

Since 1862

Board of Trustees

Michelle Rutledge, Board President ~ Elaine Doss, Trustee ~ Mark Burton, Trustee

AGENDA

Regular Meeting

Wednesday, April 3, 2019 5pm

Nicasio School Library, 5555 Nicasio Valley Road, California

OPEN SESSION

1. **Call to Order** (*Michelle Rutledge – Board President*)
 - a. Patriotic Moment
 - b. Roll Call
 - c. Trustee/Superintendent Announcements (*Trustees and Jan Derby, Ed.D., Interim Superintendent*)
 - d. Principal Announcements (*Barbara Snekkevik, Principal*)
2. **Approval and Adoption of Agenda** (*Board President Rutledge*)
3. **Public Comment**

Public Comment is only for items not on the agenda. No formal action will be taken. Board members or district staff may, but are not obligated to, briefly respond to statements made or question posed by the public about items not appearing on the agenda. Designated amount of time to address the Board is limited to three minutes per individual. Concerns about individual employees shall not be discussed in public at school board meetings. Please contact the superintendent with specific concerns.
4. **Consent Agenda**
 - a. Approval of Minutes: March 7, 2019 Regular Meeting of the Board of Trustees (*Interim Supt. Derby*)
 - b. Ratify Warrants Paid: March, 2019 (*Margie Bonardi, Chief Business Official*)
 - c. Quarterly Report on Williams Uniform Complaints (Jan.-Mar. 2019) (*Interim Supt. Derby*)
 - d. Personnel Action (*Interim Supt. Derby*)
 - e. Disposal of Library Books in accordance with BP 3270 (*Principal Snekkevik*)
5. **Student Recognition** (*Interim Supt. Derby*)
6. **Presentations**
 - a. Marin County Free Library Update by *Raemona Little Taylor*
 - b. Spring 2019 Parent Survey Results (*Principal Snekkevik*)
7. **Action**
 - a. Revision of BP 1330 Use of School Facilities (*Interim Supt. Derby*)
 - b. BP 3000s – Business and Non-instructional Operations (*Interim Supt. Derby*)
 - c. Potential Energy Audit and Solar Application for Funding (*Interim Supt. Derby*)

6. Conclusion

- a. Agenda items for upcoming Board Agenda: May 2, 2019 5pm
- b. Adjournment

If you need assistance to access the Board meeting room or to otherwise participate at the meeting, please submit a written request to Nicasio School District Superintendent at P.O. Box 711, Nicasio, CA 94946 or office@nicasioschool.org. Notification at least 48 hours prior to the meeting will better enable the District to make reasonable accommodations in accordance with the Americans with Disabilities Act.

MINUTES

Regular Meeting

Thursday, March 7, 2019 5pm

Nicasio School Library, 5555 Nicasio Valley Road, Nicasio, California

OPEN SESSION

1. Call to Order at 5:05pm

- a. Patriotic Moment observed with appreciation for living in a place with ample water, power and sewer, and for the emergency responders who repair those systems when they break down.
- b. **Roll Call** In attendance: **Trustees Michelle Rutledge and Mark Burton** *Late arrival: Trustee Elaine Doss (5:45pm)* Also in attendance: **Interim Superintendent Jan Derby, Ed.D., Chief Business Official Margie Bonardi, Principal Barbara Snekkevik and District Secretary/Office Manager Mikki**
- c. **Trustee/Superintendent Announcements** *Interim Supt. Derby reported on the following:*
 - Upcoming Workshop Opportunities for Trustees: March 11- Marin County Library Services, 9 am at Nicasio School; March 27 - Trustee/Superintendent Annual Dinner, 5:30pm at McInnis
 - GAMUT Board Policies In Process of Review
 - New Trustee Workshop (101 Trustees in Marin) held February 28, 2019. Trustee packets were provided.
 - Brown Act Handbook-Lozano Smith – Brown Act handbook was provided to Trustees. Additional podcasts, publications, checklists and guidelines are available.
- d. **Principal Announcements** *Principal Barbara Snekkevik reported on the following:*
 - Classroom Safari assemblies, February 27th
 - American Heart Association assembly and CPR training (grades 6/7/8), February 28th
 - Read Across America, March 1st
 - Zumba and Family Fun Dance, March 14th at 6pm
 - Farm Day field trip (grades TK-5), March 21st
 - Presentation by Drake Peer Resource Students (grades 6/7/8), March 22nd
 - Puberty Ed (grades 5/6) & Sex Education (grades 7/8), March 25-29
 - Open House/Library Card Distribution Event/Talent Show, April 4th
 - Foundation "Spring Fling" fundraising event is Saturday May 18, and planning meeting is March 8 at 12:15pm, Rancho Nicasio
 - Peer Summit at Dominican University (grades 7 & 8), February 15th
 - Student recognition for February life skill, *Kindness*, at School Assembly, March 1st

- March life skill: *Perseverance*
- English Language Proficiency Assessments for California (ELPAC) completed March 6th
- February Teacher of the Month, Damena Ware
- Next Generation Science Standards Curriculum Vendor Fair, March 5th at MCOE (attended by Damena Ware, Barbara Snekkevik, Colin Williams)
- Professional Development Day, March 11th (topics will include digital resources training provided by MCFL librarians; LCAP review)
- Long-term sub for Spanish program begins March 18th
- Sandy Hook Promise Signs of Suicide Training at MCOE, March 29th (Ellian Klein and Barbara)
- School closure due to power outage, February 14th and 15th
- Library update continues (weeding/ordering of new books)
- Installation of new blinds, March 6th

2. **Approval and Adoption of Agenda**

Action: **M/S: Burton/Rutledge** to approve and adopt Open Session Agenda **Vote: 2/0 Ayes:** Burton/Rutledge; **Noes:** None

3. **Public Comment** *There were no public comments.*

4. **Consent Agenda**

- Approval of Minutes: Feb. 7, 2019 Regular Meeting of the Board of Trustees
- Ratify Warrants Paid: January-February, 2019
- Three-year Master Contract with Stephen Roatch Accountancy Corporation
- Request for Allowance of Attendance Because of Emergency Conditions
- Interdistrict Transfer Requests Out of NSD for 2019-20:
 - IDTX #19-20-01
 - IDTX #19-20-02

Action: **M/S: Burton/Rutledge** to approve and adopt Consent Agenda **Vote: 2/0 Ayes:** Burton/Rutledge; **Noes:** None

5. **Presentations**

a. **Solar Project**

David Willard, Founder of Sage Renewables, described his role and experience as a renewable energy consultant for school districts throughout the state. Although Nicasio School is too small for his scale of services, Mr. Willard offered to share resources that could be of value to the District. He outlined three solar system design options that could provide resiliency during power outages and advised ground-mounted solar panels as the easiest, most cost-effective and expedient option. The approximate cost is \$60,000-\$120,000 if backup batteries were included. A state interest free loan for the project will require an energy audit as part of the application process. The District could apply for a free audit through the Bright Schools Program. If funding is secured and the project proceeds, the District will pay less on its energy bills that it currently does over the course of the loan, according to Mr. Willard. He identified the necessary permitting and inspection steps and said the Board will need to approve a resolution for the project. He said a neighboring district may be able to provide project management and that NSD may want to consider collaborating with other small districts.

6. **Action**

a. **Water System**

Discussion: Holly McArthur provided an update to the water system upgrade funding application that was submitted to the state in 2017 and later deemed in need of additional engineering documentation. Last fall, she reported to the Board that some of those engineering elements had passed state scrutiny. Progress later stalled due to the project engineer's concerns about increases in the scope of work. A subsequent meeting between state officials and the consultant clarified the project requirements, and a revised, fixed-rate proposal totaling \$34,000 from Acme Engineering is now before the Board for consideration. Additionally, costs for the new water filters and equipment installation are estimated at \$25,000-\$50,000. Ms. McArthur expressed confidence that once the funding application is re-submitted and approved, the District will ultimately be reimbursed by the state for the entire project. She added that the District is compelled to move forward with the upgrade because the current system is not in compliance with state drinking water regulations. If the District does not act soon, the funding application will be so outdated that it will need to be re-started. Trustees concurred that the work must be done and thanked Ms. McArthur for her invaluable work in spearheading the water system upgrade project for the past several years.

Action: **M/S: Doss/Burton** to approve contract with Acme Engineering Inc. **Vote: 3/0 Ayes:** Doss/Burton/Rutledge; *Noes:* None

b. **Second Interim Budget Report**

Discussion: CBO Bonardi presented the second interim report. There was a decrease in special education costs after MCOE revised its charges due to the District's reduced need for services. As a result of that \$21,000 savings, the District is no longer deficit spending this year, CBO Bonardi reported. She said that is very good news for this year, but cautioned the district will be just maintaining its reserve levels two years from now. She added that the District will soon be looking at one-time textbook adoptions and potential negotiations.

Action: **M/S: Doss/Burton** to approve Second Interim Budget Report **Vote: 3/0 Ayes:** Doss/Burton/Rutledge; *Noes:* None

c. **Low Performance Block Grant**

Discussion: Margie: CBO Bonardi said the state analyzed student test scores from two years ago and for every student (other than special education or English-Language Learner students) that the district identified as not proficient in math and English-language arts, they will provide \$1960 per student. Nicasio School had one such student. The funds can be used to provide a measurable, reportable service to address those low proficiencies. Principal Snekkevik said the District is creating a culture of monitoring student performance with the goal of increasing student proficiency in math and language arts. Data inquiry teams were initiated last year, and discussions have taken place about utilizing Accelerated Reader's benchmark assessment service for a one-time fee of \$1600 and a per student fee of just \$4.

Action: **M/S: Doss/Burton** to approve Low Performance Block Grant **Vote: 3/0 Ayes:** Doss/Burton/Rutledge; *Noes:* None

d. **Board Policies for 0000 - Philosophy, Goals, Objectives, Comprehensive Plans and 1000 - Community Relations**

Discussion: Trustee Rutledge said the District's board policies are undergoing review and updating, and new policies are being adopted where there were none. The process began with the 0000 and 1000 series policies using GAMUT templates, and the 3000 series will be next. The District already had two of the policies – BP 1312.3 Uniform Complaints and BP 1330 Facility Use. Trustee Rutledge recommended replacing BP 1312.3 Uniform Complaints with the latest GAMUT

version because it is more detailed. Regarding BP 1330, there was discussion about re-assessing what kinds of organizations should pay facility use fees and what those fees should be. It was suggested that employees be reimbursed at their current hourly rate if they provide facility use services. Action regarding BP 1330 was tabled for further consideration at the April 3 Board meeting.

Action: **M/S: Doss/Burton** to approve all 0000 and 1000 series policies except for BP 1330 Facility Use (tabled until April 3, 2019) with modifications as noted **Vote: 3/0** Ayes: Doss/Burton/Rutledge; Noes: None

e. **Discussion and Approval of Revisions of BP/AR 5117**

Discussion: It was noted that a correction is needed on the grade-level capacity target for grades 6-8. Capacity should be changed to 6, not 7.

Action: **M/S: Doss/Burton** to approve revisions of BP/AR 5117 with correction as noted **Vote: 3/0** Ayes: Doss/Burton/Rutledge; Noes: None

f. **Comprehensive School Safety Plan**

Discussion: Principal Snekkevik said the District's comprehensive school safety plan was reviewed and submitted to MCOE last fall. She noted that California Ed. Code requires that the documents be shared with local emergency response and law enforcement agencies, which is something the District already does each year. Also included in the plan, she noted, are the latest school climate student survey results regarding whether students feel safe at school.

- g. Action: **M/S: Doss/Burton** to approve Comprehensive School Safety Plan with the modification of adding Kirby Wilcox's phone number to the emergency contacts list **Vote: 3/0** Ayes: Doss/Burton/Rutledge; Noes: None

6. **Conclusion**

- a. Agenda items for upcoming Board Agenda: April 3, 2019 5pm

- a. BP 1330
- b. Solar Update
- c. Survey Results
- d. Williams Uniform
- e. PreK Update
- f. Library Presentation

a. **Adjournment**

Action: **M/S: Doss/Burton** to adjourn meeting at 7:06pm **Vote: 3/0** Ayes: Rutledge, Doss, Burton; Noes: None

Respectfully Submitted,

Mikki McIntyre

☐ Unadopted ☐ Adopted

Elaine Doss, Board Clerk

Nicasio School District

Since 1862

Board of Trustees

Michelle Rutledge, *Board President* ~ Elaine Doss, *Trustee* ~ Mark Burton, *Trustee*

To: Nicasio School District Board of Trustees
From: Margie Bonardi, Interim CBO
Date: April 3, 2019
Re: Approval of Warrants

Objective: To approve monthly warrants

Background: Warrants are processed monthly and reflect expenditures for Nicasio School and District. November warrants include: employee payroll, district operations, safety, instructional materials, supplies, and state and county required expenditures.

Funding Source/Cost: LCFF Funds/ March 2019 Total for all batches: \$ 40,772.03
Batches: 34 through 38

Recommendation: Staff recommends approval of Warrants.

