forwarding pertinent post-storm information from CDE and CalOES.
- CDE is initiating a monthly work group with all 58 County offices, CDE Emergency Management, and CalOES. We are signed up to participate.
- We are currently assisting Brittan Elementary with the bid process for an HVAC project.

Site Profile Worksheet - Projects in queue
Fiscal Year 22-23

February 1, 2023

Estimate

Status

Facilities

\$1,495,040.00

Harter Bldg Phase 1 and 2, with GMP approval	\$1,363,040.00	Contract phase
Site cameras @ Klamath & FRA	\$132,000.00	Completed September 2022

Klamath

\$194,500.00

HVAC redesign and replacement	\$180,000.00	In process-with Engineers
Restroom remodels		In progress
Annual painting +/-1400 sq. ft.	\$2,500.00	Complete Dec 2022
Floor finish replacement +/- 1400 sq. ft.	\$12,000.00	Spring of 2023

1 Stop Gateway

\$5,950.00

Marquee sign replacement	\$5,000.00	On hold-ROP attempting w/students
Add sink to room 102 for Health Careers	\$950.00	Complete July 2022

FRA

\$165,200.00

HVAC assessment and replacement	\$60,000.00	In process - AB841
Boyd Hall asphalt slurry & stripe	\$12,000.00	Pushed to Spring 2023
Annual painting +/-1800 sq. ft.	\$2,700.00	In progress
Flooring replacement in two classrooms	\$15,000.00	In progress

Adult Ed

\$33,500.00

Install sinks in Health Careers classrooms	\$20,000.00	In development
Update the staff breakroom	\$1,500.00	In development
Energy efficiency measures	\$12,000.00	HVAC complete, lighting on hold

Cosmetology

\$8,500.00

Cosmetology school design and construction	\$8,500.00	Complete, license approved in October
New bldg signage		In progress

Fleet

\$0.00

Rotation of four Nissan Sentras, two Ford Escapes		In development
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Shady Creek

\$195,500.00

Site road repair and slurry	\$33,000.00	Spring 2023
HVAC assessment and design	\$154,000.00	In process-with Engineers
Raptor Ridge boiler replacement	\$8,500.00	Complete

Total	\$2,056,190.00	
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Agenda Item No. 13.0

BOARD AGENDA ITEM: To select and convene the Superintendent's Salary Committee

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

☒ Action

Ron Sherrod

☐ Reports/Presentation

SUBMITTED BY:

☐ Information

Ron Sherrod

☐ Public Hearing

PRESENTING TO BOARD:

☐ Other (specify)

Ron Sherrod

BACKGROUND AND SUMMARY INFORMATION:

Education Code Section 1209 states that a county superintendent of schools shall not increase his or her salary, financial remuneration, benefits, or pension in any manner or for any reason without bringing the matter to the attention of the county board of education for its discussion at a regularly scheduled public meeting of the board and without the approval of the county board of education.

We would like to convene the committee to review the Superintendent's current salary schedule for comparability and possible adjustments to the structure of the schedule.

BOARD AGENDA ITEM: Second Reading of New and Revised Board Bylaws

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

✓ Action

Maggie Nicoletti

 Reports/Presentation

SUBMITTED BY:

 Information

Maggie Nicoletti

 Public Hearing

PRESENTING TO BOARD:

 Other (specify)

Maggie Nicoletti

BACKGROUND AND SUMMARY INFORMATION:

The following Board Bylaws are being presented to the Board for a second reading and Board approval:

- BB 9010 – Public Statements
- BB 9121 – President/Vice President
- BB 9124 – Attorney
- BB 9322 - Agenda/Meeting Materials

Series 9000 – Board Bylaws

Public Statements

The County Board of Education recognizes the responsibility of County Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the county office of education (COE), and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding COE issues, County Board members are expected to respect the authority of the County Board to choose its spokesperson to communicate its positions and to abide by established protocols.

All public statements authorized to be made on behalf of the County Board shall be made by the County Board president or, if appropriate, by the County Superintendent of Schools or other designated spokesperson.

When speaking for the County Board, the spokesperson is encouraged to exercise restraint and tact and to communicate the message in a manner that promotes public confidence in the County Board's leadership.

When making public statements, County Board members shall not disclose confidential information or information received in closed session except when authorized by a majority of the County Board. (Government Code 54963)

When speaking to community groups, members of the public, or the media, individual County Board members should recognize that their statements may be perceived as reflecting the views and positions of the County Board. County Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the County Board.

In addition, Board members who participate on social networking sites, blogs, or other discussion or informational sites are encouraged to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for COE students and the community. Such electronic communications are subject to the same standards and protocols established for other forms of communication, and the disclosure requirements of the California Public Records Act may likewise apply to them.

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Sutter County Board of Education

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Legal Reference:

GOVERNMENT CODE

6250-6270 California Public Records Act

54960 Actions to stop or prevent violation of meeting provisions

54963 Confidential information in closed session

Management Resources:

WEB SITES

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

California County Boards of Education: <http://www.theccbe.org>

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Sutter County Board of Education**

Series 9000 – Board Bylaws

President/Vice-President

The Sutter County Board of Education shall elect a president from among its members to provide leadership on behalf of the Board and the educational community it serves.

To ensure that the County Board Meetings are conducted in an efficient, transparent, and orderly manner, the president shall: ~~The president shall preside at all Board meetings. He/she shall:~~

1. Call the meeting to order at the appointed time and preside over the meeting
2. Announce the business to come before the Board in its proper order
3. Enforce the Board's policies relating to the conduct of meetings and help work to ensure compliance with ~~applicable requirements of the Brown Act~~ Brown Act requirements
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference
5. Explain what the effect of a motion would be if it is not clear to every member
6. ~~Restrict discussion to the question when a motion is before the Board~~ Facilitate the County Board's effective deliberation, ensuring that each County Board member has an opportunity to participate in the deliberation and that the discussion remains focused
7. Rule on issues of parliamentary procedure
8. Put motions to a vote, and state clearly the results of the vote
9. ~~Be responsible for the orderly conduct of all Board meetings~~

The president shall have the same rights as other members of the County Board, including the right to discuss and vote on all matters before the County Board.

