



CLOVIS UNIFIED SCHOOL DISTRICT
1450 Herndon Avenue • Clovis, California 93611-0599

GOVERNING BOARD MEETING

April 1, 2020

***Professional Development Building, Boardroom
1680 David E. Cook Way, Clovis, California***

5:30 P.M. – CLOSED SESSION

6:30 P.M. – PUBLIC SESSION

This meeting is livestreamed and may be accessed at <https://www.youtube.com/user/clovisusd/feed>. Pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020, any or all Board Members and members of the public may attend board meetings by telephone. Members of the public who wish to provide public comments during this meeting are requested to complete a public presentation form, which may be accessed at <https://www.cusd.com/RequestforPublicPresentation.aspx>. Please submit all such requests before the Public Presentation portion, which will commence no earlier than 6:45 p.m. All public comments, whether on items that are on the agenda or matters that are not on the agenda, are to be made during the Public Presentation. For those members of the public who request to provide comments via telephone, a District staff member will call you during the Public Presentation. For those public members who wish to attend the meeting and/or make comments in person, the board meeting room indicated above is open. However, the Board may limit the number of persons in the board meeting room at any time pursuant to guidance from public health officials.

Regular Meeting AGENDA

*Additional information regarding this agenda may be viewed through the District's website at
<https://www.cusd.com/BoardMeetingsAgendasArchives.aspx>*

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Superintendent's Office at 327-9100. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

Public records relating to an open session agenda item of a regular meeting that are distributed within 72 hours prior to the meeting will be available for public inspection at the District Office, 1450 Herndon Avenue, Clovis, California.

An invocation may be held prior to the start of the Board meeting. Attendance during and participation in the invocation are optional and voluntary. No students, parents, members of the public, Board members, student board member, or employees are required to attend or participate in the invocation.

INVOCATION

A. CALL TO ORDER

B. ROLL CALL

C. CLOSED SESSION

1. APPOINTMENT/EMPLOYMENT OF INDIVIDUALS IN POSITIONS LISTED IN BOARD POLICY EXHIBITS NO. 6401, 6402, 6403, 6404, 6405 AND 6407 (Gov't. Code §54957)

2. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/SUSPENSION (Gov't. Code §54957)
3. CONFERENCE WITH LABOR NEGOTIATORS (Education Code §54957.6) Agency Negotiator – Eimear O'Farrell, Ed.D., Supt. Negotiating Parties – Contracted Emps., Cert. Mgmt., Cert. Teachers, Class. Emps., Class. Mgmt. & Ops. Unit (Represented by CSEA Clovis Chapter 250)
4. STUDENT DISCIPLINE AND OTHER CONFIDENTIAL STUDENT MATTERS (Education Code §48900 et seq. and §35146)

D. RECONVENE FOR PUBLIC SESSION

E. PLEDGE OF ALLEGIANCE

F. SUPERINTENDENT'S REPORT

G. RECOGNITION OF VISITORS

H. APPROVAL OF MINUTES

1. March 18, 2020, Regular Governing Board Meeting Minutes
Approve the minutes of the March 18, 2020, regular Governing Board meeting, as submitted.

(Action to add to or delete items from any portion of the agenda or to discuss any consent agenda items must be taken PRIOR to adoption of the agenda.)

I. ADOPTION OF AGENDA

J. PUBLIC PRESENTATIONS

This time is reserved for individuals who may wish to address the Board regarding an item that is on the agenda or a matter that is not included on the agenda. Presentations will commence no earlier than 6:45 p.m. and are limited to three minutes per individual. Please note that on any matters that are brought up by the public that are not on the agenda, the Board may not discuss or act upon such matters.

K. CLOSED SESSION MOTIONS

L. CONSENT

1. Conference Request
Approve the Conference Request, as submitted.
2. Fundraiser Requests
Approve the Fundraiser Requests, as submitted.
3. Student Trip Request
Approve the Student Trip Request, as submitted.
4. Voluntary Community Recreation Programs
Approve the Voluntary Community Recreation Programs, as submitted based on students returning to school. If students do not return to school prior to start date, programs will not be held and will be adjusted to start at a later date.
5. Ratification of Purchase Orders, District Contracts and Check Register
Ratify Purchase Orders, District Contracts, and Warrants numbered 609942 through 610665.
6. Notice of Completion
Adopt the Notice of Completion, as submitted.
7. Change Order
Approve the Change Order, as submitted.

M. ACTION

In general (unless otherwise noted), these items were seen for Information at the prior Board meeting and will be voted on at this meeting. Agenda items titled "Annual" are recurring items submitted to the Board for approval yearly.

1. Resolution No. 3744 – Annual Adult Education Week
Adopt Resolution No. 3744 declaring April 20-24, 2020, as Adult Education Week in Clovis Unified School District.
2. Resolution No. 3745 – Annual School Bus Driver Appreciation Day
Adopt Resolution No. 3745 declaring April 28, 2020, as School Bus Driver Appreciation Day in Clovis Unified to acknowledge and express support for the District's school bus drivers.
3. Resolution No. 3746 – Approval of Resolution of Intent to Convey Public Utility Easement to Pacific Gas & Electric and Setting of Public Hearing
Adopt Resolution No. 3746 Declaring Intent to Convey Public Utility Easement to Pacific Gas & Electric, as submitted.
4. Adopt Resolution No. 3750 Regarding Actions in Response to COVID-19
Adopt Resolution No. 3750 regarding actions in response to COVID-19.

N. INFORMATION

Unless otherwise noted, these items are on the agenda to provide time for Board members to review prior to taking action on the items at the next Board meeting. Agenda items titled "Annual" are recurring items submitted to the Board for approval yearly.

1. Accept Award from K12 Strong Workforce Program
Authorize the Superintendent or designee to accept an award of \$1,410,717 from the K12 Strong Workforce Program supported by the California Community Colleges Chancellor's Office (CCCCO), in partnership with the California Department of Education (CDE).
2. Annual Agreement with Advancement Via Individual Determination (AVID) Center
Authorize the Superintendent or designee to renew an agreement with the Advancement Via Individual Determination (AVID) Center for the 2020-21 school year, as submitted.
3. Placement of Special Education Students in Residential Treatment Facilities and a Non-Public School
Authorize Clovis Unified to enter into an agreement with Copper Hills Youth Center, a residential treatment facility in West Jordan, Utah; enter into an agreement with Heritage Residential Treatment Center in Provo City, Utah; and enter into an agreement with Creative Alternatives, a non-public school in Fresno, California.
4. Resolution No. 3748 – Annual School Nurse Day
Adopt Resolution No. 3748 declaring Wednesday, May 6, 2020, as School Nurse Day in Clovis Unified School District.
5. Resolution No. 3749 – School Lunch Hero Day
Adopt Resolution No. 3749 declaring Friday, May 1, 2020, as School Lunch Hero Day in Clovis Unified School District to acknowledge and express support for Campus Catering employees.
6. Repeal Board Policies No. 4606, 4801, 4804, 7206, 8203
Repeal Board Policies No. 4606, 4801, 4804, 7206, 8203.
7. Adopt Amended and New Board Policies: 3000 – Business and Noninstructional Operations
Adopt amended and new Board Policies: 3000 – Business and Noninstructional Operations.

O. BOARD MEMBER REPORTS

P. ADJOURNMENT

CONTACT PERSON: Karen Randall

FOR INFORMATION:

FOR ACTION: April 1, 2020

RECOMMENDATION:

Approve the minutes of the March 18, 2020, regular Governing Board meeting, as submitted.

DISCUSSION:

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Minutes March 18, 2020 Regular Governing Board Meeting	3/25/2020	Backup Material

REVISIONS:



CLOVIS UNIFIED SCHOOL DISTRICT
1450 Herndon Avenue • Clovis, California 93611-0599

GOVERNING BOARD MEETING

MINUTES

March 18, 2020

***Professional Development Building, Boardroom
1680 David E. Cook Way, Clovis, California***

5:30 P.M. – CLOSED SESSION

6:30 P.M. – PUBLIC SESSION

Pursuant to Executive Order N-25-20 issued by California Governor Gavin Newsom on March 12, 2020, any or all Board Members may attend the meeting by telephone. The board meeting room, indicated above, will remain open during the meeting for those members of the public who wish to attend the meeting in person and/or make public comments. However, the Board may limit the number of individuals in the board meeting room at any time pursuant to guidance from public health officials.

Regular Meeting

AGENDA

Additional information regarding this agenda may be viewed through the District's website at <https://www.cusd.com/BoardMeetingsAgendasArchives.aspx>

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An invocation may be held prior to the start of the Board meeting. Attendance during and participation in the invocation are optional and voluntary. No students, parents, members of the public, Board members, student board member, or employees are required to attend or participate in the invocation.

INVOCATION

Board Member Steven Fogg led the invocation.

A. CALL TO ORDER

Board President Christopher Casado called the regular Governing Board meeting to order at 5:30 p.m.

B. ROLL CALL

Board Members Present:

Christopher Casado, President

Tiffany Stoker Madsen, Vice-President

Susan K. Hatmaker, Clerk
Hugh Awtrey, Member
Steven G. Fogg, M.D., Member
Ginny L. Hovsepian, Member
Elizabeth "Betsy" Sandoval, Member

District Administrators Present:

Eimear O'Farrell, Ed.D., Superintendent
Don Ulrich, Ed.D., Deputy Superintendent
Maiya Yang, General Legal Counsel
Norm Anderson, Associate Superintendent
Barry Jager, Associate Superintendent
Michael Johnston, Associate Superintendent

Absent:

Karen Randall, Administrative Specialist

President Casado asked if anyone present wished to address the Board relative to items that would be considered in Closed Session. At 5:32 p.m., the Governing Board adjourned to Closed Session to discuss the following matters:

C. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant Exposure to Litigation Pursuant to Subdivision (d)(2) of Gov't. Code §54956.9 – 2 Potential Case
2. APPOINTMENT/EMPLOYMENT OF INDIVIDUALS IN POSITIONS LISTED IN BOARD POLICY EXHIBITS NO. 6401, 6402, 6403, 6404, 6405 AND 6407 (Gov't. Code §54957)
3. APPOINTMENT/EMPLOYMENT OF PRINCIPAL, KASTNER INTERMEDIATE SCHOOL (Gov't Code §54957)
4. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/SUSPENSION (Gov't. Code §54957)
5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov't. Code section 54956.8) – APN 403-521-08 – Agency Negotiator: Assoc. Superintendent, Administrative Svcs.
6. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov't Code §54956.9 (d)(1)) Fresno County Superior Court Case No. 18CECG03520
7. CONFERENCE WITH LABOR NEGOTIATORS (Education Code §54957.6) Agency Negotiator – Eimear O'Farrell, Ed.D., Supt. Negotiating Parties – Contracted Emps., Cert. Mgmt., Cert. Teachers, Class. Emps., Class. Mgmt. & Ops. Unit (Represented by CSEA Clovis Chapter 250)
8. STUDENT DISCIPLINE AND OTHER CONFIDENTIAL STUDENT MATTERS (Education Code §48900 et seq. and §35146)

D. RECONVENE FOR PUBLIC SESSION

President Casado reconvened the public meeting at 6:42 p.m.

E. PLEDGE OF ALLEGIANCE

President Casado asked Board Member Hugh Awtrey to lead the Board members and meeting attendees in the Pledge of Allegiance. Traditionally, Student Board Member Jordyn Pfalzgraff leads the Flag Salute. However, due to the suspension of classes, she did not to attend the Board meeting and, therefore, a Student Board Member Report was not given.

F. SUPERINTENDENT'S REPORT

G. RECOGNITION OF VISITORS

Board President Casado welcomed the visitors present and explained the procedures for addressing the Board.

H. APPROVAL OF MINUTES

1. March 4, 2020, Regular Governing Board Meeting and March 13, 2020, Emergency Board Meeting Minutes

Approved the minutes of the March 4, 2020, regular Governing Board meeting, and the March 13, 2020, Emergency Board Meeting minutes as submitted.

Motion: Approve, Moved By Board Member Ginny Hovsepian, Seconded by Board Member Steven Fogg. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

(Action to add to or delete items from any portion of the agenda or to discuss any consent agenda items must be taken PRIOR to adoption of the agenda.)

I. ADOPTION OF AGENDA

Adopted the March 18, 2020, Governing Board meeting agenda, as submitted.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Betsy Sandoval. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

J. SPECIAL PRESENTATIONS

1. Music in Our Schools Month Performance

The Board has declared the month of March as Music in Our Schools Month in Clovis Unified. In honor of this declaration, a video of the Clovis East High School Choraliers performing, under the direction of Carlin Truong, was shared with the Governing Board.

2. Annual Introduction of Budget Book Cover Contest Winners

Associate Superintendent Michael Johnston announced the winner of this year's Budget Book Cover contest as Ivreese Tong, a Clovis North High School student. Her artwork will grace the cover of Clovis Unified's 2020-21 Budget Book. Runners-up Amaya Lee, Cedarwood Elementary; Alice Chevy, Clovis High; Kate Campagne, Alta Sierra Intermediate; and Romance Magee, Granite Ridge Intermediate were also recognized for their outstanding submissions, which will appear on the interior pages of the 2020-21 Budget Book. The Xerox Corporation once again sponsored the contest with all five students receiving a plaque and gift card courtesy of Xerox.

K. PUBLIC PRESENTATIONS

This time is reserved for individuals who may wish to address the Board regarding a matter that is not included on the agenda. Presentations are limited to three minutes per individual. Please note that because the items brought up by the public during this time are not on the agenda, the Governing Board may not discuss or act upon such items.

L. CLOSED SESSION MOTIONS

Approved routine Personnel Matters, as submitted.

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Steven Fogg. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

Appointed current Clovis West High School Deputy Principal May Moua to the position of Kastner Intermediate School Principal, effective July 1, 2020.

Motion: Approve, Moved By Board Member Tiffany Stoker Madsen, Seconded by Board Member Hugh Awtrey. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

Adopted the Hearing Panel's findings and recommendations for students #20-18 and 20-19.

Motion: Approve, Moved By Board Member Ginny Hovsepian, Seconded by Board Member Tiffany Stoker Madsen. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

M. CONSENT

1. Conference Requests

Approved the Conference Requests, as submitted.

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Tiffany Stoker Madsen. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

2. Fundraiser Requests

Approved the Fundraiser Requests, as submitted.

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Tiffany Stoker Madsen. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

3. Student Trip Requests

Approved the Student Trip Requests, as submitted.

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Tiffany Stoker Madsen. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

4. Voluntary Community Recreation Programs

Approved the Voluntary Community Recreation Programs, as submitted

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Tiffany Stoker Madsen. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

5. Ratification of Purchase Orders, District Contracts and Check Register

Ratified Purchase Orders, District Contracts, and Warrants numbered 609178 through 60941.

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Tiffany Stoker Madsen. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

N. ACTION

In general (unless otherwise noted), these items were seen for Information at the prior Board meeting and will be voted on at this meeting. Agenda items titled "Annual" are recurring items submitted to the Board for approval yearly.

1. Clovis Adult Education 2020-21 School Calendar

Approved the proposed Clovis Adult Education school calendar for the 2020-21 school year, as submitted.

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Ginny Hovsepian. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

2. Award of Bid - Construction

Awarded Bid No. 2809 – Rebid CHS Pool Improvements to California Commercial Pools in the amount of \$545,000.00 and Bid No. 2812 - Dry Creek Roof Beam Repair to Wolf Construction Inc. in the amount of \$385,621.00.

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Hugh Awtrey. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

3. Provisional Internship Permit

Approved the Provisional Internship Permit for the recommended teaching candidate, as submitted.

Motion: Approve, Moved By Board Member Ginny Hovsepian, Seconded by Board Member Steven Fogg. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

4. Resolution No. 3747 - A Resolution in the Matter of Emergency Contract Without Bidding for Clovis High School Gas Pipe Repair

Adopted Resolution No. 3747 authorizing the District Superintendent or designee to enter into a contract, without bidding, to perform emergency work to repair and replace gas pipes at Clovis High School.

Motion: Approve, Moved By Board Member Ginny Hovsepian, Seconded by Board Member Betsy Sandoval. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

5. Approval of Addendum No. Two to Agreement with Mark Wilson Construction, Inc. Regarding Shields/Locan New Elementary School Site (Janet L. Young Elementary School)

Approved Addendum No. Two to Agreement with Mark Wilson Construction, Inc. Regarding Shields/Locan New Elementary School Site (Janet L. Young Elementary School).

Motion: Approve, Moved By Board Member Ginny Hovsepian, Seconded by Board Member Betsy Sandoval. Passed. 7-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval, Stoker Madsen

O. INFORMATION

Unless otherwise noted, these items are on the agenda to provide time for Board members to review prior to taking action on the items at the next Board meeting. Agenda items titled "Annual" are recurring items submitted to the Board

for approval yearly.

1. Resolution No. 3744 - Annual Adult Education Week
Adopt Resolution No. 3744 declaring April 20-24, 2020, as Adult Education Week in Clovis Unified School District.
2. Resolution No. 3745 - Annual School Bus Driver Appreciation Day
Adopt Resolution No. 3745 declaring April 28, 2020, as School Bus Driver Appreciation Day in Clovis Unified to acknowledge and express support for the District's School Bus Drivers.
3. Resolution No. 3746 - Approval of Resolution of Intent to Convey Public Utility Easement to Pacific Gas & Electric and Setting of Public Hearing
Adopt Resolution No. 3746 Declaring Intent to Convey Public Utility Easement to Pacific Gas & Electric, as submitted.
4. Award of Bid - Supplies
Recommendation for Bid No. 2815 - HVAC & Electrical Supplies and Bid No. 2816 - Herbicides & Fertilizers will be brought to the Governing Board for Action at a future meeting.

P. BOARD MEMBER REPORTS

Q. ADJOURNMENT

With no further business before the Board, the meeting was adjourned at 8:25 p.m.

RESPECTFULLY SUBMITTED:

Clerk

Secretary

CONTACT PERSON: Norm Anderson

FOR INFORMATION:

FOR ACTION: April 1, 2020

RECOMMENDATION:

Approve the Conference Request, as submitted.

DISCUSSION:

A list of the Conference Request submitted for Board approval is attached.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Conference Request	3/25/2020	Backup Material

REVISIONS:

Conference Request
April 1, 2020

Departure	Return	Attendee	Site/Dept	Account	Conference Name	Conference Location	Purpose for Attending
6/13/2020*	6/18/2020	Lindy Hash	Clovis High	Conf/Travel LD Inst	National History Competition	Baltimore, MD	To attend and supervise students competing in national history competition
<i>*If students do not return, the conference request will be cancelled.</i>							

CONTACT PERSON: Norm Anderson

FOR INFORMATION:

FOR ACTION: April 1, 2020

RECOMMENDATION:

Approve the Fundraiser Requests, as submitted.

DISCUSSION:

A list of Fundraiser Requests submitted for Board approval is attached.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Fundraiser Requests	3/25/2020	Backup Material

REVISIONS:

Fundraiser Requests

**Fundraisers will not begin until students return*

April 1, 2020

Start Date	End Date	School	Advisor	Organization	Description	Fund	Vendor
4/3/2020	6/5/2020	Nelson Elem	Emily Seabury	ASB	Car Washes Coupon Books	Associated Student Body	Red Carpet Carwash
4/9/2020	4/9/2020	CHS	Katie Green	Dance Rep Club	Family Restaurant Night*	Foundation Booster Organization	McDonald's
4/14/2020	6/5/2020	CNEC	Sherri Lummis	Key Club	Family Restaurant Night*	Foundation Booster Organization	Menchie's Frozen Yogurt
4/14/2020	6/5/2020	CNEC	Sherri Lummis	Key Club	Family Restaurant Night*	Foundation Booster Organization	Pieology Pizzeria
4/14/2020	4/30/2020	ASI	Chris McGrady	Football	Snack Bar Sales*	Foundation Booster Organization	Walmart
4/14/2020	4/30/2020	BHS	Colette Muira	Japanese Culture Club	Family Fun Night	Associated Student Body	MB2 Raceway
4/14/2020	4/30/2020	BHS	Colette Muira	Muddslingers Club	Family Fun Night	Associated Student Body	MB2 Raceway
4/14/2020	4/30/2020	BHS	Colette Muira	Life in the Arts Club	Family Fun Night	Associated Student Body	MB2 Raceway
4/14/2020	4/30/2020	BHS	Colette Muira	Japanese Culture Club	Event Food Sales *	Associated Student Body	Jamba Juice
4/14/2020	4/30/2020	BHS	Colette Muira	Muddslingers Club	Event Food Sales *	Associated Student Body	Jamba Juice
4/14/2020	4/30/2020	BHS	Colette Muira	Life in the Arts Club	Event Food Sales *	Associated Student Body	Jamba Juice
4/14/2020	6/11/2020	ASI	Chris McGrady	Athletics	Donations by Businesses	Foundation Booster Organization	None
4/14/2020	4/30/2020	Kastner Inter	Maria Cerda	Folklorico	Donations for Charitable Organizations	Associated Student Body	None
4/14/2020	4/30/2020	BHS	Sarah Tozlian	Activities	Donations for Charitable Organizations	Foundation Booster Organization	None
4/14/2020	6/30/2020	CWHS	Tim Randall	Football	Football Camp for Moms*	Foundation Booster Organization	Costco, Smart & Final

**In compliance with Board Policy 8402*

Fundraiser Requests

**Fundraisers will not begin until students return*

April 1, 2020

4/14/2020	9/30/2020	CWHS	Tim Randall	Football	Adult Dinners/Dance (i.e. BBQs, crab feasts)*	Foundation Booster Organization	Meat Market
4/14/2020	4/14/2020	Fancher Creek Elem	Erin Parker	Athletics	Spirit Wear/Spirit Packs	Associated Student Body	Custom Ink
4/14/2020	4/30/2020	BHS	Tim Carroll	Girls Soccer	Adult Dinners/Dance (i.e. BBQs, crab feasts)*	Foundation Booster Organization	Club One Casino
4/14/2020	7/25/2020	BHS	Matt Giordano	Football	Adult Dinners/Dance (i.e. BBQs, crab feasts)*	Foundation Booster Organization	Costco, Tahoe Joe's Famous Steakhouse
4/14/2020	4/30/2020	BHS	Lizette Garcia	Folklorico	Car Washes Coupon Books	Foundation Booster Organization	Red Carpet Carwash
4/14/2020	4/30/2020	BHS	Paul Lake	Robotics	Tournament*	Foundation Booster Organization	Costco
4/14/2020	5/30/2020	CHS	Evan Baird	UNICEF Club	Coupon Books/Entertainment*	Foundation Booster Organization	Jamba Juice
4/14/2020	5/30/2020	CHS	Perla Alamo	Latino Club	Candy Sales*	Foundation Booster Organization	World's Finest Chocolates
4/14/2020	6/5/2020	CNEC	Joshua Shapiro	Foundation	Family Restaurant Night*	Foundation Booster Organization	Field House Restaurant
4/22/2020	4/22/2020	CHS	Jennifer Appleby	Choir	Family Restaurant Night*	Foundation Booster Organization	McDonald's
4/24/2020	4/24/2020	CHS	Lori Herb -	kNOw More Club	Family Restaurant Night*	Associated Student Body	Rita's Italian Ice
4/27/2020	5/9/2020	CHS	Esmeralda Lozano	Band	Pancake Breakfast *	Foundation Booster Organization	Kiwanis
4/30/2020	5/29/2020	Valley Oak Elem	Becca Kizirian	PTC	Yoga Class	Parent Teacher Club	High Fitness
5/15/2020	7/31/2020	BHS	Matt Giordano	Football	Spirit Wear/Spirit Packs	Foundation Booster Organization	Pryde Gear
5/20/2020	5/20/2020	BHS	Dulce Giannoni	Unheard Cries Club	Family Restaurant Night*	Foundation Booster Organization	Chipotle Mexican Grill

**In compliance with Board Policy 8402*

CONTACT PERSON: Norm Anderson

FOR INFORMATION:

FOR ACTION: April 1, 2020

RECOMMENDATION:

Approve the Student Trip Request, as submitted.

DISCUSSION:

Attached is the list of the Student Trip Request submitted for Board approval.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Student Trip Request	3/25/2020	Backup Material

REVISIONS:

Student Trip Request

April 1, 2020

Trip ID	Trip Name	Start Time	Return Time	Account:	Destination	Passengers
68618	CNEC Badminton	05/23/2020 01:00 PM	05/24/2020 05:30 PM	EDSV-PLAYOFF-SchoolBus-BrdApp	TBA - Play Offs	70

**If students do not return, the student trip will be cancelled.*

CONTACT PERSON: Norm Anderson

FOR INFORMATION:

FOR ACTION: April 1, 2020

RECOMMENDATION:

Approve the Voluntary Community Recreation Programs, as submitted based on students returning to school. If students do not return to school prior to start date, programs will not be held and will be adjusted to start at a later date.

DISCUSSION:

The Clovis Community Sports and Recreation Department provides and operates noneducational, athletic and recreation programs and activities for the access and enjoyment of Clovis and surrounding communities. Such noneducational, recreational programs and activities are not part of the District's curricular, extracurricular, or co-curricular educational programs, and are entirely separate and distinct from the District's educational program. The Department's recreational offerings are available to all age-appropriate participants in Clovis, Fresno and surrounding communities, whether or not such participants are enrolled in the District's educational program, and students enrolled in the District's educational program are never required to participate in the Department's noneducational, recreational programs or activities.

The proposed costs listed below are to attend the camp/clinic and may not include additional items such as spirit packs, shirts, jerseys, etc. The additional items will be provided at cost with no profit for the program. All additional items will be specifically identified in the flyers to the community.

Clovis Community Sports and Recreation Department
Clovis Girls Water Polo Spring Camp – Jr. High
Clovis High School
Date: April 14 – May 10, 2020
Grade: 7-8
Cost: \$40.00 per participant

Clovis Community Sports and Recreation Department
Buchanan Pep/Dance Skills Camp
Buchanan High School
Date: April 14 – May 13, 2020
Grade: 8-11
Cost: \$0

Clovis Community Sports and Recreation Department
Buchanan Cheer Skills Camp
Buchanan High School

Date: April 14 – May 13, 2020
Grade: 8-11
Cost: \$0

Clovis Community Sports and Recreation Department
Football Club
Clovis High School
Date: April 14, 2020 – January 1, 2021
Grade: 9-12
Cost: \$0

Clovis Community Sports and Recreation Department
Spring Ball Walk Through
Clovis High School
Date: April 18 – May 9, 2020
Grade: 12
Cost: \$0

Clovis Community Sports and Recreation Department
Free Boys & Girls Youth Volleyball Camp
Clovis West High School
Date: April 22 – May 31, 2020
Grade: 3-8
Cost: \$0

Clovis Community Sports and Recreation Department
Club Talon Girls Volleyball
Clovis West High School
Date: April 22, 2020 – April 21, 2021
Grade: 7-12
Cost: \$75.00 per participant

Clovis Community Sports and Recreation Department
Blue Flu Football Academy
Clovis High School
Date: April 25, 2020
Grade: K-6
Cost: \$0

Clovis Community Sports and Recreation Department
8th Grade Spring Ball
Clovis High School
Date: May 4 – 14, 2020
Grade: 8
Cost: \$0

Clovis Community Sports and Recreation Department
2020 Freshman Football Camp
Clovis North High School

Date: May 11 – July 18, 2020
Grade: 9
Cost: \$125.00 per participant

Clovis Community Sports and Recreation Department
2020 Varsity/JV Spring Football Camp
Clovis North High School
Date: May 11 – July 18, 2020
Grade: 10-12
Cost: \$125.00 per participant

Clovis Community Sports and Recreation Department
Buchanan Pep & Cheer Game Squads Stunts/Dance/Choreo Camp
Buchanan High School
Date: May 26 – August 8, 2020
Grade: 9-12
Cost: \$125.00 per participant

Clovis Community Sports and Recreation Department
Clovis Passing Tournament
Clovis High School
Date: May 30, 2020
Grade: 9-12
Cost: \$150.00 per team

Clovis Community Sports and Recreation Department
Girls Soccer Training
Clovis North High School
Date: June 1, 2020 – June 1, 2021
Grade: 7-12
Cost: \$0

Clovis Community Sports and Recreation Department
Summer Girls Volleyball Camp
Clovis West High School
Date: June 8 – 11, 2020
Grade: 3-9
Cost: \$62.00 per participant

Clovis Community Sports and Recreation Department
Extra Spring Ball
Clovis High School
Date: June 8 – 12, 2020
Grade: 9-12
Cost: \$0

Clovis Community Sports and Recreation Department
Summer Baseball Academy
Clovis North High School
Date: June 8 – August 1, 2020

Grade: 9-12
Cost: \$185.00 per participant

Clovis Community Sports and Recreation Department
Elementary Girls Soccer Camp
Clovis West High School
Date: June 15 – 18, 2020
Grade: 2-6
Cost: \$60.00 per participant

Clovis Community Sports and Recreation Department
Summer Combine
Clovis High School
Date: June 15 – July 10, 2020
Grade: 6-12
Cost: \$50.00 per participant

Clovis Community Sports and Recreation Department
Volley Bears
Buchanan High School
Date: June 18 – July 16, 2020
Grade: 2-6
Cost: \$25.00 per participant

Clovis Community Sports and Recreation Department
Buchanan Pep & Cheer Elementary and Jr. High Camp
Buchanan High School
Date: July 28 – 30, 2020
Grade: 3-8
Cost: \$35.00 per participant

Clovis Community Sports and Recreation Department
Stampede Fall Baseball Academy
Clovis North High School
Date: August 17 – November 21, 2020
Grade: 9-12
Cost: \$125.00 per participant

Clovis Community Sports and Recreation Department
Free Fall Soccer Camp
Clovis North High School
Date: October 26 – 30, 2020
Grade: 7-12
Cost: \$0

Clovis Community Sports and Recreation Department
Stampede 7th Baseball Academy
Clovis North High School
Date: November 1 – December 19, 2020

Grade: 7

Cost: \$50.00 per participant

Clovis Community Sports and Recreation Department
Strength and Conditioning Baseball Camp

Clovis North High School

Date: November 21 – December 21, 2020

Grade: 7-12

Cost: \$50.00 per participant

Clovis Community Sports and Recreation Department
Winter Baseball Camp

Clovis North High School

Date: December 21 – 23, 2020

Grade: K-8

Cost: \$50.00 per participant

FISCAL IMPACT/FUNDING SOURCE:

No fiscal impact.

REVISIONS:

Title: Ratification of Purchase Orders, District Contracts and Check Register

CONTACT PERSON: Michael Johnston

FOR INFORMATION:

FOR ACTION: April 1, 2020

RECOMMENDATION:

Ratify Purchase Orders, District Contracts, and Warrants numbered 609942 through 610665.

DISCUSSION:

District Administration recommends ratification of the Purchase Orders and District Contracts for the period of March 4, 2020-March 17, 2020, as well as the Warrant register for March 5, 2020-March 12, 2020. This information is available for review in the Purchasing and Accounting departments. Questions may be directed to the Business Services Department at 559-327-9127.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description

Upload Date

Type

REVISIONS:

CONTACT PERSON: Michael Johnston

FOR INFORMATION:

FOR ACTION: April 1, 2020

RECOMMENDATION:

Adopt the Notice of Completion, as submitted.

DISCUSSION:

Bid Number	Project/Site(s)	Company	DSA Number
2792	Clovis West High School Gym HVAC Equipment Replacement – 2020	Strategic Mechanical, Inc. 4661 E. Commerce Fresno, CA 93725-2204	02-117748

FISCAL IMPACT/FUNDING SOURCE:

No fiscal impact.

REVISIONS:

CONTACT PERSON: Michael Johnston

FOR INFORMATION:

FOR ACTION: April 1, 2020

RECOMMENDATION:

Approve the Change Order, as submitted.

DISCUSSION:

Change Order Number	Contract/Bid Number	Project Type	Site(s)	DSA Number
14	2753	New School	Young Elementary School	02-116820

FISCAL IMPACT/FUNDING SOURCE:

As noted in the attachment.

ATTACHMENTS:

Description	Upload Date	Type
Change Order	3/18/2020	Backup Material

REVISIONS:

Contract Change Order No. 14

Project	Young Elementary – (Shields/Locan) 2020	Date	3/18/2020
DSA ID#/DSA AP#	10-27/02-116820		
Contract #	3190523		
Contract / Bid No.	Lease-Lease Back Shields/Locan - 2020		Page 1 of 2

CI No.	Description	Amount	Budget Code
0496	Re-staking Off-Site	\$0.00	Unforeseen Condition

Description: Re-survey & stake Jewel & Cortland resulting from re-sequencing of work.

Requested by: Agency Requirement. \$4,495.37 from Lease-Lease Back Contingency.

Reason for Change: Unforeseen Condition. Due to Pacific Gas and Electric (PG&E) delays.

CI No.	Description	Amount	Budget Code
0497	Exit Corridor Wall Finishes at Classroom Buildings	\$0.00	Unforeseen Condition

Description: Contractor to stop tack board at 11'-0" above finish floor. Contractor to tape, texture and paint wall from 11'-0" above finish floor to roof deck.

Requested By: Contractor. \$9,700.36 from Lease-Lease Back Contingency.

Reason: Unforeseen Condition. Due to utilities crossing installation of the tack board would not be completed as proposed.

CI No.	Description	Amount	Budget Code
0498	Revise Removable Bollard Type	\$0.00	A&E Omission

Description: Contractor to revise detail O/X102 to indicated "Trafficguard" [RPL3] locking round post removable bollards in lieu of 3" galvanized steel post with eye bolt.

Requested by: District. \$14,288.09 from Lease-Lease Back Contingency.

Reason for Change: A&E Omission. Trafficguard bollards were added to eliminate any potential tripping hazard.