APY250 L.00.05

Marin County Office of Education
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 03/13/2019

03/26/19 PAGE 1

DISTRICT: 031 NICASIO SCHOOL DISTRICT
BATCH: 0037 GF 03/13/19
FUND : 01 GENERAL FUND

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE	LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP	DESCRIPTION		
20227367	001422/	AAERO HEATING & SHEET METAL IN				
		PO-190185	1. 01-0000-0-5610.00-0000-8100-000-000-000	90279		939.00
			WARRANT TOTAL			\$939.00
20227368	001378/	CAPITOL PUBLIC FINANCE GRP LLC				
		PO-190006	1. 01-9040-0-5839.00-0000-7300-000-000-000	CONTINUING DISCLOSURE REPT		925.00
			WARRANT TOTAL			\$925.00
20227369	001373/	EDMENTUM INC				
		PO-190200	1. 01-1100-0-4300.00-1110-1010-000-012-000	ORDER # Q123991		120.00
			WARRANT TOTAL			\$120.00
20227370	000007/	OFFICE DEPOT				
		PO-190197	1. 01-1100-0-4300.00-1110-1010-000-678-000	279287234001		116.81
			WARRANT TOTAL			\$116.81
20227371	001260/	SILYCO				
		PO-190033	2. 01-0000-0-5840.00-0000-2700-000-000-000	FEB 2019		700.00
		PO-190201	1. 01-0000-0-5600.00-0000-8100-000-000-000	PHONE2019		2,300.00
			WARRANT TOTAL			\$3,000.00
20227372	000600/	SONOMA COUNTY OFFICE OF ED				
		PO-190032	1. 01-0000-0-5829.00-0000-7100-000-000-000	IN19-02255		1,248.00
			WARRANT TOTAL			\$1,248.00
*** FUND	TOTALS ***		TOTAL NUMBER OF CHECKS:	6	TOTAL AMOUNT OF CHECKS:	\$6,348.81*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*
			TOTAL PAYMENTS:	6	TOTAL AMOUNT:	\$6,348.81*

APY250 L.00.05

Marin County Office of Education
 COMMERCIAL WARRANT REGISTER
 FOR WARRANTS DATED 03/13/2019

03/26/19 PAGE 2

DISTRICT: 031 NICASIO SCHOOL DISTRICT

BATCH: 0037 GF 03/13/19

FUND : 14 DEFERRED MAINTENANCE FUND

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT								
REQ#	REFERENCE	LN	FD	RESC	Y	OBJT	SO	GOAL	FUNC	LOC	ACT	GRP	DESCRIPTION	AMOUNT
20227373	001260/	SILYCO												
		PO-190201	2.	14-0000-0-5610.00-0000-8100-000-000-000									PHONE2019	3,113.00
													WARRANT TOTAL	\$3,113.00
*** FUND	TOTALS ***													
													TOTAL NUMBER OF CHECKS:	1
													TOTAL ACH GENERATED:	0
													TOTAL EFT GENERATED:	0
													TOTAL PAYMENTS:	1
													TOTAL AMOUNT OF CHECKS:	\$3,113.00*
													TOTAL AMOUNT OF ACH:	\$.00*
													TOTAL AMOUNT OF EFT:	\$.00*
													TOTAL AMOUNT:	\$3,113.00*
*** BATCH TOTALS ***														
													TOTAL NUMBER OF CHECKS:	7
													TOTAL ACH GENERATED:	0
													TOTAL EFT GENERATED:	0
													TOTAL PAYMENTS:	7
													TOTAL AMOUNT OF CHECKS:	\$9,461.81*
													TOTAL AMOUNT OF ACH:	\$.00*
													TOTAL AMOUNT OF EFT:	\$.00*
													TOTAL AMOUNT:	\$9,461.81*
*** DISTRICT TOTALS ***														
													TOTAL NUMBER OF CHECKS:	7
													TOTAL ACH GENERATED:	0
													TOTAL EFT GENERATED:	0
													TOTAL PAYMENTS:	7
													TOTAL AMOUNT OF CHECKS:	\$9,461.81*
													TOTAL AMOUNT OF ACH:	\$.00*
													TOTAL AMOUNT OF EFT:	\$.00*
													TOTAL AMOUNT:	\$9,461.81*

APY250 L.00.05

Marin County Office of Education
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 03/27/2019

03/26/19 PAGE 1

DISTRICT: 031 NICASIO SCHOOL DISTRICT

BATCH: 0038 GF 03/27/19

FUND : 01 GENERAL FUND

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE	LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP	DESCRIPTION		
20228830	000922/	AMERIGAS				
		PO-190001	1. 01-0000-0-5505.00-0000-8200-000-000-000	3090075368		2,036.52
			WARRANT TOTAL			\$2,036.52
20228831	000568/	AT&T				
		PO-190002	1. 01-0000-0-5970.00-0000-2700-000-000-000	000012767726		87.05
			WARRANT TOTAL			\$87.05
20228832	001416/	MARGIE BONARDI				
		PV-190057	01-0000-0-4300.00-0000-2700-000-000-000	REIMB PRINTER INK CARTRIDGES		102.79
			WARRANT TOTAL			\$102.79
20228833	001347/	ROBYN BURTON				
		PO-190205	1. 01-9329-0-4300.00-1110-1010-000-000-000	GARDEN IMPROVE		419.00
			WARRANT TOTAL			\$419.00
20228834	001335/	CON E SOLUTIONS				
		PO-190007	1. 01-0000-0-5840.00-0000-2700-000-000-000	NOV 1-FEB 28, 2019		325.00
			WARRANT TOTAL			\$325.00
20228835	000048/	CSBA				
		PO-190211	1. 01-0000-0-5300.00-0000-7100-000-000-000	INV 44708-V9R1J0		215.00
			WARRANT TOTAL			\$215.00
20228836	000807/	JERRY & DON'S PUMP & WELL				
		PO-190012	1. 01-0000-0-5535.00-0000-8200-000-000-000	MAR0048-FC		20.31
			1. 01-0000-0-5535.00-0000-8200-000-000-000	0132606-IN		1,354.27
			1. 01-0000-0-5535.00-0000-8200-000-000-000	0132992-IN		975.14
			WARRANT TOTAL			\$2,349.72
20228837	000915/	MARIN COUNTY REG. OF VOTERS				
		PO-190212	1. 01-0000-0-5814.00-0000-7100-000-000-000	NOV 2018 GENERAL ELECTION		250.00
			WARRANT TOTAL			\$250.00
20228838	001446/	NATURE BRIDGE				
		PO-190149	1. 01-9315-0-5819.00-1110-1010-000-345-000	INV 1902-000532		3,548.25

APY250 L.00.05

Marin County Office of Education
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 03/27/2019

03/26/19 PAGE 2

DISTRICT: 031 NICASIO SCHOOL DISTRICT
BATCH: 0038 GF 03/27/19
FUND : 01 GENERAL FUND

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE	LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP	DESCRIPTION		
WARRANT TOTAL						\$3,548.25
20228839	001323/	NORTH BAY TAXI				
		PO-190039	1. 01-6500-0-5840.00-5770-3600-000-707-000	FEB 2019		1,890.00
WARRANT TOTAL						\$1,890.00
20228840	000007/	OFFICE DEPOT				
		PO-190203	1. 01-0000-0-4300.00-0000-2700-000-000-000	284844518001		23.60
			2. 01-0000-0-4300.00-0000-8200-000-000-000	284834782001		12.00
WARRANT TOTAL						\$35.60
20228841	001158/	PAUL DOLCINI SEWER SVC & PLUMB				
		PO-190210	1. 01-0000-0-5610.00-0000-8100-000-000-000	NO. 11150		225.00
WARRANT TOTAL						\$225.00
20228842	000021/	RECOLOGY				
		PO-190030	1. 01-0000-0-5550.00-0000-8200-000-000-000	FEB 2019		350.02
			1. 01-0000-0-5550.00-0000-8200-000-000-000	OWED PRIOR MONTH PAY 4Y RECYCL		84.32
WARRANT TOTAL						\$434.34
20228843	001272/	RAUL SALDANA				
		PO-190031	1. 01-0000-0-5840.00-0000-8100-000-000-000	MARCH 2019		400.00
		PV-190058	01-0000-0-4300.00-0000-8100-000-000-000	REIMB LOCK		19.04
WARRANT TOTAL						\$419.04
20228844	001185/	STEPHEN ROATCH ACCOUNTANCY COR				
		PO-190035	1. 01-0000-0-5809.00-0000-7191-000-000-000	FINAL 2017-18 AUDIT		825.00
WARRANT TOTAL						\$825.00
*** FUND	TOTALS ***		TOTAL NUMBER OF CHECKS:	15	TOTAL AMOUNT OF CHECKS:	\$13,162.31*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*
			TOTAL PAYMENTS:	15	TOTAL AMOUNT:	\$13,162.31*
*** BATCH TOTALS ***			TOTAL NUMBER OF CHECKS:	15	TOTAL AMOUNT OF CHECKS:	\$13,162.31*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*
			TOTAL PAYMENTS:	15	TOTAL AMOUNT:	\$13,162.31*
*** DISTRICT TOTALS ***			TOTAL NUMBER OF CHECKS:	15	TOTAL AMOUNT OF CHECKS:	\$13,162.31*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*
			TOTAL PAYMENTS:	15	TOTAL AMOUNT:	\$13,162.31*

APY250 L.00.05

Marin County Office of Education
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 03/06/2019

03/26/19 PAGE 1

DISTRICT: 031 NICASIO SCHOOL DISTRICT
BATCH: 0035 GF/FUND 14 03/06/19
FUND : 01 GENERAL FUND

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE	LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP	DESCRIPTION		
20226595	000922/	AMERIGAS				
		PO-190001	1. 01-0000-0-5505.00-0000-8200-000-000-000	3088799108		1,088.61
			WARRANT TOTAL			\$1,088.61
20226596	000568/	AT&T				
		PO-190002	1. 01-0000-0-5970.00-0000-2700-000-000-000	000012625786		86.43
			WARRANT TOTAL			\$86.43
20226597	001399/	BACR				
		PO-190153	1. 01-3327-0-5800.00-5771-3120-000-000-000	1901009		1,974.00
			2. 01-6513-0-5800.00-5771-3120-000-000-000	1901009		2,526.00
			WARRANT TOTAL			\$4,500.00
20226598	001049/	BLICK ART MATERIALS				
		PO-190189	1. 01-9320-0-4300.00-1451-1010-000-000-000	1059348		366.92
			WARRANT TOTAL			\$366.92
20226599	001415/	CLASSROOM SAFARI				
		PO-190198	1. 01-9315-0-5840.00-1110-1010-000-000-000	VIP CLASSROOM PRESENTAATION		700.00
			WARRANT TOTAL			\$700.00
20226600	001324/	GLOBAL INNOVATIONS COTERIE LLC				
		PO-190194	1. 01-0000-0-4300.00-0000-8200-000-000-000	19-0133		188.30
			WARRANT TOTAL			\$188.30
20226601	001323/	NORTH BAY TAXI				
		PO-190039	1. 01-6500-0-5840.00-5770-3600-000-707-000	JANUARY 2019		2,240.00
			WARRANT TOTAL			\$2,240.00
20226602	000007/	OFFICE DEPOT				
		PO-190193	2. 01-0000-0-4300.00-0000-2700-000-000-000	273374044001		141.32
			1. 01-5830-0-4300.00-1110-1010-000-000-000	273374044001		303.62
		PO-190196	1. 01-0000-0-4300.00-0000-7300-000-000-000	274289724001		45.02
			WARRANT TOTAL			\$489.96
20226603	000012/	P G & E				
		PO-190026	1. 01-0000-0-5510.00-0000-8200-000-000-000	8516765363-4		722.70

APY250 L.00.05

Marin County Office of Education
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 03/06/2019

03/26/19 PAGE 2

DISTRICT: 031 NICASIO SCHOOL DISTRICT
BATCH: 0035 GF/FUND 14 03/06/19
FUND : 01 GENERAL FUND

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT		
REQ#	REFERENCE	LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP	DESCRIPTION				
WARRANT TOTAL						\$722.70		
20226604	001204/	PROTECTION ONE ALARM MONITORIN						
	PO-190029	1.	01-0000-0-5620.00-0000-8300-000-000-000	INV 127395112		99.99		
WARRANT TOTAL						\$99.99		
*** FUND	TOTALS ***	TOTAL NUMBER OF CHECKS:				10	TOTAL AMOUNT OF CHECKS:	\$10,482.91*
		TOTAL ACH GENERATED:				0	TOTAL AMOUNT OF ACH:	\$.00*
		TOTAL EFT GENERATED:				0	TOTAL AMOUNT OF EFT:	\$.00*
		TOTAL PAYMENTS:				10	TOTAL AMOUNT:	\$10,482.91*

APY250 L.00.05

Marin County Office of Education
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 03/06/2019

03/26/19 PAGE 3

DISTRICT: 031 NICASIO SCHOOL DISTRICT

BATCH: 0035 GF/FUND 14 03/06/19

FUND : 14 DEFERRED MAINTENANCE FUND

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT								
REQ#	REFERENCE	LN	PD	RESC	Y	OBJT	SO	GOAL	FUNC	LOC	ACT	GRP	DESCRIPTION	AMOUNT
20226605	001422/	AAERO HEATING & SHEET METAL IN												
		PO-190199	1.	14	-0000-0-5610.00-0000-8100-000-000-000								INV 7015	7,580.00
		WARRANT TOTAL												\$7,580.00
*** FUND		TOTALS ***		TOTAL NUMBER OF CHECKS:		1	TOTAL AMOUNT OF CHECKS:							\$7,580.00*
				TOTAL ACH GENERATED:		0	TOTAL AMOUNT OF ACH:							\$.00*
				TOTAL EFT GENERATED:		0	TOTAL AMOUNT OF EFT:							\$.00*
				TOTAL PAYMENTS:		1	TOTAL AMOUNT:							\$7,580.00*
*** BATCH TOTALS ***				TOTAL NUMBER OF CHECKS:		11	TOTAL AMOUNT OF CHECKS:							\$18,062.91*
				TOTAL ACH GENERATED:		0	TOTAL AMOUNT OF ACH:							\$.00*
				TOTAL EFT GENERATED:		0	TOTAL AMOUNT OF EFT:							\$.00*
				TOTAL PAYMENTS:		11	TOTAL AMOUNT:							\$18,062.91*