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

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Sutter County Board of Education**

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1. Signing all instruments, acts and orders necessary to carry out state requirements and the will of the Board
2. Consulting with the Superintendent or designee on the preparation of the Board's agendas
3. Working with the Superintendent to ensure that Board members have necessary materials and information
4. Subject to Board approval, appointing and dissolving all committees
5. Appointing members of the County Board to fill the vacant seats of a school district or community college district governing board, when a majority of those seats are vacant (Education Code 5094)
6. Calling such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law
7. Representing the ~~district as governance spokesperson, in conjunction with the Superintendent~~ County Board as spokesperson

When the president resigns or is absent or disabled, the vice president shall perform the president's duties. If the president and vice-president of the County Board are both absent, the remaining members present shall ~~select one of their group to act as temporary president.~~ choose a president pro tempore to perform the president's duties.

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State	Description
Ed. Code 35022	<u>President of the board</u>
Ed. Code 35143	<u>Annual organizational meetings; date and notice</u>
Gov. Code 54950-54963	<u>The Ralph M. Brown Act</u>

Cross References

Code	Description
1112	<u>Media Relations</u>
9005	<u>Governance Standards</u>
9012	<u>Board Member Electronic Communications</u>
9100	<u>Organization</u>
9130	<u>Board Committees</u>
9240	<u>Board Training</u>
9322	<u>Agenda/Meeting Materials</u>

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Sutter County Board of Education**

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Attorney

The County Board of Education recognizes that the complex legal environment in which it discharges its functions creates the need for sound and dependable legal services and advice. The County Board also recognizes that a County Superintendent of Schools is not limited by statute as to what legal services he/she may contract with legal counsel to perform.

The County Board may arrange to obtain legal services and advice in accordance with law.

General Legal Services and Advice

As authorized by law, the County Board will work with the County Superintendent to appoint a shared legal counsel. Subject to County Board approval, the County Superintendent may hire and fix the compensation to be paid to an independent contractor or a law firm to serve as shared legal counsel for the County Board and County Superintendent. When the proposed appointee is an employee of the County Superintendent, the County Superintendent shall fix his/her compensation and shall be responsible for his/her evaluation as an employee.

If the County Board and County Superintendent cannot agree on the appointment of a shared legal counsel, the County Board shall permit the County Superintendent to appoint the shared legal counsel. The shared legal counsel shall provide general legal services and advice to the County Board except when the County Board decides to exercise its right to seek special legal services and advice pursuant to Education Code 1042.

The shared legal counsel must be admitted to practice law in California but is not required to have any certification qualifications. (Education Code 35041.5)

The duties of the shared legal counsel may include:

1. Rendering legal advice to the County Board, County Superintendent, and county office of education employees and officers as appropriate
2. Serving the County Board and County Superintendent in the preparation and conduct of school district litigation and administrative proceedings
3. Rendering advice in relation to school bond and tax increase measures and preparing all legal papers and forms necessary for the voting of school bond and tax increase measures in the district(s).

**Policies and Regulations Manual
Sutter County Board of Education**

Series 9000 – Board Bylaws

4. Rendering administrative duties as may be assigned by the County Superintendent or by the County Board

The County Board may request to have shared legal counsel attend a board meeting to provide legal advice or to prepare a written legal opinion on issues within the jurisdiction of the County Board including, but not limited to, expulsion appeals, charter school petitions and appeals, interdistrict transfer appeals, open meeting laws, real property transactions, the county office budget, and the county office local control accountability plan.

The County Board may consult with the shared legal counsel on matters affecting the operations of the County Board. The County Board may consult with the shared legal counsel as a group. The County Board also may authorize a specific County Board member to consult with the shared legal counsel on behalf of the County Board. Any individual County Board member who consults with the shared legal counsel on behalf of the County Board shall report the conversation to the County Board and when requested, the shared legal counsel shall provide his/her advice or opinion directly to the County Board. Consultation with the shared legal counsel shall occur in open session except when closed session is authorized by law. (Government Code 54962)

Special Legal Services and Advice

The County Board may contract with a trained, experienced, and competent legal counsel other than the shared legal counsel, to furnish special services and advice in any of the following situations:

1. When, for reasons beyond the County Board's control, the shared legal counsel has a conflict of interest or has failed to render timely advice in a particular matter
2. The services being sought by the County Board are in addition to those usually, ordinarily and regularly obtained from the shared legal counsel
3. The County Board desires a second legal opinion in a particular matter

In such situations, the County Board shall fix the compensation to be paid for the special services or advice, and may pay such compensation from any available funds. (Education Code 1042)

Federal	Description
1042	<u>County boards; authority</u>
17150	<u>Revenue bonds</u>

Policy Adopted:
Sutter County Board of Education

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Sutter County Board of Education**

Series 9000 – Board Bylaws

Federal	Description
35041.5	<u>Legal counsel: Relieving duties of county counsel and district attorney</u>
54950-54963	<u>Brown Act, especially</u>
814-895.8	<u>Liability of public entities and public employees</u>
86	<u>Ops.Cal.Att’y.Gen. 57 (2003)</u>
995-996.6	<u>Defense of public employees</u>
Management Resources	Description
CSBA Publication	<u>The Brown Act: School Boards and Open Meeting Laws, rev. 2014</u>
National School Boards Association Publication	<u>Selecting and Working with a School Attorney: A Guide for School Boards, 1997</u>
Website	<u>State Bar of California</u>
Website	<u>National School Boards Association</u>
Website	<u>CSBA</u>
Website	<u>California Council of School Attorneys</u>
State	Description
Ed. Code 35041	<u>Administrative adviser</u>
Ed. Code 35041.5	<u>Legal counsel</u>
Ed. Code 35161	<u>Board delegation of any powers or duties</u>
Ed. Code 35200-35214	<u>Liabilities</u>
Ed. Code 35204	<u>Contract with attorney in private practice</u>
Ed. Code 35205	<u>Contract for legal services</u>
Gov. Code 26520	<u>Legal services to school districts</u>
Gov. Code 53060	<u>Special services and advice</u>
Gov. Code 814-895.8	<u>Liability of public entities and public employees</u>
Gov. Code 995-996.6	<u>Defense of public employees</u>