CI No.	Description	Amount	Budget Code
0499	Electrical for Hand Dryer at Room 515	\$0.00	A&E Omission

Description: Furnish and install a dedicated circuit for hand dryer at Building E, Room 515.

Requested by: Architect. \$2,663.14 from Lease-Lease Back Contingency.

Reason for Change: A&E Omission. Plan sheets did not indicate power to the hand dryer.

CI No.	Description	Amount	Budget Code
0500	Aluminum Storefront Key Ways	\$0.00	District Change

Description: Furnish and install 52 factory pinned key cores for aluminum storefront door lock sets.

Requested by: District. \$851.00 from Lease-Lease Back Contingency.

Reason for Change: District Added. District Maintenance required a different key way than what is called out in the product specifications.

Contract Change Order No. 14

Project Young Elementary – (Shields/Locan) 2020 **Date** 3/18/2020
DSA ID#/DSA AP# 10-27/02-116820
Contract # 3190523
Contract / Bid No. Lease-Lease Back Shields/Locan - 2020 Page 2 of 2

CI No.	Description	Amount	Budget Code
0501	Surveying & Staking at Shields & DeWolf	\$0.00	Unforeseen Condition

Description: Surveying & staking services for work at Shields & DeWolf intersection.

Requested By: Agency Requirement. \$6,225.98 from Lease-Lease Back Contingency.

Reason for Change: Unforeseen Condition. Plans were not approved at time of bid.

CI No.	Description	Amount	Budget Code
0502	Laminated Infill of Corridor Reveals	\$0.00	District Change

Description: Provide 1/2" laminated inlay in classroom corridor accent reveal. Vertical reveals to be laminate color "Wilsonart - Platinum D315-60." Horizontal reveals to be laminate color "Nevamar - Burgundy S1015T."

Requested By: District. \$6,743.05 from Lease-Lease Back Contingency.

Reason for Change: District Added. The District requested the gap of the reveal to be filled.

Original Contract	\$29,876,618.00
Previous CCOs	\$0.00
This CCO	\$0.00
Total Contract	\$29,876,618.00

No price change from the original contract amount.

CONTACT PERSON: Norm Anderson

FOR INFORMATION: March 18, 2020

FOR ACTION: April 1, 2020

RECOMMENDATION:

Adopt Resolution No. 3744 declaring April 20-24, 2020, as Adult Education Week in Clovis Unified School District.

DISCUSSION:

The California Council on Adult Education (CCAEE) has proclaimed, April 20-24, 2020, as California Adult Education Week.

Administration recommends that the District acknowledge Clovis Adult Education and declare April 20-24, 2020, as Adult Education Week in Clovis Unified.

FISCAL IMPACT/FUNDING SOURCE:

No fiscal impact.

ATTACHMENTS:

Description	Upload Date	Type
Resolution No. 3744	3/24/2020	Backup Material

REVISIONS:

**RESOLUTION NO. 3744
BEFORE THE GOVERNING BOARD
OF THE CLOVIS UNIFIED SCHOOL DISTRICT
FRESNO COUNTY, CALIFORNIA**

**RESOLUTION TO DECLARE
CALIFORNIA ADULT EDUCATION WEEK
APRIL 20-24, 2020**

WHEREAS, the first recorded adult education class in California was held in the basement of St. Mary's Cathedral in San Francisco in 1856. The class was authorized by the San Francisco Board of Education to teach English to Irish, Italian, and Chinese immigrants. John Swett, who was the first volunteer teacher for the class, later became a State Superintendent of Public Instruction; and

WHEREAS, adult schools have been called upon on numerous occasions to assist the State as it dealt with significant social, political, and economic issues. Examples include job training programs during the Great Depression; training skilled and under skilled workers during World War II; and preparing millions of residents for citizenship; and

WHEREAS, Clovis Adult Education successfully serves Clovis and the surrounding communities through its collaboration with its community college partners and community-based organizations through the State Center Adult Education Consortium; and

WHEREAS, Clovis Adult Education served 10,122 students in the 2018-19 school year; and

WHEREAS, Clovis Adult Education served 4,846 adult students in Community Education courses and 2,017 kindergarten through 12th grade students in the Summer Fun program in 2018-19; and

WHEREAS, Clovis Adult Education served 1,727 students in the High School Diploma and GED Programs in the 2018-19 school year, with 256 students earning their high school diplomas and 47 students earning their GEDs in the 2018-19 and 220 Clovis Adult graduates are currently attending a State Center Community College; and

WHEREAS, Clovis Adult Education served 801 students in the English as a Second Language (ESL) program in the 2018-19 school year, and parents enrolled in ESL classes

learned how to assist their children with schoolwork and dedicate their evenings tutoring their children; and

WHEREAS, Clovis Adult Education served 828 students in the Career Technical Education program in the 2018-19 school, with 51 students receiving their certificate in Business Careers and 166 students earned Health Careers certificates. CTE students graduated at a 96% rate and had a job placement rate of 87%.

THEREFORE, BE IT RESOLVED that the Governing Board of the Clovis Unified School District endorses the observance of California Adult Education Week as an opportunity to support the purposes and practices of adult education and encourages teachers, parents, students and citizens to participate.

THE FOREGOING RESOLUTION was adopted by the Governing Board of the Clovis Unified School District of Fresno County, State of California, at a meeting of said Board held on the 1st day of April, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christopher Casado, President
Governing Board
Clovis Unified School District
Fresno County, California

I, Susan K. Hatmaker, Clerk of the Governing Board of the Clovis Unified School District, County of Fresno, State of California, do here certify that the foregoing is a true copy of the resolution adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is on file in the office of said Board.

Susan K. Hatmaker, Clerk
Governing Board
Clovis Unified School District
Fresno County, California

Title: Resolution No. 3745 – Annual School Bus Driver Appreciation Day

CONTACT PERSON: Michael Johnston

FOR INFORMATION: March 18, 2020

FOR ACTION: April 1, 2020

RECOMMENDATION:

Adopt Resolution No. 3745 declaring April 28, 2020, as School Bus Driver Appreciation Day in Clovis Unified to acknowledge and express support for the District's school bus drivers.

DISCUSSION:

The attached resolution officially recognizes all of Clovis Unified School District's school bus drivers and the service they provide daily to safely transport students to and from school. The Board's adoption of the resolution would officially declare April 28, 2020, as School Bus Driver Appreciation Day in Clovis Unified.

FISCAL IMPACT/FUNDING SOURCE:

No fiscal impact.

ATTACHMENTS:

Description	Upload Date	Type
Resolution No. 3745	3/11/2020	Backup Material

REVISIONS:

**RESOLUTION NO. 3745
BEFORE THE GOVERNING BOARD
OF THE CLOVIS UNIFIED SCHOOL DISTRICT
FRESNO COUNTY, CALIFORNIA**

RESOLUTION TO DECLARE SCHOOL BUS DRIVER APPRECIATION DAY

WHEREAS, the Clovis Unified Governing Board in recognition of school bus drivers declares April 28, 2020, as School Bus Driver Appreciation Day; and

WHEREAS, this is a day to officially acknowledge and express appreciation to school bus drivers throughout the State of California for their continued excellence and dedication to the safe transportation of school pupils; and

WHEREAS, the Clovis Unified School District Governing Board has the utmost respect and admiration for school bus drivers and transportation employees who have dedicated their lives and their talents to our children, who are truly our community's most precious and important resource; and

WHEREAS, the Governing Board acknowledges the vital role they play in achieving the mission of the Clovis Unified School District: To be a quality educational system providing the opportunity for all students to reach their potential in mind, body, and spirit; and

WHEREAS, the Governing Board recognizes that school bus drivers within the Clovis Unified School District are among the best in the Nation.

THEREFORE, BE IT RESOLVED that the Governing Board does hereby extend its sincere appreciation to Clovis Unified School District bus drivers and transportation employees who contribute to making our schools successful.

THE FOREGOING RESOLUTION was adopted by the Governing Board of the Clovis Unified School District, County of Fresno, State of California, at a meeting of said Board held on the 1st day of April, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christopher Casado, President
Governing Board
Clovis Unified School District
Fresno County, California

I, Susan Hatmaker, Clerk of the Governing Board of the Clovis Unified School District, County of Fresno, State of California, do hereby certify that the foregoing is a true copy of the resolution adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is on file in the office of said Board.

Susan Hatmaker, Clerk
Governing Board
Clovis Unified School District
Fresno County, California

Title: Resolution No. 3746 – Approval of Resolution of Intent to Convey Public Utility Easement to Pacific Gas & Electric and Setting of Public Hearing

CONTACT PERSON: Michael Johnston

FOR INFORMATION: March 18, 2020

FOR ACTION: April 1, 2020

RECOMMENDATION:

Adopt Resolution No. 3746 Declaring Intent to Convey Public Utility Easement to Pacific Gas & Electric, as submitted.

DISCUSSION:

Clovis Unified School District owns the real property located at 1450 Herndon Avenue, Clovis, California (Property). The District desires to install electrical charging stations on the Property to charge the District's electrical school buses. To allow for the installation of the charging stations, it is necessary that Pacific Gas & Electric (PG&E), a public utility, make certain utility improvements on the Property. PG&E desires to acquire an easement over a portion of the Property for the purpose of constructing, maintaining, and repairing such utility improvements. The easement will be on the portion of the Property that is highlighted in yellow on the attached Exhibit 1.

Pursuant to Education Code section 17566, a school district governing board may dedicate or convey to any public corporation or private corporation engaged in the public utility business an easement to lay, construct, reconstruct, maintain, and operate water, sewer, gas, or storm drain pipes or ditches, electric or telephone lines, and access roads used in connection therewith, over and upon any land belonging to the school district, upon such terms and conditions as agreed to by the parties. Education Code section 17577 requires the Governing Board, by not less than a two-thirds vote of all of its board members, to adopt a resolution declaring its intention to dedicate or convey the easement and set a public hearing not less than 10 days thereafter on the question of making the conveyance.

By adopting the proposed resolution, the Board would declare its intention to convey the necessary easement to PG&E and set a Public Hearing to be held at the Board meeting on April 22, 2020. The proposed resolution must be adopted by at least a two-thirds vote of all of the Board Members and be signed by the Board Members or a majority thereof.

At the Board meeting on April 22, 2020, the Board will hold the Public Hearing on the question of making the conveyance. In addition, it will consider and adopt a resolution to approve the conveyance of the easement to PG&E.

FISCAL IMPACT/FUNDING SOURCE:

Not Applicable

ATTACHMENTS:

Description

Upload Date

Type

Resolution No. 3746 - Approval of

Resolution of Intent to Convey Public Utility 3/13/2020
Easement to Pacific Gas & Electric and
Setting of Public Hearing

Backup Material

REVISIONS:

None

**RESOLUTION NO. 3746
BEFORE THE GOVERNING BOARD
OF THE CLOVIS UNIFIED SCHOOL DISTRICT
FRESNO COUNTY, CALIFORNIA**

**IN THE MATTER OF DECLARING INTENTION TO CONVEY A
PUBLIC UTILITY EASEMENT TO PACIFIC GAS & ELECTRIC
AND SETTING OF PUBLIC HEARING**

WHEREAS, pursuant to Education Code section 17566, a school district governing board may dedicate or convey to any public corporation or private corporation engaged in the public utility business an easement to lay, construct, reconstruct, maintain, and operate water, sewer, gas, or storm drain pipes or ditches, electric or telephone lines, and access roads used in connection therewith, over and upon any land belonging to the school district, upon such terms and conditions as agreed to by the parties.

WHEREAS, Education Code section 17577 requires the governing board, by not less than a two-thirds vote of all of its board members, to adopt a resolution declaring its intention to dedicate or convey the easement and set a public hearing not less than 10 days thereafter on the question of making the conveyance.

WHEREAS, Clovis Unified School District (District) owns the real property located at 1450 Herndon Avenue, Clovis, California and identified as Assessor Parcel Number 49105025T (Property).

WHEREAS, the District desires to install electrical charging stations on the Property to charge the District's electrical school buses. To allow for the installation of the charging stations, it is necessary that Pacific Gas & Electric (PG&E), a public utility, make certain utility improvements on the Property. PG&E desires to acquire an easement over a portion of the Property for the purpose of constructing, maintaining, and repairing such utility improvements (Utility Improvement Purposes). The easement will be more particularly described in the Easement Deed and as depicted in Exhibit 1 for the new switchgear (Easement Area).

WHEREAS, the Easement Area is not now and will not at the time of the proposed delivery of possession and title to PG&E be needed exclusively for classroom or other school purposes by the District.

WHEREAS, the Utility Improvement Purposes to be carried out by PG&E will benefit the District.

WHEREAS, it is in the best interest of the District to transfer ownership of said Easement Area to PG&E in that PG&E will carry out the Utility Improvement Purposes.

WHEREAS, by this Resolution, the Board intends to declare its intention to convey the Easement Area to PG&E, and to fix a date and time for the public hearing upon the question of making the conveyance of the Easement Area.

THEREFORE, BE IT RESOLVED that the District's Governing Board hereby:

1. Declares and adopts the foregoing recitals as true and correct.
2. Declares its intention to convey the Easement Area to PG&E for the Utility Improvement Purposes, such Easement Area as stated above and to be set forth in the Easement Deed along with such terms and conditions as agreed upon by the District and PG&E.
3. Fixes the date and time of the public hearing upon the question of making the conveyance of the Easement Area as follows: No earlier than 6:45 p.m. on April 22, 2020, the Board shall hold a public hearing upon the question of making the proposed conveyance of the Easement Area to PG&E. The meeting shall be held at the Board's regular place of meeting, Boardroom, 1680 David E. Cook Way, Clovis, California.
4. The Superintendent or designee is authorized and directed to give notice of the adoption of this Resolution and of the time and place of holding the meeting at which the public hearing shall be conducted. The notice shall be given by posting copies of this Resolution and publishing as required by law.
5. This Resolution shall take effect immediately upon its adoption.

THE FOREGOING RESOLUTION was adopted by the Governing Board of the Clovis Unified School District of Fresno County, California, at a regular meeting of said Board held on this 1st day of April 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christopher Casado, President
Governing Board
Clovis Unified School District
Fresno County, California

Member

Member

Member

Member

Member

Member

Member

I, Susan Hatmaker, the Clerk of the Governing Board of the Clovis Unified School District, County of Fresno, State of California, do hereby certify that the foregoing is a true copy of the Resolution adopted by said Board at a regular meeting there, at the time and by the vote therein stated, which original resolution is on file in the office of said Board.

Susan Hatmaker, Clerk
Governing Board
Clovis Unified School District
Fresno County, California

Doc# 39553, 03/2020

EXHIBIT 1

CONTACT PERSON: Eimear OFarrell

FOR INFORMATION:

FOR ACTION: April 1, 2020

RECOMMENDATION:

Adopt Resolution No. 3750 regarding actions in response to COVID-19.

DISCUSSION:

Since the outbreak of COVID-19, Clovis Unified School District has taken, and continues to take, actions to address and respond to its impact. These actions have included a temporary closure of schools and on-site educational programs, and the provision of alternative instructional programs to District students. The proposed resolution addresses the District's continuing actions in response to COVID-19.

FISCAL IMPACT/FUNDING SOURCE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Resolution No. 3750 Regarding Responses to COVID-19	3/27/2020	Backup Material

REVISIONS:

**RESOLUTION NO. 3750
BEFORE THE GOVERNING BOARD OF THE
CLOVIS UNIFIED SCHOOL DISTRICT
FRESNO COUNTY, CALIFORNIA**

RESOLUTION REGARDING ACTIONS IN RESPONSE TO COVID-19

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency as a result of the threat of COVID-19.

WHEREAS, on March 12, 2020, Governor Gavin Newsom, in Executive Order N-25-20, ordered, among other actions, that all residents in California are to heed any orders and guidance of state and local public health officials, including but not limited to, the imposition of social distancing measures, to control the spread of COVID-19.

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency arising from the COVID-19 outbreak.

WHEREAS, on March 13, 2020, Governor Gavin Newsom, in Executive Order N-26-20, ordered continuing funding for schools to support educational opportunities and other programs for students during the temporary closure of schools and on-site educational programs.

WHEREAS, on March 13, 2020, the Governing Board of Clovis Unified School District (District) directed the temporary closing of schools and on-site educational programs within the District effective March 16, 2020, through April 13, 2020, due to the threat of COVID-19. The Board also directed District administration to work quickly to begin delivery of alternate forms of instruction.

WHEREAS, on March 19, 2020, Governor Gavin Newsom ordered all residents within the State of California to heed the State public health directives, stay at home or their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, and practice social distancing.

WHEREAS, President Donald Trump has issued guidelines, which among other items, state that people are to avoid social gatherings in groups of more than 10 people. In its interim guidance regarding mass gatherings or large community events, updated as of March 16, 2020, the Centers for Disease Control and Prevention refers to President Trump's guidelines.

WHEREAS, the Board takes seriously the safety and wellbeing of students and employees of the District and the community. The Board continues to carefully evaluate and consider the options available to the District in response to COVID-19.

NOW THEREFORE, BE IT RESOLVED by the Governing Board as follows:

1. The Board extends the temporary closing of schools and on-site educational programs of the District through Friday, May 1, 2020. The current temporary closure is effective Monday, March 16, 2020, through Monday, April 13, 2020. Unless the temporary closure date is modified by the District's Superintendent as authorized in Paragraph 2 below or extended by the Board, schools and on-site educational programs of the District shall resume on Monday, May 4, 2020.
2. The Board authorizes the District's Superintendent to resume schools and on-site educational programs before May 4, 2020, if the Superintendent determines that they may resume after consulting with the Board President and Board Vice-President as well as evaluating orders, directives, and guidelines of federal, state, and local authorities.
3. The Board continues its authorization for the District's Superintendent to take all appropriate actions to address the threat of and respond to COVID-19, including but not limited to, supporting educational opportunities for District students to the extent feasible as well as other matters set forth in Governor Newsom's Executive Order N-26-20, including any amendments thereto.
4. This resolution shall be effective immediately upon its adoption and shall remain in effect until such time as schools and on-site educational programs of the District are resumed.

THE FOREGOING RESOLUTION is adopted by the Governing Board of the Clovis Unified School District at a regular meeting of said Board held on the 1st day of April, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christopher Casado, President
Governing Board
Clovis Unified School District
Fresno County, California

I, the undersigned, the Clerk of the Governing Board of the Clovis Unified School District, County of Fresno, State of California, do hereby certify that the foregoing is a true copy of the resolution adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is on file in the office of said Board.

Susan K. Hatmaker, Clerk
Governing Board
Clovis Unified School District
Fresno County, California

Doc# 40449, 03/2020



Board Agenda Item

Tuesday, March 3, 2020

Agenda Item: N. - 1.

Title: Accept Award from K12 Strong Workforce Program

CONTACT PERSON: Norm Anderson

FOR INFORMATION: April 1, 2020

FOR ACTION: April 22, 2020

RECOMMENDATION:

Authorize the Superintendent or designee to accept an award of \$1,410,717 from the K12 Strong Workforce Program supported by the California Community Colleges Chancellor's Office (CCCCO), in partnership with the California Department of Education (CDE).

DISCUSSION:

The purpose of the K12 Strong Workforce Program (K12 SWP) is to create, support, and/or expand high-quality Career Technical Education (CTE) programs at the K-12 level. Funding is intended for efforts that (1) are aligned with the workforce development efforts occurring through the Strong Workforce Program, (2) are responsive to regional economic priorities, and (3) increase the transition from secondary to post-secondary and career with an emphasis on a collaborative approach between the K-12 and community college system.

Two new programs will assist with providing access and awareness to students interested in CTE. The overall goal of the Careers in Special Education (CASE) Project is to increase the number of CUSD students who complete the 9-12 Careers in Education pathway, transition into a pathway-related post-secondary program of study, and complete a bachelor's degree and teaching credential that qualifies them to serve Special Education students. The Realizing Inclusion of Special Education in CTE (RISE CTE) Project is designed to increase the number of Special Education students who successfully complete a 9-14 CTE pathway and secure an associate degree and/or technical certificate leading to a high-wage, high-skill, high-growth career.

FISCAL IMPACT/FUNDING SOURCE:

Acceptance of the K12 SWP funds in the amount of \$1,410,717 will be provided for a 30-month project period, from July 1, 2020, to December 31, 2022.

REVISIONS:

Title: Annual Agreement with Advancement Via Individual
Determination (AVID) Center

CONTACT PERSON: Norm Anderson

FOR INFORMATION: April 1, 2020

FOR ACTION: April 22, 2020

RECOMMENDATION:

Authorize the Superintendent or designee to renew an agreement with the Advancement Via Individual Determination (AVID) Center for the 2020-21 school year, as submitted.

DISCUSSION:

The AVID College Readiness System is dedicated to closing the achievement gap for all students by preparing them for success in secondary school, college and career. The focus is on meeting the needs of students who traditionally have been underrepresented in higher education.

Contracts with AVID provide teachers with research-based strategies and curriculum at all secondary schools for grades 7-12, as well as at Fort Washington, Jefferson, Miramonte, Pinedale, Tarpey and Weldon elementary schools.

Contracts also provide annual District leadership training, staff training and summer institute opportunities, which are considered by many to be some of the best education-related professional learning in the country. AVID's impact goes beyond the AVID elective and uses academic strategies school-wide such as writing to learn, inquiry, collaboration, organizational skills and critical reading, as trained teachers use AVID library/materials and methodologies in their specialized content areas.

FISCAL IMPACT/FUNDING SOURCE:

Staff Development Funds not to exceed \$200,000.

REVISIONS:

Title: Placement of Special Education Students in Residential Treatment Facilities and a Non-Public School

CONTACT PERSON: Don Ulrich

FOR INFORMATION: April 1, 2020

FOR ACTION: April 22, 2020

RECOMMENDATION:

Authorize Clovis Unified to enter into an agreement with Copper Hills Youth Center, a residential treatment facility in West Jordan, Utah; enter into an agreement with Heritage Residential Treatment Center in Provo City, Utah; and enter into an agreement with Creative Alternatives, a non-public school in Fresno, California.

DISCUSSION:

Based on the Individualized Education Program (IEP) recommendations, it has been determined that the following Special Education student requires services in a residential treatment facility in order to address the student's unique educational needs for the 2019-20 school year:

Student ID#	Residential Treatment Facility	Location	Cost Per Month
#32	Copper Hills Youth Center	West Jordan, UT	\$15,300
#37	Heritage Residential Treatment Center	Provo City, UT	\$16,000

Additionally, based on the IEP recommendations, it has been determined that the following students require services in a non-public school in order to address the students' unique educational needs for the 2019-20 school year:

Student ID#	Non-Public School	Location	Cost Per Month
#36 & #38	Creative Alternatives	Fresno, CA	\$11,500 – includes both students

Clovis Unified will review the above cases every six months to determine the appropriateness of the placements and whether less restrictive placements can meet the students' unique educational needs.

FISCAL IMPACT/FUNDING SOURCE:

As noted above, the costs have been included in the 2019-20 Special Education Budget.

REVISIONS:

CONTACT PERSON: Norm Anderson

FOR INFORMATION: April 1, 2020

FOR ACTION: April 22, 2020

RECOMMENDATION:

Adopt Resolution No. 3748 declaring Wednesday, May 6, 2020, as School Nurse Day in Clovis Unified School District.

DISCUSSION:

The National Association of School Nurses (NASN) has proclaimed May 6, 2020, as National School Nurse Day. National School Nurse Day was established in 1977 to foster a better understanding of the role of school nurses in the education setting. Today, school nursing is recognized as a specialized practice that advances the well-being, academic success and life-long achievement of students. School nurses promote health and safety, intervene with actual and potential health problems, provide case management services, and actively collaborate with others to build student/family capacity for adaption, self-management, self-advocacy, and learning.

Administration recommends that the District acknowledges all school nurses through a declaration of Wednesday, May 6, 2020, as School Nurse Day in Clovis Unified.

In conjunction with this Action agenda item, Director of Nursing Services Jeanne Prandini will make a special presentation to honor all Clovis Unified school nurses at a later date.

FISCAL IMPACT/FUNDING SOURCE:

No fiscal impact.

ATTACHMENTS:

Description	Upload Date	Type
Resolution No. 3748 - School Nurse Day	3/13/2020	Backup Material

REVISIONS:

**RESOLUTION NO. 3748
BEFORE THE GOVERNING BOARD
OF THE CLOVIS UNIFIED SCHOOL DISTRICT
FRESNO COUNTY, CALIFORNIA**

**RESOLUTION DECLARING MAY 6, 2020
AS SCHOOL NURSE DAY IN THE CLOVIS UNIFIED SCHOOL DISTRICT**

WHEREAS, every child must be ready to learn, having their basic needs first met so that they may achieve optimal physical, emotional, social, and educational development and be prepared for full participation in society; and

WHEREAS, through public schools, communities can work together in unprecedented ways to eliminate barriers to learning and to provide access to health care for children and families; and

WHEREAS, California's credentialed school nurses are pivotal members of a coordinated school health system, delivering services to children and eliminating health disparities and barriers and supporting academic success for all children; and

WHEREAS, school nurses provide vital links between public and private resources and programs; collaboration between schools and health and human services agencies to bring school and community services to schools; and support efforts to connect families to insurance programs to meet their needs; and

WHEREAS, school nurses create and maintain safe school environments; provide mandatory health education, health screenings, and immunization; deliver early intervention services; design wellness-driven programs; and assist students with chronic and acute illnesses and special needs as they transition from home to school.

THEREFORE, BE IT RESOLVED that the Governing Board of the Clovis Unified School District declares May 6, 2020 as School Nurse Day in the Clovis Unified School District in recognition of these dedicated professionals and the outstanding work they perform on behalf of our District's children, supporting the learning and health needs of children to ensure academic success.

THE FOREGOING RESOLUTION was adopted by the Governing Board of the Clovis Unified School District of Fresno County, State of California, at a meeting of said Board held on the 22nd day of April 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christopher Casado, President
Governing Board
Clovis Unified School District
Fresno County, California

I, Susan K. Hatmaker, Clerk of the Governing Board of the Clovis Unified School District, County of Fresno, State of California, do here certify that the foregoing is a true copy of the resolution adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is on file in the office of said Board.

Susan K. Hatmaker, Clerk
Governing Board
Clovis Unified School District
Fresno County, California

CONTACT PERSON: Michael Johnston

FOR INFORMATION: April 1, 2020

FOR ACTION: April 22, 2020

RECOMMENDATION:

Adopt Resolution No. 3749 declaring Friday, May 1, 2020, as School Lunch Hero Day in Clovis Unified School District to acknowledge and express support for Campus Catering employees.

DISCUSSION:

Beginning in 2013, National School Lunch Hero Day was designated by the School Nutrition Association and Jarrett J. Krosoczka, author of the “Lunch Lady” graphic novel series. School Lunch Hero Day officially kicks off School Nutrition Employee Week and provides an opportunity for parents, students, school staff and communities to thank those who provide healthy meals to 30 million of America’s students each school day.

District Administration recommends that Clovis Unified acknowledges all Campus Catering employees through a declaration of Friday, May 1, 2020, as School Lunch Hero Day.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Resolution No. 3749	3/13/2020	Backup Material

REVISIONS:

**RESOLUTION NO. 3749
BEFORE THE GOVERNING BOARD
OF THE CLOVIS UNIFIED SCHOOL DISTRICT
FRESNO COUNTY, CALIFORNIA**

RESOLUTION TO DECLARE SCHOOL LUNCH HERO DAY

WHEREAS, the Governing Board recognizes the staff of the District's Campus Catering department's commitment to providing quality nutritional programs; and

WHEREAS, the Clovis Unified School District Governing Board has the utmost respect and admiration for the men and women who strive to provide all Clovis Unified School District students with nutritious choices, professional service, a safe and sanitary environment, and an enjoyable dining experience; and

WHEREAS, the Clovis Unified Governing Board in recognition of Campus Catering employees declares May 1, 2020 as School Lunch Hero Day; and

WHEREAS, this is a chance to showcase the impact school nutrition professionals make on every child who comes through the cafeteria; and

WHEREAS, the Governing Board acknowledges the vital role they play in achieving the mission of the Clovis Unified School District: to be a quality educational system providing the opportunity for all students to reach their potential in mind, body, and spirit; and

THEREFORE, BE IT RESOLVED that the Governing Board does hereby extend its sincere appreciation to Clovis Unified School District Campus Catering employees who contribute to making our schools successful.

THE FOREGOING RESOLUTION was adopted by the Governing Board of the Clovis Unified School District, County of Fresno, State of California, at a meeting of said Board held on the 22nd day of April, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christopher Casado, President
Governing Board
Clovis Unified School District
Fresno County, California

I, Susan Hatmaker, Clerk of the Governing Board of the Clovis Unified School District, County of Fresno, State of California, do hereby certify that the foregoing is a true copy of the resolution adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is on file in the office of said Board.

Susan Hatmaker, Clerk
Governing Board
Clovis Unified School District
Fresno County, California

CONTACT PERSON: Maiya Yang

FOR INFORMATION: April 1, 2020

FOR ACTION: April 22, 2020

RECOMMENDATION:

Repeal Board Policies No. 4606, 4801, 4804, 7206, 8203.

DISCUSSION:

As a result of the renumbering and updating of the board policies in 3000 – Business and Noninstructional Operations, certain existing board policies are no longer necessary because their contents are addressed in or have been moved to renumbered board policies or new board policies. Therefore, staff recommends that the Board repeal the above-referenced board policies, copies of which are attached.

FISCAL IMPACT/FUNDING SOURCE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Proposed Repealed Policies	3/26/2020	Backup Material

REVISIONS:

BOARD POLICIES RECOMMENDED FOR REPEAL

Tab #	Board Policy (BP)	Staff Recommendation/Comments
1	BP 4606: Student Fees, Charges and Deposits	<u>Repeal BP 4606</u> : All of the provisions in this BP have been moved to renumbered BP 3260 – Fees and Charges. Because of this, staff recommends that this BP be repealed as it is no longer needed.
2	BP 4801: Change Orders	<u>Repeal BP 4801</u> : All of the provisions in this BP have been moved to renumbered BP 3312 – Contracts. Because of this, staff recommends that this BP be repealed as it is no longer needed.
3	BP 4804: Public Works Contracting	<u>Repeal BP 4804</u> : All of the provisions in this BP have been moved to renumbered BP 3312 – Contracts. Because of this, staff recommends that this BP be repealed as it is no longer needed.
4	BP 7206: Privacy of Electronic Records – Third Parties	<u>Repeal BP 7206</u> : The subject matters of this BP are addressed in renumbered BP 3312 – Contracts. Because of this, staff recommends that this BP be repealed as it is no longer needed.
5	BP 8203: Closed Circuit Television Camera Security System	<u>Repeal BP 8203</u> : All of the provisions in this BP have been moved to renumbered BP 3515 – Campus Security (Key Control) and Closed Circuit Television. Because of this, staff recommends that this BP be repealed as it is no longer needed.

CLOVIS UNIFIED SCHOOL DISTRICT

FINANCIAL SERVICES

Revenue, Tuition, and Fees

STUDENT FEES, CHARGES AND DEPOSITS

PURPOSE: To authorize and establish procedures regarding student fees, deposits and other charges.

The Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the District's educational program are made available to them at no cost.

Pursuant to Education Code sections 49010 and 49011, no student shall be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the District's educational program, including curricular and extracurricular activities.

In relation to the District's educational program, only those fees, charges or deposits that are specifically authorized by statute may be imposed. (California Code of Regulations Title 5, Section 350; Education Code sections 49010, 49011)

The Superintendent and/or his/her designee shall prepare guidelines and protocols regarding permissible fees, deposits, and other charges which are specifically authorized by law. Among other specifications, the guidelines and protocols developed by the Superintendent and/or his/her designee shall set forth the scope of permissible fabrication fees pursuant to Education Code section 17551. The guidelines and protocols developed by the Superintendent and/or his/her designee shall be subject to periodic Board review and approval.

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 9208 - Uniform Complaint Procedures. (Education Code section 49013)

Adopted: 12/7/16

*Education Code 8239, 8250, 8263, 8482.6, 8760-8774,
17453.1, 17551, 19910-19911, 32033, 32221, 32390, 35330-35332,
35335, 38080-38086, 38120, 39801.5, 39807.5, 39837, 48050, 48052,
48904, 49010-49013, 49065, 49066, 49091.14, 51810-51815, 52612,
52613, 56504, 60410, Government Code 6253
California Constitution Article 9, Section 5*

CLOVIS UNIFIED SCHOOL DISTRICT

FINANCIAL SERVICES *Financial Management* CHANGE ORDERS

PURPOSE: To establish authorization to approve construction contract change orders.

Change Orders on District projects are often routine matters and require timely approval to maintain project schedules. A Change Order may consist of several different Change Order items of varying values. The Board authorizes the Superintendent, Associate Superintendent for Administrative Services, or the Assistant Superintendent for Facility Services to approve any Change Order item that does not exceed \$5,000 in value. In determining the application of this paragraph, the individual value of each Change Order item and not the aggregate value of the Change Order will be determinative. All Change Orders approved pursuant to this paragraph will subsequently be presented to the Governing Board for ratification.

Any Change Order item that exceeds \$5,000.00 or which causes the cumulative total of Change Orders on a project to exceed five percent (5%) of the original contract must either: (1) be approved by the Board, or (2) receive unanimous approval of the Board's Subcommittee on Facilities and subsequently be ratified by the Board.

*Adopted: 7/26/89
Amended: 6/8/92
Amended: 10/11/95
Amended: 11/20/95
Amended: 3/24/04
Reviewed: 5/25/07
Reviewed: 3/25/09*

CLOVIS UNIFIED SCHOOL DISTRICT

FINANCIAL SERVICES *Financial Management* PUBLIC WORKS CONTRACTING

PURPOSE: To establish policies and procedures for contracting for construction and deferred maintenance projects.