APY250 L.00.05

Marin County Office of Education
 COMMERCIAL WARRANT REGISTER
 FOR WARRANTS DATED 03/06/2019

03/26/19 PAGE 4

DISTRICT: 031 NICASIO SCHOOL DISTRICT
 BATCH: 0036 03/06/19 PGE
 FUND : 01 GENERAL FUND

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE	LN	PD RESC Y OBJT SO GOAL FUNC LOC ACT GRP	DESCRIPTION		
20226606	000012/	P G & E				
	PO-190026	1.	01-0000-0-5510.00-0000-8200-000-000-000	4964672870-6		85.00
			WARRANT TOTAL			\$85.00
*** FUND	TOTALS ***		TOTAL NUMBER OF CHECKS:	1	TOTAL AMOUNT OF CHECKS:	\$85.00*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*
			TOTAL PAYMENTS:	1	TOTAL AMOUNT:	\$85.00*
*** BATCH TOTALS ***			TOTAL NUMBER OF CHECKS:	1	TOTAL AMOUNT OF CHECKS:	\$85.00*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*
			TOTAL PAYMENTS:	1	TOTAL AMOUNT:	\$85.00*
*** DISTRICT TOTALS ***			TOTAL NUMBER OF CHECKS:	12	TOTAL AMOUNT OF CHECKS:	\$18,147.91*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*
			TOTAL PAYMENTS:	12	TOTAL AMOUNT:	\$18,147.91*

Nicasio School District

Since 1862

Board of Trustees

Michelle Rutledge, *Board President* ~ Elaine Doss, *Trustee* ~ Mark Burton, *Trustee*

To: Nicasio School District Board of Trustees
From: Jan La Torre-Derby, Ed.D. Interim Superintendent
Date: April 3, 2019
Re: Action: Quarterly Reports Williams Uniform Complaints LCAP Goals #1-4

Objective:

To approve the Quarterly Report on Williams Complaints

Background:

Education Code 35186 (d) requires school district to complete a quarterly report to ensure access and availability for textbooks, instructional materials, teacher assignments, and CAHSEE instruction for high school students.

Nicasio School District is in compliance with all aspects of the Education Code 35186. There were no complaints filed as indicated on the required quarterly report.

Funding Source/Cost:

NA

Recommendation:

Superintendent recommends approval of the Quarterly Report on Williams Uniform Complaints.

Quarterly Report on Williams Uniform Complaints
[Education Code Section 35186]
Fiscal Year 2018-19

District: Marin County Office of Education

Person completing this form: Jan LaTorre

Title: Interim Superintendent

Quarterly Report Submission Date: (check one)

<input type="checkbox"/>	July 2018	(4/1/18 to 6/30/18)
<input type="checkbox"/>	October 2018	(7/1/18 to 9/30/18)
<input type="checkbox"/>	January 2019	(10/1/18 to 12/31/18)
<input checked="" type="checkbox"/>	April 2019	(1/1/19 to 3/31/19)

Date for information to be reported publicly at governing board meeting: April 3, 2019

Please check the box that applies:

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

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0		
Teacher Vacancy or Misassignment	0		
Facilities Conditions	0		
Totals	0		

Jan LaTorre

Name of District Superintendent

Signature of District Superintendent

Nicasio School District

Since 1862

Agenda Item # 4d

Board of Trustees

Michelle Rutledge, *Board President* ~ Elaine Doss, *Trustee* ~ Mark Burton, *Trustee*

To: Nicasio School District Board of Trustees
From: Jan La Torre-Derby, Ed.D. Interim Superintendent
Date: April 3, 2019
Re: Consent: Personnel Action

Objective:

To approve Personnel Action regarding resignation and reduction in contract

Background:

Two of our valued staff members have requested position changes for the 2019-20 school year.

Jamie Vattuone, our outstanding PE teacher, has resigned his position as PE Specialist for Nicasio School District. He is going back to Sonoma State to get his single subject PE credential in order to serve as a certificated staff member. This is a tremendous loss as Jaime has created an excellent program and relationships with the students. We wish Jaime all the best, and hope we will see him again as a certificated teacher.

Erica Sommers our exceptional classified staff member has requested a reduction in her contract from 1FTE to a .4 FTE. Erica is about to become a grandmother and wants to be sure to enjoy every possible opportunity to support her family. We are grateful Erica will not be leaving us completely and will continue to support Nicasio School staff and students.

Funding Source/Cost:

TBD Advertisement for the replacement positions, will begin once Trustees approve the Personnel Action. Placement on the salary schedule will be determined once staff has been replaced.

Recommendation:

Staff recommends approval of the Personal Action as listed and requested by each staff member.

March 19, 2019

To: Barbara Snekkevik, Principal/Nicasio School

Re: Reduction of Hours

Dear Barbara:

As per our discussion, I would like to make changes in my work schedule. I would like to continue to work at Nicasio two days a week this coming 2019-2020 school year and therefore am requesting a reduction of hours.

Respectfully,

Erica Sommers

James Vattuone
Novato, CA 94949

Dear Nicasio School,

I am regretfully writing this letter to inform Nicasio School that I will be resigning from my duty as a Physical Education Specialist at the end of the 2019 school year. I am pursuing my own education to earn a credential and hope to become a full time teacher. I appreciate the opportunity to be apart of the Nicasio School family as I have enjoyed my time at the school, and I will always look to offer help when I can.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Vattuone', with a large circular flourish on the left side.

James Vattuone

Nicasio School District

Since 1862

Board of Trustees

Michelle Rutledge, *Board President* ~ Elaine Doss, *Trustee* ~ Mark Burton, *Trustee*

To: Nicasio School District Board of Trustees
From: Barbara Snekkevik, Principal
Date: April 3, 2019
Re: Disposal of Library Books in accordance with BP 3270 (LCAP Goal 2)

Objective:

To approve the disposal of obsolete library books in accordance with BP 3270

Background:

As a part of our ongoing collaboration with the Marin County Free Library, our school library collection has been reviewed by a team of MCFL credentialed librarians. Books considered to be duplicates or obsolete were “weeded” out in order to create room in the catalog for new replacement books. Nicasio School will seek to donate these books to a charitable organization. If one is not found, the books will be disposed of in accordance with BP 3270.

Funding Source/Cost:

NA

Recommendation:

Staff recommends approval of the donation/disposal of obsolete library books

Nicasio School District

Since 1862

Board of Trustees

Michelle Rutledge, *Board President* ~ Elaine Doss, *Trustee* ~ Mark Burton, *Trustee*

To: Nicasio School District Board of Trustees
From: Barbara Snekkevik, Principal Nicasio School
Date: April 3, 2019
Re: Presentation: Spring 2019 Parent Survey Results

Objective

To secure parent input on school climate, operations, and programs (LCAP Goals 1-4)

Background

Nicasio School ensures a parent survey is completed each year to provide opportunities for parent input in the areas of climate, operations, and programs. This year the survey results represent 26 of our 28 families or 93% of the population. Each household once encouraged to complete one survey. The results are very encouraging and indicate students, parents, and school staff are working well together. The parent comments are also valuable in enhancing practices to provide greater support.

Key Areas of Success	Areas to Enhance
1. Academic Success	1. Communicate behavior management systems for students
2. Respectful interaction	2. Parents as active partners
3. Parents well informed	3. Parents involved in decision making
4. Parent input welcome	4. High expectations for all students
5. Safe and interactive classrooms	5. Support for resolving conflicts between/among students
6. Response to parent contacts	6. Increase participation as classroom/school volunteers
7. Parents welcome, treated respectfully, concerns taken seriously	7. Increase participation at school board, foundation and parent club meetings
8. School staff attentive to parents	

Cost/Funding Source

NA

Recommendation

Staff recommends acceptance of the Annual Spring Parent Survey Results

Nicasio School Parent Survey Results, March 2019

The following is a summary of the Parent Survey Results, which represents 26 of 28 total families (93% response rate)

Part 1, School Climate

Our School.....	Strongly Agree/ Agree	Strongly Disagree/ Disagree	Don't Know
1. promotes academic success for all students	96%	4% (1)	0
2. treats students with respect	96%	4% (1)	0
3. clearly communicates and enforces rules for students	84%	12%	4%(1)
4. gives students opportunities to make a difference by helping others	91%	4%(1)	4%(1)
5. keeps me well-informed about school activities	96%	4%(1)	0
6. is a supportive and inviting place for students to learn	96%	4%(1)	0
7. allows input and welcomes parents' contributions	96%	4%(1)	0
8. values and respects all cultures, beliefs, and backgrounds	92%	8%(2)	0
9. gives my child opportunities to participate in classroom activities	96%	4%(1)	0
10. is a safe place for my child	96%	4%(1)	0
11. promptly responds to my phone calls, messages, or emails	96%	4%(1)	0
12. encourages me to be an active partner with the school in educating my child	88%	8%(2)	4%(1)
13. actively seeks input of parents before making important decisions	84%	12%	4%(1)
14. has clean and well-maintained facilities	96%	4%(1)	0
15. provides high quality instruction to my child	96%	4%(1)	0

Our School.....	Strongly Agree/ Agree	Strongly Disagree/ Disagree	Don't Know
16. motivates students to learn	92%	8%(2)	0
17. has teachers who go out of their way to help students	92%	8%(2)	0
18. has adults who really care about students	96%	4%(1)	0
19. has high expectations for all students	88%	8%(2)	4%(1)
20. helps students resolve conflicts with one another	80%	4%(1)	16% (4)

Part 2, Parent Communication

	Strongly Agree/ Agree	Strongly Disagree/ Disagree	Don't Know
1. Teachers communicate with parents about what students are expected to learn.	92%	8% (2)	0
2. Parents feel welcome to participate at school.	100%	0	0
3. School staff treats parents with respect.	100%	0	0
4. School staff take parent concerns seriously	100%	0	0
5. School staff is helpful to parents	100%	0	0

How well has Nicasio School been doing the following this school year?	Well	Not Very Well/ Not at All	Don't Know
1. Communicating between report cards	88%	8% (2)	4% (1)
2. Sharing information about how to help your child with homework	73%	19%	8% (2)

3. Communicating information about community events and opportunities	85%	12% (3)	4% (1)
4. Providing information about the school board	70%	27%	4% (1)
5. Providing information about the Foundation and Parent Club	81%	19%	0

Part 3, Parent Participation

During this school year, has any adult in your household...	Yes	No
1. Attended a school or classroom presentation, the Winter Holiday Program, Movie Night	81%	19%
2. Served as a classroom or school volunteer	58%	38%
3. Attended a general meeting BTSN, Open House	88%	8%
4. Attended a Nicasio School Board Meeting	38%	62%
5. Attended a Nicasio District PTA or Foundation Meeting	50%	50%
6. Attended a Parent Teacher Conference	96%	4%(1)
7. Participated in fundraising at school	85%	15%

Comments regarding school climate and school-to-home communications (8)

- Questions too broad; would like a finer scale to give a response
- Aside from attending school board meetings, I don't see the school actively involving parents in school decisions
- Perfecto, very nice. We are very happy and thank you for all the teacher's efforts.
- Everything is okay.
- Since Barbara Snekkevik became principal, these communications significantly improved. I sense that the faculty is more welcoming and willing to listen to parents' concerns and questions. The school ambiance is more inviting and open to the community and parents as a result. This change has motivated me to become more involved in the school.
- Sometimes the long-term homework assignments sneak up on us.
- We like the communication system.

- It is fine.

Comments regarding Nicasio School Foundation and Parent Club (6)

- I don't get any published information on the Foundation or the Parent Club. If they do publish financials and other reports, I do not receive them.
- Foundation should be communicating with parents directly every week so it feels more like a group effort and we feel more involved. We rarely hear from them.
- Foundation should send out a save the date email about spring fundraiser at least 2 months in advance, just to save the date. Then invitation 1 month in advance of event.
- Prominently publish the family contribution percentage
- More aggressively advertise/educate parents on how to use the vendor/store participants that contribute a percentage of their sales to the school
- I don't have any idea about the Foundation

Comments regarding school facilities (3)

- A backup battery (TESLA Power-wall) might be worth considering to eliminate school closures due to power outages. The cost is \$7,500 and one might be enough for toilets etc.
- When are we going to use the kiln?
- Do maintenance to the garden 2-3 times per year

Final questions or comments (4)

- Great little school. Good teachers. Lots of things would be nice, but not necessary. Excellent principal
- I appreciate how quickly the faculty responds to complaints of bullying and corrects unwanted/inappropriate behaviors.
- I don't have questions. Everything is fine and this is a good form if all families agree with all the information you give us.
- I think it is fine. For me it is clear

Nicasio School District

Since 1862

Board of Trustees

Michelle Rutledge, *Board President* ~ Elaine Doss, *Trustee* ~ Mark Burton, *Trustee*

To: Nicasio School District Board of Trustees
From: Jan La Torre-Derby, Ed.D. Interim Superintendent
Date: April 3, 2019
Re: Action: Approval of Board Policy 1330 Use of School Facilities

Objective:

To review and approve Board Policy 1300 Use of School Facilities

Background:

At the March 7, 2019 board meeting, Trustees and staff discussed BP 1330 Use of School Facilities. Recommendations for changes were made particularly addressing the fee schedule and comparison of neighboring districts. Several Marin school district fee schedules were reviewed with particular attention to Novato Unified, Dixie School District, and Bolinas Stinson. Remarkably, each of these districts and Nicasio School District fee schedule were in alignment. Each of the policies follows the Civic Center Act requirements for access to school facilities as outlined in the board policy. Each of the policies reviewed also protects the district from excess costs should staff be required to ensure use of the facility, set up, or clean up.