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Agenda/Meeting Materials

Agenda Content

County Board of Education meeting agendas shall reflect the County Board's vision and goals and its focus on student learning. Each agenda shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

The agenda shall provide members of the public the opportunity to address the County Board on any agenda item before or during the County Board's consideration of the item. The agenda shall also provide members of the public an opportunity to testify at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the County Board. (Government Code 54954.3)

Each meeting agenda shall list the address designated for public inspection of agenda documents that have been distributed to the County Board less than 72 hours before the meeting. (Government Code 54957.5)

The agenda shall specify that an individual should contact the County Board secretary or designee if he/she requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the County Board meeting. (Government Code 54954.2)

Agenda Preparation

The County Superintendent of Schools, as secretary to the County Board, shall prepare an agenda for each meeting of the Board.

Any County Board member or member of the public may request that a matter within the jurisdiction of the County Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the County Superintendent and County Board president with supporting documents and information, **if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting to allow sufficient time for consideration and research of the issue.**

The County Board president and County Superintendent shall decide whether a request is within the subject matter jurisdiction of the County Board. Items not within the subject matter jurisdiction of the County Board shall not be placed on the agenda. In addition, before placing the item on the agenda, the County Board president and County

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Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing County Board policy.

If a request from a County Board member to place an item on the agenda is denied, the member may ask the County Board to take action to determine whether the item shall be placed on the agenda.

The County Board president and County Superintendent shall decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to County Board vote, an information item that does not require immediate action, or a consent item that is routine in nature and for which no discussion is anticipated.

Any County Board action that involves borrowing \$100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

Consent Agenda/Calendar

In order to promote efficient meetings, the County Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent agenda items shall be items of a routine nature and items for which County Board discussion is not anticipated and for which approval is recommended.

When any County Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item that has not been previously considered. However, the agenda need not provide an opportunity for public comment when the consent agenda item has previously been considered at an open meeting of a committee comprised exclusively of all the County Board members provided that members of the public were afforded an opportunity to comment on the item at that meeting, unless the item has been substantially changed since the committee considered it. (Government Code 54954.3)

Agenda Dissemination to County Board Members

At least three days before each regular meeting, each County Board member shall be provided a copy of the agenda and agenda packet, including any reports from the County Superintendent; minutes to be approved; copies of communications; reports

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from committees, staff, citizens, and others; and other available documents pertinent to the meeting.

When special meetings are called, the County Superintendent or designee shall make every effort to distribute the agenda and supporting materials to County Board members as soon as possible before the meeting.

County Board members shall review agenda materials before each meeting. Individual members may confer directly with the County Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of County Board members shall not directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the County Board.

Agenda Dissemination to Members of the Public

As County Board secretary, it is the responsibility of the County Superintendent or his/her designee to mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the County Board, whichever occurs first. (Government Code 54954.1)

If a document which relates to an open session agenda item of a regular County Board meeting is distributed to the County Board less than 72 hours prior to a meeting, the County Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the County Board, provided the document is a public record under the Public Records Act. The documents may also be posted on the County Board's web site in a position and manner that makes it clear that the document relates to an agenda item for an upcoming meeting. (Government Code 54957.5)

Any document prepared by the County Board or county office of education and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person and presented at the meeting shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Upon request, the County Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act.

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(Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the County Superintendent or designee, not to exceed the cost of providing the service.

Legal Reference:

EDUCATION CODE

35145.5 Right of public to place matters on agenda

GOVERNMENT CODE

6250-6270 Public Records Act

54954.1 Mailed agenda of meeting

54954.2 Agenda posting requirements; board actions

54954.3 Opportunity for public to address legislative body

54954.5 Closed session item descriptions

54956.5 Emergency meetings

54957.5 Public records

54960.2 Challenging board actions; cease and desist

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 Effective communications

36.303 Auxiliary aids and services

COURT DECISIONS

Mooney v. Garcia, (2012) 207 Cal.App.4th 229

Caldwell v. Roseville Joint Union High School District, 2007 U.S. Dist. LEXIS 66318

Management Resources:

CSBA PUBLICATIONS

A Call to Order, revised 2015

The Brown Act: School Boards and Open Meeting Laws, 2014

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, rev. 2003

WEB SITES

CSBA, Agenda Online: <http://www.csba.org>

California Attorney General's Office: <http://www.oag.ca.gov>

BOARD AGENDA ITEM: Second Reading of New and Revised Board Policies

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

✓ Action

Ron Sherrod

 Reports/Presentation

SUBMITTED BY:

 Information

Ron Sherrod

 Public Hearing

PRESENTING TO BOARD:

 Other (specify)

Ron Sherrod

BACKGROUND AND SUMMARY INFORMATION:

The following revised Board Policies are presented to the Board for a second reading and Board approval:

- AR 3514.1 – Hazardous Substances
- BP 3514.1 – Hazardous Substances
- AR 3514.2 – Integrated Pest Management
- SP/BP 3515 – Campus Security
- BP 3470 – Debt Issuance And Management
- BP/AR 3512 – Equipment
- SP/BP 3513.4 – Drug And Alcohol Free Schools

Administrative Regulation
Series 3000 – Business and Noninstructional Operations

Hazardous Substances

Hazardous substance means a substance, material, or mixture which is likely to cause illness or injury by reason of being explosive, flammable, poisonous, corrosive, oxidizing, an irritant, or otherwise harmful. Hazardous substances, as identified by the Department of Industrial Relations, are listed in 8 CCR 339. (8 CCR 339, 5161)

Storage and Disposal of Chemicals

The Superintendent or designee shall adopt measures to ensure that hazardous substances on any County Office property are stored and disposed of properly in accordance with law. Such measures shall include, but are not limited to, the following: (8 CCR 5164)

1. Substances which react violently or evolve toxic vapors or gases when mixed, or which in combination become toxic, flammable, explosive, or otherwise hazardous, shall be separated from each other in storage by distance, partitions, secondary containment, or otherwise so as to preclude accidental contact between them.
2. Hazardous substances shall be stored in containers which are chemically inert to and appropriate for the type and quantity of the hazardous substance.
3. Containers of hazardous substances shall not be stored in such locations or manner as to result in physical damage to or deterioration of the container or where they are exposed to heat sufficient to rupture the container or to cause leakage.
4. Containers used to package a substance which gives off toxic, poisonous, corrosive, asphyxiant, suffocant, or anesthetic fumes, gases, or vapors in hazardous amounts, excluding small quantities of such materials kept in closed containers or materials kept in tank cars or trucks, shall not be stored in locations where it could be reasonably anticipated that persons would be exposed.