The Board declares that it is the District's policy to contract for public works projects, including construction and deferred maintenance of facilities, which are of the highest quality and at the most competitive price. The Board further declares that it is the policy of the District to consider multiple alternatives, including formal bidding in compliance with California Public Contract Code, use of the California Uniform Public Construction Cost Accounting Act, lease lease-back, design build and other alternative delivery methods. The Board hereby authorizes the Superintendent to establish procedures promoting competitiveness and the best interests of the District, consistent with applicable law, regarding the selection of contractors and contracting for public projects.

*Education Code 17250.10, et seq., 17406
Public Contract Code 10299, 20111, et seq., 20118, 22000, et seq.*

Adopted: 9/12/12

CLOVIS UNIFIED SCHOOL DISTRICT

ACCOUNTABILITY PLANNING & RESEARCH

Records Management

PRIVACY OF ELECTRONIC RECORDS – THIRD PARTIES

PURPOSE: This document sets forth the expectations regarding storing, managing and retrieving pupil records held by third parties on behalf of the District.

The California Education Code authorizes school districts to contract with third parties to provide services for the digital storage, management, and retrieval of pupil records and to provide digital educational software. Any such agreements entered into after January 1, 2015 must include the terms specified by the Education Code as outlined in the Administration Regulation, along with any other requirements for contracting by the District.

CLOVIS UNIFIED SCHOOL DISTRICT

GENERAL SERVICES

Security, Safety & Emergency Procedures

CLOSED-CIRCUIT TELEVISION (CCTV) CAMERA SECURITY SYSTEMS

PURPOSE: To protect District property and assets from theft and vandalism

Closed Circuit Television (CCTV) Camera Security Systems

It shall be the policy of the Clovis Unified School District to implement CCTV camera security systems at school and administrative sites throughout the District as such need may arise. The implementation of such systems is for the protection of District property and assets from theft and vandalism through deterrence and video documentation as well as for use as an additional campus management tool during the school day. The CCTV system is not designed or intended to protect individuals from being the victims of violent or property-related crimes, or to detect other potentially illegal or undesirable activities which may occur, although any video information obtained by such methods may be used as evidence in such cases.

The CCTV camera systems shall not be utilized to monitor areas where persons have a reasonable expectation of privacy.

The CCTV camera systems shall not replace the need for the ongoing vigilance of the District's Police Department or supervision and security staff. Administrators shall ensure that due diligence is observed in maintaining general campus security.

The Clovis Unified School District CCTV system shall not be represented at any time as enhancing or ensuring the personal safety of any individual under any circumstances.

CONTACT PERSON: Maiya Yang

FOR INFORMATION: April 1, 2020

FOR ACTION: April 22, 2020

RECOMMENDATION:

Adopt amended and new Board Policies: 3000 – Business and Noninstructional Operations.

DISCUSSION:

Proposed new and amended board policies in 3000 – Business and Noninstructional Operations are as summarized in the attached table and set forth in each respective policy attached hereto.

The proposed 3000 series of policies were reviewed and discussed at length during Board study sessions held on November 13, 2019, December 11, 2019, January 15, 2020, and March 4, 2020 before presented for adoption.

FISCAL IMPACT/FUNDING SOURCE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Table of Proposed Adoptions	3/26/2020	Backup Material
Policies - Tabs 1 through 10	3/26/2020	Backup Material
Policies - Tabs 11 through 19	3/26/2020	Backup Material
Policies - Tabs 20 through 29	3/26/2020	Backup Material
Policies - Tabs 30 through 39	3/26/2020	Backup Material
Policies - Tabs 40 through 49	3/26/2020	Backup Material

REVISIONS:

3000 – BUSINESS AND NONINSTRUCTIONAL OPERATIONS

Red: New policy

BP: Board Policy

CUSD: Clovis Unified School District

CSBA: California School Boards Association

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
1	3100 BP Budget and Fiscal Accountability	3100 BP Budget	4802 BP Budget and Fiscal Accountability	09/26/2007	08/29/2018	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4802. The modifications include: (1) renumbering the policy as BP 3100 to align with the CSBA numbering system; (2) making changes for consistency of terminologies with other policies; and (3) updating citations to applicable laws.
2	3230 BP Federal Grant Funds	3230 BP Federal Grant Funds	4607 BP Federal Grant Funds	06/13/2018	NA	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4607. The modifications include: (1) renumbering the policy as BP 3230 to align with the CSBA numbering system; (2) making changes for consistency of terminologies with other policies; and (3) deleting citations to Management Resources.
3	3250 BP Transportation Fees	3250 BP Transportation Fees	8301 BP Student Transportation Management, Paragraph B	NA	NA	<u>Adopt new BP.</u> This is a new policy that addresses fees for home-to-school transportation services. It contains provisions that have been moved from Paragraph B of existing BP 8301 as well as new provisions. The provisions moved from BP 8301 are in black text. New provisions are in red text. Modifications to certain provisions have been made to be consistent with CUSD practices or applicable laws.
4	3260 BP Fees and Charges	3260 BP Fees and Charges	4604 BP Fines and Charges 4606 BP (provisions moved) Student Fees, Charges, and Deposits	07/23/1975 12/07/2016	11/16/2011 NA	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4604. The modifications include: (1) renumbering the policy as BP 3260 to align with the CSBA numbering system; (2) moving all of the provisions in BP 4606 - Student Fees, Charges and Deposit into this BP; (3) making changes for consistency of terminologies with other policies; and (4) updating citations to applicable laws.
5	3270 BP Disposition of Surplus Personal Property - Books, Equipment, and Supplies	3270 BP Sale and Disposal of Books, Equipment and Supplies	4603 BP Sale of Surplus Property	07/23/1975	08/10/2005	<u>Adopt proposed renumbered and amended BP.</u> This is an existing BP, currently numbered as BP 4603. The proposed changes include: (1) renumbering this BP as BP 3270 to align with the CSBA numbering system; (2) adding provisions relating to the disposition of instructional materials as well as items purchased with federal funds; (3) updating the citations to applicable laws; and (4) making non-substantive changes for uniformity and consistency.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
6	3290 BP Gifts, Grants, and Bequests/Donations	3290 BP Gifts, Grants and Bequests	4602 BP Gifts and Donations	07/23/1975	09/25/2019	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4602. The modifications include: (1) renumbering the policy as BP 3290 to align with the CSBA numbering system; and (2) updating citations to applicable laws.
7	3300 BP Expenditures and Purchases	3300 BP Expenditures and Purchases	8101 BP Purchasing	07/23/1975	07/16/2008	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 8101. The modifications include: (1) renumbering the policy as BP 3300 to align with the CSBA numbering system; (2) adding provisions to reflect applicable laws; (3) making changes to reflect current practices and for consistency of terminologies with other policies; and (4) updating citations to applicable laws.
8	3311 BP Bids	3311 BP Bids	None	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3311 to align with the CSBA numbering system. This policy establishes procedures for purchasing and bidding of goods and services.
9	3311.1 BP Uniform Public Construction Cost Accounting Procedures	3311.1 BP Uniform Public Construction Cost Accounting Procedures	None	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3311.1 to align with the CSBA numbering system. This policy sets forth procedures for bidding and contracting of public works projects pursuant to the California Uniform Public Construction Cost Accounting Act.
10	3312 BP Contracts	3312 BP Contracts	4803 BP Contracts BP 7206, Provisions Privacy of Electronic Records BP 4801, Provisions Change Orders BP 4804, Provisions Public Works Contracting	12/12/2007 02/11/2015 7/26/1989 09/12/2012	12/07/2016 NA 03/24/2004 NA	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4803. The modifications include: (1) renumbering the policy as BP 3312 to align with the CSBA numbering system; (2) moving into this BP the provisions from BP 4801 - Change Orders, BP 4804 - Public Works Contracting, and BP 7206 - Privacy of Electronic Records; (3) making changes for consistency of terminologies with other policies; and (4) updating citations to applicable laws.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
11	3314 BP Payment for Goods and Services/Accounting and Reporting	3314 BP Payment for Goods and Services	4201 BP Accounting and Reporting	07/23/1975	02/25/2009	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4201. The modifications include: (1) renumbering the policy as BP 3314 to align with the CSBA numbering system; (2) making changes to reflect current practices and terminology use; and (3) updating citations to applicable laws.
12	3314.2 BP Revolving Funds and Special Accounts	3314.2 BP Revolving Funds	4202 BP Special Accounts	07/23/1975	03/23/2011	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4202. The modifications include: (1) renumbering the policy as BP 3314.2 to align with the CSBA numbering system; (2) making changes to reflect current practices and for consistency of terminologies with other policies; and (3) updating citations to applicable laws.
13	3320 BP Claims and Actions Against the District	3320 BP Claims and Actions Against the District	4102 BP Claims and Actions Against the District	08/29/2018	None	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 102, that was adopted last year and contains many of the provisions from CSBA BP 3320 with adjustments to reflect CUSD practices. Staff made few changes to this BP. The proposed changes include: (1) renumbering the policy as BP 3320 to align with the CSBA numbering system; and (2) making changes to align the language of the BP with District practices and for consistency and uniformity.
14	3350 BP Travel Expenses/Expense Accounts, Reimbursement, and Authorized Expenses	3350 BP Travel Expenses	4203 BP Expense Accounts, Reimbursement & Authorized Expenses	07/23/1975	03/09/2016	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4203. The modifications include: (1) renumbering the policy as BP 3350 to align with the CSBA numbering system; (2) making changes to reflect current practices and for consistency of terminologies with other policies; (3) making changes to align the contents of this BP with the contents of CSBA sample BP 3350; and (4) updating citations to applicable laws.
15	3400 BP Management of District Assets and Accounts/Payroll	3400 BP Management of District Assets/Accounts	None	NA	NA	<u>Adopt New BP.</u> This is a new policy, numbered as BP 3400 to align with the CSBA numbering system. This policy establishes internal controls and procedures to manage District assets and resources.
16	3452 BP Student Activity Funds	3452 BP Student Activity Funds	None	NA	NA	<u>Adopt New BP.</u> This is a new policy, numbered as BP 3452 to align with the CSBA numbering system. This policy establishes policy and procedures for student activity funds.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
17	3460 BP Financial Reports and Accountability	3460 BP Financial Reports and Accountability	None	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3460 to align with the CSBA numbering system. This policy establishes procedures for financial reporting and accountability.
18	3470 BP Debt Issuance and Management	3470 BP Debt Issuance and Management	4805 BP Debt Issuance and Management Policy	06/28/2017	NA	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4805. The modifications include: (1) renumbering the policy as BP 3470 to align with the CSBA numbering system; (2) making changes for consistency of terminologies with other policies; and (3) updating citations to applicable laws.
19	3510 BP Sustainability, Design, and Construction of High Performing Schools/Green School Operations	3510 BP Green School Operations	5107 BP Sustainability and Design and Construction of High Performing Schools	07/13/2011	None	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 5107. The modifications include: (1) renumbering it as BP 3510 to align with the CSBA numbering system; (2) modifying certain terminologies to be consistent with the terminologies used in other policies; (3) updating provisions to reflect applicable laws; and (4) updating citations to applicable laws.
20	3511 BP Energy and Water Management/Conservation Program	3511 BP Energy and Water Management	5201 BP Energy and Water Conservation Program	11/12/1980	09/26/2007	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered BP 5201. The modifications include: (1) renumbering it as BP 3511 to align with the CSBA numbering system; (2) modifying certain terminologies to be consistent with the terminologies used in other policies; (3) adding provisions to reflect applicable laws; and (4) updating citations to applicable laws.
21	3512 BP Equipment/Powered Industrial Trucks (PIT)	None	8501 BP Powered Industrial Trucks (PIT)	07/20/2005	03/11/2009	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 8501. The modifications include: (1) renumbering it as BP 3512 to align with the CSBA numbering system; (2) moving of provisions regarding the inspection and replacement of equipment from existing BP 5202 to align the contents of CUSD policies with the contents of CSBA sample policies; and (3) modifying certain terminologies to be consistent with terminologies used in other policies.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
22	3513.1 BP District Mobile Device Use/ Reimbursement	None	4204 BP District Mobile Device Use	05/14/2008	01/28/2009	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4204. The proposed changes reflect past and current District practices and changing technology use. Based on staff's review of existing allowances that are paid to employees for mobile devices, few employees are on the data only plans. The staff review also concluded that certain positions require the frequent use of cell phones away from the office. Because of this, staff recommend and this BP deletes language regarding the reimbursement for data only plans and clarifies and adds language addressing the reimbursement for data and voice plans. The proposed changes include: (1) renumbering this policy as BP 3513.1 to align with the CSBA numbering system; (2) clarifying between positions designated to receive the allowance and those that are approved on case-by-case basis; (3) clarifying between CUSD-provided mobile devices and employee-owned mobile devices; (4) updating the citations to relevant law; and (5) making non-substantive changes for consistency and uniformity.
23	3513.3 BP Tobacco-Free Schools	3513.3 BP Tobacco-Free Schools	2405 BP Tobacco-Free Schools	08/03/1994	11/11/2004	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 2405. The modifications include: (1) renumbering it as BP 3513.3 to align with the CSBA numbering system; (2) modifying and adding provisions to reflect applicable laws and current CUSD practices; (3) modifying certain terminologies to be consistent with terminologies used in other policies; and (4) updating citations to applicable laws.
24	3513.4 BP Drug and Alcohol Free Schools	3513.4 BP Drug and Alcohol Free Schools	None	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3513.4 to align with the CSBA numbering system. This BP addresses CUSD's policy on drugs and alcohol on CUSD facilities and properties.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
25	3514 BP Environmental Safety/Air Quality Precautions	3514 BP Environmental Safety	2403 BP Air Quality Precautions	10/14/1992	01/21/2009	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 2403. The modifications include: (1) renumbering it as BP 3514 to align with the CSBA numbering system; (2) adding the provisions in paragraph 1 to reflect general legal obligations to inspect and maintain CUSD facilities; and (3) updating citations to applicable laws.
26	3515 BP Campus Security (Key Control) and Closed Circuit Television	3515 BP Campus Security	8201 BP Security (Key Control) 8203 BP Closed-Circuit Television (CCTV) Camera Security System	07/23/1975 07/18/2007	07/19/2006 NA	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 8201. The modifications include: (1) renumbering it as BP 3515 to align with the CSBA numbering system; (2) moving the contents of existing BP 8203 - Closed Circuit Television (CCTV) Camera Security Systems into this BP to align the contents of this BP with the contents of CSBA sample policies; (3) modifying certain terminologies to be consistent with terminologies used in other policies; (4) updating certain provisions to be consistent with current CUSD practices; and (5) updating the citations to applicable laws.
27	3515.2 BP Disruptions	3515.2 BP Disruptions	None	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3515.2 to align with the CSBA numbering system. This policy establishes procedures for addressing disruption of school activities.
28	3515.21 BP Unmanned Aircraft Systems (Drones)	3515.21 BP Unmanned Aircraft Systems (Drones)	4103 BP Unmanned Aircraft Systems (Drones)	10/10/2018	NA	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4103. The modifications include: (1) renumbering it as BP 3515.21 to align with the CSBA numbering system; (2) modifying certain terminologies to be consistent with terminologies used in other policies; and (3) updating citations to applicable laws.
29	3515.3 BP District Police/Security Department	3515.3 BP District Police/Security Department	None	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3515.3 to align with the CSBA numbering system. This policy sets forth provisions regarding CUSD's police and/or security department.
30	3515.4 BP Recovery for Property Loss or Damage	3515.4 BP Recovery for Property Loss or Damage	None	NA	NA	<u>Adopt new BP.</u> This BP establishes requirements and process for recovery for losses or damages to CUSD property. This is a new BP that contains some of the provisions from CSBA BP 3515.4. Adjustments have been made for use by CUSD.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
31	3515.5 BP Notification of Registered Sex Offenders (Megan's Law)	3515.5 BP Sex Offender Notification	8205 BP Notification of Registered Sex Offenders (Megan's Law)	08/06/1997	12/10/1997	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 8205. The modifications include: (1) renumbering it as BP 3515.5 to align with the CSBA numbering system; (2) modifying certain provisions to reflect applicable laws and current District practices; and (3) updating citations to applicable laws.
32	3515.7 BP Firearms on School Grounds	3515.7 BP Firearms on School Grounds	None	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3515.7 to align with the CSBA numbering system. This policy prohibits the possession of firearm on school grounds except as specifically authorized by law.
33	3515.9 BP Traffic and Parking	None	5203 BP Traffic and Parking Ordinance	07/27/1977	12/15/2004	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 5203. The modifications include: (1) renumbering it as BP 3515.9 to fall within the CSBA numbering system but not aligning with a particular CSBA sample policy as there is not a comparable CSBA sample policy; (2) reorganizing the provisions so that provisions addressing similar areas are grouped together; (3) modifying certain provisions to reflect current CUSD practices; and (4) updating citations to applicable laws.
34	3516 BP Emergency & Disaster Preparedness Plan	3516 BP Emergencies and Disaster Preparedness Plan	8202 BP Emergency and Disaster Preparedness	07/23/1975	07/19/2006	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 8202. The modifications include: (1) renumbering it as BP 3516 to align with the CSBA numbering system; (2) modifying certain provisions to reflect applicable laws and current District practices; and (3) updating citations to applicable laws.
35	3516.5 BP Emergency Schedules	3516.5 BP Emergency Schedules	None	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3516.5 to align with the CSBA numbering system. This policy establishes schedules when hazardous environmental or weather conditions or other emergencies warrant.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
36	3517 BP Facilities Inspection/Maintenance of District Facilities and Grounds	None	5202 BP Maintenance of District Facilities and Grounds	07/23/1975	11/05/2008	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 5202. The modifications include: (1) renumbering it as BP 3517 to align with the CSBA numbering system; (2) deleting provisions relating to equipment and moving them to renumbered BP 3512 - Equipment/Powered Industrial Trucks to align the contents of CUSD policies with the contents of CSBA sample policies; (3) deleting provisions relating to damage to CUSD facilities and moving them to renumbered BP 1330 - Use of School Facilities to align the contents of CUSD policies with the contents of CSBA sample policies; (4) modifying certain terminologies to be consistent with terminologies used in other policies; and (5) updating citations to applicable laws.
37	3530 BP Risk Management Program/ Insurance	3530 BP Risk Management/Insu rance	4101 BP Risk Management Program	07/23/1975	02/27/2008	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4101. The changes include: (1) renumbering it as BP No. 3530 to align with the CSBA numbering system; (2) making changes so that the policy language is consistent with CUSD practices and for uniformity and consistency. The existing BP contains some of the provisions that are in CSBA BP 3530 with adjustments to reflect CUSD practices. Staff did not make substantial changes to this BP.
38	3540 BP Student Transportation Management	3540 BP Transportation	8301 BP Student Transportation Management	7/23/1975	8/11/2010	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 8301. The modifications include: (1) renumbering this policy to BP 3540 to align with the CSBA policy numbering system; (2) deleting paragraphs A through D and moving them to other policies to align the contents of CUSD policies with the contents of CSBA policies; (3) adding or modifying provisions to reflect applicable laws; and (4) updating citations to relevant laws.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
39	3541 BP Transportation Routes and Services	None	8301 BP Student Transportation Management, Paragraph A	7/23/1975	8/11/2010	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3541 to align with the CSBA numbering system. This BP includes provisions that have been moved from Paragraph A of existing BP 8301 - Student Transportation Management. The provisions moved from CUSD BP 8301 are in black text and have been rearranged to facilitate review. Added provisions are in red text. Modifications have also been made to reflect CUSD practices or for consistency and uniformity.
40	3541.1 BP Transportation for School-Related Trips/Private Vehicles	None	8302 BP Transportation of Students by Private Vehicle	3/24/2010	NA	<u>Adopt renumbered and amended BP.</u> This is an existing CUSD policy, currently numbered as BP 8302. The modifications include: (1) renumbering this policy as BP No. 3541.1 to align with the CSBA numbering system; (2) non-substantive changes for purposes of consistency and uniformity; and (2) updating citations to relevant laws.
41	3541.2 BP Transportation for Students with Disabilities	3541.2 BP Transportation for Students with Disabilities	8301 AR, provisions, Para. C Student Transportation Management	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered BP 3541.2 to align with the CSBA numbering system. Staff recommends that the Board adopt this new policy. This is because Education Code section 56195.8 requires that entities providing special education adopt a policy that describes how special education transportation is coordinated with regular home-to-school transportation and sets forth criteria for meeting the transportation needs of special education students. The provisions of Paragraph C of existing CUSD AR 8301 have been moved into this BP.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
42	3550 BP Food Service/Child Nutrition Program	3550 BP Food Service/Child Nutrition Program	8401 BP Food Service Program	07/23/1975	11/09/2005	<u>Adopt proposed renumbered and amended BP.</u> This an existing CUSD policy, currently numbered as BP 8401. The proposed modifications include: (1) renumbering this policy as BP No. 3550 to align with the CSBA numbering system; (2) deleting some of the provisions from this BP and moving them to other policies to align the contents of CUSD's policies with the contents of CSBA policies; (3) modifying certain provisions to be consistent with CUSD practices and terminology usage; and (4) updating citations to relevant laws. This BP has been updated to reflect changes in applicable laws. It addresses standards for foods and beverages served through the CUSD's food service program and requires that the Superintendent or designee periodically review the adequacy of school facilities for eating and food preparation.
43	3551 BP Food Service Operations/Cafeteria Fund	3551 BP Food Service Operations/ Cafeteria Fund	4604 BP, Provisions Fines and Charges	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3551 to align with the CSBA numbering system. This BP contains provisions addressing: (1) the sale and payment of meals, (2) establishment of a cafeteria fund to pay wages, salaries, and benefits of food services employees, (3) service contracts and procurement of foods, equipment, and supplies, and (4) monitoring and evaluation of the food service program. Staff recommends that the Board adopt this new policy because: (1) school districts that participate in the National School Lunch and/or Breakfast Program must adopt a policy addressing delinquent meal charges; and (2) this policy specifies the standards for CUSD's food services operation and cafeteria fund. Provisions relating to meal costs and payment were moved from existing CUSD BP 4604.
44	3552 BP Summer Meal Program	3552 BP Summer Meal Program	None	NA	NA	<u>Adopt new BP.</u> This policy is new, numbered as BP 3552. It contains provisions relating to the summer meal program. Staff recommends that the Board adopt it because CUSD has been approved by the California Department of Education to provide meals to children in low-income communities during summer vacation. Moreover, this policy sets forth parameters and applicable legal requirements for the operation of CUSD's summer meal program.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
45	3553 BP Free and Reduced Price Meals	3553 BP Free and Reduced Price Meals	None	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3553 to align with the CSBA numbering system. Staff recommends that the Board adopt this new policy. This policy addresses: (1) the District's obligation to provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria; and (2) confidentiality and permitted use of applications and records related to student eligibility for free and reduced-priced meals. The provisions regarding confidentiality and release of records for free and reduced-price student eligibility information are mandated. Other provisions in this policy set forth parameters and applicable legal requirements. Provisions regarding confidentiality/release of records have been moved from CUSD BP 8401.
46	3554 BP Other Food Sales	3554 BP Other Food Sales	8402 BP Other Food Sales	05/23/2001	5/23/2007	<u>Adopt proposed renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 8402. The proposed modifications include: (1) renumbering this policy as BP 3554 to align with the CSBA numbering system; and (2) modifications of certain provisions to be consistent with CUSD practices and terminology usage.
47	3555 BP Nutrition Program Compliance	3555 BP Nutrition Program Compliance	None	NA	NA	<u>Adopt new BP.</u> This is a new policy, numbered as BP 3555 to align with the CSBA numbering system. Staff recommends that the Board adopt this new BP. This BP is mandated for CUSD because it receives state and federal funding for its child nutrition program. The proposed BP sets forth requirements for complaints relating to the CUSD's child nutrition program and designates a coordinator for purposes of handling such complaints and complying with other applicable legal requirements. These requirements are in addition to those set forth in BP and Administrative Regulation 9208 – Uniform Complaint Procedures Regarding Programs/ Discrimination, which procedures must also be followed in any complaints relating to the CUSD's child nutrition program.
48	3580 BP District Records	3580 BP District Records	None	NA	NA	<u>Adopt new BP.</u> This is a new BP, numbered as BP 3580 to align with the CSBA numbering system. It addresses the classification and retention of CUSD records.

Tab #	CUSD Renumbered BP	CSBA Sample BP	CUSD Existing BP	Adopted	Last Amended	Staff Recommendation/Comments
49	3600 BP Consultants	3600 BP Consultants	6208 BP Consultants	11/20/1995	12/12/2007	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 4802. The modifications include: (1) renumbering the policy as BP 3600 to align with the CSBA numbering system; (2) making changes for consistency of terminologies with other policies; and (3) updating citations to applicable laws.

Doc# 40515, 03/2020

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SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS ~~FINANCIAL SERVICES~~**

Financial Management

BUDGET AND FISCAL ACCOUNTABILITY

PURPOSE: To adopt a sound budget for each fiscal year which is aligned with the District's vision, goals, and priorities.

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

The District shall follow all applicable Education Code, Governmental Accounting Standards Board (GASB), and other laws pertaining to sound budgeting. The District budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations. Within Board approved budget allocations, the Superintendent or designee shall have discretion to use District funds in the best interest of academic success for students.

The Superintendent or designee shall establish an annual budget development process and calendar in accordance with the single budget adoption process described in Education Code ~~section~~ 42127.

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

The Board encourages public input in the budget development process and shall hold public hearings and meetings in accordance with law.

The Superintendent or designee may appoint a Budget Standards Committee composed of members of the community and staff. The committee shall provide recommendations to the Superintendent during the budget development process. Duties of the committee shall be clearly defined and communicated to all members.

~~In order to~~ To provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified District needs and goals and on realistic projections of available funds. The Board also shall establish budget assumptions or parameters which may take into consideration the stability of funding sources, enrollment trends, legal requirements and constraints, anticipated increases and/or decreases in the cost of services and supplies, use of one-time resources, categorical program requirements, scheduled salary increases, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.

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A minimum 10% General Fund Reserve for economic uncertainty shall be established and maintained and may only temporarily go below 10% with the approval of the ~~Governing~~ Board.

The Superintendent or designee shall ensure that the District budget is clearly presented and effectively communicated to the ~~Governing~~ Board, staff, and public. ~~The Superintendent or designee~~ ~~He/she~~ may adapt or supplement the state-required budget format as necessary for these purposes.

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments at the first interim, second interim, and third quarter to ensure accurate projections of the District's net ending balance. When final numbers for the prior-year budget are available, this information shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures. In addition, budget amendments shall be submitted for ~~Governing~~ Board approval when the state budget is adopted, salary schedules/employee benefits for employee groups are approved, collective bargaining agreements with the ~~bargaining unit~~ ~~Operations Unit~~ are approved, District income declines, increased revenues or unanticipated savings are made available to the District, program proposals are significantly different from those approved during budget adoption, and/or other significant changes occur that impact budget projections.

Adopted: 09/26/2007

Reviewed: 02/04/2009

Amended: 03/23/2011, 08/29/2018, __/__/__ (BP 4802 renumbered as BP 3100)

EDUCATION CODE

1240 Duties of county superintendent of schools

33127-33131 Standards and criteria for local budgets and expenditures

41202 Determination of minimum level of education funding

42103 Public hearing on proposed budget; requirements for content of proposed budget

42122-42129 Budget requirements

42130-42134 Financial certifications

42140-42142 Disclosure of fiscal obligations

42238-42251 Apportionments to Districts, especially:

42238.01-42238.07 Local control funding formula

42602 Use of unbudgeted funds

42610 Appropriation of excess funds and limitation thereon

45253 Annual budget of personnel commission

45254 First year budget of personnel commission

52060-52077 Local control and accountability plan

GOVERNMENT CODE

7900-7914 Appropriations limit

21710-21716 California Employer's Pension Prefunding Trust Program

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SCHOOL DISTRICT****CODE OF REGULATIONS, TITLE 5****15060 Standardized account code structure****15440-15451 Criteria and standards for school District budgets****15494-15497 Local control funding formula, supplemental and concentration grant expenditures****~~Education Code sections 33127, 33128, 33129, 35035, 35161, 42103, 42120-42129, 42132,
42602, 42610, 44518-44519.2, 45253, 45254~~****~~Government Code sections 7900-7914~~****~~Code of Regulations, Title 5, 15060, 15440-15452~~**

Doc# 34629-7 (03/2020, 03/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS**~~FINANCIAL SERVICES~~

Revenue, Tuition, and Fees

FEDERAL GRANT FUNDS

PURPOSE: To establish a policy for goods or services purchased with federal funds.

The ~~Governing~~ Board recognizes the District's responsibility to maintain fiscal integrity and transparency in the use of all funds awarded through federal grants. The ~~d~~District shall comply with all requirements detailed in any grant agreement with an awarding agency and with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards specified in 2 CFR 200.0-200.521 and any stricter state laws and ~~d~~District policy.

Any goods or services purchased with federal funds shall be reasonable in cost and necessary for the proper and efficient performance or administration of the program.

The Superintendent or designee shall ensure that the ~~d~~District's financial management systems and procedures provide for the following: (2 CFR 200.302)

1. Identification in ~~d~~District accounts of each federal award received and expended and the federal program under which it was received.
2. Accurate, current, and complete disclosure of the financial and performance results of each federal award or program in accordance with the reporting requirements of 2 CFR 200.327 and 200.328.
3. Records and supporting documentation that adequately identify the source and application of funds for federally funded activities, including information pertaining to federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest.
4. Effective controls and accountability for all funds, property, and other assets and assurance that all assets are used solely for authorized purposes.
5. Comparison of actual expenditures with budgeted amounts for each federal award.
6. Written procedures to implement provisions governing payments as specified in 2 CFR 200.305.
7. Written procedures for determining the allowability of costs in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the federal grant award.

The Superintendent or designee shall develop and implement appropriate internal control processes to reasonably assure that transactions are properly executed, recorded, and accounted for so that the ~~d~~District can prepare reliable financial statements and federal reports, maintain

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accountability over assets, and demonstrate compliance with federal laws, regulations, and conditions of the federal award. (2 CFR 200.61, 200.62, 200.303)

Equipment purchased with federal funds shall be properly inventoried and ~~adequately~~ maintained to safeguard against loss, damage, or theft of the property.

All staff involved in the administration or implementation of programs and activities supported by federal funds shall receive information and training on the allowable use of federal funds, purchasing procedures, and reporting processes commensurate with their duties.

The ~~d~~District shall submit performance reports to the awarding agency in accordance with the schedule and indicators required for that federal grant by law and the awarding agency. As required, such reports may include a comparison of actual accomplishments to the objectives of the federal award, the relationship between financial data and performance accomplishments, the reasons that established goals were not met if applicable, cost information to demonstrate cost effective practices, analysis and explanation of any cost overruns or high unit costs, and other relevant information. The final performance report shall be submitted within 90 days after the ending date of the grant. (2 CFR 200.301, 200.328)

Adopted: 06/13/2018

Amended: __/__/__ (BP 4607 renumbered as BP 3230)

EDUCATION CODE

42122-42129 Budget requirements

CODE OF FEDERAL REGULATIONS, TITLE 2

180.220 Amount of contract subject to suspension and debarment rules

200.0-200.521 Federal uniform grant guidance, especially:

200.1-200.99 Definitions

200.100-200.113 General provisions

200.317-200.326 Procurement standards

200.327-200.329 Monitoring and reporting

200.333-200.337 Record retention

200.400-200.475 Cost principles

200.500-200.521 Audit requirements

CODE OF FEDERAL REGULATIONS, TITLE 34

76.730-76.731 Records related to federal grant programs

CODE OF FEDERAL REGULATIONS, TITLE 48

2.101 Federal acquisition regulation; definitions

Management Resources:

~~CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~

~~California Department of Education Audit Guide~~

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~~California School Accounting Manual~~

~~EDUCATION AUDIT APPEALS PANEL PUBLICATIONS~~

~~Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting~~

~~U.S. DEPARTMENT OF EDUCATION PUBLICATIONS~~

~~Questions and Answers Regarding 2 CFR Part 200, March 17, 2016~~

~~WEB SITES~~

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

~~Education Audit Appeals Panel: <http://www.eaap.ca.gov>~~

~~Office of Management and Budget, Uniform Guidance:~~

~~https://www.whitehouse.gov/omb/grants_does~~

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

~~System for Award Management (SAM): www.sam.gov/portal/SAM/###11~~

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

~~U.S. Government Accountability Office: <http://www.gao.gov>~~

Doc# 34627-5 (03/2020, 09/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Student Transportation Management****TRANSPORTATION FEES**

PURPOSE: To establish fees for transportation of students.

The Board may charge a transportation fee to parents/guardians of transported students in accordance with Education Code section 39807.5. The total amount received by the District from the State, if any, and parent/guardian fees shall not exceed the actual operating cost of home-to-school transportation during the fiscal year. (Education Code 39809.5) ~~Whenever the cost of providing student transportation exceeds funding provided by the state, the Board may charge fees for home-to-school student transportation and other transportation services as expressly authorized by law.~~

1. ~~Establishment of Fee Schedule. An annual~~The fee schedule ~~shall be established by the Board~~ for home-to-school transportation services shall be set forth in the accompanying Administrative Regulation. The Board ~~may will~~ review the effectiveness of the fee-based home-to-school transportation program, appropriate radius parameters, and fee level on an annual basis. Before adopting any changes to the fee schedule in the Administrative Regulation, the Superintendent or designee shall review such changes with the Board.
2. Students Living Within Radius Zone - Availability of Transportation and Payment. The District may provide ~~S~~students living inside the ~~R~~Radius ~~z~~Zone, as this term is defined in Board Policy No. 3541 – Transportation Routes and Services ~~parameters of one (1) mile for grades K-6, and two and one half (2.5) miles for grades 7-12,~~ with transportation services if all of the following conditions are met:
 - a. After the third week of the start of a school year, the Superintendent or designee determines that spaces are available on particular bus routes.
 - b. The student will be transported by the District on a bus route where spaces have been determined to be available.
 - c. The student is picked up and dropped off by the District at an existing, District designated bus stop, which stop may be located outside the Radius Zone. Parents/guardians are responsible for any transportation to and from home to the existing bus stop.
 - d. The District receives payment of the applicable fee set forth in the accompanying Administrative Regulation No. 3250 or verification of eligibility for free transportation based on financial need to be determined in accordance with the income eligibility scales used for the free and reduced-lunch program.