BP 1330 has been updated as requested and aligned with current practice and fee schedule for approval.

Funding Source/Cost:

NA

Recommendation:

Staff recommends final reading and approval of BP 1330.



EDUCATION CODE - EDC

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 64100] (Title 2 enacted by Stats. 1976, Ch. 1010.)

DIVISION 3. LOCAL ADMINISTRATION [35000 - 45460] (Division 3 enacted by Stats. 1976, Ch. 1010.)

PART 23. SUPPLEMENTAL SERVICES [38000 - 38139] (Part 23 repealed (by Sec. 6) and added by Stats. 1996, Ch. 277, Sec. 5.)

~~CHAPTER 4. Miscellaneous Provisions [38110 - 38139] (Chapter 4 added by Stats. 1996, Ch. 277, Sec. 5.)~~

ARTICLE 2. Use of School Property [38130 - 38139] (Article 2 added by Stats. 1996, Ch. 277, Sec. 5.)

38134. (a) (1) The governing board of a school district shall authorize the use of school facilities or grounds under its control by a nonprofit organization, or by a club or an association organized to promote youth and school activities, including, but not necessarily limited to, any of the following:

(A) The Girl Scouts; the Boy Scouts; Camp Fire USA; or the YMCA.

(B) A parent-teacher association.

(C) A school-community advisory council.

(D) A recreational youth sports league that charges participants no more than a nominal fee. As used in this subparagraph, "nominal fee" means an average of no more than sixty dollars (\$60) per month.

(2) This subdivision does not apply to a group that uses school facilities or grounds for fundraising activities that are not beneficial to youth or public school activities of the school district, as determined by the governing board of the school district.

(b) Except as otherwise provided by law, a governing board of a school district may charge an amount not to exceed its direct costs for use of its school facilities or grounds pursuant to this section. A governing board of a school district that levies these charges shall first adopt a policy specifying which activities shall be charged an amount not to exceed direct costs.

(c) The governing board of a school district may charge an amount, not to exceed its direct costs for use of its school facilities or grounds by the entity using the school facilities or grounds, including a religious organization or church, that arranges for and supervises sports league activities for youths as described in paragraph (6) of subdivision (b) of Section 38131.

(d) The governing board of a school district that authorizes the use of school facilities or grounds for the purpose specified in paragraph (3) of subdivision (b) of Section 38131 shall charge the church or religious organization an amount at least equal to the school district's direct costs.

(e) In the case of an entertainment or a meeting where an admission fee is charged or contributions are solicited, and the net receipts are not expended for the welfare of the pupils of the school district or for charitable purposes, a charge equal to fair rental value shall be levied for the use of the school facilities or grounds.

(f) If the use of school facilities or grounds under this section results in the destruction of school property, the entity using the school facilities or grounds may be charged for an amount necessary to repay the damages, and further use of the facilities or grounds by that entity may be denied.

(g) As used in this section:

(1) "Direct costs" to the school district for the use of school facilities or grounds includes all of the following:

(A) The share of the costs of supplies, utilities, janitorial services, services of school district employees, and salaries paid to school district employees directly associated with the administration of this section to operate and maintain school facilities or grounds that is proportional to the entity's use of the school facilities or grounds under this section.

(B) The share of the costs for maintenance, repair, restoration, and refurbishment, proportional to the use of the school facilities or grounds by the entity using the school facilities or grounds under this section as follows:

(i) For purposes of this subparagraph, "school facilities" shall be limited to only nonclassroom space, and "school grounds" shall include, but not necessarily be limited to, playing fields, athletic fields, track and field venues, tennis courts, and outdoor basketball courts.

(ii) The share of the cost for maintenance, repair, restoration, and refurbishment shall not apply to:

(I) Classroom-based programs that operate after school hours, including, but not necessarily limited to, after school programs, tutoring programs, or child care programs.

(II) Organizations retained by the school or school district to provide instruction or instructional activities to pupils during school hours.

(iii) Funds collected under this subparagraph shall be deposited into a special fund that shall only be used for purposes of this section.

(2) "Fair rental value" means the direct costs to the school district plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized.

(h) By December 31, 2013, the Superintendent shall develop, and the state board shall adopt, regulations to be used by a school district in determining the proportionate share and the specific allowable costs that a school district may include as direct costs for the use of its school facilities or grounds.

(i) (1) A school district authorizing the use of school facilities or grounds under subdivision (a) is liable for an injury resulting from the negligence of the school district in the ownership and maintenance of the school facilities or grounds. An entity using school facilities or grounds under this section is liable for an injury resulting from the negligence of that entity during the use of the school facilities or grounds. The school district and the entity using the school facilities or grounds under this section shall each bear the cost of insuring against its respective risks, and shall each bear the costs of defending itself against claims arising from those risks.

(2) Notwithstanding any other law, this subdivision shall not be waived. This subdivision does not limit or affect the immunity or liability of a school district under Division 3.6 (commencing with Section 810) of Title 1 of the Government Code for injuries caused by a dangerous condition of public property.

(j) This section shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

(Amended (as amended by Stats. 2012, Ch. 764, Sec. 2) by Stats. 2016, Ch. 120, Sec. 1. (AB 1557) Effective January 1, 2017. Repealed as of January 1, 2020, by its own provisions. See later operative version, as amended by Sec. 2 of Stats. 2016, Ch. 120.)

Nicasio School District

Board Policy

Use Of School Facilities

BP 1330

Community Relations

The Governing Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 6145.5 - Student Organizations and Equal Access)

The Superintendent or designee shall give priority to school-related activities in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that: (Education Code 38133)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school facilities and on school grounds and protect school facilities, designating a person to supervise this task, if necessary

(cf. 0450 - Comprehensive School Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

Subject to prior approval by the Board, the Superintendent or designee may grant the use of school facilities or grounds on those days on which district schools are closed. (Education Code 37220)

(cf. 6115 - Ceremonies and Observances)

There shall be no advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 - Advertising and Promotion.

(cf. 1325 - Advertising and Promotion)

As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board's approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the district and the community.

(cf. 1330.1 - Joint Use Agreements)

Fees

The Board shall adopt a comprehensive schedule of fees to be charged for community use of school facilities and grounds, including, but not limited to, the multipurpose room(s), playing or athletic field(s), track and field venue(s), tennis court(s), and outdoor basketball court(s). The schedule of fees shall be prepared in accordance with 5 CCR 14037-14041. (5 CCR 14041)

(cf. 9320 - Meetings and Notices)

(Amount not exceeding direct costs to all community groups)

The Board believes that the use of school facilities or grounds should not result in an expense to the district. The Superintendent or designee shall charge all groups granted the use of school facilities or grounds under the Civic Center Act an amount not exceeding direct costs determined in accordance with 5 CCR 14037-14041. (Education Code 38134)

The Board authorizes the use of school facilities or grounds, without charge, by nonprofit organizations and by clubs or associations organized to promote youth and school activities, including, but not limited to, Girl Scouts, Boy Scouts, Camp Fire USA, YMCA, parent-teacher associations, school-community advisory councils, and recreational youth sports leagues that charge participants no more than an average of \$60 per month. Other groups that request the use of school facilities under the Civic Center Act shall be charged an amount not exceeding direct costs determined in accordance with 5 CCR 14037-14041. (Education Code 38134)

Additionally, when any use of school facilities or grounds is for religious services, the district shall charge an amount at least equal to the district's direct costs. (Education Code 38134)

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students. (Education Code 38134)

Calculating Direct Costs

Direct costs to be charged for community use of each, or each type of, school facility or grounds shall be calculated in accordance with 5 CCR 14038 and may reflect the community's proportionate share of the following costs: (Education Code 38134; 5 CCR 14038-14041)

1. Capital direct costs calculated in accordance with 5 CCR 14039, including the estimated costs of maintenance, repair, restoration, and refurbishment of non-classroom space school facilities or grounds
2. Operational direct costs calculated in accordance with 5 CCR 14040, including estimated costs of supplies, utilities, janitorial services, other services performed by district employees and/or contracted workers, and salaries and benefits paid to district employees directly associated with the administration of the Civic Center Act to operate and maintain school facilities and grounds

Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule. (5 CCR 14041)

Expending Funds Collected as Capital Direct Costs

Any funds collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds. (5 CCR 14042)

Use of School Facility as Polling Place

The Board may authorize the use of school buildings as polling places on any election day, and may also authorize the use of school buildings, without cost, for the storage of voting machines and other vote-tabulating devices. However, if a city or county elections official specifically requests the use of a school building as a polling place, the Board shall allow its use for such purpose. If school will be in session, the Superintendent or designee shall identify to elections officials the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places. (Elections Code 12283)

(cf. 6111 - School Calendar)

When a school is used as a polling place, the Superintendent or designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and shall make a telephone line for Internet access available for use by local elections officials if so requested. He/she shall make a reasonable effort to ensure that the site is accessible to persons with disabilities. (Elections Code 12283)

The Superintendent or designee shall establish procedures to ensure student safety and minimize disruptions whenever school is in session while the facilities are being used as a polling place.

(cf. 3515.2 - Disruptions)

Legal Reference:

EDUCATION CODE

10900-10914.5 Community recreation programs

32282 School safety plan

37220 School holidays

38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

25608 Alcoholic beverage on school premises

ELECTIONS CODE

12283 Polling places: schools

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

MILITARY AND VETERANS CODE

1800 Definitions

CODE OF REGULATIONS, TITLE 5

14037-14042 Proportionate direct costs for use of school facilities and grounds

UNITED STATES CODE, TITLE 20

7905 Equal access to public school facilities

COURT DECISIONS

Good News Club v. Milford Central School, (2001) 533 U.S. 98

Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384

Cole v. Richardson, (1972) 405 U.S. 676

Connell v. Higgenbotham, (1971) 403 U.S. 207

ACLU v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167

Ellis v. Board of Education, (1945) 27 Cal.2d 322

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen. 90 (1999)

79 Ops.Cal.Atty.Gen. 248 (1996)

Management Resources:

CSBA PUBLICATIONS

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

WEB SITES

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

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

(4/13 8/14) 7/18

Nicasio School District

Administrative Regulation

Use Of School Facilities

AR 1330

Community Relations

Application for Use of Facilities

Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Persons or organizations applying for the use of school facilities or grounds shall submit a facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts.

Civic Center Use

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131)

1. Public, literary, scientific, recreational, educational, or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
6. Supervised recreational activities, including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination
7. A community youth center

8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Governing Board

Restrictions

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of school facilities for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of drugs or any restricted substances, including tobacco

(cf. 3513.3 - Tobacco-Free Schools)

4. Any use which involves the possession, consumption, or sale of alcoholic beverages, except for special events approved by the Superintendent or designee pursuant to Business and Professions Code 25608 which are covered by a special events permit pursuant to Division 9 of the Business and Professions Code and which will occur at a time when students are not on the grounds. Any such use of school facilities shall be subject to any limitations that may be necessary to reduce risks to the district and ensure the safety of participants, as determined by the Superintendent or designee. Applicable limitations shall be clearly stated in the facility use agreement to be signed by the user's representative.

Categories of Use

Category 1

School-related activities and organizations, including, without limitation, school clubs, the school board, site council, and school sponsored after-school programs

Category 2

Local non-profit organizations, clubs and associations that are specifically organized to promote activities for youth and/or the Nicasio community. These include, without limitation, the Nicasio School Foundation, the Nicasio 4-H Club, the Nicasio Volunteer Fire Department (including Disaster Council and Ladies Auxiliary), the Nicasio Land Owners Association, Nicasio Land Preserve, Nicasio Historical Society, St. Mary's Church, Red Cross, and District Elections.

Category 3

Other non-profit organizations, clubs and associations contemplated by the Civic Center Act, including, but not limited to:

- a. Public, literary, scientific, recreational, education or public agency meetings.
- b. The discussion of matters of general or public interest.
- c. The conduct of religious services for temporary period, on a one-time or renewable basis, by any church or religious organization.
- d. Childcare programs to provide supervision and activities for children of preschool and elementary school age.
- e. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies.
- f. Supervised recreational activities including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations, etc.

Category 4

For-profit organizations and groups which use school facilities or grounds for entertainment or meetings where admission is charged or contributions are solicited and net receipts are not to be expended for charitable purposes or for the welfare of the District's students. Private individuals and groups, at the site administrator's discretion, may rent campus facilities, the fee for which will be determined by the site administrator.

Priorities

1. No use shall interfere with the regular conduct of school or school work.
2. Category 1 shall have first priority in the use of District facilities.
3. Other Categories may use district facilities in accordance with this policy if and when available.
4. As a general rule, no use of district facilities will be granted to individuals or unrecognized groups for personal or private functions.