The Superintendent or designee shall regularly remove and dispose of all chemicals whose estimated shelf life has elapsed. (Education Code 49411)

Hazard Communication Program

The County Office's written hazard communication program shall include at least the components listed below and shall be available upon request to all employees and their

designated representatives. The program shall apply to any hazardous substance which is known to be present in the workplace in such a manner that employees may be exposed under normal conditions of use or in a reasonably foreseeable emergency resulting from workplace operations. (8 CCR 5194)

1. Container Labeling

No container of hazardous substance, unless exempted by law, shall be accepted by the County Office or any County Office school unless labeled, tagged, or marked by the supplier with the identity of the hazardous substance, hazard warning statements, and the name and address of the chemical manufacturer or importer. No label on an incoming container shall be removed or intentionally defaced unless the container is immediately marked with the required information.

Whenever hazardous substances are transferred from their original containers to other containers, the secondary containers shall likewise be labeled with the identity and hazard warning statement, unless the substances are intended only for the immediate use of the employee who performs the transfer.

2. Safety Data Sheets

Upon receiving a hazardous substance or mixture, the Superintendent or designee shall ensure that the manufacturer or importer has furnished a safety data sheet (SDS) as required by law. If the SDS is missing or obviously incomplete, the Superintendent or designee shall, within seven working days of noting the missing or incomplete information, request a new SDS from the manufacturer or importer. If a response is not received within 25 working days, the Superintendent or designee shall send a copy of the County Office's written inquiry to the California Occupational Safety and Health Division (Cal/OSHA). (8 CCR 5194)

The Superintendent or designee shall maintain the required SDS for each hazardous substance in the workplace and shall ensure that it is readily accessible to employees in their work area during working hours. The SDS may be maintained in paper copy, electronically, or through other means, provided that employees have immediate access and understand how to use the alternative system.

3. Employee Information and Training

Employees shall receive information and training on hazardous substances in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area. The information and training shall include, but are not limited to, the following topics: (8 CCR 5194)

- a. The requirements of 8 CCR 5194, including employee rights described therein
- b. The location and availability of the County Office's written hazard communication program, including the list of hazardous materials and all SDS
- c. Any operations in the work area where hazardous substances are present
- d. The physical and health effects of the hazardous substances in the work area
- e. Methods and observations that may be used to detect the presence or release of hazardous substances in the work area
- f. Measures that employees can take to protect themselves from exposure to hazardous substances, including specific procedures the County Office has implemented to protect employees, such as appropriate work practices, emergency procedures, and personal protective equipment to be used
- g. How to read and use the labels and SDS

4. List of Hazardous Substances

The written hazard communication program shall include a list of the hazardous substances known to be present in the workplace as a whole or for individual work areas. (8 CCR 5194)

5. Hazardous Nonroutine Tasks

When employees are required to perform hazardous nonroutine tasks or to work on unlabeled pipes that contain hazards, they shall first receive information about the specific hazards to which they may be exposed during this activity and the protective/safety measures which must be used, such as ventilation, respirators, other personal protective equipment, and/or the presence of another employee. They shall also receive information about emergency procedures to follow if accidentally exposed to the hazardous substance.

6. Information to Contractors

To ensure that outside contractors and their employees work safely in County Office facilities, the Superintendent or designee shall inform contractors of hazardous substances which are present on the site and precautions that they may take to lessen the possibility of exposure. It shall be the contractor's responsibility to disseminate this information to his/her employees and subcontractors.

Chemical Hygiene Plan

The County Office's chemical hygiene plan shall address exposure to hazardous chemicals in school laboratories and shall include the following components: (8 CCR 5191)

1. Standard operating procedures relevant to safety and health considerations to be followed when laboratory work involves the use of hazardous chemicals
2. Criteria that the County Office will use to determine and implement control measures to reduce exposure to hazardous chemicals, including engineering controls, the use of personal protective equipment, and hygiene practices
3. A requirement that protective equipment comply with state regulations and that specific measures be taken to ensure proper and adequate performance of such equipment
4. Provision of specified information at the time of an employee's initial assignment to a work area where hazardous chemicals are present and prior to assignments involving new exposure situations
5. Provision of specified employee training in accordance with the schedule determined by the Superintendent or designee
6. The circumstances under which a particular laboratory operation, procedure, or activity shall require prior approval of the Superintendent or designee before implementation
7. Provisions for medical consultations and examinations whenever there is evidence, as specified, that the employee may have been exposed to a hazardous chemical
8. Designation of an employee, who is qualified by training or experience, to serve as the County Office's chemical hygiene officer to provide technical guidance in the development and implementation of the chemical hygiene plan
9. Provisions for additional employee protection for work with particularly hazardous substances, as specified

The plan shall be readily available to employees and employee representatives, and, upon request, to Cal/OSHA. (8 CCR 5191)

The Superintendent or designee shall review and evaluate the effectiveness of the chemical hygiene plan at least annually and shall update it as necessary. (8 CCR 5191)

HAZARDOUS SUBSTANCES

~~Cautionary Notice 2010-13: AB 1610 (Ch. 724, Statutes of 2010) amended Education Code 37252.2 and Government Code 17581.5 to relieve County Offices from the obligation, until July 1, 2013, to perform any activities that are deemed to be reimbursable state mandates under those sections. As a result, certain provisions of the following policy or administrative regulation that reflect those requirements may be suspended~~