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~~(A) the students may walk to an existing bus stop and receive a ride to and from school provided they pay a fee as established in the accompanying Administrative Regulation No. 32508301. This option is available after the third week of the start of a school year and upon determination by the Superintendent or designee that there are spaces available on particular bus routes. This fee will apply to all students living within the rRadius zZones, and is obtainable on a space available basis, which will be determined duringafter the third week of the beginning of each school year. Students are eligible for free transportation based on financial need to be determined in accordance with the income eligibility scales used for the free and reduced-price lunch program~~

3. Students with Disabilities. Students with a disability whosespecial needs, as outlined in their “Individualized Eeducational Pprogram (IEP),” includes transportation as a related service necessary to receive a free appropriate public education and who require home-to-school transportation will be provided transportation services at no cost. (Education Code 39807.5)
- ~~4. Students Who Meet Low Income Eligibility Criteria. Students who meet the low income eligibility criteria as indicated by an Income Diselosure form outlined refereneed in Administrative Regulation No. 32508301 and live in excess of the established rRadius zZone distance will be provided home to school transportation services by the District at no cost. (Education Code 39807.5)~~
4. Summer School Transportation. The District may provide Ssummer school transportation will be provided at no cost to students who are eligible to attend summer schoola daily cost per student as outlined in Administrative Regulation No. 8301. Passes will be sold only for the entire summer program. Pick-up and drop-off bus stopsloations for summer school will be placed at elementary school sites located outside the established rRadius Zonedistancee from the summer school site.

Adopted: __/__/__ (provisions moved from BP 8301)

EDUCATION CODE

10900-10914.5 Community recreation program, especially:
10913 Fees for uses of school buses for community recreation purposes
35330 Excursions or field trips
39800-39860 Transportation, especially:
39801.5 Transportation fees for adults
39807.5 Payment of transportation cost; amount of payment
39809.5 Excess fees; adjustments
39837 Fees for summer employment transportation
41850 Home-to-school and special education transportation
49014 Public School Fair Debt Collection Act
49557-49558 Applications for free and reduced-price meals
56026 Individuals with exceptional needs

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CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

COURT DECISIONS

Arcadia Unified School District et al v. State Department of Education 2 Cal. 4th 251 (1992)

Hartzell v. Connell 35 Cal.3d 899 (1984)

Doc# 38532-5 (01/2020, 05/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONSFINANCIAL SERVICES****Revenue, Tuition, and Fees****~~FINES~~FEES AND CHARGES**

PURPOSE: To address the payment of, and establish procedures for complaints regarding, student fees, and establish procedures for the collection of unpaid permissible student fees.

The Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the District's educational program are made available to them at no cost.

No student shall be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the District's educational program, including co-curricular, curricular, and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

In relation to the District's educational program, only those fees, charges, or deposits that are specifically authorized by law may be imposed. (5 CCR 350; Education Code 49010, 49011)

The Superintendent or designee shall prepare guidelines and protocols regarding permissible fees, deposits, and other charges which are specifically authorized by law. Among other specifications, the guidelines and protocols shall set forth the fees pursuant to Education Code section 17551 for the sale of personal property that students have fabricated using materials that the District furnished. The guidelines and protocols shall be subject to periodic Board review and approval.

The prohibition against student fees shall not prevent the District from soliciting for donations, conducting fundraising activities, or providing prizes or other recognition for participants in such activities and events. The Superintendent or designee shall emphasize that participation of students, parents/guardians, District employees, volunteers, or educational or civic organizations in such activities and events is voluntary. The District shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. The District also shall not remove or threaten to remove from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

Complaints

A complaint alleging District noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the District's uniform complaint procedures. (Education Code 49013)

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If, upon investigation, the District finds merit in the complaint, the Superintendent or designee shall recommend, and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the District's annual notification of uniform complaint procedures to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

Collection of Debt

The Superintendent or designee shall, in accordance with law, recover any debt owed to the District as a result of unpaid permissible student fees approved by the Board. However, the District shall not bill a current or former student for accumulated debt. In addition, the District shall not, ~~nor~~ take negative action against a student or former student because of such debt, including, but not limited to, any of the following: (Education Code 49014)

1. Denying full credit for any class assignment.
2. Denying full and equal participation in any classroom activity.
3. Denying access to the library or other on-campus educational facilities.
4. Denying or withholding grades or transcripts.
5. Denying or withholding a diploma.
6. Limiting or barring participation in an extracurricular activity, club, or sport.
7. Limiting or excluding the student from participation in an educational activity, field trip, or school ceremony.

~~The Board directs the Superintendent to establish procedures for the control of lost or damaged District materials and damage in excess of fair wear and tear; to initiate reimbursement structures for fines or charges for lost or damaged property or damage to library property; and for nonpayment of food provided by the District, and authorizes the collection thereof. If reparation is not excused and not paid by the student or parent/guardian, the District may withhold the student's grades, diploma and transcripts in accordance with law and Board Policy as outlined in Administrative Regulation No. 4604.~~

~~A. Textbooks, Equipment, Library/Research Materials, and Physical Learning Environments for Student Use in the Learning Process~~

~~The Governing Board provides textbooks, equipment, library/research materials, and physical learning environments for student use in the learning process. These items remain the property of the District and proper utilization and care of these items is necessary to ensure fair use and~~

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~~access by all concerned. Materials should be returned to the District in good condition with no more wear and tear than usually results from normal use. When materials are lost or become unusable because of damage, the student shall be issued a replacement material; however, students or parents/guardians shall be responsible for reparation equal to the current replacement cost of the materials. When materials are damaged but still usable, the Superintendent or designee shall determine an appropriate charge.~~

~~B. National School Lunch and Breakfast Program~~

~~The Board establishes the cost of food provided to the District's students through the District's Food Services Program. Food may be paid for on a daily basis or parents may deposit money into an account for food purchases by their child throughout the school year. When the student's account becomes low or has a negative balance parents will be notified in writing and shall be responsible for reparation.~~

Adopted: 07/23/1975

Reviewed: 05/29/2007, 07/23/2009

Amended: 12/11/1985, 05/13/1992, 03/09/2005, 07/16/2008, 11/16/2011, __/__/____ (BP 4604 renumbered as BP 3260; moved all provisions of BP 4606 into renumbered BP 3260)

~~Education Code sections 48904, 48904.3, 48905~~

~~Government Code section 53969.5~~

~~Civil Code section 1714~~

EDUCATION CODE

8239 Preschool and wraparound child care services

8250 Child care and development services for children with disabilities

8263 Child care eligibility

8422 21st Century High School After School Safety and Enrichment for Teens programs

8482.6 After School Education and Safety programs

8760-8774 Outdoor science, conservation, and forestry programs

17453.1 District sale or lease of Internet appliances or personal computers to parents of students

17551 Property fabricated by students

19910-19911 Offenses against libraries

32033 Eye protective devices

32221 Insurance for athletic team member

32390 Fingerprinting program

35330-35332 Excursions and field trips

35335 School camp programs

38080-38086.1 Cafeteria establishment and use

38120 Use of school band equipment on excursions to foreign countries

39801.5 Transportation for adults

39807.5 Payment of transportation costs

39837 Transportation of students to places of summer employment

48050 Residents of adjoining states

48052 Tuition for foreign residents

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48904 Liability of parent or guardian
49010-49013 Student fees
49014 Public School Fair Debt Collection Act
49065 Charge for copies
49066 Grades, effect of physical education class apparel
49091.14 Prospectus of school curriculum
49557.5 Unpaid school meal fees
51810-51815 Community service classes
52612 Tuition for adult classes
52613 Nonimmigrant foreign nationals
56504 School records; students with disabilities
60410 Students in classes for adults

GOVERNMENT CODE

6253 Request for copy; fee

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted
4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 8

1184 Nonimmigrant students

COURT DECISIONS

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

Doc# 34624-7 (03/2020, 03/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~FINANCIAL SERVICES~~ BUSINESS AND NONINSTRUCTIONAL OPERATIONS**

Revenue, Tuition, and Fees

**DISPOSITION SALES OF SURPLUS PERSONAL PROPERTY – BOOKS,
EQUIPMENT, AND SUPPLIES**

PURPOSE: To establish a procedure for the disposal of surplus **personal** property.

The Board believes that the efficient administration of the District requires the disposition of surplus personal property. Surplus personal property includes any personal property belonging to the District where the property is not required for school purposes, should be disposed of for the purpose of replacement, or is unsatisfactory, obsolete or not suitable for school use.

The Board authorizes the Superintendent or designee, from time to time as he or she deems appropriate, to review and identify personal property belonging to the District as surplus property. The Board further authorizes the Superintendent or designee to determine the value to be assigned to each identified personal property, and the appropriate means, methods and time for disposition of the property in accordance with the Education Code and other applicable laws. The Board also authorizes the Superintendent or designee to take such other actions as may be necessary or proper to dispose of surplus personal property in accordance with the Education Code and other applicable laws, including entering into contracts with third parties, when appropriate, to effectuate the disposition of the property.

Instructional materials shall be disposed in accordance with Education Code section 60510 et seq. and other applicable laws. (Education Code 60510-60530)

Prior to the disposition of any personal property identified by the Superintendent or designee as surplus personal property, the Superintendent or designee will first make the property available to school sites and departments within the District. Disposition of surplus personal property shall be conducted in accordance with the **California** Education Code and other applicable laws. In no event may the surplus personal property be disposed or sold to an officer, employee or other agent of the District who is involved in the process to dispose the personal property or is in a position to influence the terms of the disposition of the surplus personal property. Funds received as payment for the surplus personal property shall be deposited in the District's general or reserve funds or other designated funds in accordance with the **California** Education Code.

Equipment or supplies originally purchased under a federal grant or subgrant shall be disposed of and any proceeds therefrom shall be handled in accordance with applicable federal law. (2 CFR 200.313)

Adopted: 07/23/1975

Reviewed: 12/12/2006, 01/09/2008, 11/13/2009

Amended: 06/08/1992, 02/10/1993, 10/09/2002, 10/22/2003, 08/10/2005, __/__/__ (BP 4603
renumbered as BP 3270)

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SCHOOL DISTRICT****EDUCATION CODE**

~~Education Code sections~~ 17540-17542 Sale or lease of personal property by one district to another

~~17545-17555~~ Sale of personal property

35168 Inventory, including record of time and mode of disposal

~~Education Code sections~~ 60500-~~60511~~, ~~60520-60521~~, 60530 Sale, donation, or disposal of instructional materials

GOVERNMENT CODE

~~Government Code section~~ 25505 District property, disposition, proceeds

CODE OF REGULATIONS, TITLE 15

3944 Consolidated categorical programs, district title to equipment

3946 Disposal of equipment purchased with state and federal consolidated application funds

UNITED STATES CODE, TITLE 40

549 Surplus property

CODE OF FEDERAL REGULATIONS, TITLE 2

200.0-200.521 Federal uniform grant guidance

Doc# 34623-4 (10/2019, 9/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS~~FINANCIAL SERVICES~~**

Revenue, Tuition, and Fees

GIFTS, GRANTS, AND BEQUESTS/DONATIONS

PURPOSE: To establish a procedure for the acceptance of gifts, grants, and donations.

The Board accepts its responsibility to provide from public funds sufficient supplies and equipment for an effective instruction program. ~~It~~ recognizes, however, that from time to time individuals and organizations in the community may wish to contribute additional funds, supplies, or equipment to enhance or extend the instructional program.

The Board may accept, at a public meeting, any gift, grant, or bequest of money, property, or service to the District from any individual, organization, foundation, or public or private agency that desires to support the District's educational program, including but not limited to, a gift of land with or without improvement, or a gift of money or a gift of other personal property, except that the Superintendent or ~~his~~ designee may accept on behalf of the Board any such gift less than \$2,500 in value.

The Board reserves the right to ~~reject~~~~refuse to accept~~ any gift, grant, or bequest which does not contribute toward the achievement of the goals of the District, or the ownership of which would tend to deplete the resources of the District.

All gifts, grants, and bequests shall become District property subject only to those conditions or restrictions that are a part of a particular gift, grant, or bequest.

When any gift of money received by the District is not immediately used, it shall be placed in the county treasury in accordance with law. (Education Code 41030-41031)

Online Fundraising

Any person or entity who wishes to conduct an online fundraising campaign, including a crowdfunding campaign, for the benefit of the District or any of its schools, classrooms, or programs shall submit a written request for prior approval to the Superintendent or designee. Approval of requests shall take into consideration compatibility with the District's vision and goals, core values, instructional priorities, and infrastructure; the manner in which donations are collected and distributed; ~~equity of the use of funds~~; and any other factors deemed relevant or appropriate by the District.

Any person or entity approved to conduct an online fundraising campaign shall comply with relevant District policies and regulations and applicable laws, including ensuring financial transparency in describing the purpose and use of the funds and protecting student privacy as applicable. Such person or entity shall specify that the District, rather than a staff member, classroom, school, or program will own the funded resources.

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Funds raised by an online fundraising campaign and donated to the District shall be subject to the same terms, criteria for acceptance, and accountability measures as any other donation as specified in this policy.

If any online fundraising campaign for the benefit of the District or any of its schools, classrooms, or programs has not been pre-approved in writing by the Superintendent or designee or it is not conducted in accordance with this policy, other applicable District policies and regulations, and applicable laws, the Superintendent or designee may require that such online fundraising cease and all funds be returned to the donor(s), or require that other actions be taken to correct the non-compliance. The Superintendent or designee may inspect or monitor any online fundraising campaign that is for the benefit of the District or any of its schools, classrooms, or programs. Upon the request of the Superintendent or designee, any person or entity conducting such online fundraising campaign shall provide such information as is requested by the Superintendent or designee relating to the online fundraising campaign.

Adopted: 07/23/1975

Reviewed: 06/08/2007, 04/23/2008, 12/20/2010

Amended: 06/08/1992, 07/06/1999, 11/19/2003, 02/22/2006, 09/25/2019, __/__/____ (BP 4602
renumbered as BP 3290)

~~Education Code section 35160, 41031, 41032~~

EDUCATION CODE

1834 Acquisition of materials and apparatus

35160 Powers and duties

35162 Power to sue, be sued, hold and convey property

41030 School District may invest surplus monies from bequest or gifts

41031 Special fund or account in county treasury

41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

41037 Rules and regulations

41038 Applicability of other provisions of chapter

Doc# 35631-5 (03/2020, 10/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS~~GENERAL SERVICES~~****Purchasing and Contracting~~& Supply Management~~****EXPENDITURES AND PURCHASING**

PURPOSE: To establish policies and procedures for the procurement of goods and services.

The Board recognizes that prudent expenditure of District funds is important. To best serve District interests, the Superintendent or designee shall develop and maintain effective purchasing procedures that are consistent with sound financial controls and that ensure the District receives maximum value for items purchased. He/she shall ensure that records of expenditures and purchases are maintained in accordance with law.

Whenever required by law, purchasing shall be done by calling for bids or quotations as applicable. The Superintendent or designee may purchase supplies, materials, apparatus, equipment, and services up to the amounts specified in Public Contract Code section 20111, beyond which a competitive bidding process is required.

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

- A. The purchase order list shall be updated on a regular basis by the Superintendent or designee and made available as attachment to prepared Board agenda items ~~by posting the purchase order register or list electronically on the District's website~~ for the Governing Board's review. The list shall be made available prior to the Board meeting at which purchase orders shall be approved or ratified by the Board.
- B. Blanket (Open) purchase orders may be used with vendors for the purchase of bus parts and small items for the Custodial, Transportation and Maintenance Departments. Other departments may also request open purchase orders as needed for non-warehouse stocked items on an emergency basis. School sites may request open purchase orders for non-warehouse stocked instructional material. Open purchase orders shall be issued to cover a period of time not to exceed ~~twelve (12)~~ months and shall state the maximum amount authorized. In no case may the maximum amount be exceeded. ~~Open purchase orders shall be issued by authorization of the Superintendent or designee Purchasing Department and by the Board.~~ Open purchase orders will be valid through the last day of school for school sites and through June 30 for non-school sites (departments). Increases to open purchase orders may be submitted through May 15 for school sites and June 15 for non-school sites (departments).
- C. Surplus Property. The Superintendent, Associate Superintendent ~~of~~ Administrative Services, Assistant Superintendent ~~of~~ Business Services, and/or Director of Purchasing are authorized to sign for the purchase of surplus property items from the State Educational Agency for Surplus Property. The Superintendent, Associate Superintendent ~~of~~ Administrative Services, Assistant Superintendent ~~of~~ Business Services, Director of Campus Catering, and/or Director

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of Purchasing are authorized to sign documents for the purchase of food from the State of California sources.

- D. Purchasing Procedures and Authority. All purchases shall be made by a formal contract or a purchase order or shall be accompanied by a receipt. The Superintendent, Associate Superintendent of- Administrative Services, Assistant Superintendent of- Business Services and/or Director of Purchasing are authorized to issue, approve, and sign all purchase orders. All District purchasing shall be done by the use of purchase orders or by use of a District-issued credit card pursuant to District use, restrictions, and agreements as outlined in the CUSD Credit Card Manual with authorized District cardholders and District- approved credit card issuers. Merchandise shall be delivered either directly to the District location or to the District warehouse. Under no circumstances should merchandise be delivered to the personal residence of an employee or vendor. AllThe purchase orders shall be approved or ratified by the Board and may be issued by the District Superintendent and the Associate Superintendent- Administrative Services, Assistant Superintendent Business Services and/or Director of Purchasing upon authorization by the Board. The District will not be liable for purchases made without a purchase order. If a purchase is made on behalf of the District without an approved purchase order, payment will be the responsibility of the individual that made the request. Payment of all contracts, including consultant agreements, shall follow the procedures outlined in Board Policy No. 33124803.

The signature of one of the aforementioned ~~designees~~ administrators shall be authority for the payment of purchases followed by ratification by the Board.

- E. Membership. Memberships to professional associations or organizations in the District's name are allowable expenses. Memberships in employee's name only are non-allowable expenses except where provided in individual employee contracts.

Adopted: 07/23/1975

Amended: 06/08/1992, 02/27/2002, 08/20/2003, 02/22/2006, 07/16/2008, __/__/____ (BP 8101 renumbered as BP 3300)

~~Education Code sections 35160, 38110 et. seq., 42600~~

~~Public Contract Code 20111 et. seq.~~

EDUCATION CODE

17604 Delegation of powers to agents; approval or ratification of contracts by Board

17605 Delegation of authority to purchase supplies and equipment

32370-32376 Recycling paper

32435 Prohibited use of public funds, alcoholic beverages

35010 Control of District; prescription and enforcement of rules

35035 Powers and duties of superintendent

35160 Authority of Boards

35250 Duty to keep certain records and reports

38083 Purchase of perishable foodstuffs and seasonal commodities

41010 Accounting system

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41014 Requirement of budgetary accounting

GOVERNMENT CODE

4330-4334 California made materials

PUBLIC CONTRACT CODE

3410 U.S. produce and processed foods

20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

Doc# 39778-6 (03/2020, 07/2006)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Purchasing and Contracting****BIDS**

PURPOSE: To establish procedures for purchasing and bidding of goods and services.

The Board is committed to promoting public accountability and ensuring prudent use of public funds.-When required by law, or if the Board determines that it is in the best interest of the District, such contracts shall be made using competitive bidding.

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

In procuring goods and services, the Superintendent or designee shall comply with applicable bidding requirements and procedures.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders on the basis of a completed questionnaire and financial statements. (Public Contract Code 20111.5, 20111.6)

When calling for bids, the Superintendent or designee shall ensure that the bid specifications clearly describe in appropriate detail the quality, delivery, and service required and include all information which the District knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

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

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

Adopted: __/__/__

EDUCATION CODE

17070.10-17079.30 Leroy F. Greene School Facilities Act

17250.10-17250.55 Design-build contracts

17406 Lease-leaseback contracts

17595 Purchase of supplies through Department of General Services

17602 Purchase of surplus property from federal agencies

38083 Purchase of perishable foodstuffs and seasonable commodities

38110-38120 Apparatus and supplies

39802 Transportation services

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SCHOOL DISTRICT****BUSINESS AND PROFESSIONS CODE**

7056 General engineering contractor

7057 General building contractor

CODE OF CIVIL PROCEDURE

446 Verification of pleadings

GOVERNMENT CODE

4217.10-4217.18 Energy conservation contracts

4330-4334 Preference for California-made materials

6252 Definition of public record

53060 Special services and advice

54201-54205 Purchase of supplies and equipment by local agencies

PUBLIC CONTRACT CODE

1102 Emergencies

1103 Definition, responsible bidder

2000-2002 Responsive bidders

3000-3010 Roofing projects

3400 Bids, specifications by brand or trade name not permitted

3410 United States produce and processed foods

4113 Prime contractor; subcontractor

6610 Bid visits

12200 Definitions, recycled goods, materials and supplies

20101-20103.7 Public construction projects, requirements for bidding

20103.8 Award of contracts

20110-20118.4 Local Agency Public Construction Act; school Districts

20189 Bidder's security, earthquake relief

22000-22045 Alternative procedures for public projects (UPCCAA)

22152 Recycled product procurement

COURT DECISIONS

Los Angeles Unified School District v. Great American Insurance Co. (2010) 49 Cal.4th 739

Great West Contractors Inc. v. Irvine Unified School District (2010) 187 Cal.App.4th 1425

Marshall v. Pasadena Unified School District (2004) 119 Cal.App.4th 1241

Konica Business Machines v. Regents of the University of California (1988) 206 Cal.App.3d 449

City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court (1972) 7 Cal.3d 861

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 1 (2006)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Purchasing and Contracting****UNIFORM PUBLIC CONSTRUCTION COST**

PURPOSE: To set forth procedures for bidding and contracting of public works projects pursuant to the Uniform Public Construction Cost Accounting Act.

In awarding contracts for public works projects involving District facilities, the Board desires to obtain the best value to the District and ensure the qualifications of contractors to complete the project in a satisfactory manner. The Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act (UPCCAA) pursuant to Public Contract Code 22030-22045, including the informal bidding procedures when allowed by law. Bids and awards of contracts for public works projects shall comply with the provisions of UPCCAA and other applicable laws.

The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures.

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements for competitive bidding. (Public Contract Code 22033)

Projects awarded through the UPCCAA shall be subject to the cost accounting procedures established by the California Uniform Construction Cost Accounting Commission. (Public Contract Code 22030)

Emergency Actions

When formal bids are required by law but an emergency necessitates immediate repair or replacements, the Board may, upon a four-fifths vote of the Board, proceed to replace or repair a facility without adopting plans, specifications, strain sheets, or working details or giving notice for bids to let contracts. The work may be done by day labor under the direction of the Board and/or contractor. The emergency action shall subsequently be reviewed by the Board in accordance with Public Contract Code 22050 and shall be terminated at the earliest possible date that conditions warrant, so that the remainder of the emergency action may be completed by giving notice for bids to let contracts. (Public Contract Code 1102, 22035, 22050)

Adopted: / /

PUBLIC CONTRACT CODE

1102 Definition of emergency

20110-20118.4 Local Agency Public Construction Act; school Districts

22000-22020 California Uniform Construction Cost Accounting Commission

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22030-22045 Alternative procedures for public projects (UPCCAA), especially:
22032 Applicability of procedures based on amount of project
22034 Informal bidding procedure
22035 Emergency need for repairs or replacement
22037-22038 Formal bidding procedures for projects exceeding \$200,000
22050 Alternative emergency procedures

Doc# 37568-5 (02/2020, 12/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONSFINANCIAL SERVICES****Purchasing and ContractingFinancial Management****CONTRACTS**

PURPOSE: To identify the ~~Governing Board's~~ process for entering into contracts on behalf of the District.

Whenever state law invests the ~~Governing~~ Board with the power to enter into contracts on behalf of the District, the Board may, by a majority vote, delegate this power to the Superintendent, Associate Superintendent ~~of-~~ Administrative Services, Assistant Superintendent ~~of-~~ Business Services, or Director ~~of-~~ Budget and Finance. (~~Education Code 17604~~) To be valid or to constitute an enforceable obligation against the District, all contracts must be approved and/or ratified by the Board, ~~the approval or ratification to be evidenced by a motion of the Board duly passed and adopted. (Education Code 17604)~~ Contracts in the amount of \$25,000 ~~orand~~ under may be ratified by the Board as part of the ~~Governing~~ Board Consent Agenda.

All contracts between the District and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent, Associate Superintendent ~~of-~~ Administrative Services, ~~or~~ Assistant Superintendent ~~of-~~ Business Services, or Director ~~of-~~ Budget and Finance.

In addition, the Board may approve ~~the~~ a contract ~~may specify that permitswhether~~ contractor logos ~~are permitted on District facilities, including but not limited to scoreboards and other equipment.~~ If such logos are permitted, the contractor shall provide the logos in accordance with the contract~~present the equipment to the Board as a gift. The gift may be accepted by the Board in accordance with Board Policy No. 4602, Gifts and Donations.~~

A. Contracts for Non-Nutritious Foods or Beverages

The District shall not enter into or renew a contract for the sale of foods or beverages that do not meet applicable nutritional standards specified in Education Code 49431-49431.7, 5 CCR 15500-15501 or 15575-15578, or 7 CFR 210.11 or 220.12, unless the contract specifies that such sale will occur off campus or outside the time restriction specified in the applicable law.

It is the policy of the District to enter into district-wide beverage contracts. Before the District enters into or renews a contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious food as defined in law, the Board shall comply with the requirements set forth in ~~ensure that the District has sufficient internal controls in place to protect the integrity of public funds and to ensure that funds raised as a result of the contract benefit public education.~~ Education Code section 35182.5.

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The Superintendent or designee shall develop the District's internal control procedures to protect the integrity of public funds **related to said contract**. Such internal controls may include, but not be limited to, the following:

1. Control procedures that produce accurate and reliable financial statements and, at the same time, safeguard the assets, financial resources, and integrity of every employee responsible for handling money or property. Control systems shall be systematically evaluated and revised to keep pace with the changing responsibilities of management.
2. Procedures to ensure that District personnel do not handle vending machine cash or product at the school site. The contract shall specify that the vendor stock the machines and shall provide cash accounting, along with a check, for **the District** proceeds directly to the **District Business Office**.

Any contract for the sale or advertisement of non-nutritious foods or carbonated or non-nutritious beverages shall be entered into on a competitive bid basis pursuant to Public Contract Code 20111 or through the issuance of a request for proposal. (Education Code 35182.5)

The Board shall not enter into or renew a contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious food until parents/guardians, students, and members of the public have had an opportunity to comment on the contract at a public hearing held during a regularly scheduled board meeting. The Board shall clearly, and in a manner recognizable to the general public, identify in the agenda the contract to be discussed at the meeting. **(Education Code 35182.5)**

The public hearing shall include, but not be limited to, a discussion of all of the items required by Education Code section 35182.5.

The contract shall be accessible to the public and may not include a confidentiality clause that would prevent the District or a District school from making any part of the contract public. (Education Code 35182.5)

B. Contracts for Electronic Products or Services

The Board shall not enter into a contract for electronic products or services that requires the dissemination of advertising to students, unless the Board complies with the applicable requirements of Education Code 35182.5.

C. Contracts for Digital Storage and Maintenance of Student Records

The District may enter into or renew a contract with a third party for the purpose of providing services, including cloud-based services, for the digital storage, management, and retrieval of student records and/or to provide digital educational software that authorizes a third-party provider of digital educational software to access, store, and use student records. For these purposes, student

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records include any information maintained by the District that is directly related to a student and any information acquired directly from the student through the use of instructional software or applications assigned to the student by a teacher or other District employee, and do not include de-identified information. (Education Code 49073.1)

Any such contract shall contain all of the elements set forth in Education Code 49073.1.

D. Contracts for Personal Services

To achieve cost savings, the District may enter into or renew a contract for any personal service that is currently or customarily performed by classified employees, if the contract does not displace school District employees and meets other conditions specified in Education Code 45103.1. To enter into or renew such a contract, the Board shall ensure that the District meets the numerous conditions specified in Education Code section 45103.1, subdivision (a).

In addition, the District may enter into or renew any contract for personal service without meeting the conditions described above, if any of the conditions under Education Code section 45103.1, subdivision (b), exist.

E. Contracts for Public Works and Change Orders

The Board declares that it is the District's policy to contract for public works projects, including construction and deferred maintenance of facilities, which are of the highest quality and at the most competitive price. The Board further declares that it is the policy of the District to consider multiple alternatives, including formal bidding in compliance with California Public Contract Code, use of the California Uniform Public Construction Cost Accounting Act, lease lease-back, design build, and other alternative delivery methods. The Board hereby authorizes the Superintendent to establish procedures promoting competitiveness and the best interests of the District, consistent with applicable law, regarding the selection of contractors and contracting for public **works** projects.

Change ~~O~~orders on District projects are often routine matters and require timely approval to maintain project schedules. A ~~C~~hange ~~O~~order may consist of several different ~~C~~hange ~~O~~order items of varying values.

The Board authorizes the Superintendent, Associate Superintendent ~~offer~~ Administrative Services, or the Assistant Superintendent ~~offer~~ Facility Services to approve any ~~C~~hange ~~O~~order ~~where the amount of the change order does not exceed \$25,000 or 10 percent of the original contract amount, whichever is greater item that does not exceed \$5,000 in value. In determining the application of this paragraph, the individual value of each Change Order item and not the aggregate value of the Change Order will be determinative. All~~ Any ~~C~~hange ~~O~~orders approved pursuant to this paragraph will subsequently be presented to the ~~Governing~~ Board for ratification as part of the Board consent agenda. Any change order where the amount of the change order exceeds \$25,000 or 10 percent of the original contract amount, whichever is greater, shall be approved by the Board.

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~~Any Change Order item that exceeds \$5,000.00 or which causes the cumulative total of Change Orders on a project to exceed five percent (5%) of the original contract must either: (1) be approved by the Board; or (2) receive unanimous approval of the Board's Subcommittee on Facilities and subsequently be ratified by the Board.~~

Adopted: 12/12/2007

Amended: 03/25/2009, 12/07/2016, __/__/____ (BP 4803 renumbered as BP 3312; entire contents of BP 4801 and BP 4804 moved into renumbered BP 3312; subject matters of BP 7206 addressed in renumbered BP 3312)

~~Education Code sections 17595-17606, 35182.5~~

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

14505 Provisions required in contracts for audits

17250.10-17250.55 Design-build contracts

17595-17606 Contracts

35182.5 Contract prohibitions

45103.1 Personal services contracts

45103.5 Contracts for management consulting service related to food service

49073.1 Contract requirements for digital storage, maintenance and retrieval of student records

49431-49431.7 Nutritional standards

CODE OF CIVIL PROCEDURE

685.010 Rate of interest

GOVERNMENT CODE

12990 Nondiscrimination and compliance employment programs

53260 Contract provision re maximum cash settlement

53262 Ratification of contracts with administrative officers

LABOR CODE

1775 Penalties for violations

1810-1813 Working hours

PUBLIC CONTRACT CODE

4100-4114 Subletting and subcontracting fair practices

7104 Contracts for excavations; discovery of hazardous waste

7106 Noncollusion affidavit

20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

20104.50 Construction Progress Payments

22300 Performance retentions

CODE OF REGULATIONS, TITLE 5

15500 Food sales by student organizations

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15501 Sales in high schools and junior high schools

15575-15578 Food and beverage requirements outside of the federal school meal programs

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

Doc# 37678-7 (03/2020, 04/2015)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONSFINANCIAL SERVICES****Accounting****PAYMENT FOR GOODS AND SERVICES/ACCOUNTING AND REPORTING**

PURPOSE: To ~~identify and establish~~ procedures for signing warrants and payment for goods and services ~~positions responsible for signing documents and receiving information concerning the financial affairs of the District.~~

The Board recognizes the importance of developing a system of internal control procedures to facilitate warrant processing and the payment for goods and services.

The Superintendent, Associate Superintendent of Administrative Services, Assistant Superintendent of Business Services, and the Director of Budget and Finance are ~~designated as the authorized to signatures for~~ warrants on behalf of the District ~~maintenance and payroll registers.~~ Each such designated person shall ensure that warrants have appropriate documentary support verifying that all goods and services to be paid for have been delivered or rendered in accordance with the purchase agreement. The Superintendent, Associate Superintendent for Administrative Services, and Assistant Superintendent for Business Services are designated as the persons to receive correspondence from the Business Services ~~Division~~Department of the Fresno County Superintendent of SchoolsOffice of Education.

The Board authorizes the Superintendent or designee to release ~~warrantsechecks upon approval of the Fresno County Superintendent of Schools,~~ with check registers to be ratified by the Board at the next regularly scheduled board meeting.

The District shall not be responsible for the payment of unauthorized purchases of goods and services.