Rental Fees and Other Charges

No rental fees will be charged to organizations that fall under Category 1 or Category 2. Category 3 users will be charged rental fees based on the direct cost of using the district facilities. Users belonging to Category 4 will be charged rental fees based on fair rental value.

Rental Fees

Rental areas and associated fees listed below may be modified at the discretion of the District to accommodate for special circumstances and use.

The rental areas and associated fees may not include the use of water and/or bathrooms due to the District's limited supply of well water. In such cases, the sponsoring organization will be responsible for arranging for and providing onsite portable toilets.

Facility	Category 3	Category 4
Classroom	\$30/hour	\$50/hour
Library	\$30/hour	\$50/hour
Library w/ Computer Lab	\$50/hour	\$95/hour
Multi-Purpose Room (MPR) Auditorium/Stage (no kitchen)	\$40/hour	\$75/hour
Multi-Purpose Room (MPR) w/ Kitchen	\$50/hour	\$95/hour

Large Field/Track/Basketball Court	\$40/hour	\$75/hour
Small Field/Playground	\$40/hour	\$75/hour
Parking Lot <i>When not used in conjunction with another use listed above</i>	\$75/day <i>Daytime Use</i>	\$100/day <i>Daytime Use</i>
	\$100/day <i>Nighttime Use</i>	\$125/day <i>Nighttime Use</i>
Parking Lot w/ Exterior Power <i>When not used in conjunction with another use listed above</i>	\$100/day <i>Daytime Use</i>	\$125/day <i>Daytime Use</i>
	\$125/day <i>Nighttime Use</i>	\$150/day <i>Nighttime Use</i>

Daytime Use: Between 9am and 5pm

Nighttime Use: Between 5pm and 9am

(Nighttime use fees includes any daytime hours used in addition to nighttime hours within a 24-hour period)

Other Charges

Unless waived by the District, all Categories of users other than Category 1 will be required to pay for the time the District Point Person is required to be at the District facilities during non-school hours at the rate of \$20 per hour in addition to rental fees. All Categories of users will be required to pay for any damages they cause to district facilities.

Damage and Liability

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

Groups or persons using district facilities shall be liable for any injuries and/or property damage caused by their use, and shall bear the cost of insuring against such risks and defending themselves against claims arising from such risks. Unless waived by the District's Superintendent or designee, all groups or persons using district facilities are required to carry liability insurance policies with a combined single limit of at least \$1,000,000 per occurrence, to cause the District to be designated as an additional insured on such policy, and to provide the District with a certificate evidencing that such insurance is in place. The District's Superintendent or designee may require a hold harmless agreement when warranted by the type of activity or the specific facility being used.

Application Process

A group or person wishing to use district facilities ("Applicant") must complete the District's application form and submit it to the District at least thirty (30) days in advance of the first date of use being requested. The person signing the form on behalf of the Applicant must be authorized by the Applicant to act on behalf of the Applicant and to bind the Applicant to the terms contained in the Application and other agreements between the District and the Applicant relating to the proposed use.

Applicants shall be notified in writing whether the application is approved or denied. If approved, a copy of the application signed by the District's representative together with special requirements shall be provided to the applicant.

Applicable fees must be received by the District at least ten (10) days prior to the scheduled use. Checks should be made payable to "Nicasio School District." There will be no refunds for cancellations made less than two (2) days before the scheduled event.

Implementation of Policy

The Superintendent or designee shall develop and maintain application procedures and regulations (AR 1330) to implement this policy which:

1. Encourage and assist groups desiring to use school facilities for approved activities, consistent with this policy;
2. Preserve order in district buildings and on district grounds and protect district facilities; and
3. Ensure that the use of district facilities and grounds is not inconsistent with the use of the school facilities for school purposes and does not interfere with the regular conduct of schoolwork.

1st Reading: October 14, 2009

2nd Reading: November 12, 2009 Board Adopted

3rd Reading: January 13, 2010 Revision

4th Reading: February 10, 2010 Board Adopted

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.

(cf. 3515.21 - Unmanned Aircraft Systems (Drones))

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Nicasio School District

Exhibit

Use Of School Facilities

E 1330

Community Relations

STATEMENT OF INFORMATION

By signing this Application, the undersigned represents and warrants to the District that:

1. The undersigned is over the age of 18 years of age and is the duly authorized representative of the Applicant and by signing this Application binds the Applicant to the terms contained within this Application.
2. To the best knowledge of the undersigned, District facilities which are the subject of this Application will not be used for the commission of any crime or any act which is prohibited by law.
3. The Applicant upholds and defends the Constitutions of the United States and the State of California.
4. The undersigned has received a copy of the "Terms and Conditions for Use of School Facilities" (E 1330D) and agrees to abide by all terms and conditions set forth within.

Printed Name of Authorized Representative

Signature of Authorized Representative

Date

APPLICATION FOR USE OF SCHOOL FACILITIES

_____, a _____ ("Applicant"),

(Name of Organization)

(Type of Organization)

whose address is _____,

hereby applies to Nicasio School District ("District") to use the District's facilities as follows:

A. Description of Organization (Applicant):

B. Area(s) of Facility for Which Use is Requested (please check all that apply):

MULTI-PURPOSE ROOM (MPR)/PARKING AREA:

MAIN CAMPUS:

☐ MPR Auditorium/Stage

☐ Classroom(s) *How many?*

☐ MPR Kitchen

☐ Library

☐ Parking Lot only (no building use needed)

☐ Computer Lab

☐ Large Field/Track/Basketball Court

☐ Small Field/Playground

ADDITIONAL NEEDS:

☐ Parking Lot Exterior Lighting

☐ Main Campus Exterior Lighting

☐ Exterior Electrical Power

☐ Other: _____

Note Regarding Water Use: Due to a limited supply of well water, the District cannot provide use of campus bathrooms or exterior water faucets for large groups of people. In such cases, the sponsoring organization will be responsible for arranging for and providing onsite portable toilets.

C. Requested Date(s) of Use: _____

D. Requested Hour(s) of Use: _____

E. Number of People Attending Event: _____

F. Purpose(s) of Use (the "Event"): _____

G. Will Applicant charge admission to the Event or solicit contributions to the Event?

☐ Yes ☐ No

H. If the response to G. above is Yes, how will net proceeds of the Event be used?

I. Name of On-Site Contact Person on Day of Event: _____

Phone: _____ Email: _____

J. Name of Authorized Representative of Applicant: _____

Phone: _____ Fax: _____

Email: _____

Signature of Authorized Representative _____ Date _____

Additional Comments:

FOR ADMINISTRATIVE USE

Date of Approval: _____

Signature of District Representative: _____

Nicasio School District

Since 1862

Board of Trustees

Michelle Rutledge, *Board President* ~ Elaine Doss, *Trustee* ~ Mark Burton, *Trustee*

To: Nicasio School District Board of Trustees
From: Jan La Torre-Derby, Ed.D. Interim Superintendent
Date: April 3, 2019
Re: Action: Approval of BP 3000s Business and Non-instructional Operations

Objective:

To review and approve policies 3000s Business and Non-instructional Operations which align with district practice and state and federal mandates

Background:

Michelle Rutledge, Nicasio School District Board President, and the Nicasio staff continue to review board policies to update and align mandates and district practice. Keenan and Associates, Nicasio School District insurance provider, was also consulted. Policies for discussion and approval include topics regarding business practices, insurance, safety practices, and operational practices. (See next page for policies to be reviewed and approved)

Funding Source/Cost:

NA

Recommendation:

Staff recommends revision/additions/approval of mandated Board Policies listed above as a first/final reading.

3000s		Business and Non-instructional Operations
3000	BP Concepts and Roles	3513.3 AR Tobacco Free Schools
3100	BP Budget	3513.4 BP Drug Alcohol Schools
3230	BP Federal Grant Funds	3514.1 BP Hazardous Substances
3230	AR Federal Grant Funds	3514.1 AR Hazardous Substances
3260	BP Fees and Charges	3514.2 AR Integrated Pest Mgmt
3260	AR Fees and Charges	3515.2 BP Disruptions
3270	BP Sales,Disp, Books, Equip Sup	3515.2 AR Disruptions
3290	BP Gifts, Grants, Bequests	3515.4 BP Recovery Prop Loss
3300	BP Expenditures & Purchases	3515.4 AR Recovery Prop Loss
3311	BP Bids	3515.5 BP Sex Offender Notification
3311	AR Bids	3515.5 AR Sex Offender Notification
3311.4	AR Procurement of Tech Equip	3515.6 AR Criminal Background Checks
3312	BP Contracts	3515.7 BP Firearms on School Grounds
3312.2	BP Ed Travel Prog Contracts	3516 BP Emergency and Disaster Prep
3314	BP Payments for Goods Services	3516 AR Emergency and Disaster Prep
3314	AR Payments for Goods Services	3516.1 AR Fire Drills and Fires
3320	BP Claims Actions Against Dist	3516.2 AR Bomb Threats
3320	AR Claims Actions Against Dist	3516.3 AR Earthquake Emergency Procedure
3350	BP Travel Expense	3516.5 BP Emergency Schedules
3400	BP/AR Mgmt Dist Assets Acct	3517 AR Facilities Inspections
3440	Inventories	3530 BP Risk Mgmt
3460	BP/AR Financial Reports Acct	3530 AR Risk Mgmt
3470	BP Debt Issuance Mgmt	3541.1 AR Transport School Trips
3511	BP Energy and Water Mgmt	3541.1 Ex Transport School Trips
3511	AR Energy and Water Mgmt	3541.2 Transport for Students w/Disabilities
3512	AR Equipment	3580 BP District Records
3513.3	BP Tobacco Free Schools	3580 AR District Records
3513.3	AR Tobacco Free Schools	3600 BP Consultants
3513.4	BP Drug Alcohol Schools	

Nicasio School District

Board Policy

Concepts And Roles

BP 3000

Business and Noninstructional Operations

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

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

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

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

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

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

(cf. 9000 - Role of the Board)

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

(cf. 3110 - Transfer of Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

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

(cf. 3430 - Investing)

(cf. 3440 - Inventories)

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

(cf. 0500 - Accountability)

(cf. 3460 - Financial Reports and Accountability)

Legal Reference:

EDUCATION CODE

35035 Powers and duties of superintendent

35160 Authority of governing boards

35160.1 Broad authority of school district

35161 Powers and duties of governing boards

Management Resources:

WEB SITES

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

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

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

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

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

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Nicasio School District

Board Policy

Budget

BP 3100

Business and Noninstructional Operations

The Governing Board recognizes its critical responsibility for adopting a sound budget each fiscal year which is aligned with the district's vision, goals, priorities, local control and accountability plan (LCAP), and other comprehensive plans. The district budget shall guide decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

- (cf. 0000 - Vision)
- (cf. 0200 - Goals for the School District)
- (cf. 0400 - Comprehensive Plans)
- (cf. 0460 - Local Control and Accountability Plan)
- (cf. 3300 - Expenditures and Purchases)
- (cf. 3460 - Financial Reports and Accountability)
- (cf. 9000 - Role of the Board)

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

Budget Development and Adoption Process

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

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

***Note: Education Code 42103 and 42127 require the district to hold a public hearing prior to adoption of the budget; see the accompanying administrative regulation for requirements pertaining to the public hearing. A public hearing on the district's local control and accountability plan (LCAP) must occur at the same meeting; see BP 0460 - Local Control and Accountability Plan. ***

The Board shall hold a public hearing on the proposed budget in accordance with Education Code 42103 and 42127.

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)
(cf. 9323 - Meeting Conduct)

The Board shall adopt the district budget on or before July 1 of each year. (Education Code 42127)

At a public meeting scheduled on a date after the public hearing on the budget, the Board shall, following its adoption of the LCAP or an annual update to the LCAP, adopt the budget. The budget shall include the expenditures necessary to implement the LCAP or the annual update to the LCAP. (Education Code 42127, 52062)

The budget that is formally adopted by the Board shall adhere to the state's Standardized Account Code Structure as prescribed by the Superintendent of Public Instruction. (Education Code 42126, 42127)

The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

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

(cf. 1340 - Access to District Records)

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

~~Budget Advisory Committee~~

~~OPTION 1: The Superintendent or designee may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.~~

~~OPTION 2: The Board may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.~~

~~OPTION 3: The Board may establish a budget subcommittee composed exclusively of Board members.~~

~~The committee shall submit recommendations during the budget development process and its duties shall be assigned each year based on district needs. All recommendations of the committee shall be advisory only and shall not be binding on the Board.~~

~~(cf. 1220—Citizen Advisory Committees)
(cf. 2230—Representative and Deliberative Groups)
(cf. 3350—Travel Expenses)
(cf. 9130—Board Committees)
(cf. 9140—Board Representatives)~~

Budget Criteria and Standards

The Superintendent or designee shall develop a district budget in accordance with state criteria and standards specified in 5 CCR 15440-15450 as they relate to projections of average daily attendance (ADA), enrollment, ratio of ADA to enrollment, local control funding formula revenue, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, unrestricted general fund balance, and reserves. In addition, he/she shall provide the supplemental information specified in 5 CCR 15451 which addresses the methodology and budget assumptions used, contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, status of collective bargaining agreements, the LCAP, and LCAP expenditures. (Education Code 33128, 33128.3, 33129, 42127.01; 5 CCR 15440-15451)

The district budget shall provide for increasing or improving services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students in accordance with 5 CCR 15496. Unduplicated students are students who are eligible for free or reduced-price meals, English learners, and/or foster youth. (Education Code 42238.07; 5 CCR 15496)

~~(cf. 3553 - Free and Reduced Price Meals)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Learners)~~

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

~~(cf. 2210 - Administrative Discretion Regarding Board Policy)
(cf. 3110 - Transfer of Funds)~~

Fund Balance

The district shall classify fund balances in compliance with Governmental Accounting Standards Board (GASB) Statement 54, as follows:

1. Nonspendable fund balance includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g., inventories and prepaids) or that are legally or contractually required to be maintained intact.