~~The disposal of chemicals may be accomplished in accordance with removal and disposal systems established by the Sutter County Office of Education or by permission of the Sutter County Superintendent of Schools. (Education Code 49411)~~

Hazard Communication Program

~~The written hazard communication program shall be available upon request to all employees and their designated representatives. (8 CCR 5194)~~

~~The following materials are exempted from the hazard communication program and this Sutter County Board of Education regulation: hazardous wastes; tobacco products; wood and wood products; manufactured articles; food, drugs and cosmetics intended for personal consumption by employees while in the workplace; and substances used in compliance with regulations issued by the Department of Pesticide Regulation pursuant to Food and Agricultural Code 12981.~~

1. Container Labeling

~~Except for consumer products, pesticides, alcoholic beverages, and food, drug and additive products which are already labeled in compliance with federal law, no container of hazardous substance shall be accepted by schools or the County Office unless labeled by the supplier with the following information:~~

- ~~a. Identity of the hazardous substance(s)~~
- ~~b. Hazard warning statements~~
- ~~c. Name and address of the chemical manufacturer or importer~~

~~Whenever hazardous substances are transferred from their original containers to other containers, the secondary containers shall likewise be labeled with the identity and hazard warning statement.~~

~~2. Material Safety Data Sheets~~

~~Upon receiving a hazardous substance or mixture, the Superintendent or designee shall ensure that the manufacturer has also furnished a Material Safety Data Sheet (MSDS) as required by law. If the MSDS is missing or obviously incomplete, the Superintendent or designee shall request a new MSDS from the manufacturer and/or locate the manufacturer MSDS online or from another source and shall notify the California Occupational Safety and Health Division (Cal/OSHA) if a complete MSDS cannot be attained or does not exist.~~

~~The Superintendent or designee shall maintain copies of the MSDS for all hazardous substances and ensure that they are kept up to date and available to all affected employees during working hours. He/she shall review each incoming MSDS for new and significant health or safety information and shall disseminate this information to affected employees.~~

~~3. Employee Information and Training~~

~~Employees shall receive in-service training on hazardous substances in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area. This training shall include but is not limited to: (8 CCR 5194)~~

- ~~a. An overview of the requirements of California's Hazard Communication Regulation (8 CCR 5194), including employee rights described therein~~
- ~~b. The location, availability and content of the County Office's written hazard communication program~~
- ~~c. Information as to any operations in the employees' work area where hazardous substances are present~~
- ~~d. The physical and health effects of the hazardous substances in the work area~~
- ~~e. Techniques and methods of observation that may determine the presence or release of hazardous substances in the work area~~
- ~~f. Methods by which employees can lessen or prevent exposure to these hazardous substances, such as appropriate work practices, use of personal protective equipment and engineering controls~~

~~g. Steps the County Office has taken to lessen or prevent exposure to these substances~~

~~h. Instruction on how to read labels and review the MSDS for appropriate information~~

~~i. Emergency and first-aid procedures to follow if exposed to the hazardous substance(s)~~

~~— In addition, employees shall receive training on how to operate the computers or fax machines that provide access to MSDS files~~

~~4. List of Hazardous Substances~~

~~For specific information about the hazardous substances known to be present in the County Office and schools, employees may consult the MSDS.~~

~~5. Hazardous Nonroutine Tasks~~

~~When employees are required to perform hazardous nonroutine tasks, they shall first receive information about the specific hazards to which they may be exposed during this activity and the protective/safety measures which must be used. They shall also receive information about emergency procedures and the measures the County Office has taken to lessen the hazards, including ventilation, respirators, and the presence of another employee.~~

~~6. Hazardous Substances in Unlabeled Pipes~~

~~Before starting to work on unlabeled pipes, employees shall contact their supervisors for information as to the hazardous substance(s) contained in the pipes, the potential hazards, and safety precautions which must be taken. The newly identified substances on the pipes shall then be labeled for future identification purposes.~~

~~(cf. 3514 – Environmental Safety)~~

~~7. Informing Contractors~~

~~To ensure that outside contractors and their employees work safely in SCSOS buildings and schools, the Superintendent or designee shall inform these contractors of hazardous substances which are present on the site and precautions that employees may take to lessen the possibility of exposure. It shall be the contractor's responsibility to disseminate this information to his/her employees and subcontractors.~~

Board Policy

Series 3000 - Business and Noninstructional Operations

HAZARDOUS SUBSTANCES

The Governing Board recognizes that potentially hazardous substances are used in the daily operations of our schools. The Superintendent or designee shall ensure these substances are inventoried, used, stored and regularly disposed of in a safe and legal manner.

Insofar as possible, the Superintendent or designee shall minimize the quantities of hazardous substances stored on school property and shall substitute less dangerous materials for hazardous substances.

Hazard Communication Program

The Superintendent or designee shall develop, implement and monitor a written hazard communication program in accordance with state law. As part of this program, he/she shall ensure that employees are fully informed about the properties and potential hazards of substances to which they may be exposed and that material safety data sheets are readily accessible to them.

The Superintendent or designee shall not order or purchase for use in grades K-6 any arts and crafts materials containing a substance determined by the California Office of Environmental Health Hazard Assessment to be toxic. The Superintendent or designee shall not purchase any such toxic material for use in grades 7-12 unless it includes a warning label as specified in Education Code 32065 that identifies any toxic ingredients, warns of potential adverse health effects, and describes procedures for safe use and storage. (Education Code 32064)

Teachers shall instruct students about the importance of proper handling, storage, disposal and protection when using any potentially hazardous substance.