Adopted: 07/23/1975

Reviewed: 07/11/2007

Amended: 08/22/1979, 11/18/1981, 12/11/1985, 12/10/1986, 06/08/1992, 08/07/1996,
06/26/2002, 11/19/2003, 02/22/2006, 02/25/2009, __/__/____ (BP 4201 renumbered
as BP 3314)

EDUCATION CODE

17605 Delegation of authority for purchases
42630-42651 Orders, requisitions and warrants
42800-42806 Revolving cash fund
42810 Alternative revolving fund
42820 Prepayment funds

CODE OF CIVIL PROCEDURE

685.010 Rate of interest

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GOVERNMENT CODE

16.5 Digital signatures

5500-5506 Uniform Facsimile Signatures of Public Officials Act

8111.2 Definition of public entity

PUBLIC CONTRACT CODE

7107 Retention proceeds; withholding; disbursement

7201 Retention proceeds; limits and exceptions

9203 Payment for projects costing over \$5000

20104.50 Timely progress payments

CODE OF REGULATIONS, TITLE 2

22000-22005 Digital signatures

Doc# 34613-7 (02/2020, 07/2007)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS ~~FINANCIAL SERVICES~~****Accounting****REVOLVING FUNDS AND SPECIAL ACCOUNTS**

PURPOSE: To establish financial accounts and positions responsible for administering the accounts in the District.

As used in this policy, designated signers are those District employees who are designated under Board Policy No. 3314 to sign warrants on behalf of the District.

A. Cafeteria Account

1. ~~The Cafeteria accounts~~ shall be established in ~~a~~ local banks as authorized by law, in order that all receipts and payments for the cafeteria operation shall be processed through these accounts.
2. Checks drawn against the cafeteria account may be signed by any two of the ~~following~~ District designated ~~dees~~ signers: ~~Superintendent; Associate Superintendent Administrative Services; Assistant Superintendent Business Services.~~ The District designees shall ensure all monies ~~so required~~ are properly accounted for properly paid into the accounts. The Cafeteria ~~Special Revenue~~ Fund shall be used only for those expenditures authorized by the ~~Governing~~ Board as necessary for the operation of the District's ~~F~~food ~~S~~service program. (Education Code ~~sections~~ 38091 and 38100).

B. Revolving Cash Account

1. ~~In order to~~ To meet the District's operating needs ~~of the District~~, the establishment of a general revolving cash fund in an amount not to exceed \$150,000 ~~based on the 1990-91 fiscal year~~ is authorized by Education Code ~~S~~section 42800. The dollar limit ~~may~~ shall thereafter be increased/decreased by the percentage change in the District's annual revenue limit established by Education Code section 42238. The Assistant Superintendent of Business Services is the officer ~~for whose~~ is authorized to use ~~for the District~~ the fund ~~that is established~~.
2. Checks drawn against the Revolving Fund, Workers' Compensation Fund, and Community Recreation Programs ~~cash~~ accounts must be signed by two of the ~~following~~ District designated ~~dees~~ signers: ~~Superintendent; Associate Superintendent Administrative Services; Assistant Superintendent Business Services.~~
3. Authorization to establish revolving cash funds for use by school principals and other administrative officials designated by the ~~Governing~~ Board is authorized by Education Code ~~S~~section 42810. The total amount of the funds shall not exceed three (3) percent of the current year's instructional supply budget. ~~In order to meet the operating needs of the Clovis Adult Education, \$3,500 is established in a Revolving Cash Fund to be used for the~~

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~~implementation of an immediate payment plan. The Assistant Superintendent Business Services is the Officer who is authorized to for use of the fund which that is established for the Clovis Adult Education. The Board shall provide for an audit of the funds on a regular basis.~~

- ~~4. Checks drawn against the Adult Education Revolving Fund must be signed by two of the following District designated signers: Principal Adult Education; Adult School Office Manager II; Adult School Student Body Account Clerk; Director Finance.~~

- ~~5.4. Checks shall be drawn to expedite expenditures for services and materials relating to classroom instruction the Clovis Adult Education Funds, and the securing and purchasing of which is a legal charge against the funds of the Clovis Unified School District.~~

- ~~6.5. No check shall be drawn against the revolving cash account without an approved District requisition and the approval of two of the District Superintendent's designated signer(s). Any person who issues a check drawn on the fund shall be personally liable for the amount of the check if the expenditure is in violation of the District's rules and regulations with respect to the fund. (Education Code 42821)~~

C. Clearing Account – General Fund

1. A clearing account, as authorized by the Education Code, shall be established ~~at in~~ a local bank. Said account is to be used solely for deposit of monies received on account of the General Fund and such funds shall be transmitted not less than weekly to the County Treasury.
2. Checks drawn against the General Fund clearing account must be signed by two of the ~~following District designated~~ signers: ~~Superintendent; Associate Superintendent-Administrative Services; Assistant Superintendent Business Services.~~

D. Clearing Account – Sierra Outdoor School ~~at Five Mile Creek~~

1. ~~Additionally, a~~ A clearing account, for use by the Sierra Outdoor School ~~at Five Mile Creek~~, as authorized by the Education Code, shall be established ~~at in~~ a local bank. Said account is to be used solely for deposit of monies received on account of the Sierra Outdoor School ~~at Five Mile Creek~~ and such funds shall be transmitted not less than bi-weekly to the County Treasury.
2. Checks drawn against the Sierra Outdoor School ~~at Five Mile Creek~~ clearing account require two signatures of the ~~District Superintendent's~~ designated signers.

**CLOVIS UNIFIED
SCHOOL DISTRICT****E. Clearing Account – Concession Stand**

~~1. A Concession Stand Clearing Account shall be established at a local bank. Checks drawn against the Concession Stand Clearing Account must be signed by two of the following District designated signers: Superintendent, Associate Superintendent Administrative Services, Assistant Superintendent Business Services.~~

F. Clearing Account - Self Insurance/Health and Welfare Clearing Accounts

~~1. Self Insurance/Health and Welfare Clearing Accounts shall be established at a local bank. Checks drawn against the Self Insurance/Health and Welfare Clearing Accounts may must be signed by contain two of signatures of the District Superintendent's designated signers or the assigned custodian of the account. The custodian of this account shall be the District's third-party administrator for the self-insurance program.~~

G. Clearing Account - Property and Liability Clearing Account

~~1. A Property and Liability Clearing Account shall be established at a local bank. Checks drawn against the Property and Liability Clearing Account may must be signed by contain two signatures of the District Superintendent's designated signers or the assigned custodian of the account. The custodian of this account shall be the District's property and liability insurance carrier.~~

~~H. Fresno County Department of Education Finance Business Services Department Communications~~

~~1. The Superintendent, Associate Superintendent Administrative Services, Assistant Superintendent Business Services, or the Director of Finance are designated to receive all mail from the Fresno County Department of Education Business Services Department.~~

Adopted: 07/23/1975

Amended: 09/14/1977, 12/14/1977, 09/12/1979, 12/02/1981, 12/11/1985, 08/20/1988,
06/08/1992, 09/09/1998, 07/10/2002, 12/15/2004, 07/19/2006, 08/15/2007,
02/25/2009, 03/23/2011, __/__/__ (BP 4202 renumbered as BP 3314.2)

EDUCATION CODE

35160 Authority of Boards
35250 Duty to keep certain records
38091 Cafeteria revolving accounts
41020 Audits of all District funds
41021 Requirement for employee's indemnity bond
41365-41367 Charter school revolving loan fund
42238 Revenue limits
42238.01-42238.07 Local control funding formula

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42630-42652 Orders, requisitions, and warrants
42800-42806 Revolving cash fund
42810 Revolving cash funds; use; administrators
42820-42821 Prepayment revolving cash fund
45167 Error in salary

Doc# 34614-7 (03/2020, 07/2010)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONSFINANCIAL SERVICES
Risk ManagementClaims and Actions Against the District
RISK MANAGEMENTCLAIMS AND ACTIONS AGAINST THE DISTRICT**

PURPOSE: To establish a policy to provide procedures consistent with the Government Claims Act.

The ~~Governing~~ Board desires to ensure that the ~~d~~District's operations are conducted in a manner that minimizes risk, protects ~~d~~District resources, and promotes the health and safety of students, staff, and the public.

Any and all claims for money or damages against the District must be presented to and acted upon in accordance with ~~Governing Board Policy 4102 and this policy and the accompanying Administrative Regulation 4102 which have been adopted by the Governing Board~~ pursuant to Government Code Section 935. Compliance with these District ~~C~~claim ~~P~~rocedures is a prerequisite to any court action, including specifically those claims excepted by Government Code Section 905, unless the claim is governed by statutes or regulations which expressly free the claimant from the obligation to comply with this policy, ~~the accompanying Administrative Regulation~~, and the claims procedures set forth in the Government Code.

Upon notice to the ~~d~~District of a claim, the Superintendent or designee shall take all necessary steps to protect the ~~d~~District's rights under any applicable contractual agreements, including the right to indemnification from its insurance or other coverage provider.

In accordance with Government Code ~~section~~ 935.4, the Board delegates to the Superintendent, the Associate Superintendent of Administrative Services, or the Assistant Superintendent of Business Services the authority to allow, compromise, or settle claims of \$50,000 or less pursuant to any conditions of coverage in the ~~d~~District's ~~joint powers authority (JPA)~~ agreement or insurance.

This policy applies retroactively to any existing causes of action and/or claims for money and/or damages.

Roster of Public Agencies

The Superintendent or designee shall file the information required for the Roster of Public Agencies with the Secretary of State and the County Clerk. This information shall include the name of the school district, the mailing address of the Board, and the names and addresses of the Board presiding officer, the Board clerk or secretary, and other members of the Board. (Government Code 53051)

Any changes to such information shall be filed within 10 days after the change has occurred. (Government Code 53051)

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Adopted: 08/29/2018

Amended: / / (BP 4102 renumbered as BP 3320)

~~Legal Reference:~~

EDUCATION CODE

35200 Liability for debts and contracts

35202 Claims against districts; applicability of Government Code

CODE OF CIVIL PROCEDURE

340.1 Damages suffered as result of childhood sexual abuse

GOVERNMENT CODE

800 Cost in civil actions

810-996.6 Claims and actions against public entities

6500-6536 Joint exercise of powers

53051 Information filed with secretary of state and county clerk

PENAL CODE

72 Fraudulent claims

COURT DECISIONS

City of Stockton v. Superior Court, (2007) 42 Cal. 4th 730

Connelly v. County of Fresno, (2006) 146 Cal.App.4th 29

CSEA v. South Orange Community College District, (2004) 123 Cal.App.4th 574

CSEA v. Azusa Unified School District, (1984) 152 Cal.App.3d 580

~~Management Resources:~~

~~WEB SITES~~

~~California Secretary of State's Office: <http://www.sos.ca.gov>~~

Doc# 34633-4 (10/2019, 07/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONSFINANCIAL SERVICES****Accounting****TRAVEL EXPENSES/EXPENSE ACCOUNTS, REIMBURSEMENT, AND
AUTHORIZED EXPENSES**

PURPOSE: To establish a policy for the reimbursement of authorized expenses.

A. Field Trips

~~Education Code 35330 authorizes the District to provide transportation to and from places in the state, any other state, the District of Columbia or a foreign country; however, the District will not receive state transportation allowances for field trips or excursions that have an out-of-state destination. No expenses of students participating in a field trip or excursion to any other state, the District of Columbia, or a foreign country authorized by this section shall be paid with school district funds. These expenses must be paid from student body funds, parent club funds, foundation funds or other sources. Travel for chaperones and District employees traveling with students can be paid with school district funds. (See Board Policy No. 3204)~~

BA. District Travel and Conference

The ~~Board~~District recognizes the value and importance of travel and conference attendance for professional improvement, instructional supervision, and District business. Pursuant to Education Codes sections 44032 and 44033, authorized expenses incurred as part of these professional responsibilities shall be reimbursed by the District.

The Superintendent or designee must approve employee ~~and student~~ travel requests to attend meetings ~~or~~; conferences, ~~field trips, athletic events or excursions~~ in accordance with the budget. Travel expenses not previously budgeted may be approved on a case-by-case basis by the Superintendent or designee if he/she determines that the travel is essential and that resources may be obtained or redirected for this purpose.

~~In order to~~To reimburse ~~these~~travel expenses incurred in carrying out authorized duties, the Superintendent or designee shall establish rules and regulations ~~that shall be established which~~ outline appropriate expenditures and reimbursement rates. The Superintendent, Associate Superintendent of Administrative Services and Assistant Superintendent of Business Services are authorized to approve expenses which ~~complyare in compliance~~ with established expenditure reimbursement guidelines. They may authorize an advance of funds to cover necessary expenses. Upon proper authorization of submitted expenditures, reimbursement shall be made on a timely basis.

Out-of-state travel for which reimbursement will be claimed must have Board approval.
~~Overnight travel for students must have Board approval.~~

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Reimbursable travel expenses may include, but are not limited to, costs of transportation, parking fees, bridge or road tolls, lodging when District business reasonably requires an overnight stay, registration fees for seminars and conferences, ~~telephone and other~~ and communication expenses incurred on District business, ~~and other necessary incidental expenses.~~

The District shall not reimburse personal travel expenses including, but not limited to, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on District-related business, personal use of an automobile, and personal losses or traffic violation fees incurred while on District business.

Except as otherwise provided, reimbursement of travel expenses shall be based on actual expenses as documented by itemized receipts.

Any expense that exceeds the maximum rate of reimbursement established by the District shall be reimbursed only with the approval of the Superintendent or designee.

All expense reimbursement claims shall be submitted on a District form, within 15 working days following return from travel when possible. The form shall be accompanied by itemized receipts and any explanation necessary to document that the expenses meet District criteria for reimbursement.

The Superintendent or designee shall approve expense claims only upon verifying that all necessary documentation is provided and that all expenses are appropriate and related to District business. If an expense claim is disallowed due to lack of documentation or inappropriate expenses, the employee may be personally responsible for any improper costs incurred.

EB. Mileage Expense Reimbursement

1. Authorized District employees shall be reimbursed for the use of their own private vehicles in the performance of assigned duties, on either a mileage or monthly basis as determined by the Superintendent or designee. (Education Code 44033) ~~District personnel and officials who incur~~ The mileage allowance provided by the District for employees' use of their private vehicles shall be equal to ~~expenses in carrying out their authorized duties shall be reimbursed by the District according to the current~~ rate established by the Internal Revenue Service (IRS) ~~mileage rate. Mileage reimbursement, as approved by the Board, shall apply when employees use their personal automobile to carry out authorized duties.~~
- 1.2. Vehicles should be shared whenever possible to minimize travel costs. No employee shall be entitled to reimbursement for automobile travel when he/she is transported free of charge or by another employee who is entitled to the mileage expense reimbursement.

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~~2.3.~~ The Superintendent or designee ~~District administration~~ is authorized to make reasonable adjustments in the monthly mileage allowance when changes in job responsibilities occur; any adjustments will be based on the IRS mileage rate.

C. Meal Costs

The Superintendent or designee shall establish a per diem allowance for meal costs incurred while traveling on District business based on the location and hours of travel. The per diem allowance shall not exceed the standard meal allowance for business-related travel prescribed for federal income tax purposes.

~~CD.~~ District Credit Cards

~~4.~~ The District's travel designees identified in Exhibit No. 3350(2)4203-(3) may be issued and use a District credit card when making travel arrangements for authorized travel expenses. Superintendent or designee may ~~Other~~ authorized other employees ~~to~~ may use District credit cards for expenses incurred while attending to District business. Itemized ~~r~~Receipts documenting the expenses incurred on a District credit card shall be submitted promptly following return from travel. Under no circumstances shall ~~may~~ personal expenses be charged on District credit cards, even if the employee intends to subsequently reimburse the District for the personal charges.

Adopted: 07/23/1975

Reviewed: 09/14/1988, 11/20/2006, 05/23/2007, 02/04/2008, 10/14/2009

Amended: 03/23/1977, 12/12/1979, 06/08/1992, 05/14/2003, 08/24/2005, 08/11/2010,
01/14/2015, 03/09/2016, __/__/____ (BP 4203 renumbered as BP 3350)

~~Education Code Sections 35330, 44032 and 44033~~

EDUCATION CODE

42634 Itemization of expenses

44016 Travel expense to employment interview

44032 Travel expenses

44033 Automobile allowance

44802 Student teacher's travel expense

Doc# 34615-7 (03/2020, 08/2013)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Accounting****MANAGEMENT OF DISTRICT ASSETS/ACCOUNTS**

PURPOSE: To establish internal controls and procedures to manage District assets and resources.

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

Capital Assets

The Superintendent or designee shall develop a system to accurately identify and value District assets in order to help ensure financial accountability and to minimize the risk of loss or misuse. District assets with a useful life of more than one year and an initial acquisition cost of \$25,000 or more shall be considered capital assets. The Superintendent or designee shall determine the estimated useful life of each capital asset and shall calculate and report the estimated loss of value or depreciation during each accounting period for all capital assets.

Internal Controls/Fraud Prevention

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

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

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

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

EDUCATION CODE

14500-14508 Financial and compliance audits

35035 Powers and duties of superintendent

35250 Duty to keep certain records and reports

41010-41023 Accounting regulations, budget controls and audits

42600-42603 Control of expenditures

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

GOVERNMENT CODE

53995-53997 Obligation of contract

Doc# 34617-6 (02/2020, 07/2007)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Revenue, Tuition, and Fees****STUDENT ACTIVITY FUNDS**

PURPOSE: To establish policy and procedures for student activity funds.

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

Fund-Raising Events

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

Management of Funds

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

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

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

Funds derived from the student body shall be disbursed according to procedures established by the student organization. All disbursements must be approved by a Board-designated official, the

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certificated employee who is the student organization advisor, and a student organization representative. (Education Code 48933)

An annual audit of student accounts shall be conducted by a certified public accountant or licensed public accountant. The cost of the audit shall be paid from District funds. (Education Code 41020)

Adopted: __/__/__

EDUCATION CODE

35182.5 Non-nutritious foods and beverages, vending machines

35564 Funds, obligation of the student body

41020 Requirement for annual audit

48930-48938 Student body organization

49431 Sale of food and beverages, elementary school

49431.5 Sale of food and beverages, middle and high schools

51520 School premise, prohibited solicitations

51521 Fund-raising projects

CODE OF REGULATIONS, TITLE 5

15500 Food sales, elementary schools

15501 Food sales, middle and junior high schools

COURT DECISIONS

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

Doc# 37393- 6 (03/2020, 07/2007)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Accounting****FINANCIAL REPORTS AND ACCOUNTABILITY**

PURPOSE: To establish procedures for financial reporting and accountability.

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

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

When required by law or the Board, the Superintendent or designee shall submit to the Board reports of the District's financial status, including, but not limited to, any report specified in this Board policy or accompanying administrative regulation. When any such report must be approved by the Board prior to its submission to a local, state, and/or federal agency, the Superintendent or designee shall provide the report to the Board in sufficient time to enable the Board to carefully review the report and meet any applicable submission deadline.

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

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

A. Unaudited Actual Receipts and Expenditures

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

**CLOVIS UNIFIED
SCHOOL DISTRICT****B. Gann Appropriations Limit Resolution**

On or before September 15, the Board shall adopt a resolution identifying, pursuant to Government Code sections 7900-7914, the District's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)

C. Interim Reports/Certification of Ability to Meet Fiscal Obligations

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

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

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

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

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

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

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If the second interim report is accompanied by a qualified or negative certification, the Board shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement as of April 30 ("third interim report") that projects the District's fund and cash balances through June 30. (Education Code 42131)

At any time during the year when the County Superintendent conducts a comprehensive review of the District's financial and budgetary conditions after he/she has determined that the District's budget does not comply with state criteria and standards for fiscal stability, the Board shall review the County Superintendent's recommendations at a public Board meeting. Within 15 days of receiving the report, the District shall notify the County Superintendent and the SPI of its proposed actions on the recommendation. (Education Code 42637)

D. Audit Report

By April 1 of each year, the Board shall provide for an annual audit of the District's books and accounts. (Education Code 41020)

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

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

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, the CDE, and the State Controller. (Education Code 41020)

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual District audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

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

E. Audit Committee

The Board may appoint an audit committee composed of staff knowledgeable about fiscal matters, other staff, and representatives of the community.

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The committee shall serve in an advisory capacity and may:

1. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5.
2. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit.
3. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses.
4. Participate with the independent auditor in presenting the audit report to the Board.
5. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting.
6. Provide input on the effectiveness of the independent auditor.
7. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems.

Adopted: __/__/__

EDUCATION CODE

1240 Duties of county superintendent of schools
14500-14508 Financial and compliance audits
17070.10-17079.30 Leroy F. Greene School Facilities Act
17150-17150.1 Public disclosure of non-voter-approved debt
17170-17199.5 California School Finance Authority
33127 Standards and criteria for local budgets and expenditures
33128 Standards and criteria; inclusions
33129 Standards and criteria; use by local agencies
35035 Powers and duties of superintendent
41010-41024 Accounting system and audits
41326 Emergency apportionment
41344 Repayment of apportionment significant audit exceptions
41344.1 Appeals of audit findings
41455 Examination of financial problems of local Districts
42100-42105 Requirement to prepare and file annual statement
42120-42129 Budget requirements
42130-42134 Financial reports and certifications
42140-42142 Public disclosure of fiscal obligations
42637 County superintendent review of District's financial and budgetary conditions
42652 Revocation or suspension of warrant authority

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48300-48316 Student attendance alternatives
52060-52077 Local control and accountability plan

GOVERNMENT CODE

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

CODE OF REGULATIONS, TITLE 2

1859.104 Leroy F. Greene School Facilities Program, reporting requirements

CODE OF REGULATIONS, TITLE 5

15060 Standardized account code structure
15070 Submission of reports using standardized account code structure
15440-15451 Criteria and standards for school District budgets
15453-15464 Criteria and standards for school District interim reports
19810-19816.1 Audits

UNITED STATES CODE, TITLE 31

7501- 7507 Single audits of federal program funds

CODE OF FEDERAL REGULATIONS, TITLE 2

200.0-200.521 Federal uniform grant guidance

Doc# 39673-4 (03/2020, 04/2013)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS**~~FINANCIAL SERVICES~~**Financial Management****DEBT ISSUANCE AND MANAGEMENT**~~POLICY~~

PURPOSE: To provide a functional tool for debt management and capital planning, as well as to enhance the District's ability to manage its debt in a conservative and prudent manner.

~~This Debt Management Policy (the "Debt Policy") of the Clovis Unified School District (the "District") was approved by the District's Governing Board on June 28, 2017. The Debt Policy may be amended by the Governing Board as it deems appropriate from time to time in the prudent management of the debt of the District.~~

1. Findings

~~This Debt Policy is intended to ensure the District's compliance with Government Code Section 8855(i), effective as of January 1, 2017, and shall govern all debt undertaken by the District.~~

The District hereby recognizes that a fiscally prudent debt policy is required ~~in order~~ to:

- Maintain the District's sound financial position.
- Ensure the District has the flexibility to respond to changes in future service priorities, revenue levels, and operating expenses.
- Protect the District's credit-worthiness.
- Ensure that all debt is structured ~~in order~~ to protect both current and future taxpayers, and the District's general fund, from poorly structured or overly costly capital financings.
- Ensure that the District's debt is consistent with the District's planning goals and objectives, facilities planning documentation and/or budget, as applicable.

2. Debt Policies**A. Policy Goals Related to Planning Goals and Objectives**

The District is committed to long-term financial planning, maintaining appropriate reserves levels and employing prudent practices in governance, management and budget administration. The District intends to issue debt for the purposes stated in this policy and to implement policy decisions incorporated in the District's annual operations budget.

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It is a policy goal of the District to protect taxpayers and constituents by utilizing conservative financing methods and techniques so as to obtain the highest practical credit ratings (if applicable) and the lowest practical borrowing costs.

The District will comply with applicable state and federal laws as they pertain to the maximum term of debt and the procedures for levying and imposing any related taxes, fees and charges, as applicable, and in the case of refinancing of existing debt, achieving savings as may be required by law or achieving other objectives of substantial benefit to the District, the rationale for which is presented to the Board at the public meeting at which the proposed refinancing is considered.

BA. Purposes For Which Debt May Be Issued

- (i) Long-Term Debt. Long-term debt may be issued to finance the construction, acquisition, and rehabilitation of capital improvements and facilities, equipment and land to be owned and operated by the District.

(a) Long-term debt financings are appropriate when the following conditions exist:

- When the project to be financed is necessary to provide basic services.
- When the project to be financed will provide benefit to constituents over multiple years.
- When total debt does not constitute an unreasonable burden to the District and its taxpayers.
- When the debt is used to refinance outstanding debt in order to produce debt service savings or to realize the benefits of a debt restructuring.

(b) Long-term debt financings will not generally be considered appropriate for current operating expenses and routine maintenance expenses.

(c) The District may use long-term debt financings subject to the following conditions:

- The project to be financed must be approved by the ~~District's governing~~ **Board**.
- ~~• For obligations issued on a tax-exempt basis, the debt shall meet the following requirement of federal tax law: The weighted average maturity of the debt (or the portion of the debt allocated to the project) will not exceed the average useful life of the project to be financed by more than 20%.~~

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- The District estimates that the identified source of repayment, whether property taxes, general fund revenues or other identified source, will be available to service the debt through its maturity.
 - The District determines that the issuance of the debt will comply with applicable state and federal laws.
- (ii) Short-term debt. Short-term debt may be issued to provide financing for the District's operational cash flows in order to maintain a steady and even cash flow balance. Short-term debt may also be used to finance short-lived capital projects; for example, the District may undertake lease-purchase financing for equipment. Short-term debt may also be undertaken for interim or bridge financings, such as bond or grant anticipation notes, provided that the ~~District~~ Board is provided with the related long term financing and repayment plan in connection with approval of such financings.
- (iii) Financings on Behalf of Other Entities. The District may also find it beneficial to issue debt on behalf of or in concert with other governmental agencies, nonprofit corporations or other authorities in order to further the public purposes of ~~the~~ District. In such cases, the District shall take reasonable steps to confirm the financial feasibility of the project to be financed and the financial solvency of any borrower and that the issuance of such debt is consistent with ~~thise policyies set forth herein.~~

CB. Types of Debt That May be Issued

The following types of debt are allowable under this ~~Debt P~~policy:

- ~~g~~General obligation bonds.
- ~~b~~Bond or grant anticipation notes.
- ~~l~~Lease revenue bonds, certificates of participation, lease and sublease and lease-purchase transactions.
- ~~e~~Other revenue bonds and certificates of participation.
- ~~t~~Tax and revenue anticipation notes.
- ~~l~~Land-secured financings, such as special tax revenue bonds issued under the Mello-Roos Community Facilities Act of 1982, as amended.

The ~~Board~~~~District~~ may from time to time find that other forms of debt would be beneficial to further its public purposes and may approve such debt without an amendment of this ~~Debt P~~policy.

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Debt shall be issued as fixed rate debt unless the District makes a specific determination as to why a variable rate issue would be beneficial to the District in a specific circumstance.

DE. Relationship of Debt to Capital Improvement Program and Budget

The District is committed to long-term capital planning. The District intends to issue debt for the purposes stated in this ~~Debt Policy~~ and to implement policy decisions incorporated in the District's capital budget and master facilities plan.

The District shall strive to fund the upkeep and maintenance of its infrastructure and facilities due to normal wear and tear through the expenditure of available operating revenues. The District shall seek to avoid the use of debt to fund infrastructure and facilities improvements that are the result of normal wear and tear.

The District shall integrate its debt issuances with the goals of its capital improvement or master facilities plan by timing the issuance of debt to ensure that projects are available when needed in furtherance of the District's public purposes.

The District shall seek to issue debt in a timely manner to avoid having to make unplanned expenditures for capital improvements or equipment from its general fund.

D. Policy Goals Related to Planning Goals and Objectives

~~The District is committed to long-term financial planning, maintaining appropriate reserves levels and employing prudent practices in governance, management and budget administration. The District intends to issue debt for the purposes stated in this Policy and to implement policy decisions incorporated in the District's annual operations budget.~~

~~It is a policy goal of the District to protect taxpayers and constituents by utilizing conservative financing methods and techniques so as to obtain the highest practical credit ratings (if applicable) and the lowest practical borrowing costs.~~

~~The District will comply with applicable state and federal law as it pertains to the maximum term of debt and the procedures for levying and imposing any related taxes, fees and charges, as applicable, and in the case of refinancing of existing debt, achieving savings as may be required by law or achieving other objectives of substantial benefit to the District, the rationale for which is presented to the governing board at the public meeting at which the proposed refinancing is considered.~~

E. Internal Control Procedures

- (i) Compliance With ~~Debt~~ Policy. The District's Superintendent and Associate Superintendent of Administrative Services ~~business official~~ is responsible for implementing and monitoring compliance with this ~~Debt Policy~~.

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- (ii) Compliance with SEC Rule 15c2-12. The District may have undertaken, and may undertake in the future, obligations for continuing disclosure pursuant to SEC Rule 15c2-12. The District's ~~Associate Superintendent of Administrative Services~~**business official** will periodically review the requirements of Rule 15c2-12 and each of the District's undertakings, and ensure that annual and other periodic filings which may be required are done in a complete and timely manner. The District's ~~Associate Superintendent of Administrative Services~~**business official** may monitor, prepare and make the District's required filings, or may engage a third-party dissemination agent to assist the District to make complete and timely filings. It shall be the policy of the District as implemented by the District's ~~Associate Superintendent of Administrative Services~~**business official** to have in place a process for full and complete compliance for the benefit of bondholders or other investors in District debt.
- (iii) Compliance with Federal Tax Laws. The District shall have a policy of full compliance with all applicable federal tax law requirements. In connection with prior and new debt issues, the District's ~~Associate Superintendent of Administrative Services~~**business official** shall review applicable federal tax requirements, including requirements relating to arbitrage and rebate compliance.
- (iv) Investments. Proceeds of debt issued by the District shall be invested only in accordance with law and as permitted in the resolution or other document governing the issuance of the debt.
- (v) Expenditure of Proceeds of Debt. It is the policy of the District to ensure that proceeds of District debt ~~are~~**is** spent only on lawful and intended uses. Expenditures of proceeds of debt may only be made by submission of requests for draws to the holder of the proceeds of debt, whether the county, or other trustee, fiscal agent, custodian or financial institution, that identify the amount, purpose and payee of a proposed draw. Each draw request shall be approved and signed by the Superintendent, the ~~Associate Superintendent of Administrative Services~~**business official** or such officer's written designee. The District shall maintain records of the purpose and amount of each draw.
- (vi) CDIAC Reporting. The District has a policy of full compliance with public reporting requirements. This includes specifically for debt sold on or after January 21, 2017, providing annual reports to the California Debt and Investment Advisory meeting the requirements of Government Code ~~S~~**section** 8855(k).

Adopted: 06/28/2017

Amended: __/__/____ (BP 4805 renumbered as BP 3470)

~~Government Code Section 8855~~
EDUCATION CODE
5300-5441 Conduct of elections

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15100-15262 Bonds for school Districts and community college Districts
15264-15276 Strict accountability in local school construction bonds
15278-15288 Citizen's oversight committees
15300-15425 School Facilities Improvement Districts
17150 Public disclosure of non-voter-approved debt
17400-17429 Leasing of District property
17450-17453.1 Leasing of equipment
17456 Sale or lease of District property
17596 Duration of contracts
42130-42134 Financial reports and certifications

ELECTIONS CODE

1000 Established election dates

GOVERNMENT CODE

8855 California Debt and Investment Advisory Commission
53311-53368.3 Mello-Roos Community Facilities Act
53410-53411 Bond reporting
53506-53509.5 General obligation bonds
53550-53569 Refunding bonds of local agencies
53580-53595.55 Bonds
53850-53858 Tax and revenue anticipation notes
53859-53859.08 Grant anticipation notes

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation
Article 16, Section 18 Debt limit

UNITED STATES CODE, TITLE 15

78o-4 Registration of municipal securities dealers

UNITED STATES CODE, TITLE 26

54E Qualified Zone Academy Bonds

CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 Prohibition against fraud or deceit
240.15c2-12 Municipal securities disclosure

CODE OF FEDERAL REGULATIONS, TITLE 26

1.6001-1 Records

Doc# 33728-6 (03/2020, 12/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS FACILITIES****Planning****SUSTAINABILITY, ~~AND THE~~ DESIGN, AND CONSTRUCTION OF HIGH
PERFORMING SCHOOLS**

PURPOSE: To improve student and employee environment and reduce operational cost through reduced energy, water, and utility usage.

The ~~Governing~~ Board is committed to designing new facilities and renovating existing ones that minimize the District's demand for electricity and water in order to help conserve natural resources and to save money to support other District needs.

~~Students and staff are entitled to a~~ Safe and healthy school environment ~~are important, and~~
~~s~~Studies have indicated that student achievement is greater and attendance higher, and teacher and staff retention is improved, when the learning environment is naturally lit, comfortable, and well maintained. Based on this fact, the District should employ design, construction, and operation strategies that minimize operating costs, in particular for energy and water use.

The District's program to build new schools and renovate existing ones provides a unique opportunity to move beyond standard designs by using the Collaborative for High Performance Schools (CHPS) comprehensive design criteria based on the latest available information on sustainable school design, construction, and operation. Studies show that new facility energy costs can be reduced by 25 percent or more by using the CHPS criteria. Schools that follow sustainable design principals can contribute to the community's environment by minimizing waste and air and water pollution.; ~~†~~Therefore, the ~~Governing~~ Board directs the administration to ensure that every new school, new building and modernization project, from the beginning of the design process, ~~comply with applicable laws and building standards and~~ will incorporate CHPS criteria, ~~as needed,~~ and best practices to the extent feasible.

In addition, the ~~Governing~~ Board directs the ~~Superintendent or designee~~administration to develop an Administrative Regulation outlining the process for accomplishing this effort and to report to the Board annually on the progress of this program. The report shall reflect the number of new schools and modernization projects designed and the percentage which have incorporated CHPS design criteria and other-statistics useful in assessing the progress of this effort.