2. Restricted fund balance includes amounts constrained to specific purposes by their providers or by law.

***Note: For purposes of the committed fund balance, GASB 54 requires that the Board commit funds no later than the end of the reporting period. In New Requirements for Reporting Fund Balance in Governmental Funds, the CDE clarifies that for districts the end of the reporting period is June 30. ***

3. Committed fund balance includes amounts constrained to specific purposes by the Board.

For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period (June 30), although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

4. Assigned fund balance includes amounts which are intended for a specific purpose but do not meet the criteria to be classified as restricted or committed.

The Board delegates authority to assign funds to the assigned fund balance to the Superintendent and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements. The Superintendent may further delegate the authority to assign funds at his/her discretion.

5. Unassigned fund balance includes amounts that are available for any purpose.

When multiple types of funds are available for an expenditure, the district shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the assigned fund balance, and lastly from the unassigned fund balance.

The Board intends to maintain a minimum assigned and unassigned fund balance in an amount the Board deems sufficient to maintain fiscal solvency and stability and to protect the district against unforeseen circumstances.

the rate at which the district will attempt to recover the fund balance (e.g., the Board shall develop a plan to recover the fund balance at a rate of at least one percent each year). ***

If the assigned and unassigned fund balance falls below the level set by the Board due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues,

reducing expenditures, and/or increasing revenues or pursuing other funding sources.

Reserve Balance

The district budget shall include a minimum reserve balance for economic uncertainties that is consistent with the percentage or amount specified in 5 CCR 15450.

In any year that the district is notified by the Superintendent of Public Instruction that the amount of monies in the state Public School System Stabilization Account equals or exceeds three percent of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district budget shall not contain a combined assigned or unassigned ending general fund balance that is in excess of 10 percent of these funds. (Education Code 41202, 42127.01)

Long-Term Financial Obligations

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

(cf. 4141/4241 - Collective Bargaining Agreement)

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

(cf. 7210 - Facilities Financing)

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

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

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

~~When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims, the Board shall disclose, as a separate agenda-~~

~~item at the same meeting, whether or not it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code 42141)~~

Budget Amendments

~~No later than 45 days after the Governor signs the annual Budget Act, the Superintendent or designee shall make available for public review any revisions in budgeted revenues and expenditures which occur as a result of the funding made available by that Budget Act. (Education Code 42127)~~

~~Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures 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 Board approval as necessary when collective bargaining agreements are accepted, 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, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.~~

Legal Reference:

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
- 42140-42141 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
CODE OF REGULATIONS, TITLE 5
15060 Standardized account code structure
15440-15451 Criteria and standards for school district budgets
15494-15496 Local control funding formula, expenditures

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

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

GOVERNMENT FINANCE OFFICERS ASSOCIATION

Best Practice: Appropriate Level of Unrestricted Fund Balance in the General Fund, 2009

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 75, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2015

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

WEB SITES

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

Association of California School Administrators: <http://www.acsa.org>

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

California Department of Finance: <http://www.dof.ca.gov>

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

Government Finance Officers Association: <http://www.gfoa.org>

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

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

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Nicasio School District

Board Policy

Federal Grant Funds

BP 3230

Business and Noninstructional Operations

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 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 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 district's financial management systems and procedures provide for the following: (2 CFR 200.302)

1. Identification in district accounts of each federal award received and expended and the federal program under which it was received

(cf. 3100 - Budget)

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

(cf. 3460 - Financial Reports and Accountability)

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

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

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

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

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 district can prepare reliable financial statements and federal reports, maintain 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.

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

(cf. 3440 - Inventories)

(cf. 3512 - Equipment)

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.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The 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)

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

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

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_docs

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>

Nicasio School District

Administrative Regulation

Federal Grant Funds

AR 3230

Business and Noninstructional Operations

To ensure the lawful expenditure of any federal formula or discretionary grant funds awarded to the district, the Superintendent or designee shall comply with the requirements of the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (the "Uniform Guidance"), as contained in 2 CFR 200.0-200.521 and Appendices I-XII.

Allowable Costs

Note: 2 CFR 200.302 mandates that districts develop 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. Districts may revise this section or their detailed procedures manual to reflect those requirements.

Prior to obligating or spending any federal grant funds, the Superintendent or designee shall determine whether a proposed purchase is an allowable expenditure in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the award. He/she shall also determine whether the expense is a direct or indirect cost as defined in 2 CFR 200.413 and 200.414 and, if the purchase will benefit other programs not included in the grant award, the appropriate share to be allocated to the federal grant.

(cf. 3350 - Travel Expenses)

The Superintendent or designee shall review and approve all transactions involving federal grant funds and shall ensure the proper coding of expenditures consistent with the California School Accounting Manual.

(cf. 3300 - Expenditures and Purchases)

(cf. 3314 - Payment for Goods and Services)

Period of Performance

All obligations of federal funds shall occur on or between the beginning and ending dates of the grant project and shall be paid no later than 90 days after the end of the funding period, unless specifically authorized by the grant award to be carried over beyond the initial term of the grant. (2 CFR 200.77, 200.308, 200.309, 200.343)

Procurement

When procuring goods and services with a federal grant, the Superintendent or designee shall comply with the standards contained in 2 CFR 200.317-200.326 and Appendix II of Part 200, or with any applicable state law or district policy that is more restrictive.

As appropriate to encourage greater economy and efficiency, the Superintendent or designee shall avoid acquisition of unnecessary or duplicative items, give consideration to consolidating or breaking out procurements, analyze lease versus purchase alternatives, consider entering into an interagency agreement for procurement of common or shared goods and services, and/or use federal excess or surplus property. (2 CFR 200.318)

The procurement of goods or services with federal funds shall be conducted in a manner that provides full and open competition in accordance with state laws and district regulations and the following requirements:

1. Any purchase of supplies or services that does not exceed the "micro-purchase" threshold specified in 48 CFR 2.101 may be awarded without soliciting competitive quotes, provided that the district considers the price to be reasonable and maintains written evidence of this reasonableness in the record of all micro-purchases. (2 CFR 200.67, 200.320)

2. For any purchase that exceeds the micro-purchase threshold but is less than the bid limit required by Public Contract Code 20111, the Superintendent or designee shall utilize "small-purchase" procedures that include obtaining price or rate quotes from an adequate number of qualified sources. (2 CFR 200.320)

3. Contracts for goods or services over the bid limits required by Public Contract Code 20111 shall be awarded pursuant to California law and AR 3311 - Bids, unless exempt from bidding under the law.

(cf. 3311 - Bids)

4. If a purchase is exempt from bidding and the district's solicitation is by a request for proposals, the award may be made by either a fixed-price or cost-reimbursement type contract awarded to the entity whose proposal is most advantageous to the program, with price and other factors considered. (2 CFR 200.320)

(cf. 3312 - Contracts)

5. Procurement by noncompetitive proposals (sole sourcing) may be used only when the item is available exclusively from a single source, the need or emergency will not permit a delay resulting from competitive solicitation, the awarding agency expressly authorizes sole sourcing in response to the district's request, and/or competition is determined inadequate after solicitation of a number of sources. (2 CFR 200.320)

6. Time and materials type contracts may be used only after a determination that no other

contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract for which the cost is the sum of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general administrative expenses, and profit. (200.328)

For any purchase of \$25,000 or more, the Superintendent or designee shall verify that any vendor which is used to procure goods or services is not excluded or disqualified by the federal government. (2 CFR 180.220, 200.213)

All solicitations shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description shall avoid detailed product specifications to the extent possible, but may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. When it is impractical or not economical to make a clear and accurate description of the technical requirements, a brand name or equivalent description may be used to define the performance or other salient requirements of procurement, clearly stating the specific features of the named brand which must be met by offers. In addition, every solicitation shall identify all requirements which the offer must fulfill and any other factors to be used in evaluating bids or proposals. (2 CFR 200.319)

The Superintendent or designee shall maintain sufficient records to document the procurement, including, but not limited to, the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and the basis for the contract price. (2 CFR 200.318)

The Superintendent or designee shall ensure that all contracts for purchases using federal grant funds contain the applicable contract provisions described in Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. (2 CFR 200.326)

Capital Expenditures

The Superintendent or designee shall obtain prior written approval from the awarding agency before using federal funds to make capital expenditures, including the acquisition of land, facilities, equipment, and intellectual property and expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life. (2 CFR 200.12, 200.13, 200.20, 200.33, 200.48, 200.58, 200.89, 200.313, 200.439)

Conflict of Interest

No Governing Board member, district employee, or district representative shall participate in the selection, award, or administration of a contract supported by federal funds if he/she has a real or apparent conflict of interest, such as when he/she or a member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of them has a financial interest in or a tangible personal benefit from a firm considered for a contract. Such persons are

prohibited from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or subcontractors unless the gift is an unsolicited item of nominal value. (2 CFR 200.318)

Employees engaged in the selection, award, and administration of contracts shall also comply with BB 9270 - Conflict of Interest.

(cf. 9270 - Conflict of Interest)

Cash Management

The Superintendent or designee shall ensure the district's compliance with 2 CFR 200.305 pertaining to payments and cash management, including compliance with applicable methods and procedures that minimize the time elapsing between the transfer of funds to the district and the district's disbursement of funds. (2 CFR 200.305)

When authorized by law, the district may receive advance payments of federal grant funds, limited to the minimum amounts needed and timed in accordance with the actual immediate cash requirements of the district for carrying out the purpose of the program or project. Except under specified conditions, the district shall maintain the advance payments in an interest-bearing account. The district shall remit interest earned on the advanced payment to the awarding agency on an annual basis, but may retain interest amounts specified in 2 CFR 200.305 for administrative expenses. (2 CFR 200.305)

When required by the awarding agency, the district shall instead submit a request for reimbursement of actual expenses incurred. The district may also request reimbursement as an alternative to receiving advance payments. (2 CFR 200.305)

The Superintendent or designee shall maintain source documentation supporting the expenditure of federal funds, such as invoices, time sheets, payroll stubs, or other appropriate documentation.

Personnel

All district employees who are paid in full or in part with federal funds, including employees whose salary is paid with state or local funds but is used to meet a required match or in-kind contribution to a federal program, shall document the amount of time they spend on grant activities. (2 CFR 200.430)

Records

Except as otherwise provided in 2 CFR 200.333, or where state law or district policy requires a longer retention period, financial records, supporting documents, statistical records, and all other district records related to a federal award shall be retained for a period of three years from the date of submission of the final expenditure report or, for a federal award that is renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report. (2 CFR 200.333)

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

Audits

Whenever the district expends \$750,000 or more in federal grant funds during a fiscal year, it shall arrange for either a single audit or a program-specific audit in accordance with 2 CFR 200.507 or 200.514. (2 CFR 200.501)

The Superintendent or designee shall ensure that the audit meets the requirements specified in 2 CFR 200.500-200.521.

Specified records pertaining to the audit of federal funds expended by the district shall be transmitted to the clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the audit period, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (2 CFR 200.512)

In the event that the audit identifies any deficiency, the Superintendent or designee shall promptly act to either correct the identified deficiency, produce recommended improvements, or demonstrate that the audit finding is invalid or does not warrant action. (2 CFR 200.26, 200.508, 200.511)

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Nicasio School District

Board Policy

Fees And Charges

BP 3260

Business and Noninstructional Operations

The Governing 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 curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

(cf. 3100 - Budget)

(cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of district students' families and their ability to pay.

(cf. 3250 - Transportation Fees)

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5143 - Insurance)

(cf. 9323.2 - Actions by the Board)

The prohibition against student fees shall not restrict the district from soliciting for donations, participating in 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. It 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.