~~(cf. 3514 - Environmental Safety)~~
~~(cf. 4157/4257/4357 - Employee Safety)~~
~~(cf. 5141.22 - Infectious Diseases)~~
~~(cf. 6161.3 - Toxic Art Supplies)~~

Legal Reference:

EDUCATION CODE

32064 Toxic Art Supplies

49341 Legislative findings

49401.5 Legislative intent; consultation services

49411 Chemical listing; compounds used in school programs; determination of shelf

life; disposal

FOOD AND AGRICULTURAL CODE

12981 Regulations re pesticides and worker safety

HEALTH AND SAFETY CODE

25163 Transportation of hazardous wastes; registration; exemptions; inspection

25500-25520 Hazardous materials release response plans; inventory

LABOR CODE

6360-6363 Hazardous Substances Information and Training Act

CODE OF REGULATIONS, TITLE 8

5194 Hazard communication

(9/88 12/89) 2/97

Administrative Regulation
Series 3000 - Business and Noninstructional Operations

INTEGRATED PEST MANAGEMENT

Definition

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

School site means any facility used as a child day care facility or for kindergarten, elementary, or secondary school purposes and includes the buildings or structures, playgrounds, athletic fields, vehicles, or any other area of property visited or used by students. (Education Code 17609)

Procedures

The Superintendent or designee shall designate a staff person to develop, implement, and coordinate an IPM program that incorporates effective, least toxic pest management practices.

The IPM coordinator shall prepare and annually update a Countywide or school site IPM plan based on the template provided by the California Department of Pesticide Regulation (DPR).

The IPM plan shall include the name of the County and/or school IPM coordinator, the pesticides expected to be applied at the school site by County employees and/or pest control applicators, and a date that the plan shall be reviewed and, if necessary, updated. (Education Code 17611.5)

The County shall use pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment. Such pesticides shall only be used after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. (Food and Agricultural Code 13181)

The IPM plan and this administrative regulation shall not apply to reduced-risk

pesticides, including self-contained baits or traps, gels or pastes used for crack and crevice treatments, antimicrobials, and pesticides exempt from registration by law. (Education Code 17610.5; 3 CCR 6147)

The Sutter County Superintendent of Schools' (SCSOS) program shall include the following elements:

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

No pesticide that is prohibited by DPR or the U.S. Environmental Protection Agency, as listed on the DPR web site, shall be used at a school site. (Education Code 17610.1)

6. Ensuring that persons applying pesticides follow label precautions and are trained in the principles and practices of IPM.

~~(cf. 4231—Staff Development)~~

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

~~(cf. 3514.1—Hazardous Substances)~~

8. Informing parents/guardians and employees regarding pesticide use as described in the sections "Notifications" and "Warning Signs" below.
9. Evaluating the effectiveness of treatments to determine if revisions to the IPM plan are needed.

Training

The IPM coordinator and any employee or contractor who may be designated to apply a pesticide at a school site shall annually complete a DPR-approved training course on IPM and the safe use of pesticides in relation to the unique nature of school sites and children's health. (Education Code 17614; Food and Agricultural Code 13186.5)

Any County employee who handles pesticides shall also receive pesticide-specific safety training prior to applying pesticides and annually thereafter in accordance with 3 CCR 6724.

Prohibited Pesticides

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

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

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

Notifications

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

1. The Internet address (<http://www.schoolipm.info> <http://www.cdpr.ca.gov/schoolipm>) used to access information on pesticides and pesticide use reduction developed by the DPR pursuant to Food and Agricultural Code 13184.

2. The name of each pesticide product expected to be applied in the upcoming year and the active ingredient(s) in it.
3. An opportunity for interested persons to register to receive notification of individual pesticide application at the school site. The IPM Coordinator shall notify such registered persons of individual pesticide applications at least 72 hours prior to the application. The notice shall include the product name, the active ingredient(s) in the product, and the intended date of application.
4. Other information deemed necessary by the Superintendent or IPM Coordinator.

~~(cf. 1312.4 - Williams Uniform Complaint Procedures)~~
~~(cf. 3517 - Facilities Inspection)~~
~~(cf. 4112.9/4212.9/4312.9 - Employee Notifications)~~
~~(cf. 5145.6 - Parental Notifications)~~

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

If a school chooses to use a pesticide not exempted pursuant to Education Code 17610.5, it shall post the school or County IPM plan on the school's web site or, if the school does not have a web site, then on the County web site. If neither the school nor County has a web site, then the IPM plan shall be included with the annual notification sent to staff and parents/guardians pursuant to Education Code 17612 as described above. When not required, the IPM coordinator may post or distribute the IPM plan at his/her discretion. (Education Code 17611.5)

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

~~(cf. 3514 - Environmental Safety)~~

Posting of Warning Signs

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

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

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

Records

At the end of each calendar year, the IPM coordinator shall submit to DPR, on a form provided by DPR, a copy of the records of all pesticide use at the school site for that year, excluding any pesticides exempted by law and any pesticide use reported by the pest control operator pursuant to Food and Agricultural Code 13186. The IPM coordinator may submit more frequent reports at his/her discretion. (Education Code 17611)

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

~~(cf. 1340--Access to District Records)~~
~~(cf. 3580--District Records)~~

Pesticide Use near School Site

Upon receiving notification pursuant to 3 CCR 6692 that a grower expects to use agricultural pesticides within one-quarter mile of a school site Monday through Friday from 6:00 a.m. to 6:00 p.m., the principal or designee shall notify the Superintendent or designee, IPM coordinator, staff at the school site, and parents/guardians of students enrolled at the school.

The principal or designee may communicate with any grower within one-quarter mile of the school to request that the grower not apply pesticides during evenings or weekends when school activities are scheduled.

Legal Reference:

EDUCATION CODE

17366 Legislative intent (fitness of buildings for occupancy)

17608-17613 Healthy Schools Act of 2000

48980 Notice at beginning of term

48980.3 Notification of pesticides

FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

6250-6270 California Public Records Act

CODE OF REGULATIONS, TITLE 8

340-340.2 Employer's obligation to provide safety information

UNITED STATES CODE, TITLE 7

136-136y Insecticide, Fungicide and Rodenticide Act

Management Resources:

U.S. ENVIRONMENTAL PROTECTION AGENCY

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

WEB SITES

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

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

U.S. Environmental Protection Agency, Integrated Pest Management at Schools:
<http://www.epa.gov/pesticides/ipm>

(7/01) 3/06

Policy Series 3000 - Business and Noninstructional Operations

CAMPUS SECURITY

The Sutter County Superintendent of Schools (Superintendent) is committed to providing an environment that promotes the safety of students, employees, and visitors to County Office grounds. The Superintendent also recognizes the importance of protecting County Office property, facilities, and equipment from vandalism and theft.