Adopted: 07/13/2011

Amended: / / (BP 5107 renumbered as BP 3510)

EDUCATION CODE

8700-8707 Environmental education

17070.96 Leroy F. Greene School Facilities Act of 1996, consideration of high performance standards

17072.35 New construction grants; use for designs and materials for high performance schools

17608-17614 Healthy Schools Act of 2000

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32370-32376 Recycling paper
33541 Environmental education
101012 Kindergarten through 12th grade school facilities program

FOOD AND AGRICULTURAL CODE
13180-13188 Healthy Schools Act of 2000

HEALTH AND SAFETY CODE
114079 General food safety requirements; unused or returned food

PUBLIC CONTRACT CODE
12400-12404 Environmentally preferable purchasing

PUBLIC RESOURCES CODE
25410-25422 Energy conservation assistance
40050-40063 Integrated waste management act
42630-42647 Schoolsite source reduction and recycling assistance program

CODE OF REGULATIONS, TITLE 2
1859.70.4 Funding for high performance incentive grants
1859.71.6 Additional grant for high performance incentive, new construction
1859.77.4 Additional grants for high performance incentive, site and modernization

CODE OF REGULATIONS, TITLE 5
14010 Standards for school site selection

CODE OF REGULATIONS, TITLE 13
2480 Limitation to school bus idling and idling at schools

CODE OF REGULATIONS, TITLE 24
101.1-703.1 Green building standards

Doc# 33608-5 (02/2020, 05/19)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS FACILITIES**

Operations, Conservation, and Maintenance

ENERGY AND WATER MANAGEMENT/CONSERVATION PROGRAM

PURPOSE: To establish energy and water **management and** conservation measures in the District.

The ~~Governing~~ Board is committed to reducing the District's demand for electricity and water ~~in order~~ to help conserve natural resources ~~and~~ to save money to support other District needs. To that end, the Board shall establish goals to help reduce the District's consumption of energy and water.

There shall be established in the District a program to develop awareness among employees and students of the need to conserve energy and water, ~~to~~ monitor energy and water consumption, and develop procedures to conserve energy and water. The program shall include specific strategies designed to help the District use energy and water more efficiently and to help ensure that funds intended for student learning are not diverted to cover energy and water costs. Such a program shall comply with the requirements of the United States Department of Energy and the California Energy Commission, **this policy**, and any **administrative** regulations **adopted by the Superintendent of the Board**.

The implementation of this policy is the joint responsibility of the ~~Governing~~ Board, **the Superintendent**, administrators, teachers, students and support personnel and its success is based on cooperation at all levels.

The District will maintain accurate records of energy consumption and cost of energy and will provide information to the local media on the goals and progress of the energy conservation program.

The principal/department supervisor will be accountable for energy management at his/her campus/department with energy audits being conducted and conservation program outlines being updated. Judicious use of the various energy systems of each campus/department will **be** the joint responsibility of the principal/department supervisor and head custodian to ensure that an efficient energy posture is maintained on a daily basis.

To ensure the overall success of the energy management program and water conservation, the following specific areas of emphasis will be adopted:

1. All District personnel will be expected to contribute to energy efficiency in ~~the our~~ District. Every person will be expected to be an "energy saver" as well as an "energy consumer."
2. Energy management at his/her campus or for his/her department will be a part of the annual evaluation of the principal/department supervisor.

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As part of the energy and water efficiency program, the Superintendent or designee shall:

1. Analyze the effect of a utility rate increase on the District's budget and develop and implement any necessary contingency plans.
2. Regularly inspect District facilities and operations and make recommendations for maintenance and capital expenditures which may help the District reach its energy and water conservation goals.
3. Make every effort to identify funding opportunities and cost reducing incentive programs to help the District achieve its conservation goals.
4. Develop and implement a preventive maintenance and monitoring plan for District facilities and systems, including HVAC, building envelope and moisture management in order to maintain a safer and healthier learning environment and to complement the energy management program.
5. Receive input from staff, students, and parents/guardians related to District usage of energy and water.
6. Develop strategies designed to ensure cooperation from students and staff in all conservation efforts. Curriculum will be developed to ensure that every student will participate in the energy management program of the District.
7. Recognize those who reduce use of energy and water.
8. Periodically report to the Board on the District's progress in meeting energy and water use reduction goals.

Storm Water Management

To the maximum extent practicable, the District shall reduce the discharge of pollutants into the water system in order to minimize the threat to water quality from storm water runoff.

The Superintendent or designee shall ensure that the District complies with storm water discharge standards specified by any applicable General Permit coverage required by law, including all requirements of the Construction General Permit issued by the State Water Resources Control Board for any project that disturbs one acre or more of soil. (40 CFR 122.34)

The Superintendent or designee shall develop a storm water management plan that complies with the provisions of the applicable permit and describes best management practices, design strategies, measurable goals, and timetables for implementation. The plan and a resolution authorizing its implementation shall be submitted to the Board for approval. (40 CFR 122.34)

For all projects, the District shall comply with any city or county ordinance that regulates drainage improvements and conditions. (Government Code 53097)

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Adopted: 08/12/1980

Reviewed: 09/24/2008

Amended: 05/06/1992, 06/08/1992, 07/19/2006, 09/26/2007, / / (BP 5201 renumbered as BP 3511)

EDUCATION CODE

17213.1 School sites

17280 Construction of school buildings

35275 Coordination of new facilities with recreation and park authorities

41422 School term or session length, failure to comply due to disaster

46392 Emergency conditions; ADA estimate

GOVERNMENT CODE

53097 Local agencies

PUBLIC RESOURCES CODE

25410-25421 Energy conservation assistance

WATER CODE

189.3 Recommendations for best design and use practices

13383 Compliance with the federal Water Pollution Control Act

13383.5 Storm water discharge monitoring requirements

CODE OF REGULATIONS, TITLE 23

490-495 Model Water Efficient Landscape Ordinance

2200 Discharge permit fees

UNITED STATES CODE, TITLE 33

1342 National pollutant discharge elimination system

CODE OF FEDERAL REGULATIONS, TITLE 40

122.1-122.64 National pollutant discharge elimination system

Doc# 33610-5 (02/2020, 05/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS~~GENERAL SERVICES~~****Risk Management****EQUIPMENT/POWERED INDUSTRIAL TRUCKS~~/GOLF CARTS~~**

PURPOSE: To establish an inspection system for the upkeep of District equipment and procedures for the training and operation of powered industrial trucks (PITs).

The Board directs the Superintendent or designee to establish an inspection system for the upkeep of District equipment in accordance with applicable laws. The inspection program shall include an equipment replacement program.

Powered Industrial Trucks

A PIT is defined by the Occupational Safety and Health Administration (OSHA) as any mobile power-propelled truck or cart (LPG, gas, or electric powered) used to carry, push, pull, lift, stack or tier materials. Examples include personal burden carriers, utility carts, golf carts, fork-lifts, pallet jacks, ~~etc.~~ or all low-speed vehicles with an operating speed of less than 35 miles per hour used to transport people or equipment.

The ~~Governing~~ Board recognizes that PITs are used daily by certain District personnel in the operations of the ~~school-d~~District. The Board directs the Superintendent or ~~his~~ designee to establish procedures for the operation of PITs and to establish guidelines and training for the safe operation of PITs.

The Superintendent or designee~~District administration~~ shall insure that only trained, authorized employees, ~~contractors and/or volunteers~~ shall be permitted to operate a District-owned PIT. District-owned PITs shall only be operated on District property.

The operation of a privately owned PIT on District property is not allowed without permission of the Superintendent or designee. If permission is given, the criteria in ~~Board this P~~policy and Administrative Regulation No. 35128501 and the CUSD PIT Driver Handbook shall be met.

Adopted: 07/20/2005

Reviewed: 11/22/2006

Amended: 03/11/2009, / / (BP 8501 renumbered as BP 3512)

~~8~~ California Code of Regulations section 3203, 3650

Doc# 37507-5 (02/2020, None)

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~FINANCIAL SERVICES~~ BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Accounting and Reporting****DISTRICT MOBILE DEVICE USE/REIMBURSEMENT**

PURPOSE: To establish a procedure for mobile device service and allowance for designated or approved District employees.

The ~~Governing~~ Board recognizes that at times it may be necessary for certain District employees to conduct District--~~related~~ business while away from their job sites or otherwise without access to the regular telephone system or computer workstation. To enhance the efficiency of operations, the ~~Governing~~ Board has approved the support of a mobile device service for designated employees for the purpose of conducting District--~~related~~ business. When a District employee's position requires the frequent use of a mobile device to conduct District business, the Superintendent or designee may approve that a District-provided mobile device be issued to the employee for his/her use to conduct District business or that an allowance be paid to the employee for use of his/her personally owned mobile device to conduct District business. District-provided ~~mobile devices or mobile service allowances--service~~ may only be provided to employees whose positions are listed on Exhibit 3513.1(1) or upon Associate Superintendent or Deputy Superintendent approval based on a completed and signed Allowance Agreement for Mobile Device Service (Exhibit 3513.1(2)). Mobile device services include cellular phones, ~~PDAs, pocket PCs, smartphones~~ or any other handheld electronic device used for voice and/or data communication.

~~The Internal Revenue Service considers mobile devices "listed property" because they lend themselves easily to personal use.~~ District--provided mobile devices should be used only as a means for conducting District business. The ~~Superintendent or designee~~ ~~Administration~~ shall take appropriate action to address the personal use of District-provided--~~owned~~ mobile devices.

The Superintendent or designee shall establish an administrative regulation to this policy which shall outline employee obligations and responsibilities related to the use of District--~~provided~~ ~~issued~~ mobile devices or allowances provided to employees. He/she may also establish guidelines and limits on the use of District-provided mobile devices. In determining the amount of the allowance, the Superintendent or designee may consider various factors, including but not limited to, the rates of available mobile device service plans, the cost-savings to the District by employees using their own mobile devices for District business instead of the District purchasing or leasing such devices, and the benefits and services to the District in having employees communicate and conduct District business while away from their offices, and before and after normal business hours.

Employees are expected to abide by all laws regarding the use of a mobile device when driving a motor vehicle.

All employees who use District-provided mobile devices or receive an allowance for the use of their personal mobile devices shall comply with this policy. ~~The Superintendent or designee shall~~

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~~provide a copy of Board Policy No. 4204 and the related the Administrative Regulation and Exhibits to all employees who use District provided mobile devices or receive a reimbursement. Employees shall be asked to acknowledge in writing that they have read and understand these documents.~~

Adopted: 05/14/2008

Reviewed: 12/20/2010

Amended: 01/28/2009, __/__/____ (BP 4204 renumbered as BP 3513.1)

EDUCATION CODE

~~Education Code sections~~ 35160-35160.1 Authority of governing boards,
35161 Powers and duties of governing boards generally
44032 Expense payment

VEHICLE CODE

23132 Wireless telephones in vehicles

23125 Wireless telephones in school business

UNITED STATES CODE, TITLE 26

~~Tax and Revenue Code IRC section 280F(d)(4)~~ Limitation on depreciation for luxury automobiles, etc.

CODE OF FEDERAL REGULATIONS, TITLE 26

1.132-5 Working conditions fringe benefit

Doc# 34616-4 (12/2019, None)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONSSTUDENT SERVICES RIGHTS &
RESPONSIBILITIES****Health and Welfare****TOBACCO-FREE SCHOOLS**

PURPOSE: To establish tobacco-free schools.

The ~~Clovis Unified School District (CUSD) Governing~~ Board recognizes that the use of tobacco and nicotine products in any form and secondhand smoke present a health risk. The Board is dedicated to an ~~healthful, comfortable and productive~~ environment for staff, students, and the community that is consistent ~~with its mission of~~ in providing services and activities that support the ~~best in~~ mind, body, and spirit.

~~Beginning January 1, 1995, the following policy shall be in force in CUSD.~~

~~1. No Smoking and/or using tobacco and nicotine products are prohibitedmay be used~~ anywhere, anytime in District-owned or leased buildings, on District property, and in District vehicles. (Health and Safety Code 104420, 104559)

District employees and students, and visitors shall not smoke or use any tobacco and/or nicotine products at any District-sponsored instructional program, activity, or athletic event, whether held on or off District property.

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

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

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

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

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

~~1.—The Superintendent or designee shall establish Enforcement procedures for this policy will be in place. A person shall not intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another person who seeks to attain compliance with this policy. (Health and Safety Code 104495)~~

~~2.—Information about the policy and enforcement procedures will be clearly communicated to school personnel, parents, students and the community.~~

~~3.—Signs stating prohibition of tobacco use shall be prominently displayed at all entrances to District property.~~

Adopted: 08/03/94

Reviewed: 03/13/06, 10/10/07

Amended: 11/11/04, __/__/__ (BP 2405 renumbered as BP 3513.3)

~~E.C. 48900(h), (r)~~

~~5 Code Cal.Regs. 5531~~

EDUCATION CODE

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

BUSINESS AND PROFESSIONS CODE

22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions

HEALTH AND SAFETY CODE

39002 Control of air pollution from nonvehicular sources

104350-104495 Tobacco use prevention, especially:

104495 Prohibition of smoking and tobacco waste on playgrounds

104559 Tobacco use prohibition

119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products

**CLOVIS UNIFIED
SCHOOL DISTRICT****UNITED STATES CODE, TITLE 20**

6083 Nonsmoking policy for children's services

7111-7122 Student Support and Academic Enrichment Grants

CODE OF FEDERAL REGULATIONS, TITLE 21

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

PUBLIC EMPLOYMENT AND RELATIONS BOARD RULINGS

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

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

Doc# 37607-5 (02/2020, 07/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Health and Welfare****DRUG AND ALCOHOL — FREE SCHOOLS**

PURPOSE: To establish requirements for drug-free and alcohol-free schools.

The Board recognizes the need to keep District schools free of drugs and alcohol to provide an environment that is conducive to learning and promote student health and well-being. The Board prohibits the possession, use, or sale of drugs and alcohol at any time in District-owned or leased buildings, on District property, and in District vehicles, unless otherwise permitted by law.

The following substances are prohibited on all District 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.

Prescription medication, except for prescribed cannabis, may be administered at school in accordance with law, District policy and regulations, and written statements by the parent/guardian and the student's authorized health care provider as applicable. No person shall possess, smoke, or ingest cannabis or cannabis products in or upon the grounds of a school while children are present. (Health and Safety Code 11362.3) No person shall smoke cannabis or cannabis products within 1,000 feet of a school while children are present at the school. (Health and Safety Code 11362.3)

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 District facilities, on District property, in District 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 Board policy.

Adopted: / /

EDUCATION CODE

44940 Compulsory leave of absence for certificated persons

44940.5 Procedures when employees are placed on compulsory leave of absence

45123 Employment after conviction of controlled substance offense

45304 Compulsory leave of absence for classified persons

48900 Suspension or expulsion (grounds)

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48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
48901.5 Prohibition of electronic signaling devices
48902 Notification of law enforcement authorities; civil or criminal immunity
48909 Narcotics or other hallucinogenic drugs
48915 Expulsion; particular circumstances

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

8350-8357 Drug-free workplace

HEALTH AND SAFETY CODE

11053-11058 Standards and schedules
11353.6 Juvenile Drug Trafficking and Schoolyard Act
11362.1 Possession and use of cannabis, persons age 21 and over
11362.3 Limitations on possession and use of cannabis
11362.79 Limitations on medical use of cannabis
104559 Tobacco use prohibition

PENAL CODE

13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;

UNITED STATES CODE, TITLE 20

7101-7122 Student Support and Academic Enrichment Grants

UNITED STATES CODE, TITLE 21

812 Schedules of controlled substances
844 Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

COURT DECISIONS

Ross v. RagingWire Telecommunications, Inc., 42 Cal. 4th 920 (2008)

Doc# 37540-4 (02/2020, 10/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONSSTUDENT SERVICES RIGHTS-
AND RESPONSIBILITIES**

Health & Welfare

ENVIRONMENTAL SAFETY/AIR QUALITY PRECAUTIONS

PURPOSE: To establish ~~regulations and~~ procedures that protect the health of students and employees during episodes of poor air quality as defined by the San Joaquin Valley Air Pollution Control District.

The Board recognizes that a safe and healthy environment at District facilities is important. The Superintendent or designee shall inspect District facilities to maintain them in good repair in accordance with applicable laws. The Superintendent or designee shall provide notification regarding any environmental hazards that are discovered at District facilities in accordance with applicable laws.

Air Quality Precautions

The Board recognizes its responsibility to restrict physical activities in school or at school-sponsored activities during episodes of poor air quality. The Board also recognizes the importance of working with the San Joaquin Valley Air Pollution Control District to monitor the quality of air for the benefit of our students and employees.

The Board authorizes the Superintendent or ~~designee~~ to develop and implement regulations and procedures to meet protocols set forth by the San Joaquin Valley Air Pollution Control District.

Adopted: 10/14/1992

Reviewed: 01/25/2007, 01/21/2009

Amended: 10/24/2001, 01/04/2006, / / (BP 2403 renumbered as BP 3514)**EDUCATION CODE**

17002 Definition of "good repair"

17070.75 Facilities inspection

17582 Deferred maintenance fund

17590 Asbestos abatement fund

17608-17614 Healthy Schools Act of 2000, least toxic pest management practices

32080-32081 Carbon monoxide devices

32240-32245 Lead-Safe Schools Protection Act

48980.3 Notification of pesticides

49410-49410.7 Asbestos materials containment or removal

FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000, least toxic pest management practices

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

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SCHOOL DISTRICT****HEALTH AND SAFETY CODE**

105400-105430 Indoor environmental quality

113700-114437 California Retail Food Code, sanitation and safety requirements

116277 Lead testing of potable water at schools and requirements to remedy

CODE OF REGULATIONS, TITLE 5

14010 Standards for school site selection

CODE OF REGULATIONS, TITLE 8

337-339 Hazardous substances list

340-340.2 Occupational safety and health, rights of employees

1528-1537 Construction safety orders; exposure to hazards

5139-5223 Control of hazardous substances

CODE OF REGULATIONS, TITLE 13

2025 Retrofitting of diesel school buses

2480 Vehicle idling

CODE OF REGULATIONS, TITLE 17

35001-36100 Lead abatement services

CODE OF REGULATIONS, TITLE 22

64670-64679 Lead and copper in drinking water

CODE OF REGULATIONS, TITLE 24

915.1-915.7 California Building Standards Code; carbon monoxide devices

UNITED STATES CODE, TITLE 7

136-136y Use of pesticides

UNITED STATES CODE, TITLE 15

2601-2629 Control of toxic substances

2641-2656 Asbestos Hazard Emergency Response Act

UNITED STATES CODE, TITLE 42

1758 Food safety and inspections

CODE OF FEDERAL REGULATIONS, TITLE 40

141.1-141.723 Drinking water standards

745.61-745.339 Lead-based paint standards

763.80-763.99 Asbestos-containing materials in schools

763.120-763.123 Asbestos worker protections

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS**~~GENERAL SERVICES~~Security, Safety, and ~~&~~ Emergency Procedures**CAMPUS SECURITY - ~~SECURITY~~ (KEY CONTROL) AND CLOSED-CIRCUIT
TELEVISION****PURPOSE:** To outline procedures for security of District ~~campuses and facilities~~ keys.

The Board recognizes the importance of safety of persons on school grounds and the protection of District property, facilities, and equipment from vandalism and theft.

A. Key Control - Employee Responsibility

~~The e~~Employees who are issued a District key or keys shall comply with ~~read the key policy and agree as the~~ followings:

1. ~~To permit no one to~~ Never duplicate a District key.;
2. ~~To n~~Never lend or give the key to any person including visitors and other employees.;
3. ~~To n~~Notify the Pprincipal or Ssupervisor of any key loss immediately after the occurrence but no later than four hours following the loss.;
4. ~~To b~~Be personally and monetarily responsible for the key or keys received as a District employee and, ~~if necessary,~~ reimburse the District in accordance with rates established by the Superintendent or designee. ~~in accordance with the following schedule:~~

Room keys	\$25.00
Sub-master keys	\$100.00
School master keys	\$250.00
District master keys	\$500.00
5. ~~To~~Reimburse the District ~~forever~~ the cost of material and ~~overtime~~ labor to re-keying locks if the loss of a key is judged by the Superintendent or designee to place rooms, buildings, or campuses at risk. ~~;~~ and
6. ~~To r~~Return all keys to the Pprincipal or Ssupervisor during year-end clearance, upon request by the Superintendent or designee, or before leaving ~~during the end of~~ his or her employment with the District ~~procedure~~. An employee who is leaving his or her employment with the District shall pay ~~A~~all unpaid obligations regarding loss of keys or re-keying locks ~~will be cleared~~ before his or her last date of employment with the District ~~at that time~~. If an employee fails to pay such costs, the District may deduct the costs from the employee's last salary payment or seek payment from the employee.
7. ~~Employees issued a District key agree to~~ Limit access to District facilities and equipment for ~~District school~~-related activities only. This limited access prohibits use of any District

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facility or equipment for personal use, including but not limited to, the gymnasium and swimming pool.

~~District Employees~~ wishing to use District facilities or equipment for non-District~~school~~ related purposes must follow the procedures set forth in applicable policies~~Board Policy No. 5301.~~

B. Closed Circuit Television (CCTV) Camera Security Systems

It shall be the policy of the District to implement CCTV camera security systems at school and administrative sites throughout the District as such need may arise. The implementation of such systems is for the protection of District property and assets from theft and vandalism through deterrence and video documentation as well as for use as an additional campus management tool during the school day. The CCTV system is not designed or intended to protect individuals from being the victims of violent or property-related crimes, or to detect other potentially illegal or undesirable activities which may occur, although any video information obtained by such methods may be used as evidence in such cases.

The CCTV camera systems shall not be utilized to monitor areas where persons have a reasonable expectation of privacy. The CCTV camera systems shall be used in accordance with applicable laws.

The CCTV camera systems shall not replace the need for the ongoing vigilance of the District's Police Department or supervision and security staff. District ~~A~~administrators shall use due diligence in maintaining general campus security.

The District's CCTV system shall not be represented at any time as enhancing or ensuring the personal safety of any individual under any circumstances.

Adopted: 10/23/1975

Reviewed: 08/15/2007, 08/20/2008, 08/05/2010

Amended: 12/12/1979, 05/13/1987, 06/08/1992, 06/09/1993, 11/25/1996, 07/19/2006,
___/___/___ (BP 8201 renumbered as BP 3515, all contents of BP 8203 moved into
renumbered BP 3515)

~~Education Code 35291, 35291.5~~

EDUCATION CODE

32020 Access gates

32211 Threatened disruption or interference with classes

32280-32288 School safety plans

35160 Authority of Boards

35160.1 Broad authority of school Districts

38000-38005 Security patrols

49050-49051 Searches by school employees

49060-49079 Student records

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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)

Doc# 37608-4 (02/2020, 03/2007)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Security, Safety, and Emergency Procedures****DISRUPTIONS**

PURPOSE: To establish procedures for addressing disruption on District property or at of school activities by non-students.

The Board recognizes the importance of providing a safe and orderly environment for students, staff, and others on District property or while engaged in school activities, whether on or off District property.

The Superintendent or designee shall remove any individual who, by his/her presence or action, disrupts or threatens to disrupt normal operations at a school campus or any other District facility, threatens the health or safety of anyone on District property, or causes or threatens to cause damage to District property or to any property on school grounds.

The Superintendent or designee shall establish, as appropriate, a plan describing staff responsibilities and actions to be taken when an individual is causing or threatening to cause a disruption. The plan may address, as appropriate, visitor registration procedures; campus security measures; evacuation procedures; lock-down procedures; possible responses to an active shooter situation; communications within the school and with parents/guardians, law enforcement, and the media in the event of an emergency; and crisis counseling or other assistance for students and staff after a disruption. In developing such a plan, the Superintendent or designee may consult with law enforcement to create guidelines for law enforcement support and intervention when necessary.

The Superintendent or designee shall provide training, as appropriate, to school staff on how to identify and respond to actions or situations that may constitute a disruption.

Any employee who believes that a disruption may occur may contact the principal or designee. The principal or designee shall notify law enforcement in accordance with Education Code 48902 and 20 USC 7961 and in other situations, as appropriate.

Adopted: / /

EDUCATION CODE

32210 Willful disturbance of public school or meeting, misdemeanor

32211 Threatened disruption or interference with classes; misdemeanor

35160 Authority of Boards

44810 Willful interference with classroom conduct

44811 Disruption of classwork or extracurricular activities

48902 Notification of law enforcement authorities

51512 Prohibited use of electronic listening or recording device

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SCHOOL DISTRICT****PENAL CODE**

243.5 Assault or battery on school property

415.5 Disturbance of peace of school

626-626.11 Schools, crimes, especially:

626.7 Failure to leave campus or facility; wrongful return; penalties; notice; exceptions

626.8 Disruptive presence at schools

626.81 Misdemeanor for registered sex offender to come onto school grounds

626.85 Misdemeanor for specified drug offender presence on school grounds

626.9 Gun Free School Zone Act

627-627.10 Access to school premises

653b Loitering about schools or public places

12556 Imitation firearms

30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 20

7961 Gun-Free Schools Act

COURT DECISIONS

Reeves v. Rocklin Unified School District (2003) 109 Cal.App.4th 652

In Re Joseph F. (2000) 85 Cal.App.4th 975

In Re Jimi A. (1989) 209 Cal.App.3d 482

In Re Oscar R. (1984) 161 Cal.App.3d 770

ATTORNEY GENERAL OPINIONS

79 Ops.Cal.Atty.Gen. 58 (1996)

Doc# 37543-4 (02/2020, 04/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NON-OPERATIONAL FINANCIAL SERVICES****Risk Management****UNMANNED AIRCRAFT SYSTEMS (DRONES)**

PURPOSE: To establish policies and procedures for unmanned aircraft (drone) use over District property.

The ~~Governing~~ Board recognizes that unmanned aircraft or aerial systems (drones) may be a useful tool to enhance the instructional program and assist with district operations. In order to avoid disruption and maintain the safety, security, and privacy of students, staff, and visitors, any person or entity desiring to use a drone on or over ~~d~~District property shall submit a written request for permission to the Superintendent or designee.

A small unmanned aircraft system or drone is an aircraft weighing less than 55 pounds that is operated remotely without the possibility of direct human intervention from within or on the aircraft and the associated elements, including communication links and controls, required for the pilot to operate the aircraft safely and efficiently. It does not include model aircraft or rockets such as those which are radio controlled and used only for hobby or recreational purposes. (49 USC 40101 Note; 14 CFR 107.3)

The Superintendent or designee may grant permission to district employees and students for the use of drones only if the planned activity supports instructional, co-curricular, extracurricular, athletic, or operational purposes. Such uses may include, but are not limited to, instruction in science, technology, engineering, and math (STEM), the arts, or other subjects; maintenance of grounds and facilities; and campus security. When used for instructional purposes, there shall be a clear and articulable connection between drone technology and the course curriculum. Students shall only operate a drone on or over ~~d~~District property under the supervision of a ~~d~~District employee as part of an authorized activity.

The Superintendent or designee may grant permission to other persons or entities under terms and conditions to be specified in a memorandum of understanding.

Any person or entity requesting to operate a drone on or over ~~d~~District property, including a ~~d~~District employee, shall provide a description of the type of operation requested, flight location, date and time of the planned flight, anticipated duration, and whether photos and/or video will be taken. As applicable, the applicant shall also present a copy of his/her Certificate of Waiver or Authorization or exemption issued by the Federal Aviation Administration.

Any person or entity, other than a ~~d~~District employee or student, who is requesting or operating a drone on or over ~~d~~District property shall agree to hold the ~~d~~District harmless from any claims of harm to individuals or property resulting from the operation of the drone and provide proof of adequate liability insurance covering such use.

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In determining whether to grant permission for the requested use of a drone, the Superintendent or designee shall consider the intended purpose of the activity and its potential impact on safety, security, and privacy. The decision of the Superintendent or designee shall be final.

Any person authorized to use a drone on **d**District property shall sign an acknowledgment that he/she understands and will comply with the terms and conditions of the **d**District's policy, federal law and regulations, state law, and any local ordinances related to the use of drones.

When any use of drones is authorized, the Superintendent or designee shall notify the drone operator of the following conditions:

1. The operator is responsible for complying with applicable federal, state, and/or local laws and regulations, including federal safety regulations pursuant to 14 CFR 107.15-107.51 which include, but are not limited to, requirements that the drone not be flown at night, above 400 feet in altitude, or over any people unless they are in a covered structure or stationary vehicle. The operator shall maintain the visual line of sight with the drone at all times.
2. The drone shall be kept away from any area reasonably considered private, including, but not limited to, restrooms, locker rooms, and individual homes.
3. The **d**District reserves the right to rescind the authorization for use of drones at any time.

The Superintendent or designee may remove any person engaged in unauthorized drone use on **d**District property and/or may confiscate the drone. He/she may also shut down the operation of any authorized drone use whenever the operator fails to comply with the terms of the authorization or the use interferes with **d**District activity, creates electronic interference, or poses unacceptable risks to individuals or property.

Any student or staff member violating this policy shall be subject to disciplinary action in accordance with **d**District policies and procedures.

Adopted: 10/10/2018

Amended: __/__/__ (BP 4103 renumbered as BP 3515.21)

~~Legal Reference:~~

UNITED STATES CODE, TITLE 49
40101 Note Unmanned aircraft systems

CODE OF FEDERAL REGULATIONS, TITLE 14
107.1-107.205 Small unmanned aircraft systems, especially:
107.12 Requirement for a remote pilot certificate with a small UAS rating
107.15-107.51 Operating rules; safety
107.53-107.79 Remote pilot certification

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Management Resources:

FEDERAL AVIATION ADMINISTRATION PUBLICATIONS

Educational Use of Unmanned Aircraft Systems (UAS), Memorandum, May 4, 2016

WEB SITES

Federal Aviation Administration: <http://www.faa.gov/uas>

Doc# 34611-4 (12/2019, 07/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Security, Safety, and Emergency Procedures****DISTRICT POLICE/SECURITY DEPARTMENT**

PURPOSE: To set forth provisions regarding the District's police/security department.

The Board shall maintain a District police and/or security department. The District has established and is maintaining a police department.

Duties of District police officers or security officers shall be delineated in a job description developed by the Superintendent or designee.

Police Department

Persons employed as members of the District police department, when appointed and duly sworn, are peace officers for the purposes of carrying out their duties pursuant to Penal Code 830.32. (Education Code 38001)

The Board expects District police or security officers to cooperate and regularly communicate with local law enforcement agencies, and to work collaboratively with other District staff and community members to develop long-term, proactive approaches that address the conditions affecting school safety.

Security Department

Persons employed or assigned as school security officers shall serve as watchpersons, security guards, or patrolpersons on or about District premises to protect persons or property, prevent the theft or unlawful taking of District property, or report unlawful activity to the District and local law enforcement agencies. (Education Code 38001.5)

When District security officers are unable to perform their duties because of an emergency, including, but not be limited to, war, epidemic, fire, flood or work stoppage, or when the emergency necessitates additional security services, the Board may contract with a private licensed security agency. In such cases, the Board shall make a specific finding that an emergency exists and shall include this finding in the Board minutes. (Education Code 38005)

Firearms

The Board authorizes District police or security officers to carry firearms in accordance with law, Board policy, and administrative regulations.

Adopted: / /

EDUCATION CODE
35021.5 School police reserve corps

**CLOVIS UNIFIED
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38000-38005 Security and police departments

39672 School peace officers, fingerprinting

45122.1 Classified employees, conviction of a violent or serious felony

49079 Notification to teacher; student who has engaged in acts constituting grounds for suspension or expulsion

BUSINESS AND PROFESSIONS CODE

7583-7583.46 Private patrol operators

FAMILY CODE

6240-6274 Emergency protective orders

GOVERNMENT CODE

3300-3312 Public safety officers, rights and protections

8597-8598 Peace officers

PENAL CODE

290.45 Sex offenders, authority of peace officers

646.91 Emergency protective order for stalking

830-832.9 Peace officers, especially:

830.32 School District and community college police

830.6 Reserve police officers, powers and duties

832 Course of training prescribed by Commission on Peace Officer Standards and Training

832.2 School peace officers; training

832.7 Disclosure of personnel files in criminal or civil proceedings

836 Peace officers; warrants

12028.5 Taking custody of weapons

13510-13519.9 Standards for recruitment and training

13700-13702 Response to domestic violence

WELFARE AND INSTITUTIONS CODE

707 List of crimes

828-828.1 Disclosure of information re minors by law enforcement agency

COURT CASES

San Diego Police Officers Association et al. v. City of San Diego Civil Service Commission et al.,
104 Cal.App.4th 275 (2002)

Doc# 37546-4 (02/2020, 11/2003)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Risk Management****RECOVERY FOR PROPERTY LOSS OR DAMAGE**

PURPOSE: To establish requirements and process for recovery for losses of or damages to District property.

The Board desires to minimize acts of vandalism and damage to school property. When District property is damaged due to the willful misconduct of a student or other person, the District may seek reimbursement of damages, within the limitations specified in law, from the parent/guardian of a minor child or from any other responsible individual.

The District may collect debt owed by a student or former student as a result of vandalism or to cover the replacement cost of District books, supplies, or property loaned to a student that the student willfully fails to return or that is willfully cut, defaced, or otherwise injured. However, this policy shall not apply to a student who is a current or former homeless or foster child or youth. (Education Code 48904, 49014)

The Board authorizes the Superintendent or designee to offer and pay for information leading to the determination of the identity of, and the apprehension of, any person who willfully damages or destroys any District property. (Government Code 53069.5)

The Superintendent or designee shall disburse the reward when the guilt of the person responsible for the act has been established by a criminal conviction or other appropriate judicial procedure. If more than one person provides information, the reward shall be divided among them as appropriate.