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

(cf. 3290 - Gifts, Grants and Bequests)

~~The Superintendent or designee may provide information or professional development opportunities to administrators, teachers, and other personnel regarding permissible fees.~~

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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 procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - Uniform Complaint Procedures)

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)

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

(cf. 5145.6 - Parental Notifications)

Legal Reference:

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 and conservation programs

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

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
48904 Liability of parent or guardian
49010-49013 Student fees
49065 Charge for copies
49066 Grades, effect of physical education class apparel
49091.14 Prospectus of school curriculum
51810-51815 Community service classes
52612 Tuition for adult classes
52613 Nonimmigrant 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 Foreign students

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513

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

Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

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

CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees: Damage to School Property, Fiscal Management Advisory 16-01, September 16, 2016

Pupil Fees: Parent Service Hours, Fiscal Management Advisory 15-01, January 20, 2015

Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony, Addendum to Fiscal Management Advisory 12-02, October 4, 2013

Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

WEB SITES

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

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

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Nicasio School District

Administrative Regulation

Fees And Charges

AR 3260

Business and Noninstructional Operations

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

(cf. 5143 - Insurance)

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

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

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

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

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

(cf. 6142.5 - Environmental Education)

6. Reimbursement for the direct cost of materials provided by the district to a student for the fabrication of nonperishable personal property the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student (Education Code 17551)

~~7. Home to school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and exemptions are made for indigent and~~

~~disabled students—(Education Code 39807.5)~~

~~(cf. 3250—Transportation Fees)~~

~~8.——Transportation for students to and from their places of employment in connection with any summer employment program for youth—(Education Code 39837)~~

~~9.——Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries—(Education Code 38120)~~

~~10.——Sale or lease of personal computers or of Internet appliances that allow a person to connect to or access the district's educational network, provided that the items are sold or leased to parents/guardians at no more than cost and the district provides network access for families who cannot afford it—(Education Code 17453.1)~~

~~(cf. 0440—District Technology Plan)~~

~~(cf. 6163.4—Student Use of Technology)~~

~~11.——An adult education or secondary school community service class in civic, vocational, literacy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class—(Education Code 51810-51815)~~

~~(cf. 6142.4—Service Learning/Community Service Classes)~~

~~12.——Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)~~

~~(cf. 3514.1—Hazardous Substances)~~

~~(cf. 5142—Safety)~~

13. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

(cf. 5125 - Student Records)

14. Actual cost of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - Access to District Records)

(cf. 5020 - Parent Rights and Responsibilities)

~~15.——Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law—(Education Code 38084)~~

(cf. 3550—Food Service/Child Nutrition Program)
(cf. 3551—Food Service Operations/Cafeteria Funds)
(cf. 3552—Summer Meal Program)
(cf. 3553—Free and Reduced Price Meals)
(cf. 3554—Other Food Sales)

16. As allowed in law, replacement cost or reimbursement for lost or willfully damaged district books, supplies, or property, or for district property loaned to a student that he/she fails to return (Education Code 19910-19911, 48904)

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

~~17. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)~~

(cf. 5111.2—Nonresident Foreign Students)

~~18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects, classes for which high school credit is granted when taken by a person who does not hold a high school diploma, or classes in English and citizenship (Education Code 39801.5, 52612, 60410)~~

(cf. 6200—Adult Education) Need to discuss #19 and #20

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is for severely disabled children and the student is eligible to enroll in it (Education Code 8239, 8250, 8263)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

20. Participation in a before-school or after-school program that is funded as an After School Education and Safety (ASES) program, 21st Century Community Learning Center (21st CCLC), or 21st Century High School After School Safety and Enrichment for Teens program, provided that fees are waived or reduced for families with students who are eligible for free or reduced-price meals and, in regard to ASES and 21st CCLC programs, fees are not charged if the district knows the student is a homeless or foster youth (Education Code 8422, 8482.6)

(cf. 5148.2 - Before/After School Programs)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

~~21. Advanced Placement and International Baccalaureate Diploma examinations for college-~~

~~credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course~~

~~(cf. 6141.4 - International Baccalaureate Program)~~

~~(cf. 6141.5 - Advanced Placement)~~

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Nicasio School District

Board Policy

Sale And Disposal Of Books, Equipment And Supplies

BP 3270

Business and Noninstructional Operations

The Governing Board recognizes its fiscal responsibility to maximize the use of district equipment, supplies, instructional materials, and other personal property while providing up-to-date resources that facilitate student learning and effective district operations. When the Board, upon recommendation of the Superintendent or designee, declares any district-owned personal property unusable, obsolete, or no longer needed, the Board shall determine the estimated value of the property and shall decide whether the property will be donated, sold, or otherwise disposed of as prescribed by law and administrative regulation.

(cf. 0440 - District Technology Plan)

(cf. 3512 - Equipment)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

The Board shall approve the price and terms of any sale or lease of personal property of the district.

If the Board members who are in attendance at a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value, the property may be sold without advertising for bids. (Education Code 17546)

(cf. 9323.2 - Actions by the Board)

If the Board members who are in attendance at a meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed of in the local public dump. (Education Code 17546)

Instructional materials shall be considered obsolete or unusable by the district if they have been replaced by more recent editions or new materials selected by the Board, are not aligned with the district's academic standards or course of study, and have no foreseeable value in other instructional areas. Such materials may be sold or donated if they continue to serve educational purposes that would benefit others outside the district. Instructional materials are not appropriate for sale or donation if they meet any of the following criteria:

1. Contain information rendered inaccurate or incomplete by new research or technologies
2. Contain demeaning, stereotyping, or patronizing references to any group of persons protected against discrimination by law or Board policy

3. Are damaged beyond use or repair

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

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

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

The Superintendent or designee shall establish procedures to be used whenever the district sells equipment or supplies originally acquired under a federal grant or subgrant. Such procedures shall be designed to ensure the highest possible return. (2 CFR 200.313)

(cf. 3230 - Federal Grant Funds)

(cf. 3440 - Inventories)

Legal Reference:

EDUCATION CODE

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

17545-17555 Sale of personal property

35168 Inventory, including record of time and mode of disposal

60510-60530 Sale, donation, or disposal of instructional materials

GOVERNMENT CODE

25505 District property; disposition; proceeds

CODE OF REGULATIONS, TITLE 5

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

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Standards for Evaluating Instructional Materials for Social Content, 2013

WEB SITES

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

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

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Nicasio School District

Administrative Regulation

Sale And Disposal Of Books, Equipment And Supplies

AR 3270

Business and Noninstructional Operations

Instructional Materials

Surplus or undistributed obsolete instructional materials that are usable for educational purposes may be sold by the district. Alternatively, such materials may be donated to: (Education Code 60510)

1. Another district, county free library, or other state institution
2. A United States public agency or institution
3. A nonprofit charitable organization
4. Children or adults in California or foreign countries for the purpose of increasing the general literacy of the people

(cf. 0440 - District Technology Plan)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

Any organization, agency, or institution receiving obsolete instructional materials donated by the district shall certify to the Governing Board that it agrees to make no charge to any persons to whom it gives or lends these materials. (Education Code 60511)

At least 60 days before selling or donating surplus or undistributed obsolete instructional materials, the Superintendent or designee shall notify the public of the district's intention to do so through a public service announcement on a local television station, in a local newspaper, or by other means that will most effectively reach the entities described above. Representatives of those entities and members of the public also shall be notified of the opportunity to address the Board regarding the distribution of these materials.

(cf. 9323 - Meeting Conduct)

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

1. Mutilated as not to be salable as instructional materials and sold for scrap or for use in the manufacture of paper pulp or other substances at the highest obtainable price
2. Destroyed by any economical means, provided that the materials are not destroyed until at least 30 days after the district has given notice to all persons who have filed a request for such notice

(cf. 3510 - Green School Operations)
(cf. 3511.1 - Integrated Waste Management)

Equipment/Supplies Acquired with Federal Funds

When the district has a need to replace equipment originally purchased with funds from a federal grant or subgrant, it may, subject to the approval of the agency that awarded the grant, trade in the original equipment or sell the property and use the proceeds to offset the cost of the replacement property. (2 CFR 200.313)

(cf. 3230 - Federal Grant Funds)

When any original or replacement equipment or supplies acquired under a federal grant or subgrant are no longer needed for the original project or program or for other federally supported activities, the district may retain or sell such items or, if the item has a current fair market value of less than \$5,000, may otherwise dispose of the item in a manner approved by the Board. Whenever the district sells equipment or supplies that have a current fair market value of \$5,000 or more, it shall provide an amount to the federal agency equal to the agency's share of the current market value of the equipment or the proceeds from the sale of the equipment or supplies. (2 CFR 200.313, 200.314)

In the event that the district is provided equipment that is federally owned, the district shall request disposition instructions from the federal agency when it no longer needs the equipment. (2 CFR 200.313)

Other Personal Property

The district may sell other surplus or obsolete district-owned personal property through any of the following methods:

1. The Superintendent or designee may advertise for bids by posting a notice in at least three public places in the district for at least two weeks, or by publishing a notice at least once a week for at least two weeks in a newspaper having a general circulation in the district and, if possible, publishing within the district. The district shall sell the property to the highest responsible bidder or shall reject all bids. (Education Code 17545, 17548)

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

(cf. 3311 - Bids)

2. The property may be sold by means of a public auction conducted by district employees, employees of other public agencies, or by contract with a private auction firm. (Education Code 17545)

3. The district may sell the property without advertising for bids under any of the following conditions:

a. The Board members in attendance at a meeting have unanimously determined that the property does not exceed \$2,500 in value. (Education Code 17546)

(cf. 9323.2 - Actions by the Board)

b. The district sells the property to agencies of the federal, state, or local government, to any other school district, or to any agency eligible under the federal surplus property law and the sale price equals the cost of the property plus the estimated cost of purchasing, storing, and handling. (Education Code 17540; 40 USC 549)

c. The district sells or leases the property to agencies of the federal, state, or local government or to any other school district and the price and terms of the sale or lease are fixed by the Board and approved by the County Superintendent of Schools. (Education Code 17542)

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

(cf. 3100 - Budget)

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Board Policy

Gifts, Grants And Bequests

BP 3290

Business and Noninstructional Operations

The Governing Board may accept 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. While greatly appreciating suitable donations, the Board shall reject any gift which may directly or indirectly impair its authority to make decisions in the best interest of district students or its ability or commitment to provide equitable educational opportunities.

(cf. 0200 - Goals for the School District)

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

(cf. 0415 - Equity)

(cf. 1260 - Educational Foundation)

(cf. 9270 - Conflict of Interest)

Before accepting any gift, grant, or bequest, the Board shall carefully consider any conditions or restrictions imposed by the donor to ensure their consistency with the district's vision, philosophy, and operations. If the Board believes the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

In addition, the Board shall ensure that acceptance of the gift, grant, or bequest does not:

1. Involve creation of a program which the Board would be unable to sustain when the donation is exhausted

2. Entail undesirable or excessive costs

3. Promote the use of violence, drugs, tobacco, or alcohol

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

4. Advertise or endorse the use of non-nutritious food or beverages during the school day

(cf. 5030 - Student Wellness)

5. Encourage or enable the violation of any law or district policy

6. Imply endorsement of any business or product or unduly commercialize or politicize the

school environment

(cf. 1325 - Advertising and Promotion)

Any gift of books or instructional materials may only be accepted if they meet district criteria for selection of instructional materials.

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

(cf. 6161.11 - Supplementary Instructional Materials)

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

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)

(cf. 3430 - Investing)

The Superintendent or designee shall annually provide a report to the Board indicating the gifts, grants, and/or bequests received on behalf of the district in the preceding fiscal year. The report shall include a statement of account and expenditure of all gifts of money and an inventory of all gifts of physical assets.

(cf. 3440 - Inventories)

(cf. 3460 - Financial Reports and Accountability)

Corporate Sponsorship

The Board may enter into an agreement or arrangement with an outside entity for the sponsorship of an educational, athletic, or other program or activity. When appropriate, the agreement may allow the outside entity to advertise or promote its business, product, or service in district publications or on district property or web sites.

(cf. 1113 - District and School Web Sites)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 3312 - Contracts)

(cf. 6145.2 - Athletic Competition)

Every sponsorship agreement shall be in writing and shall be approved by the Board. The Board shall ensure that the district's relationship and arrangement with the sponsor are consistent with the district's mission, values, and goals. Any advertising or promotional message, image, or other depiction to be used by the sponsor shall meet the standards set for commercial advertising on district property and in district-sponsored publications in accordance with BP 1325 - Advertising and Promotion.

Each sponsorship agreement shall contain statements including, but not limited to:

1. The purpose of the relationship with the sponsor, details of the benefits to the district, and how the benefits will be distributed
2. The duration of the agreement and the roles, expectations, rights, and responsibilities of the district and the sponsor, including whether and to what extent the sponsor is allowed to advertise or promote its products and/or services
3. The authority of the Board to retain exclusive right over the use of the district's name, logo, and other proprietary information and the requirement that the sponsor obtain prior approval of the Board before using such information
4. The prohibition against the collection or distribution of students' personal information except as allowed by law
5. The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with the district's vision, mission, or goals or the sponsor engages in any prohibited activity

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

Online Fundraising

Any person or entity who wishes to conduct an online fundraising campaign, including a crowdfunding campaign, for the benefit of the district, ~~a school~~, or a classroom 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 beliefs, 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 procedures, 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, or school, will own the funded resources.

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.

Appreciation

The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions;

plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

(cf. 1150 - Commendations and Awards)

(cf. 7310 - Naming of Facility)

Legal Reference:

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

41035 Advisory committee

41036 Function of advisory committee

41037 Rules and regulations

41038 Applicability of other provisions of chapter

Management Resources:

WEB SITES

California Consortium of Education Foundations: <http://www.cceflink.org>

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Nicasio School District

Board Policy

Expenditures And Purchases

BP 3300

Business and Noninstructional Operations

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

(cf. 3000 - Concepts and Roles)

(cf. 3100 - Budget)

(cf. 3230 - Federal Grant Funds)

(cf. 3350 - Travel Expenses)

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

(cf. 3460 - Financial Reports and Accountability)

(cf. 9270 - Conflict of Interest)

Expending Authority

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

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

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

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

(cf. 3110 - Transfer of Funds)

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

Purchasing Procedures

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

(cf. 3314.2 - Revolving Funds)

(cf. 3440 - Inventories)

(cf. 3511.1 - Integrated Waste Management)

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

Legal Reference:

EDUCATION CODE

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

17605 Delegation of authority to purchase supplies and equipment

32370-32376 Recycling paper

32435 Prohibited use of public funds, alcoholic beverages

35010 Control of district; prescription and enforcement of rules

35035 Powers and duties of superintendent

35160 Authority of governing boards

35250 Duty to keep certain records and reports

38083 Purchase of perishable foodstuffs and seasonal commodities

41010 Accounting system

41014 Requirement of budgetary accounting

GOVERNMENT CODE

4330-4334 California made materials

PUBLIC CONTRACT CODE

3410 U.S. produce and processed foods

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

Management Resources:

WEB SITES

CSBA, Financial Services: <http://www.csba.org/fs>

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

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

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Nicasio School District

Board Policy

Bids

BP 3311

Business and Noninstructional Operations

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the district, including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure 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.