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

Surveillance Systems

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

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

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

Legal Reference:
EDUCATION CODE

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

PENAL CODE

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

CALIFORNIA CONSTITUTION

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

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

COURT DECISIONS

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

ATTORNEY GENERAL OPINIONS

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

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

Management Resources:

CSBA PUBLICATIONS

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

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

WEB SITES

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

California Department of Education, Safe Schools Office:

<http://www.cde.ca.gov/lr/ss>

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

Debt Issuance And Management

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of County Office facilities and managing cash flow. Any debt issued by the County Office shall be consistent with law and this policy.

When the Board determines that it is in the best interest of the County Office, the Board may issue debt. The Superintendent or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board, the Superintendent or designee shall administer and coordinate the County Office's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

The Superintendent or designee shall retain a financial advisor, municipal advisor, investment advisor, and other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the County Office's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the County Office issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the County Office shall select a legal team on an as-needed basis to assist with debt issuances or special projects.

Goals

The County Office's debt issuance activities and procedures shall be aligned with the County Office's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the County Office shall ensure that it:

1. Maintains accountability for the fiscal health of the County Office, including prudent management and transparency of the County Office's financing programs
2. Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements
3. Takes all practical precautions and proactive measures to avoid any financial

decision that will negatively impact current credit ratings on existing or future debt issues

4. Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt
5. When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the County Office's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws
6. Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the County Office at the time the new debt is issued
7. Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future
8. Preserves the availability of the County Office's general fund for operating purposes and other purposes that cannot be funded by the issuance of debt
9. Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws

Authorized Purposes for the Issuance of Debt

The County Office may issue debt for any of the following purposes:

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping County Office facilities
2. To refund existing debt
3. To provide for cash flow needs

Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the County Office's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The County Office may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To

satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.

Authorized Types of Debt

The Superintendent or designee shall recommend to the Board potential financing method(s) that result in the highest benefit to the County Office, with the cost of staff and consultants considered. Potential financing sources may include:

1. Short-Term Debt
 - a. Short-term debt when necessary to allow the County Office to meet its cash flow requirements (Government Code 53850-53858)
 - b. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the County Office (Government Code 53859-53859.08)
2. Lease financing, including certificates of participation (COPs)
 - a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)
 - b. Lease financing to fund facilities projects when obtaining voter approval is unavailable (Education Code 17400-17429)
3. Temporary borrowing from other sources such as the County Treasurer

COPs, TRANs, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the County Office in any fiscal year in which the County Office has a qualified or negative certification, unless the Superintendent of Public Instruction determines, pursuant to criteria established by the Superintendent of Public Instruction, that the County Office's repayment of that indebtedness is probable. (Education Code 42133)

Relationship of Debt to County Office Facilities Program and Budget

Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of County Office property and facilities as identified in the County Office's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.

The cost of debt issued for major capital repairs or replacements shall be evaluated against the potential cost of delaying such repairs and/or replacing such facilities.

When considering a debt issuance, the Board and the Superintendent or designee shall evaluate both the short-term and long-term implications of the debt issuance and additional operating costs associated with the new projects involved. Such evaluation may include, but is not limited to, the ratio of annual debt service secured by the general fund to general fund expenditures.

The County Office may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.

Structure of Debt Issues

The County Office shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.

The County Office shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.

For new money debt issuances for capital improvements, the County Office shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, and, unless a waiver is sought and received from the state, will not cause the County Office to exceed the limitation on debt issuances specified in the California Constitution or Education Code 15106.

The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)

Method of Sale

For the sale of any County Office-issued debt, the Superintendent or designee shall recommend the method of sale with the potential to achieve the lowest financing cost and/or to generate other benefits to the County Office. Potential methods of sale include:

1. A competitive bidding process through which the award is based on, among other factors, the lowest offered true interest cost
2. Negotiated sale, subject to approval by the County Office to ensure that interest costs are in accordance with comparable market interest rates
3. Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the County Office than either a negotiated or competitive sale

Investment of Proceeds

The County Office shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the County Office. Where applicable, the County Office's official investment policy and legal documents for a particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.

The management of public funds shall enable the County Office to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.

Refunding/Restructuring

The County Office may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the County Office shall consider the maximization of the County Office's expected net savings over the life of the debt issuance.

Internal Controls

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the County Office in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the County Office and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

When feasible, the County Office shall issue debt with a defined revenue source in order to preserve the use of the general fund for general operating purposes.

The County Office shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any County Office personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.

In addition, the Superintendent or designee shall ensure that the County Office completes, as applicable, all performance and financial audits that may be required for any debt issued by the County Office, including disclosure requirements applicable to a particular transaction.

Records/Reports

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the County Office has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

On or before January 31 of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from July 1 to June 30. (Government Code 8855)

The Superintendent or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the County Office's disclosure filings are updated as needed.

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations issued to refund directly or indirectly all of any portion of the debt, whichever is later.

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The Superintendent or designee shall annually report to the Board regarding debts issued by the County Office, including market update and refunding opportunities, new developments, and the County Office's compliance with post-issuance requirements.

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EQUIPMENT

Equipment shall be used primarily for educational purposes and/or to conduct school business. The Superintendent or designee shall ensure that all employees, students, and other users understand the appropriate use of equipment and that any misuse may be cause for disciplinary action or loss of user privilege.