Adopted: __/__/__

EDUCATION CODE

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

19911 Libraries, willful detention of property

44810 Willful interference with classroom conduct

48904 Liability of parent/guardian for willful misconduct

49014 Public School Fair Debt Collection Act

CIVIL CODE

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

**CLOVIS UNIFIED
SCHOOL DISTRICT****GOVERNMENT CODE**

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

53069.6 Actions to recover damages

54951 Local agency, definition

PENAL CODE

484 Theft defined

594 Vandalism

594.1 Aerosol paint and etching cream

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

Doc# 36443-3 (12/2019, 03/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS~~GENERAL SERVICES~~****Security, Safety, and-~~&~~ Emergency Procedures****NOTIFICATION OF REGISTERED SEX OFFENDERS (MEGAN'S LAW)**

PURPOSE: To provide ~~procedures for handling information a notification plan to be used as necessary when information is received from law enforcement~~ regarding registered sex offenders ~~who pose a risk to children or other persons within the District.~~

~~In order to protect students while they are traveling to and from school, attending school or at a school related activity, t~~The Governing Board believes it is important that the District respond appropriately when a law enforcement agency contacts the District about registered sex offenders who may reside or work~~pose a risk to children~~ within the District boundaries.

The Superintendent or designee shall establish, ~~as appropriate~~, an ongoing relationship with law enforcement officials to coordinate the receipt of such information. The Superintendent or designee also shall, in accordance with applicable laws, establish procedures for notifying appropriate staff as necessary, disseminating registered sex offender information, and/or notifying parents/guardians of the availability of information about registered sex offender information.

Adopted: 08/06/1997

Reviewed: 02/05/2004, 04/10/2007, 10/03/2008

Amended: 12/10/1997, ~~___/___/___~~ (BP 8205 renumbered as BP 3515.5)

EDUCATION CODES

32211– Threatened disruption or interference with classes; offense

35160– Authority of boards

35160.1– Board authority of school districts

48981 Parent/guardian notifications; methods

PENAL CODES

290– Registration of sex offenders

290.4– Sex offender registration; compilation of information; ~~“900” number~~

290.45– Release of ~~Ssex O~~ffender Iinformation

290.46 Making information about certain sex offenders available via the Internet

290.9 Addresses of persons who violate duty to register

290.95 Disclosure by person required to register as sex offender

626.8– Disruptive entry or entry of sex offender upon school grounds

626.81 Sex offender; permission to volunteer at school

830.32 School District and community college police

3003 Parole, geographic placement

UNITED STATES CODE, TITLE 42

14071– Jacob Watterling Crimes Against Children & Sexually Violent Offender Registration Program Act

**CLOVIS UNIFIED
SCHOOL DISTRICT**

**ATTORNEY GENERAL OPINIONS
82 Ops.Cal.Atty.Gen. 20 (1999)**

Doc# 37609-5 (02/2020, 05/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Security, Safety, and Emergency Procedures****FIREARMS ON SCHOOL GROUNDS**

PURPOSE: To prohibit the possession of firearms on school grounds except as specifically authorized by law.

Possession of a firearm on or within 1,000 feet of school grounds is prohibited, except under the limited circumstances specified in Penal Code section 626.9. A person who holds a license to carry a firearm pursuant to Penal Code section 26150 et seq. shall not possess a firearm in any area that is in or on school grounds. (Penal Code 626.9) School grounds include, but are not limited to, school buildings, fields, storage areas, and parking lots. (Penal Code 626.9) Firearm includes any devices set forth in Penal Code section 16520. (Penal Code 626.9, 16520)

Adopted: __/__/__

EDUCATION CODE

35021.5 School police reserve corps

38000-38005 Security and police departments

39672 School peace officers, fingerprinting

45122.1 Classified employees, conviction of a violent or serious felony

49079 Notification to teacher; student who has engaged in acts constituting grounds for suspension or expulsion

BUSINESS AND PROFESSIONS CODE

7583-7583.46 Private patrol operators

FAMILY CODE

6240-6274 Emergency protective orders

GOVERNMENT CODE

3300-3312 Public safety officers, rights and protections

8597-8598 Peace officers

PENAL CODE

290.45 Sex offenders, authority of peace officers

646.91 Emergency protective order for stalking

830-832.9 Peace officers, especially:

830.32 School District and community college police

830.6 Reserve police officers, powers and duties

832 Course of training prescribed by Commission on Peace Officer Standards and Training

832.2 School peace officers; training

832.7 Disclosure of personnel files in criminal or civil proceedings

836 Peace officers; warrants

12028.5 Taking custody of weapons

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13510-13519.9 Standards for recruitment and training

13700-13702 Response to domestic violence

WELFARE AND INSTITUTIONS CODE

707 List of crimes

828-828.1 Disclosure of information re minors by law enforcement agency

COURT CASES

San Diego Police Officers Association et al. v. City of San Diego Civil Service Commission et al.,
104 Cal.App.4th 275 (2002)

Doc# 37565-4 (02/2020, 12/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS FACILITIES**

Operations, Conservation and Maintenance

TRAFFIC AND PARKING ORDINANCES

PURPOSE: To establish the rules and ~~conditions~~**regulations** governing the use, operation, and parking of vehicles on District properties ~~of the District pursuant to Section 21113 of the California Vehicle Code.~~

The Board, pursuant to provisions of the ~~California~~ Vehicle Code, establishes ~~the following~~ rules and ~~conditions~~**ordinances** governing the use, operation, and parking of ~~motor~~ vehicles, ~~licensed (including golf carts, global electric motorears, etc.) and unlicensed (including golf carts, all terrain vehicles, etc.)~~ on District properties ~~campuses of the District~~. All rules and regulations of the Vehicle Code as well as all rules that the Superintendent shall establish in the Administrative Regulation apply ~~are applicable~~ to the use, operation, and parking on District properties. A vehicle is a device by which any person or property may be propelled, moved, or drawn upon any way, place, or street, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks. (Vehicle Code 670)

Roads on the District properties are not public thoroughfares and are subject to closure at the convenience of the District.

~~A. Ordinances for the Operation of Vehicles on the Campuses of the District:~~

- ~~1. All vehicles parked on campuses of the District in any designated parking area other than time limit zones are required to display a valid parking permit in the manner as prescribed for each type of permit and are to park only in those areas designated for each permit.~~
 - ~~a. Parking is specifically prohibited in handicap spaces except for vehicles displaying handicap decals, placards or license.~~
- ~~2. Parking is specifically prohibited, at all times, in areas listed below:~~
 - ~~a. In any zone marked with Red Curb;~~
 - ~~b. In any zone marked with Green Curb for longer than designated time;~~
 - ~~c. In any zone marked with Yellow Curb for longer than designated time for loading or unloading;~~
 - ~~d. Within fifteen (15) feet of any fire hydrant;~~
 - ~~e. On the roadside of any vehicle parked, stopped or standing at the curb or edge of any roadway (double parking);~~
 - ~~f. Employees and students shall not park in any temporary visitor area;~~

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- ~~g. To park, stop or leave standing a vehicle in any agriculture area, on or along any road or place which will impede or block the movement of any vehicle, farm machinery or equipment; and~~
- ~~h. In any zone marked with orange curbs and posted Restricted Parking, School Days between the hours of 7:00 a.m. 3:30 p.m.~~
- ~~3. Vehicles parked on the campus must comply with these regulations:~~
 - ~~a. Vehicles must be contained completely in the parking stalls, in areas designated for parking;~~
 - ~~b. Diagonally and perpendicularly parked vehicles must have one front wheel within eighteen (18) inches of the curb;~~
 - ~~c. Diagonally and perpendicularly parked vehicles shall not be backed into parking stalls; and~~
 - ~~d. All parking along roadways and areas not other wise marked must be parallel and facing the direction of traffic;~~
 - ~~e. Both inside wheels of parallel parked vehicles must be within eighteen (18) inches of the curb~~
- ~~4. It shall be unlawful to fail to obey any sign erected or posted to designate a No Parking Area, or to willfully fail or refuse to comply with any lawful order, signal or direction of any District Police Officer.~~
- ~~5. No person shall drive any vehicle or animal, nor shall any person stop, park or leave standing any vehicle or animal, whether attended or unattended, upon the driveways, sidewalks, landscape areas or areas not improved, paved or marked for parking or in any location which will impede, block, interrupt or alter the normal flow of traffic, except by special permission issued by the principal or designated representative or the Chief of the District Police Department.~~
- ~~6. It shall be unlawful to park any vehicle displaying or using an altered, substituted or unauthorized parking decal or permit.~~
- ~~B. Regulations for the Operation of Vehicles on the Campuses of the District are hereby established pursuant to provisions of the California Vehicle Code. In addition, all regulations of the California Vehicle Code, not herein augmented, are applicable to the operation of motor vehicles on the campuses of the District.~~
 - ~~1. School buses may load and unload passengers in Red Zones at any time, but must park in such areas as designated.~~

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- ~~2. District Police patrol vehicles are classified as Authorized Emergency Vehicles and are accorded all the exemptions of this classification as enumerated in the California Vehicle Code.~~
- ~~3. District owned service vehicles are classed as Emergency Repair Vehicles and are accorded all the exemptions of this classification as enumerated in the California Vehicle Code.~~
- ~~4. Roads on the District campuses are not public thoroughfares and are subject to closure at the convenience of the District Board. The Superintendent, the CUSD Chief of Police, and in their absence designated representatives, are authorized to close any campus to traffic in case of emergency so justifying and shall at the earliest convenience notify the President of the Board.~~

~~Principals may close any road on the school campuses to facilitate any school or District activities.~~

- ~~5. Violators of District Ordinances and Regulations are subject to citations, bail and fines as established by Fresno County Superior Courts.~~
 - ~~6. Vehicles owned or operated by violators of these ordinances or the California Vehicle Code may be barred from the school campuses at the discretion of the Board, Superintendent, Chief of CUSD Police, or their designated representatives.~~
 - ~~7. District Police patrol vehicles are authorized to use the sidewalks and walkways for the purpose of responding to normal service calls, as well as responding to emergency calls.~~
 - ~~8. District owned service vehicles are authorized to use sidewalks and walkways for the purpose of responding to normal service calls, as well as answering emergency calls.~~
- ~~C. Ordinances and Regulations established by the Board are effective as herein stipulated.~~

- ~~1. Permit Parking Regulations shall be in effect when day classes are in session.~~
- ~~2. Permit Parking Regulations shall not be in effect on days classes are not in session; i.e. weekends, school holidays, registration days, commencement, and such.~~
- ~~3. Parking enforcement may be relaxed for special guest parking. The relaxation may be for visiting groups or guest soliciting activities (such as drama, music, athletic events, etc.) held on the school campus. It shall be the responsibility of the activity sponsor to make arrangements through the school principal or designee with the District Chief of Police no less than ten (10) working days prior to the activity.~~

~~Visitor parking permits may be issued for limited time periods. Such permits may be issued by the school principal or the District Chief of Police or their designees.~~

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~~D. All areas on the school campus where cars may be parked legally are designated for students, staff, visitors, handicapped, and loading. The privilege to park elsewhere on campus is dependent upon the prior approval of the principal, the principal's designee or the District Chief of Police.~~

~~Time-limited zones for loading and unloading of materials marked yellow or white. Visitor parking is marked green. Motorcycles and other motorized vehicles shall be parked only in designated parking areas.~~

~~E. The high schools of the District may establish regulations and fee schedules governing the parking of student vehicles on campus.~~

~~F. The official parking citations issued by the District Police Department carry the full effect and obligations of citations issued by any police department. Compliance with the instructions on the citation becomes a matter between the individual and the Superior Court.~~

~~No person shall park and/or leave standing any vehicle on the grounds of the District at any time between the hours of 11:00 p.m. and 7:00 a.m. unless prior permission has been granted by the principal or the District Chief of Police or their designees.~~

~~The District reserves the right to tow or have towed any vehicle left between the hours of 11:00 p.m. and 7:00 a.m., without prior permission or additional notice, at the owner's expense.~~

~~G. Persons, including students and staff, park vehicles on school campus at their own risk. The District assumes no liability or responsibility for loss or damage of/to any vehicle or its contents. The District assumes no liability for damage to persons or property arising from the use of a parking decal, or permit.~~

~~H. The Board, in the best interest of campus motorists, offers the following advice:~~

- ~~1. Do not leave your keys in the ignition;~~
- ~~2. Always close all windows and lock all doors, including trunk, before leaving vehicle;~~
- ~~3. Do not leave valuables in unoccupied vehicles. If personal property must be left in the vehicle, it should be locked out of sight in the trunk, and~~
- ~~4. Report accidents, losses and suspicious occurrences or individuals to the school principal or the District police officer immediately.~~

Adopted: 07/27/1977

Reviewed: 04/10/2007, 10/03/2008

Amended: 05/13/1992, 03/93, 11/25/1996, 12/15/2004, __/__/____ (BP 5203 renumbered as BP 3515.9)

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~~Legal Reference:~~

~~All Calif. Vehicle Code Sections, particularly 165, 21113, and 21055~~

VEHICLE CODE

111 All terrain vehicle defined

345 Golf cart defined

415 Motor vehicle defined

670 Vehicle defined

21113 Driving onto public grounds; special conditions or regulations

22500 et seq. Stopping, standing, and parking

Doc# 37610-5 (02/2020, None)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS~~GENERAL SERVICES~~****Security, Safety & Emergency Procedures****EMERGENCY & DISASTER PREPAREDNESS PLAN**

PURPOSE: To establish ~~plans, rules and regulations necessary for an emergency and safe school environment including~~ disaster preparedness plan.

~~The Board has long maintained that excellence in the total educational environment can only be achieved in a school environment conducive to learning and free from fear for all participants. Further, that environment can exist only as a result of consistent implementation of a well-balanced discipline program based upon the philosophy of self-discipline, recognized student rights and responsibilities which provides proper due process procedures, and logical immediate consequences for inappropriate behavior.~~

~~The citizens of the State of California amended the California Constitution establishing that all students and staff of public primary, elementary, junior and senior high schools have the inalienable right to attend campuses which are safe, secure and peaceful. The California Supreme Court has upheld the validity of the amendment and succinctly stated that the schools must be "safe and welcoming." In order to maintain a safe school environment~~ The Board recognizes that all District staff and students must be prepared to respond quickly and responsibly ~~to in the event of an emergencyies, disasters, or threats of disasters on any a school or District sites.~~ Therefore, the Superintendent or designee shall develop and maintain a disaster preparedness plan that contains routine and emergency disaster procedures and complies with applicable laws. Such procedures shall be incorporated into the District's comprehensive school safety plan. (Education Code 32282) The Superintendent or designee shall provide such training to District employees as are required of the District relating to the District's disaster preparedness plan.

~~Emergency preparedness plans in the District will be developed in collaboration with local law enforcement and emergency response agencies including local public health administrators as necessary. Recognizing the need for standardized terminology, organizational structures, interoperable communications, consolidated action plans, unified command structures, and uniform standards for training, planning and exercising between federal, state and local agencies responsible for emergency response,~~ The District's ~~emergency~~ disaster preparedness plans shall also comply ~~are developed in accordance~~ with the National Incident Management System (NIMS) and ~~to the extent appropriate, integrated with~~ the Standardized Emergency Management System (SEMS) in California. Such compliance will meet federal or state requirements necessary to receive disaster relief funding.

~~Compliance with SEMS and NIMS mandates include but are not limited to establishing an emergency operations plan and completion of training sessions by District personnel, and be regularly updated. The emergency operations plan should also contain information regarding activation and chain of command responsibilities.~~

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In the event of a natural, manmade, or ~~war-caused civil defense~~ emergency, ~~school~~ District employees are considered disaster service workers, and are subject to disaster service activities assigned to them ~~as necessary~~. (Government Code 3100)

A. Safe Schools

The Superintendent, or ~~his~~ designee, is instructed to prepare and ensure the implementation of such regulations that will require each school principal to establish a School Site Council ~~and/or Safety Planning Committee (as defined by Education Code section 32281)~~ to assess the school climate on campus, in the community while the students are under school authority, during the lunch break, and going to and from school. Each School Site Council/~~Safety Planning committee~~ shall, in accordance with the law, develop and maintain Safe School Plans unique to the individual school climate. The Safe School Plan shall be adopted within one year of a school's opening, and annually updated thereafter according to the timeline set forth by the State of California.

The Superintendent, or ~~his~~ designee, shall review each Safe School Plan prior to its submittal to the ~~Board for approval~~ State to ensure student and staff safety and to ensure compliance with policies and regulations of the Board and statutes of the State of California. When such reviews establish that additional rules and regulations are required District wide, the Superintendent ~~or designee~~ shall make appropriate recommendations to the Board.

The School Site Council/~~Planning Committee~~ is to be particularly concerned with any conditions that exist that constitute a threat to the welfare of students and staff and to determine whether any additional rules, regulations or actions are necessary to correct such threats. When it is determined that additional rules or regulations are required, the ~~P~~ principal shall review and consider for adoption and implementation such rules.

The Superintendent ~~or designee~~ shall establish procedures to ensure notification ~~of~~ to all continuing students at the beginning of each year and new enrollees upon enrollment of the District ~~and school's discipline rules and procedures~~.

B. District-Level Crisis Readiness

At certain times, District personnel will be challenged with situations that could potentially threaten the safety of students, employees, and/or community members. The ~~Superintendent or designee~~ District will ~~create~~ shall establish and implement District-wide emergency protocols to be followed ~~if in the event~~ such a situation occurs. To manage particularly grave situations, the District will enact the Respond and Assist Crisis Team (ReACT). The ~~ReACT Planning Group Associate Superintendent, Human Resources and Communications will serve as the leader of ReACT,~~ shall determine the need to implement ReACT and coordinate all ReACT activities. The Superintendent will serve as the ReACT Team Leader and the Deputy Superintendent will be the EOC Command Center Director. A ReACT oversight committee will meet regularly to update ReACT assignments, organize and implement ReACT drills, conduct

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training and maintain on-going communications with local agencies who would be critical partners in the face of a crisis (i.e. law enforcement, fire department, ~~and~~ emergency health services ~~etc~~).

C. Communications

The Board ~~recognizes that communications systems are an absolute necessity in any efficient security program, or in the event of a natural, man-made or civil defense incident, and~~ directs that the Superintendent or designee obtain and maintain for the District a multi-channel communications system, adequate to meet daily and emergency needs of the District.

The Superintendent or designee shall communicate the District's disaster preparedness plan to P parents through various means, including but not limited to, ~~will receive annual notification of the District's Emergency Preparedness and Safe School Plans through the~~ Student and Parent Rights and Responsibilities Handbook.

Adopted: 07/23/1975

Reviewed: 08/08/2007, 10/03/2008

Amended: 12/12/1979, 05/13/1987, 07/08/1992, 07/19/2006, 05/12/2010, __/__/____ (BP 8202
renumbered as BP 3516)

EDUCATION CODE

32001 Fire alarms and drills

32040 Duty to equip school with first aid kit

32280-32289 School safety plans

32290 Safety devices

39834 Operating overloaded bus

46390-46392 Emergency average daily attendance in case of disaster

49505 Natural disaster; meals for homeless students; reimbursement

CIVIL CODE

1714.5 Release from liability for disaster service workers and shelters

GOVERNMENT CODE

3100-3109 Public employees as disaster service workers; oath or affirmation

8607 Standardized emergency management system

CALIFORNIA CONSTITUTION

Article 20, Section 3 Oath or affirmation

CODE OF REGULATIONS, TITLE 5

550 Fire drills

560 Civil defense and disaster preparedness plans

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CODE OF REGULATIONS, TITLE 19
2400-2450 Standardized emergency management system

UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
~~Education Code sections 32280-32289, 35291, 35291.5~~
~~California Constitution Article I, Section 28~~
~~5 California Code of Regulations section 560, 19 California Code of Regulations sections 2400-~~
~~2450~~
~~Government Code 3100 & 8607~~
~~Executive Order S-2-05~~

Doc# 37611-6 (02/2020, 05/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Security, Safety, and Emergency Procedures****EMERGENCY SCHEDULES**

PURPOSE: To establish schedules when hazardous environmental or weather conditions or other emergencies warrant.

The Board authorizes the Superintendent or designee to close a school site, change the regular school day schedule, or take any necessary action when hazardous environmental or weather conditions or other emergencies warrant.

When an emergency condition causes a school closure, reduction in attendance, or change in schedule pursuant to Education Code section 41422 or 46392, thereby preventing the District from complying with the minimum number of instructional days or minutes required by law, the Superintendent or designee shall complete and submit to the Superintendent of Public Instruction the necessary forms for obtaining approval of the days of the closure, reduction in attendance, or change in schedule. The Superintendent or designee shall submit other relevant District records as may be required.

The Superintendent or designee shall establish a system for informing students and parents/guardians when school buses are not operating as scheduled, the school day schedule is changed, or the school is closed. The District's notification system may include, but is not limited to, notifying local television and radio stations, posting on District web site(s), sending email and text messages, and/or making telephone calls.

Whenever the school day schedule changes after students have arrived at school, the Superintendent or designee shall ensure that students are supervised in accordance with the procedures specified in the District's emergency and disaster preparedness plan.

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

Adopted: / /

EDUCATION CODE

41420 Required length of school term

41422 Schools not maintained for 175 days

46010 Total days of attendance

46100-46192 Attendance; maximum credit; minimum day

46390 Calculation of ADA in emergency

46391 Lost or destroyed ADA records

46392 Decreased attendance in emergency situation

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VEHICLE CODE

34501.6 School buses; reduced visibility

Doc# 37566-4 (12/2019, 07/2010)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS FACILITIES**

Operations, Conservation and Maintenance

**FACILITIES INSPECTION/MAINTENANCE OF DISTRICT FACILITIES AND
GROUNDS**

PURPOSE: To require the maintenance of District facilities and grounds in good repair and establish requirements for placement of signs on District property.

The Board recognizes that the fixed assets of the District represent a significant investment of the community, and the maintenance of these assets is a prime concern of the Board.

A. Inspection of District Facilities

The Board directs the Superintendent or designee to establish and conduct of a yearly facilities inspection system for the upkeep of District facilities in accordance with applicable laws all school buildings and equipment.

The primary purpose of the facilities inspection system is to ensure that the District's facilities schools are kept in good repair, working order and condition. The term "good repair" as used here is defined in Education Code section 17002(d).

The Superintendent or designee shall develop and implement the facilities inspection system, which shall include:

1. a regular review to determine whether all school District facilities are in good repair as defined by Education Code section 17002(d),
2. a regular program of facilities repair and conditioning,
3. an equipment replacement program, and
- 4.3. The establishment of a system of priorities among the requests for repairs received from buildings school principals and other designated District staff.

B. Maintenance and Repair of Facilities and Grounds

The Superintendent or designee shall develop and disseminate to designated the staff such rules as may be necessary for the ongoing maintenance and good repair order of District facilities the physical plant and for the expeditious repair of those conditions which threaten the safety of the occupants or the integrity of the plant.

The Superintendent or designee is authorized to act on behalf of the Board to approve all landscaping plans.

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In order to maintain good order and maintenance of District ~~facilities~~**property**, principals and/or site supervisors shall obtain the approval of the Assistant Superintendent-Facilities prior to purchasing all types of memorials, plaques, benches and/or plantings. Any such items, as well as the location for placement, must meet the specifications set forth by the Assistant Superintendent-Facilities. This includes any commemorative or memorial item requested by parent teacher clubs or community members and shall be appropriately marked. Following approval by the Assistant Superintendent-Facilities, a work order must be submitted to the Plant Operations Department for the proper installation or planting of the approved item.

~~If for any reason these items must be removed by the District, they will be replaced at District expense.~~

C. ~~Damage to District Facilities~~

~~Groups or persons using District facilities shall be liable for any property damages. In order to maintain the integrity of the physical plants, any major damage to painted surfaces, wood moldings, walls, backboards, ceilings, and/or other equipment caused by improper use of scotch tape, masking tape, or any other type of tape or adhesive, or by improper use of nails, tacks, thumbtacks, etc., shall be charged against the groups or persons found to be responsible for the damage or for authorizing actions that would result in damage. The Board shall charge the amount necessary to restore the damaged surface or equipment to its original condition and may deny the group or persons further use of District facilities.~~

CD. ~~Signs on District Property~~

1. The Superintendent or designee is authorized to cause suitable signs to be erected and placed in proper places in order to meet the requirements of applicable laws and codes.
2. Signs placed on District property by District personnel advertising co-curricular or other District-sponsored activities must be removed within five ~~(5)~~ days after the end of the event.
3. Placing signs on District property by outside organizations, groups, or other members of the public without the permission of the Superintendent or designee is considered a misdemeanor as defined by the Penal Code and shall not be permitted. The Board authorizes the ~~Superintendent or designee~~**principal or site supervisor** to remove any signs that are placed on District property without proper permission or that do not comply with any board policies. ~~(See Board Policy No. 3304 for the procedures for distributing advertising materials on school property.)~~

Adopted: 07/23/1975

Amended: 05/13/1992, 12/15/2004, 07/18/2007, 11/05/2008, __/__/____ (BP 5202 renumbered as BP 3517)

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SCHOOL DISTRICT****EDUCATION CODE**

~~Education Code 17002(d) Definitions~~

~~, 17070.75 17070.10-17077.10 Leroy F. Green School Facilities Act of 1998~~

~~17565-17591 Property maintenance and control~~

~~17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account~~

~~33126 School accountability report card~~

~~35186 Williams uniform complaint procedure~~

~~35292.5-35292.6 School maintenance~~

~~, 38134, 39292.5~~

~~5 Cal. Adm. Code 630, 630-1~~

~~Penal Code 556.1-556.4 Unlawful placing of signs on public and private property~~

~~Health & Safety Code 104420~~

HEALTH AND SAFETY CODE

~~116277 Lead testing in drinking water~~

CODE OF REGULATIONS, TITLE 2

~~1859.300-1859.330 Emergency Repair Program~~

UNITED STATES CODE, TITLE 20

~~6314 Title I schoolwide program~~

UNITED STATES CODE, TITLE 42

~~300f-300j-27 Safe Drinking Water Act~~

Doc# 33611-4 (12/2019, 12/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS~~FINANCIAL SERVICES~~****Risk Management/~~Insurance~~****RISK MANAGEMENT PROGRAM/INSURANCE**

PURPOSE: To establish requirements and **risk management** programs to insure the District.

The ~~Governing~~ Board supports a risk management program which protects District resources and promotes the safety of students, staff and the public. To this end, the Superintendent or designee shall establish a risk management program which uses effective safety, risk management and loss control practices. To minimize the District's exposure to liability, the Board shall adopt clear policies related to discrimination, harassment, and safety procedures. The Superintendent or designee shall ensure that these policies and related procedures are enforced fairly and consistently. In part, that program will evaluate available risk transfer mechanisms including the purchase of insurance.

It shall be the practice of the Board to **self-insure** or purchase, as appropriate, insurance coverage which will protect the District's exposures. **Self-insurance** or **insurance** ~~Coverage~~ shall be maintained in the following general categories:

- a. Workers' compensation coverage with at least statutory limits. (**Labor Code 3700**)
- b. General liability and automobile liability, including automobile physical damage. (**Education Code 35200-35214**)
- c. Property insurance, including, fire, boiler/machinery, theft and vandalism; property loss shall be insured on a cost of replacement new (CRN) basis. (**Education Code 17565**)
- d. ~~Crime~~ (**Fidelity bond insurance**). (**Education Code 41021**)
- e. Errors and omissions.

In order to assess the range of coverage and services available, the Board shall periodically review the District's options for obtaining coverage and may use a variety of resources to solicit proposals. These methods may include use of District personnel, consultants, insurance agents, or joint powers authority personnel; and programs evaluated may include commercial insurance, insurance through a joint power agency, self-insurance or a combination of these means. To be eligible to submit a quotation, a commercial carrier must hold a rating of A+VII in the current Best Insurance Rating (or a comparable rating agency) and must be licensed to do business in the State of California. Joint ~~P~~power ~~A~~authorities submitting quotations must have met the minimum accreditation standards set forth by the California Association of Joint Power Authorities (CAJPA) or comparable evaluation criteria. The District has the sole discretion to amend the existing requirements.

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The selection of any broker service for the District shall be at the sole discretion of the Board, and the Board reserves the right to remove an insurance agent of record whenever in the judgment of the Board that such action is in the District's best interest. The Board's selection of insurance shall be based on the coverage afforded, premium, the financial strength of the coverage provided, and ancillary services including risk management, loss control and claims services.

Adopted: 07/23/1975

Reviewed: 08/12/1992

Amended: 12/12/1979, 06/08/1992, 09/22/1993, 11/19/2003, 07/19/2006, 02/27/2008, / /
(BP 4101 renumbered as BP 3530)

EDUCATION CODE

~~Education Code sections~~ 17029.5 Contract funding; board liability

‡ 17565-17592 Board duties regarding property maintenance and control

‡ 32350 Liability on equipment loaned to district

‡ 35162 Power to sue, be sued, hold and convey property

‡ 35200-35214 Liabilities, especially:

‡ 35208 Liability insurance

35211 Driver training civil liability insurance

35213 Reimbursement for loss, destruction or damage of personal property

35214 Liability self-insurance

35331 Medical or hospital service for students on field trip

‡ 39837 Transportation of pupils to places of summer employment

‡ 41021 Requirement for employees' indemnity bonds

‡ 44873 Qualifications for physicians (liability coverage)

‡ 49470-49474 District medical services and insurance

GOVERNMENT CODE

‡ ~~Government Code sections~~ 820.9 Board members not vicariously liable for injuries caused by district

‡ 989-991.2 Local public entity insurance

LABOR CODE

‡ ~~Labor Code sections~~ 3200-4855 Workers' compensation

Doc# 34609-4 (10/2019, 10/1995)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS~~GENERAL SERVICES~~****~~Student~~ Transportation Management****STUDENT TRANSPORTATION MANAGEMENT**

PURPOSE: To establish a student transportation program with effective rules and regulations for eligible students.

The Board, in accordance with the Education Code, directs the Superintendent or ~~his~~ designee to establish rules and regulations regarding:

- Ridership eligibility.
- Conduct of students while riding on school buses.
- Appropriate classroom instruction, emergency evacuation drills, and instruction in safe bus riding practices.

Transportation to and from school on buses owned, operated and contracted by the District shall be limited to students attending the ~~Clovis Unified School~~ District. Home-to-school transportation is a non-mandated program and is a privilege.

The Board may purchase, rent, or lease vehicles; contract with a common carrier or municipally owned transit system; contract with responsible private parties including the parent/guardian of the student being transported; and/or contract with the county superintendent of schools. (Education Code 35330, 39800, 39801)

In contracting for transportation services, the District shall comply with all applicable laws related to bids and contracts. (Education Code 39802-39803)

No student shall be required to be transported for any reason without the written permission of the student's parent/guardian, except in emergency situations involving illness or injury to the student pursuant to Education Code 35350 or the evacuation of students as necessary for their safety.

~~A. General~~

~~— The general policy of the District is to make a transportation program available for students who live outside an established radius zone* as outlined below and for those meeting the eligibility criteria for ridership.~~

~~1. The established radius zone distance for students shall be as follows:~~

- ~~a. For grades K-6, the radius zone will be drawn at a distance of one (1) mile from the school site.~~
- ~~b. For grades 7-12, the radius zone will be drawn at a distance of two and one half (2.5) miles from the school site.~~

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~~Students who live within the radius zones as defined above will not be provided transportation regardless of the distance to the assigned** school.~~

- ~~2. Modifications to the radius zone distance may be for special pockets*** as outlined below. Students who live inside special pockets as defined may or may not be eligible for home-to-school transportation regardless of the distance to school.~~

~~*Radius Zone: The area measured by drawing a circular radius from a central location established at the school site campus and around the school within the school's attendance boundary.~~

~~**Assigned School: The school within the student's attendance area or the school where the student has been assigned.~~

~~***Special Pockets: Areas of a neighborhood that are outside the radius zones but with similar walking conditions of students not receiving transportation, and areas which the~~

~~District Superintendent or designee has defined as critical to the academic success and attendance.~~

~~Consistent with the established radius zones, the following elementary schools are not eligible for home-to-school or recreation/intervention transportation:~~

Cole	Copper Hills	Freedom	Ft. Washington
Garfield	Jefferson	Lincoln	Maple Creek
Mickey Cox	Miramonte	Mt. View	Red Bank
Tarpey	Weldon		

- ~~3. Notwithstanding the established radius zones, transportation will be offered to students regardless of the distance to their school site who reside within areas where "adequate walking" pathways are not available while walking to and from school. It may be necessary for students to walk an indirect route or longer distance to a location where traffic control devices do exist for their safety. Adequate walking pathways shall be defined as follows:~~

- ~~• Urban: Traffic control devices are in place at major intersections (signalization). An all-weather surface is provided for the majority of pathway (concrete, asphalt, gravel). Pathways should be a minimum of three feet in width. Student should not be forced to walk into the roadway while walking.~~
- ~~• Suburban: Traffic control devices are in place at major intersections (signalization or stop sign). An all-weather surface is desirable for the majority of pathways (concrete, asphalt, gravel). Pathways should be a minimum of three feet in width. Students may need to utilize the roadway on occasions while walking to and from school or the bus stop.~~

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- ~~Rural: Limited traffic control devices are in place at major intersections. Pathway surfaces with concrete, asphalt, gravel or dirt may be utilized. Students may need to utilize the roadway on occasions while walking to and from school or the bus stop.~~
- 4. ~~The policy regarding walking and radius distances and adequate walking pathways shall be open for administrative interpretation, subject to approval of the Board, when factors such as safety, terrain, hardship, highway patrol recommendations, etc., enter into consideration.~~
- 5. ~~Bus stops shall not be established within radius zones, as set forth above, except by special order of the Board.~~

B. Fees

1. ~~An annual fee schedule shall be established by the Board for home to school transportation services. The Board will review the effectiveness of the fee-based home to school transportation program, appropriate radius parameters, and fee level on an annual basis~~
2. ~~Students living inside the radius zone parameters of one (1) mile for grades K-6, and two and one half (2.5) miles for grades 7-12 may walk to an existing bus stop and receive a ride to and from school provided they pay a fee as established in Administrative Regulation No. 8301. This fee will apply to all students living within the radius zones, and is obtainable on a space available basis which will be determined during the third week of the beginning of each school year.~~
3. ~~Students with special needs, as outlined in their "Individualized Educational Program (IEP)," who require home to school transportation will be provided transportation services at no cost.~~
4. ~~Students who meet the low income eligibility criteria as outlined in Administrative Regulation No. 8301 and live in excess of the established radius zone distance will be provided home to school transportation services at no cost.~~
5. ~~Summer school transportation will be provided at a daily cost per student as outlined in Administrative Regulation No. 8301. Passes will be sold only for the entire summer program. Pick up locations for summer school will be placed at elementary school sites located outside the established radius distance from the summer school site.~~

C. Loading and Unloading

- ~~The driver of a District or District contracted school bus shall escort grades K-12 students attending the schools of the District across the street or highway upon which the bus is stopped.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~D. Field Trips~~**

~~— All authorized field trips are considered an extension of the school day and therefore governed by the same rules and regulations as apply for home-to-school transportation.~~

Adopted: 07/23/1975

Reviewed: 03/25/2009

Amended: 09/14/1977, 12/14/1977, 09/12/1979, 12/02/1981, 12/11/1985, 08/20/1988,
06/08/1992, 09/09/1998, 02/12/2003, 09/28/2005, 01/19/2007, 08/11/2010,
___/___/___ (BP 8301 renumbered as BP 3540)

EDUCATION CODE

35330 Excursions and field trips

35350 Authority to transport pupils

39800-39860 Transportation, especially:

39800 Powers of Board to provide transportation for pupils to and from school; definition of "municipally owned transit system"

39801 Contract with county superintendent of schools to provide transportation

39802-39803 Bids and contracts for transportation services

39806 Payments to parents in lieu of transportation

39807 Food and lodging payments in lieu of transportation

39807.5 Transportation fees

39808 District transportation of private school students

41850-41854 Allowances for transportation

41860-41862 Supplemental allowances for transportation

45125.1 Criminal background checks for contractors

52311 Regional occupational centers, transportation

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

PENAL CODE

637.7 Electronic tracking devices

VEHICLE CODE

2807 School bus inspection

CODE OF REGULATIONS, TITLE 5

14100-14103 Use of school buses and school pupil activity buses

15240-15343 Allowances for student transportation, especially:

15253-15272 District records related to transportation

CODE OF REGULATIONS, TITLE 13

2025 Retrofitting of diesel school buses

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COURT DECISIONS

Arcadia Unified School District et. al. v. State Department of Education, 2 Cal. 4th 251 (1992)

Doc# 36448-5 (11/2019, 05/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Student Transportation Management****TRANSPORTATION ROUTES AND SERVICES**

PURPOSE: To set forth procedures for establishing routes and transportation services for students.

The general policy of the District is to make a transportation program available for students who live outside an established Radius Zone, as ~~defined~~ **outlined** below, and for those meeting the eligibility criteria for ridership. **Assigned School and Special Pockets, as used in this Board Policy, shall be as defined below.**

- a. Radius Zone: The area measured by drawing a circular radius from a central location established at the school site **or educational center** campus and around the school/**campus** within the ~~school's~~ attendance boundary.
 - b. Assigned School: The school within the student's attendance area or the school where the student has been assigned.
 - c. Special Pockets: Areas of a neighborhood that are outside the radius zones but with similar walking conditions of students not receiving transportation, and areas which the District Superintendent or designee has defined as critical to the academic success and attendance.
1. The established Radius Zone distance for students shall be as follows:
 - a. For grades K-6, the Radius Zone will be drawn at ~~a distance of~~ one ~~(1)~~ mile from the **Assigned sSchool-site**.
 - b. For grades 7-12, the Radius Zone will be drawn at ~~a distance of two and one half (2.5)~~ miles from the **Assigned sSchool-site**.

Students who live within the Radius Zones, as defined above, ~~will not~~ **may** be provided transportation pursuant to Board Policy and Administrative Regulation No. 3250 – **Transportation Fees**~~regardless of the distance to the Assigned School.~~

2. Modifications to the Radius Zone distance may be for Special Pockets as outlined below.

Students who live inside Special Pockets as defined may or may not be eligible for home-to-school transportation regardless of the distance to **the Assigned sSchool**.

~~Consistent with the established Radius Zones, the following elementary schools are not eligible for home-to-school or recreation/intervention transportation:~~

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Cole	Copper Hills	Freedom	Ft. Washington
Garfield	Jefferson	Lincoln	Maple Creek
Mickey Cox	Miramonte	Mt. View	Red Bank
Tarpey	Weldon	Fancher Creek	Oraze
Woods	Reagan		

3. Notwithstanding the established Radius Zones, transportation will be offered to students regardless of the distance to their school site who reside within areas where “adequate walking” pathways are not available while walking to and from school. It may be necessary for students to walk an indirect route or longer distance to a location where traffic control devices do exist for their safety. Adequate walking pathways shall be defined as follows:
- a. Urban: Traffic control devices are in place at major intersections ~~(signalization)~~. An all-weather surface is provided for the majority of pathway (concrete, asphalt, gravel). Pathways should be a minimum of three feet in width. Student should not be forced to walk into the roadway while walking.
 - b. Suburban: Traffic control devices are in place at major intersections ~~(signalization or stop sign)~~. An all-weather surface is desirable for the majority of pathways (concrete, asphalt, gravel). Pathways should be a minimum of three feet in width. Students may need to utilize the roadway on occasions while walking to and from school or the bus stop.
 - c. Rural: Limited traffic control devices are in place at major intersections. Pathway surfaces with concrete, asphalt, gravel or dirt may be utilized. Students may need to utilize the roadway on occasions while walking to and from school or the bus stop.
4. The policy regarding walking and radius distances and adequate walking pathways shall be open for administrative interpretation, subject to Board approval ~~of the Board~~, when factors, such as safety, terrain, hardship, highway patrol recommendations, ~~etc.~~, enter into consideration.
5. Bus stops shall not be established within Radius Zones, as set forth above, except by ~~special order of the~~ Board approval.

Adopted: __/__/__ (provisions moved from BP 8301)

Doc# 37426-5 (01/2020, None)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS~~GENERAL SERVICES~~**

Student Transportation Management

**TRANSPORTATION ~~FOR SCHOOL-RELATED TRIPS/OF STUDENTS BY~~ PRIVATE
VEHICLES**

PURPOSE: To establish requirements for transportation for school-related trips~~guidelines for~~
~~drivers of private vehicles when transporting students.~~

The District may provide transportation for students, employees, and other individuals for field trips and other school-related trips approved according to Board Policy and Administrative Regulation. School-related ~~groups~~~~organizations~~ requesting transportation shall be fully responsible for the costs of their trips unless funding has been approved by the ~~Governing~~ Board.

The Superintendent or designee shall determine the most appropriate and cost-effective mode of transportation for each approved trip which could include privately-owned vehicles, charter buses or District-owned buses or vehicles. When students will be transported by private vehicle, Administrative Regulation No. 3541.18302 shall be followed.

All authorized field trips are considered an extension of the school day and therefore governed by the same rules and regulations as apply for home-to-school transportation.

Adopted: 03/24/2010

Amended: __/__/__ (BP 8302 renumbered as BP 3541.1)

EDUCATION CODE

35330 Excursions and field trips

35332 Transportation by air

39830 School bus

39830.1 School pupil activity bus

39860 Liability when students not on school property

HEALTH AND SAFETY CODE

118947-118949 Prohibition against smoking in motor vehicle with minor

PUBLIC UTILITIES CODE

5384.2 District not liable for charter-party carrier

VEHICLE CODE

545 School bus, definition

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12814.6 Limitations of provisional driver's license
27315 Mandatory use of seat belts in private passenger vehicles
27360-27360.5 Child passenger restraint systems
27363 Child passenger restraint systems, exemptions

Doc# 37394-5 (11/2019, None)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Student Transportation Management****TRANSPORTATION FOR STUDENTS WITH DISABILITIES**

PURPOSE: To describe the coordination of special education transportation with home-to-school transportation and set forth criteria for meeting the transportation needs of special education students.

The Board desires to meet the transportation needs of students with disabilities to enable them to benefit from special education and related services. The District shall provide appropriate transportation services for a student with disabilities when the District is the student's district of residence and the transportation services are required by his/her individualized education program (IEP) or Section 504 accommodation plan.

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

The Superintendent or designee shall provide, if necessary, IEP teams with information about District transportation services to assist them in making decisions as to the mode, schedule, and location of transportation services that may be available to each student with disabilities. The IEP team may communicate, as needed, with District transportation staff.

Transportation services specified in a student's IEP or Section 504 plan shall be provided at no cost to the student or his/her parent/guardian.

If a student whose IEP or accommodation plan specifies transportation needs is excluded from school bus transportation for any reason, such as suspension, expulsion, or other reason, the District shall provide alternative transportation at no cost to the student or parent/guardian. (Education Code 48915.5)

When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the Superintendent or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services if specified in the student's IEP. (Education Code 56366)

The Superintendent or designee shall ensure that any mobile seating devices used on District buses are compatible with bus securement systems required by 49 CFR 571.222. (Education Code 56195.8)

As necessary, a student with disabilities may be accompanied on school transportation by a service animal, as defined in 28 CFR 35.104, including a specially trained guide dog, signal dog, or service

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dog. (Education Code 39839; Civil Code 54.1-54.2; 28 CFR 35.136)

When transportation is not specifically required by the IEP or Section 504 plan of a student with disabilities, the student shall be subject to the rules and policies regarding regular transportation offerings within the District.

It is necessary that drivers be especially courteous and helpful to those who need extra attention due to a physical or mental handicap. A driver shall never leave special education students unattended in a bus.

“In Lieu Of” Transportation

For those students meeting the ridership eligibility criteria, transportation may be provided by private carrier or the parent whenever such practices are determined by the District to be more economical or convenient than using ~~school-d~~District-owned vehicles.

Parents may be reimbursed for a portion of the transportation costs of eligible students based upon a one-way trip to school or to an existing bus stop.

The rate of reimbursement will be paid at the approved District mileage rate as specified in Board Policy. To receive payment for approved “In Lieu Of” transportation, parents must complete and submit in triplicate to the ~~Superintendent or designee~~Governing Board of the Clovis Unified ~~School District~~, a mileage certification form. Forms and instructions may be obtained from the Assistant Superintendent - Business Services. The final determination for “In Lieu Of” transportation service reimbursements is at the sole discretion of the ~~Superintendent or designee~~District.

Adopted: __/__/__ (provisions moved from AR 8301)

EDUCATION CODE

39807.5 Payment of transportation cost

39839 Guide dogs, signal dogs, and service dogs on bus

41850-41854 Allowances for transportation

48300-48315 Alternative interdistrict attendance program

48915.5 Expulsion of students with exceptional needs

56040 No cost for special education and related services

56195.8 Adoption of policies

56327 Assessment for special education and related services

56345 Individualized education program

56365-56366.1 Nonpublic nonsectarian schools or agencies

CIVIL CODE

54.1-54.2 Service animals

**CLOVIS UNIFIED
SCHOOL DISTRICT****CODE OF REGULATIONS, TITLE 5****15243 Physically handicapped minors****15271 Exclusion from report****UNITED STATES CODE, TITLE 20****1400-1482 Individuals with Disabilities Education Act****UNITED STATES CODE, TITLE 29****794 Section 504 of the Rehabilitation Act of 1973****CODE OF FEDERAL REGULATIONS, TITLE 28****35.104 Definitions****35.136 Service animals****CODE OF FEDERAL REGULATIONS, TITLE 34****104.4 Equal opportunity under the Rehabilitation Act of 1973, Section 504****300.1-300.818 Individuals with Disabilities Education Act, especially:****300.34 Transportation defined as related service****CODE OF FEDERAL REGULATIONS, TITLE 49****571.222 Federal requirements for bus securement systems****Doc# 36449-5 (01/2020, 05/2016)**

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~GENERAL SERVICES~~BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Food Services****FOOD SERVICE/CHILD NUTRITION PROGRAM**

PURPOSE: To establish a comprehensive food service program.

The food service program is ~~basically a health program and an~~ integral part of the instructional educational program and is to operate. ~~A good cafeteria system is the concern of all. It involves the members of the Board, administrators, teachers, students, nurses, and classified staff. In instituting a sound food service program, it is of major importance that a policy be developed which provides for adequate and efficient central control without the subjugation of local initiative, and provides for the best possible lunch at the most reasonable cost on a self-supporting basis.~~

~~The Board shall establish annually the cost of meals to children and adults for all cafeterias in the District and shall establish hourly and/or monthly rates of pay for all employees.~~

The Superintendent or designee, ~~Associate Superintendent for Administrative Services and Assistant Superintendent for Business Services~~ are is authorized to establish rules and regulations which ensure compliance with USDA guidelines for ~~the providing of~~ free or reduced price meals to qualified students in grades ~~pre-school~~kindergarten through continuation school.

The District is authorized to provide meals~~"Type A" lunches~~ eligible for ~~F~~federal and ~~S~~state reimbursement to serve eligible students ~~that are able to qualify~~ under the National School Lunch Act and other a la carte food items.

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program to reduce the risk of foodborne hazards at each step of the food preparation process, from receiving to service. (42 USC 1758, 7 CFR 210.13 and 220.7; see also, Health and Safety Code 113700-114437)

~~All applications and records relating to free or reduced price meal eligibility as they relate to the National School Lunch Act shall be confidential and shall not be open to public examination for any purpose not directly connected with the administration of any free or reduced price meal program.~~

~~This notwithstanding, pursuant to California Education Code Section 49558, the Governing Board authorizes the use of individual records pertaining to pupil eligibility in any free or reduced price meal program by school district employees identified by the Superintendent, or designee, solely for the purpose of disaggregation of academic achievement data subject to the following conditions:~~

- ~~1. No individual indicators of participation in the free or reduced price meal program shall be maintained in the permanent records of any students if not otherwise allowed by law.~~

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- ~~2. Information regarding individual student participation in the free or reduced price meal program shall not be publicly released.~~
- ~~3. All other confidentiality provisions required by law shall be met.~~

~~This authorization shall be reviewed annually.~~

Adopted: 07/23/1975

Reviewed: 11/13/2006, 11/10/2010

Amended: 02/11/1976, 09/1977, 12/12/1979, 06/08/1992, 05/25/1994, 04/26/2000, 11/09/2005,
____/____/____ (BP 8401 renumbered as BP 3550)

EDUCATION CODE

38080-38103 Cafeteria, establishment and use
49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
~~Education Code~~ 49500-49505 School meals ~~et seq.~~
49510-49520 Nutrition
49530-49536 Child Nutrition Act
49540-49546 Child care food program
49547-49548.3 Comprehensive nutrition services
49550-49562 Meals for needy children
49570 National School Lunch Act

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

CODE OF REGULATIONS, TITLE 5

1751-1769J National School Lunch Program, including:
1758b Local wellness policy
1761 Summer Food Service Program and Seamless Summer Feeding Options
1771-1793 Child nutrition, especially:
1772 Special Milk Program
1773 National School Breakfast Program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program
215.1-215.18 Special Milk Program
220.2-220.22 National School Breakfast Program
245.1-245.13 Eligibility for free and reduced-price meals and free milk

Doc# 36356-6 (01/2020, 12/2014)



**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Food Services****FOOD SERVICES OPERATIONS/CAFETERIA FUND**

PURPOSE: To specify the standards for food services operations and cafeteria fund.

The Board intends that school food services shall be a self-supporting, ~~nonprofit~~ program. To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the District.

The Superintendent or designee shall ensure that all food service personnel possess the required qualifications and receive ongoing professional development related to the effective management and implementation of the District's food service program in accordance with law.

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the California Department of Education (CDE). (42 USC 1776)

A. Meal Sales

Meals may be sold to students, District employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

The Board authorizes the Superintendent or designee, subject to Board approval, to ~~establishes~~ the cost of meals ~~food~~ provided to the District's students through the District's ~~Campus Catering Department~~ ~~Food Services Program~~. Meal prices shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760. Food may be paid for on a daily basis or parents may deposit money into an account for food purchases by their child throughout the school year.

When the student's account becomes low or has a negative balance, parents will be notified in writing and shall be responsible for reparation. (Education Code 49557.5)

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments. Such procedures shall conform with 2 CFR 200.426 and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians and shall make this policy and the accompanying administrative regulation available to the public.

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The Superintendent or designee shall ensure that a student whose parent/guardian has unpaid school meal fees is not overtly identified, shamed, treated differently, or served a meal that differs from the meal served to other students. (Education Code 49557.5)

Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation. Such students shall not be overtly identified or treated differently from other students.

B. Cafeteria Fund

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.

C. Contracts with Outside Services

With Board approval, the District may enter into a contract for food service consulting services or management services in one or more District schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

D. Procurement of Foods, Equipment and Supplies

To the maximum extent practicable, foods purchased for use in school meals by the District or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

A nondomestic food product may be purchased for use in the District's food service program when the product is not produced or manufactured in the United States in sufficient and reasonable quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception.

Furthermore, the District shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price of a product produced outside the state. (Food and Agricultural Code 58595)

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Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the District's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

E. Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the District's food service program with federal requirements related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

Adopted: / / (provisions moved from BP 4604)

EDUCATION CODE

38080-38086 Cafeteria, establishment and use
38090-38095 Cafeterias, funds and accounts
38100-38103 Cafeterias, allocation of charges
42646 Alternate payroll procedure
45103.5 Contracts for management consulting services; restrictions
49490-49493 School breakfast and lunch programs
49500-49505 School meals
49554 Contract for services
49550-49564.5 Meals for needy students
49580-49581 Food recovery program

FOOD AND AGRICULTURAL CODE

58595 Preference for California-grown agricultural products

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

PUBLIC CONTRACT CODE

2000-2002 Responsive bidders
20111 Contracts

CODE OF REGULATIONS, TITLE 5

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15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j School lunch programs

1771-1791 Child nutrition, including:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 2

200.56 Indirect costs, definition

200.318-200.326 Procurement standards

200.400-200.475 Cost principles

200 Appendix VII Indirect cost proposals

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

250.1-250.70 USDA foods

Doc# 36395-5 (01/2020, 03/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Food Services****SUMMER MEAL PROGRAM**

PURPOSE: To establish standards for a summer meal program.

The Board recognizes that child nutrition programs have a positive and direct impact upon children's well-being and achievement. To help students and other children in the community remain well-nourished throughout the summer vacation, the District may sponsor a summer meal program as approved by the California Department of Education (CDE).

The District may apply to the CDE to provide meals to children during any extended break in a year-round school schedule. (42 USC 1761; 7 CFR 225.2, 225.6, 225.14)

The District may serve meals at a non-school site in cases of unanticipated school closures, such as a natural disaster, unscheduled major building repair, court order related to school safety or other issues, labor-management dispute, or similar cause as approved by the CDE. (42 USC 1761; 7 CFR 225.6)

The Board authorizes the Superintendent or designee to select one or more sites for summer meal services based on state and federal program criteria and an assessment of family and community needs. When feasible, the Superintendent or designee shall involve local governmental agencies, food banks, and/or community organizations in identifying suitable site locations. The site(s) shall be approved by the CDE before meal service is initiated.

The summer meal program may be offered in conjunction with educational enrichment or recreational activities in order to encourage participation in other wellness and learning opportunities.

The Superintendent or designee may develop and coordinate outreach and promotional activities to inform parents/guardians and the community about the availability of the summer meal program and its location(s) and hours.

The Superintendent or designee shall maintain accurate records of all meals served and shall ensure the timely submission of reimbursement claims in accordance with state procedures.

The Superintendent or designee shall regularly report to the Board regarding program implementation, number of participants at each site, feedback from participating children and their parents/guardians regarding menus and service, and program costs. As needed, the Board may shall direct the Superintendent or designee to identify program modifications to increase program quality or children's access to meal services.

Board may direct the Superintendent or designee to identify program modifications to increase program quality or children's access to meal services.

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49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act

49547-49548.3 Comprehensive nutrition services

49550-49562 Meals for needy students

49570 National School Lunch Act

CODE OF REGULATIONS, TITLE 5

15510 Mandatory meals for needy students

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j School lunch programs, including:

1758b Local wellness policy

1761 Summer Food Service Program and Seamless Summer Feeding Option

1771-1792 Child nutrition, especially:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.22 National School Breakfast Program

225.1-225.20 Summer Food Service Program

Doc# 36396-4 (01/2020, 07/2010)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Food Services****FREE AND REDUCED-PRICE MEALS**

PURPOSE: To specify the requirements and standards for free and reduced-price meals.

The District shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

The Superintendent or designee shall assess the eligibility of District schools to provide breakfast and/or lunch free of charge to all students at the school under a federally funded universal meal service provision, such as Provision 2 or the Community Eligibility Provision, pursuant to 42 USC 1759a.

If any District school meets the criteria for a "very high poverty school" through its eligibility for the federal Community Eligibility Provision reimbursement rate pursuant to 42 USC 1759a, the District shall apply to the California Department of Education (CDE) to operate a universal meal service, unless the Board adopts a resolution stating that the District is unable to comply with this requirement due to fiscal hardship. The resolution shall be part of the public agenda for at least two consecutive Board meetings, first as an information item and then as an action item. The Board shall reconsider the resolution at least once every four years. (Education Code 49564; 42 USC 1759a)

The Superintendent or designee shall ensure that meals provided through the free and reduced-price meals program meet applicable state and/or federal nutritional standards in accordance with law, board policy, and administrative regulation.

The Board shall approve, and shall submit to the CDE for approval, a plan that ensures that students eligible to receive free or reduced-price meals are not treated differently from other students. (Education Code 49557)

Confidentiality/Release of Records

All applications and records concerning any individual relating to free ~~or~~ reduced-price meal eligibility ~~as they relate to the National School Lunch Act~~ shall be confidential, and ~~may~~ **shall** not be open to ~~public~~ examination for any purpose not directly connected with the administration of any free or reduced-price meal program, or any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any free or reduced-priced meal program. ~~All applications and records related to eligibility for the free and reduced-price meal program shall be confidential,~~ except as provided by law or pursuant to a court order. (Education Code 49558)

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~~This notwithstanding, pursuant to California Education Code Section 49558, the~~ Governing Board authorizes the disclosure ~~use of~~ from the individual meal records only the student's name and school meal ~~pertaining to pupil~~ eligibility status for the ~~in any~~ free or reduced price meal program by ~~school~~ District employees ~~designated~~ identified by the Superintendent, or designee, solely for the purposes of disaggregation of academic achievement data or to identify students eligible for public school choice and direct pupil services pursuant to the federal Elementary and Secondary Education Act (20 USC 6301 et seq.) if the ~~subject to the~~ following conditions are met:

1. No individual indicators of participation in the free or reduced-price meal program shall be maintained in the permanent records of any students, ~~unless if not~~ otherwise allowed by law.
2. Information regarding individual student participation in the free or reduced-price meal program shall not be publicly released.
3. All other confidentiality provisions required by law shall be met.
4. The information collected regarding individual students certified to participate in the free or reduced-price meal program is destroyed when it is no longer needed for its intended purpose.

This authorization ~~may~~ shall be reviewed annually by the Board.

~~If a student transfers from the District to another school district, charter school, county office of education program, or private school, the Superintendent or designee may share the student's meal eligibility information to the other educational agency to assist in the continuation of the student's meal benefits.~~

The Superintendent or designee may release:

1. Upon request, the name and eligibility status of a student participating in the free or reduced-price meal program to another school district, charter school, or county office of education that is serving a student living in the same household as the enrolled student for purposes related to free or reduced-price meal program eligibility and for data used in local control funding formula calculations. (Education Code 49558)
2. The name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the local control funding formula and for assessing accountability of that funding. (Education Code 49558)
3. Information on the School Lunch Program application to the local agency that determines eligibility participation in the Medi-Cal program if the student has been approved for free meals and if the applicant consents to the sharing of information pursuant to Education

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Code section 49557.5.

4. Information on the School Lunch Program application to the local agency that determines eligibility for CalFresh program or to an agency that determines eligibility for nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or reduced-price meals and if the applicant consents to the sharing of information pursuant to Education Code section 49557.3.

Information may be released for these purposes stated in 3 and 4 above only if the student's parent/guardian consents to the sharing of information and the District has entered into a memorandum of understanding with the local agency which, at a minimum, includes the roles and responsibilities of the District and local agency and the process for sharing the information. After sharing information with the local agency for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (Education Code 49557.2, 49557.3, 49558)

Adopted: __/__/__ (provisions moved from BP 8401)

EDUCATION CODE

48980 Notice at beginning of term
49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
49500-49505 School meals
49510-49520 Nutrition
49530-49536 Child Nutrition Act of 1974
49547-49548.3 Comprehensive nutrition service
49550-49564.5 Meals for needy students

CODE OF REGULATIONS, TITLE 5

15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 20

1232g Federal Educational Rights and Privacy Act
6301-6576 Elementary and Secondary Education Act

UNITED STATES CODE, TITLE 42

1751-1769j School lunch program
1771-1791 Child nutrition, especially:
1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

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220.10-220.21 National School Breakfast Program

245.1-245.13 Determination of eligibility for free and reduced-price meals and free milk

Doc# 36397-5 (01/2020, 03/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT**~~GENERAL SERVICES~~**BUSINESS AND NONINSTRUCTIONAL OPERATIONS**

Food Services

OTHER FOOD SALES

PURPOSE: To establish guidelines for competitive food sales that occur on school premises.

The Board believes that sales of foods and beverages at school during the school day should be aligned with the District's goals. Any food sales conducted outside the District's food service program shall meet nutritional standards specified in law, Board policy, and administrative regulation and shall not reduce student participation in the District's food service program.

The Board authorizes the Superintendent or designee to approve the sale of foods and beverages outside the District's food service program, including sales by student or school-connected organizations, sales through vending machines, and/or sales at secondary school student stores for fundraising purposes.

When vending machines are sponsored by the District or a student or adult organization, the Superintendent or designee shall determine how and where vending machines may be placed at school sites, District offices, or other school facilities.

Adopted: 05/23/2001

Reviewed: 06/17/2010

Amended: 11/09/2005, 05/23/2007, __/__/____ (BP 8402 renumbered as BP 3554)

EDUCATION CODE

35182.5 Contracts, non-nutritious beverages

~~38085 Availability of nutritious foods~~

48931 Authorization and sale of food

49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

~~49431 Sale of food to elementary students~~~~49431.2 Sale of food to intermediate and high school students~~~~49431.5 Sale of beverages to pupils~~

51520 School premises; prohibits solicitations

CODE OF REGULATIONS, TITLE 5

15500 Food sales in elementary schools

15501 Food sales in high schools ~~and~~ intermediate schools

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

HEALTH AND SAFETY CODE113700-114434 California ~~Uniform Retail Food Code~~ ~~Facilities Law~~**UNITED STATES CODE, TITLE 42**

1751-1769 National School Lunch Act, including:

1758b Local wellness policy

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1771-1791 Child nutrition, School Breakfast Program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

~~NATIONAL SCHOOL LUNCH PROGRAM AND SCHOOL BREAKFAST PROGRAM;
COMPETITIVE FOODS (7 CFR Parts 210.11 and 220.)~~

Doc# 35417-6 (01/2020, 11/2007)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Food Services****NUTRITION PROGRAM COMPLIANCE**

PURPOSE: To set forth procedures for compliance with nondiscrimination laws relating to the District's nutrition programs.

The Board recognizes the District's responsibility to comply with state and federal nondiscrimination laws as they apply to the District's nutrition programs. The District shall not deny any student the benefits or service of any nutrition program or discriminate against him/her on any basis prohibited by law. (7 CFR 210.23, 220.7; 34 CFR 100.1-100.13)

Coordinator

The Board designates the compliance officer specified in the District's Administrative Regulation for Uniform Complaint Procedures as the District's civil rights coordinator to ensure compliance with the laws governing its nutrition programs and to investigate any related complaints. (5 CCR 4610, 4621)

Notifications

The U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster or a substitute poster approved by the USDA's Food and Nutrition Service (FNS) shall be displayed in accordance with applicable laws, regulations, and requirements of FNS. All notices, forms, and communications required to be made available shall comply with applicable laws, regulations, and requirements of FNS.

Complaints

Any complaint concerning the District's nutrition programs shall be investigated using the process identified in the District's Board Policy and Administrative Regulation for Uniform Complaint Procedures.

When a complaint alleging discrimination of the basis of race, color, national origin, sex, age, or disability is unresolved at the District level, the coordinator shall notify the complainant of the option to contact and/or forward his/her complaint to one of the following agencies:

1. Child Nutrition Program Civil Rights and Program Complaint Coordinator, California Department of Education, Nutrition Services Division, 1430 N Street, Room 4503, Sacramento, CA 95814-2342 or call (916) 323-8531 or (800) 952-5609
2. U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service - English), (800) 845-6136 (Federal Relay Service - Spanish),

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fax (202) 690-7442, or email program.intake.usda.gov.

Adopted: / /

EDUCATION CODE

200-262.4 Prohibition of discrimination
48985 Notices to parents in language other than English
49060-49079 Student records
49490-49590 Child nutrition programs

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section
4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act
1681-1688 Discrimination based on sex or blindness, Title IX

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000h-2000h-6 Title IX
12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.23 National School Lunch Program, District responsibilities
~~215.7 Special Milk Program, requirements for participation~~
~~215.14 Special Milk Program, nondiscrimination~~
220.7 School Breakfast Program, requirements for participation
225.3 Summer Food Service Program, administration
225.7 Summer Food Service Program, program monitoring

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act
36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

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104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Doc# 36398-4 (11/2019, 07/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Records****DISTRICT RECORDS**

PURPOSE: To establish a policy addressing the classification and retention of District records.

The Board recognizes the importance of securing and retaining District records. The Superintendent or designee shall ensure that District records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee may consult with District legal counsel, site administrators, District information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of District records, including electronically stored information such as email. This document management system may consist of multiple components and shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft.

The Superintendent or designee shall ensure that employees receive information about the District's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

If the District discovers or is notified that a breach of security of District electronic records containing unencrypted personal information has occurred, the Superintendent or designee shall notify every individual whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person. (Civil Code 1798.29) Personal information includes, but is not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account. (Civil Code 1798.29)

The Superintendent or designee shall provide the notice in a timely manner either in writing or electronically, unless otherwise provided in law. The notice shall include the material specified in Civil Code 1798.29, be formatted as required, and be distributed in a timely manner, consistent with the legitimate needs of law enforcement to conduct an uncompromised investigation or any measures necessary to determine the scope of the breach and restore reasonable integrity of the data system. (Civil Code 1798.29)

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SCHOOL DISTRICT**Safe at Home Program

District public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to the Safe at Home Program, the confidential, actual address may be used to establish District residency requirements for enrollment and for school emergency purposes.

Adopted: / /

EDUCATION CODE

35145 Public meetings
35163 Official actions, minutes and journal
35250-35255 Records and reports
44031 Personnel file contents and inspection
49065 Reasonable charge for transcripts
49069 Absolute right to access

CIVIL CODE

1798.29 Breach of security involving personal information

CODE OF CIVIL PROCEDURE

1985.8 Electronic Discovery Act
2031.010-2031.060 Civil Discovery Act, scope of discovery demand
2031.210-2031.320 Civil Discovery Act, response to inspection demand

GOVERNMENT CODE

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
6252-6265 Inspection of public records
12946 Retention of employment applications and records for two years

PENAL CODE

11170 Retention of child abuse reports

CODE OF REGULATIONS, TITLE 5

430 Individual student records; definition
432 Varieties of student records
16020-16022 Records, general provisions
16023-16027 Retention of records

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

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CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.8 Family Educational Rights and Privacy Act

Doc# 36429-3 (10/2019, 05/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS**
Purchasing and Contracting
CONSULTANTS

PURPOSE: To establish a procedure for using and contracting with consultants.

The Board is committed to encourages the use of consultants when it is clear they can provide valuable and necessary specialized services not normally required on a continuing basis and which cannot be provided by District personnel because of limitations of time, experience, or knowledge.

Consultants as used in this policy are individuals, firms, or organizations who are independent contractors and with whom the District has contracted to provide specific technical or training services, or professional, technical, or expert advice, opinion, or guidance to management personnel on a limited and as needed basis which may assist management in decision-making and/or project development.

All contracts with consultants must be in writing, signed by authorized District personnel, and approved by the Board to be valid and binding upon the District.

Standard Operating Procedures outlining the process to be followed when entering into agreements with consultants, including information that is required from the consultant and the department or site that will be utilizing the services, have been developed by the Superintendent or designee District. Payment for consultant services will only be rendered upon receipt of an invoice from the consultant and receipts from the department or site be in accordance with Board Policy No. 3312 - Contracts.

Adopted: 11/20/1995

Reviewed: 01/14/2009

Amended: 03/24/2004, 12/12/2007, __/__/____ (BP 6208 renumbered as BP 3600)

~~Education Code sections 10400; 35010; 35046; 35172 (a)~~

~~Government Code section 53060~~

EDUCATION CODE

10400-10407 Cooperative improvement programs

35010 Control of Districts; prescription and enforcement of rules

35172 Promotional activities

35204 Contract with attorney

17596 Limit on continuing contracts

44925 Part-time readers employed as independent contractors

45103 Classified service in Districts not incorporating the merit system

45103.5 Contracts for food service consulting services

45134-45135 Employment of retired classified employee

45256 Merit system Districts; classified service; positions established for professional experts on

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a temporary basis

GOVERNMENT CODE
53060 Contract for special services and advice

Doc# 37680-6 (03/2020, 10/1996)