~~(cf. 0440—District Technology Plan)~~
~~(cf. 3515.4—Recovery for Property Loss or Damage)~~
~~(cf. 3540—Transportation)~~
~~(cf. 3551—Food Service Operations/Cafeteria Fund)~~
~~(cf. 4040—Employee Use of Technology)~~
~~(cf. 4118—Dismissal/Suspension/Disciplinary Action)~~
~~(cf. 4218—Dismissal/Suspension/Disciplinary Action)~~
~~(cf. 5142—Safety)~~
~~(cf. 5144—Discipline)~~
~~(cf. 6000—Concepts and Roles)~~
~~(cf. 6163.4—Student Use of Technology)~~
~~(cf. 6171—Title I Programs)~~

School-connected organizations may be granted reasonable use of the equipment for school-related matters as long as it does not interfere with the use by students or employees or otherwise disrupt school operations.

~~(cf. 1230—School Connected Organizations)~~
~~(cf. 1330—Use of School Facilities)~~

The Superintendent or designee shall approve the transfer of any equipment from one work site to another and the removal of any equipment for off-site use. When any equipment is taken off site, the borrower is responsible for its safe return and shall be fully liable for any loss or damage.

Employees transferred to another work site shall take with them only those personal items that have been purchased with their own funds unless otherwise authorized by the Superintendent or designee or applicable Board policy.

The Superintendent or designee shall maintain an inventory of all equipment currently valued in excess of \$500. (Education Code 35168; 5 CCR 3946)

~~(cf. 3440—Inventories)~~

When equipment is unusable or is no longer needed, it may be sold, donated, or disposed of in accordance with Education Code 17540-17555 or 2 CFR 200.313, as applicable.

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

Equipment Acquired with Federal Funds

The Superintendent or designee shall obtain prior written approval from the California Department of Education or other awarding agency before purchasing equipment with federal funds. (2 CFR 200.48, 200.313, 200.439)

~~(cf. 3230—Federal Grant Funds)~~

~~(cf. 3300—Expenditures and Purchases)~~

All equipment purchased for federal programs funded through the consolidated application pursuant to Education Code 64000-64001 shall be labeled with the name of the project, identification number, and name of the county office. (2 CFR 200.313; 5 CCR 3946)

For any equipment acquired in whole or in part with federal funds, the Superintendent or designee shall develop adequate maintenance procedures to keep the property in good condition. He/she shall also develop adequate safeguards to prevent loss, damage, or theft of the property and shall investigate any loss, damage, or theft. (2 CFR 200.313) The purchases will adhere to procurement methods as outlined in CFR 200.320.

~~(cf. 3530—Risk Management/Insurance)~~

~~(cf. 4156.3/4256.3/4356.3—Employee Property Reimbursement)~~

Equipment purchased for use in a federal program shall be used in that program as long as needed, whether or not the program continues to be supported by federal funds. The equipment may be used in other activities currently or previously supported by a federal agency when such use does not interfere with the work on the project or program for which it was originally acquired or when use of the equipment is no longer needed for the original program. (2 CFR 200.313)

Legal Reference:

EDUCATION CODE

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

~~17545-17555—Sale of personal property~~

~~17605—Delegation of authority to purchase supplies and equipment~~

~~35160—Authority of governing boards~~

~~35168—Inventory of equipment~~

~~64000-64001—Consolidated application process~~

CODE OF REGULATIONS, TITLE 5

~~3946—Control, safeguards, disposal of equipment purchased with state and federal~~

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~~consolidated application funds~~
~~4424 Comparability of services~~
~~16023 Class 1 Permanent records~~
~~UNITED STATES CODE, TITLE 20~~
~~6321 Fiscal requirements~~
~~CODE OF FEDERAL REGULATIONS, TITLE 2~~
~~200.0 200.521 Federal uniform grant guidance~~

~~Management Resources:~~

~~CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~
~~California School Accounting Manual~~

~~WEB SITES~~

~~California Department of Education: <http://www.cde.ca.gov>~~
~~Office of Management and Budget: <https://www.whitehouse.gov/omb>~~

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Drug And Alcohol Free Schools

The Sutter County Board of Education and Sutter County Superintendent of Schools recognizes the need to keep County schools free of drugs and alcohol in order to create a safe and healthy environment conducive to learning and promote student health and well-being. The County Board and Superintendent prohibit the possession, use, or sale of drugs and alcohol at any time in County-owned or leased buildings, on County property, and in County vehicles, unless otherwise permitted by law.

The following substances are prohibited on all County property:

1. Any substance which may not lawfully be possessed, used, or sold in California
2. Cannabis or cannabis products (Health and Safety Code 11362.3; 21 USC 812, 844)
3. Alcoholic beverages, unless approved by the Superintendent or designee for limited purposes specified in Business and Professions Code 25608

Prescription medication, except for prescribed cannabis, may be administered at school in accordance with law, County policy and regulations, and written statements by the parent/guardian and the student's authorized health care provider as applicable.

Information about the County's drug- and alcohol-free schools policy and the consequences for violations shall be communicated clearly to employees, parents/guardians, students, and the community.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia in County facilities, on County property, in County vehicles, or at school-sponsored activities. As appropriate, he/she may direct anyone violating this policy to leave school property and/or refer the matter to law enforcement.

Students and employees who violate the terms of this policy may be subject to discipline and/or referred to assistance programs in accordance with law and County Board policy.

Agenda Item No. 16.0

BOARD AGENDA ITEM: Anticipated Employee Salary Increases of \$10,000 or More During the 2022/23 School Year

BOARD MEETING DATE: February 8, 2023

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

☐ Action

Ron Sherrod

☐ Reports/Presentation

SUBMITTED BY:

☒ Information

Ron Sherrod

☐ Public Hearing

PRESENTING TO BOARD:

☐ Other (specify)

Ron Sherrod

BACKGROUND AND SUMMARY INFORMATION:

Pursuant to Education Code Section 1302, the county superintendent of schools shall not increase by ten thousand dollars (\$10,000) or more the salary or bonus of any employee of the county office of education unless the matter is brought to the attention of the county board of education for its discussion at a regularly scheduled public meeting of the county board of education.

We are anticipating recent settlements with the employee units to result in employees in various classifications exceeding this threshold as follows:

Deputy Superintendent
Assistant Superintendent
Senior Director
Director
Principal
Lead Nurse

School Psychologist
Speech and Language Pathologist
Teacher Special Education/Alternative Education
School Nurse
Coordinator I