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

(cf. 3000 - Concepts and Roles)

(cf. 3230 - Federal Grant Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)

(cf. 3311.2 - Lease-Leaseback Contracts)

(cf. 3311.3 - Design-Build Contracts)

(cf. 3311.4 - Procurement of Technological Equipment)

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)

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

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.

(cf. 9270 - Conflict of Interest)

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)

Legal Reference:

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

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)

Management Resources:

WEB SITES

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

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

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

California Department of General Services: <https://www.dgs.ca.gov>

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Nicasio School District

Administrative Regulation

Bids

AR 3311

Business and Noninstructional Operations

Advertised/Competitive Bids

The district shall advertise for any of the following: (Public Contract Code 20111)

1. A public project contract that involves an expenditure of \$15,000 or more, including a contract for construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, or repair work involving a district owned, leased, or operated facility

(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)

(cf. 3311.2 - Lease-Leaseback Contracts)

(cf. 3311.3 - Design-Build Contracts)

2. A contract that exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following:

a. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district

(cf. 3230 - Federal Grant Funds)

(cf. 3311.4 - Procurement of Technological Equipment)

b. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters

c. Repairs that are not a public project, including maintenance

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. Maintenance includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

Instructions and Procedures for Advertised Bids

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

(cf. 1113 - District and School Web Sites)

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

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

1. All bidders shall certify in writing the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

(cf. 3510 - Green School Operations)

2. All bids for construction work shall be presented under sealed cover. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20111, 20112)

The bid shall be accompanied by a form of bidder's security, including either cash, a cashier's check payable to the district, a certified check made payable to the district, or a bidder's bond executed by an admitted surety insurer and made payable to the district. The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111, 20112)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)

4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)

5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 2011)

6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #6a below shall be used. (Public Contract Code 20103.8)

a. The lowest bid shall be the lowest total of the bid prices on the base contract without

consideration of the prices on the additive or deductive items.

b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.

c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

7. In determining the lowest bid, the district shall consider only responsive bids that conform to bid specifications and are submitted by responsible bidders who have demonstrated trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the public works contract.

a. When a bid is determined to be nonresponsive, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the determination.

b. When the lowest bidder is determined to be nonresponsible, the Superintendent or designee shall notify the bidder of his/her right to present evidence of his/her responsibility at a hearing before the Board.

8. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Prequalification Procedure

~~When required by law or the Board, the Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the Superintendent or designee shall furnish prospective bidders a standardized prequalification questionnaire and financial record which, when completed, shall indicate a bidder's statement of financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)~~

~~When any public project involves an expenditure of \$1,000,000 or more and is funded or reimbursed wholly or partly by the School Facilities Program funds or other future state school bond, the district shall prequalify prospective bidders either quarterly or annually. The prequalification shall be valid for one year and the following requirements shall apply: (Public Contract Code 20111.6)~~

~~1. Prospective bidders, including, but not limited to, prime, general engineering, and general building contractors and electrical, mechanical, and plumbing subcontractors, as defined in Public Contract Code 4113 or Business and Professions Code 7056 or 7057, as applicable, shall submit a standardized questionnaire and financial statement 10 or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.~~

~~2. Prospective bidders shall be prequalified by the district five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.~~

~~—— If the project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing contractors, the Superintendent or designee shall make available to all bidders a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.~~

~~For all other contracts requiring competitive bidding, the district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. Prospective bidders for such contracts shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids and shall be prequalified by the district at least one day before the fixed bid opening date. (Public Contract Code 20111.5)~~

Award of Contract

The district shall award each contract to the lowest responsible bidder, except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of a student who is to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)
3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the

goals and requirements (Public Contract Code 2000-2002)

4. When procuring a lease-leaseback contract, in which case the Board shall award the contract based on objective criteria for determining the best combination of price and qualifications in accordance with Education Code 17400 and 17406

(cf. 3311.2 - Lease-Leaseback Contracts)

5. When procuring a design-build contract for a public works project in excess of \$1,000,000 in accordance with Education Code 17250.20, in which case the Board may award the contract to either the low bid or the best value to the district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)

(cf. 3311.3 - Design-Build Contracts)

Protests by Bidders

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

Limitation on Use of Sole Sourcing

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall ensure that the bid specification: (Public Contract Code 3002, 3400)

1. Does not directly or indirectly limit bidding to any one specific concern
2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting

the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification.

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

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

(cf. 9323.2 - Actions by the Board)

Bids Not Required

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

(cf. 3300 - Expenditures and Purchases)

(cf. 3512 - Equipment)

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district and meet the cost effectiveness requirements specified in Government Code 4217.12. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost and savings

comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

(cf. 3511 - Energy and Water Management)

(cf. 9320 - Meetings and Notices)

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

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

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

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

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

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

(cf. 3517 - Facilities Inspection)

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

(10/15 5/16) 12/16

Nicasio School District

Administrative Regulation

Procurement Of Technological Equipment

AR 3311.4

Business and Non-instructional Operations

Rather than seek competitive bids, the district may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

(cf. 0440 - District Technology Plan)

(cf. 3230 - Federal Grant Funds)

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

Whenever the competitive negotiation process is determined to be appropriate for such procurements, the district shall use the following procedures: (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources, and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. The Governing Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district, considering price and all other factors.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest

price, then the Board shall make a finding setting forth the basis for the award to another bidder.

8. The Board, at its discretion, may reject all proposals and request new RFPs.

Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer. (Public Contract Code 20118.2)

Legal Reference:

PUBLIC CONTRACT CODE

20118.2 Contracting by school districts; technological equipment

12/16

Nicasio School District

Board Policy

Contracts

BP 3312

Business and Non-instructional Operations

The Governing Board recognizes its responsibility to enter into contracts on behalf of the district for the acquisition of equipment, supplies, services, and other resources necessary for the achievement of district goals. In exercising this authority to enter into a contract, the Board shall ensure that the district's interest is protected and that the terms of the contract conform to applicable legal standards, including the bidding requirements in Public Contract Code 20111.

(cf. 2121- Superintendent's Contract)

(cf. 3311 - Bids)

(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)

(cf. 3311.2 - Lease-Leaseback Contracts)

(cf. 3311.3 - Design-Build Contracts)

(cf. 3311.4 - Procurement of Technological Equipment)

(cf. 4312.1 - Contracts)

(cf. 9124 - Attorney)

The Board may, by a majority vote, delegate to the Superintendent or designee the authority to enter into contracts on behalf of the district. To be valid or to constitute an enforceable obligation against the district, all such contracts must be approved and/or ratified by the Board.

(cf. 3300 - Expenditures and Purchases)

(cf. 3314 - Payment for Goods and Services)

Every contract entered into on behalf of the district shall be made available for public inspection, except when the law prohibits disclosure. No contract shall prohibit a district employee from disparaging the goods or services of any contracting party.

(cf. 1340 - Access to District Records)

~~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.~~

~~(cf. 3554 - Other Food Sales)~~

~~(cf. 3555 - Nutrition Program Compliance)~~

~~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 foods as defined in law, the Board shall 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 35182.5)~~

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

~~1. 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.~~

~~(cf. 3100—Budget)~~

~~(cf. 3400—Management of District Assets/Accounts)~~

~~(cf. 3460—Financial Reports and Accountability)~~

~~2. Procedures to ensure that district personnel do not handle 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 district proceeds directly to the control office.~~

~~To ensure that funds raised by the contract benefit district schools and students:~~

~~1. — The Superintendent or designee may invite parents/guardians, students, staff, and interested community members to make recommendations regarding the contract, including recommendations as to how the funds will be spent in a manner that benefits public education.~~

~~(cf. 1220—Citizen Advisory Committees)~~

~~2. — Prior to ratifying the contract, the Board shall designate the specific programs and activities that will be funded by the proceeds of the contract and consider how the contract reflects the district's vision and goals.~~

~~(cf. 0000—Vision)~~

~~(cf. 0100—Philosophy)~~

~~(cf. 0200—Goals for the School District)~~

~~3. — The contract shall specify that the contractor report, on a quarterly basis, to the Superintendent or designee the number of food items or beverages sold within the district and the amount of money raised by the sales. The Superintendent or designee shall report these amounts to the Board on a regular basis.~~

~~4. — The Superintendent or designee shall ensure that the contract does not limit the ability of student and parent organizations to plan and operate fundraising activities.~~

(cf. 1230—School-Connected Organizations)
(cf. 1321—Solicitation of Funds from and by Students)

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)

OPTION 1: The Board shall hold an annual public hearing to review and discuss all existing and potential contracts for the sale of foods and beverages on campus, including those sold as full-meals or through competitive sales, fundraisers, or vending machines. The Board shall hold a public hearing for any contract not discussed at the annual public hearing. (Education Code 35182.5)

OPTION 2: The Board shall not enter into or renew any contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious foods 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.)

(cf. 9322—Agendas/Meeting Materials)
(cf. 9323—Meeting Conduct)

***Note: The following paragraph is applicable to both Options 1 and 2. ***

The public hearing shall include, but not be limited to, a discussion of the nutritional value of foods and beverages sold within the district; the availability of fresh fruit, vegetables, and grains in school meals and snacks, including locally grown and organic produce; the amount of fat, sugar, and additives in the foods and beverages discussed; and barriers to student participation in school breakfast and lunch programs. (Education Code 35182.5)

(cf. 5030—Student Wellness)

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)

Contracts for Electronic Products or Services

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

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

(cf. 9320 - Meetings and Notices)

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

(cf. 0440 - District Technology Plan)

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

(cf. 1325 - Advertising and Promotion)

4. As part of the district's normal, ongoing communication to parents/guardians, provides written notice that the advertising will be used in the classroom or other learning center.

(cf. 5145.6 - Parental Notifications)

5. Offers parents/guardians the opportunity to request in writing that their child not be exposed to the program that contains the advertising. A request shall be honored for the school year in which it is submitted, or longer if specified, but may be withdrawn by the parents/guardians at any time.

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 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)

(cf. 5125 - Student Records)

Any such contract shall contain all of the following: (Education Code 49073.1)

1. A statement that student records continue to be the property of and under the control of the district
2. If applicable, a description of the means by which students may retain possession and control of their own student-generated content, as defined in Education Code 49073.1, including options by which a student may transfer student-generated content to a personal account
3. A prohibition against the third party using any information in the student record for any purpose other than those required or specifically permitted by the contract

4. A description of the procedures by which a parent/guardian or a student age 18 years or older may review personally identifiable information in the student's records and correct erroneous information
5. A description of the actions the third party will take, including the designation and training of responsible individuals, to ensure the security and confidentiality of student records
6. A description of the procedures for notifying the affected parent/guardian, or the affected student if age 18 years or older, in the event of an unauthorized disclosure of the student's records
7. A certification that a student's records shall not be retained or available to the third party upon completion of the terms of the contract and a description of how that certification will be enforced, except that these requirements shall not apply to student-generated content if the student chooses to establish or maintain an account with the third party for the purpose of storing that content
8. A description of how the district and the third party will jointly ensure compliance with the federal Family Educational Rights and Privacy Act, 20 USC 1232g
9. A prohibition against the third party using personally identifiable information in student records to engage in targeted advertising

Contracts for Personal Services

In order 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 45103.1.

(cf. 4200 - Classified Personnel)

***Note: Education Code 45103.1 also permits personal service contracts that do not meet the conditions specified in the paragraph above in the circumstances as listed below. ***

In addition, the district may enter into or renew any contract for personal service without meeting the conditions described above, if any of the following conditions exists: (Education Code 45103.1)

1. The contract is for new district functions and the Legislature has specifically mandated or authorized the performance of the work by independent contractors.
2. The services contracted are not available within the district, cannot be performed satisfactorily by district employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the district.
3. The services are incidental to a contract for the purchase or lease of real or personal property,

including, but not be limited to, agreements to service or maintain office equipment or computers that are leased or rented.

4. The district's policy, administrative, or legal goals and purposes cannot be accomplished through the utilization of persons selected pursuant to the regular or ordinary district hiring process.

5. The nature of the work is such that the criteria for emergency appointments, as defined in Education Code 45103.1, apply.

6. The contractor will provide equipment, materials, facilities, or support services that could not feasibly be provided by the district in the location where the services are to be performed.

7. The services are of such an urgent, temporary, or occasional nature that the delay that would result from using the district's regular or ordinary hiring process would frustrate their very purpose.

Legal Reference:

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
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

Management Resources:

CSBA PUBLICATIONS

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2005

WEB SITES

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

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

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Nicasio School District

Board Policy

Educational Travel Program Contracts **Need to review current field trip policy/practice**

BP 3312.2

Business and Non-instructional Operations

The Governing Board believes that field trips and other travel opportunities are a valuable tool in supporting classroom instruction and enrich students' learning about places, cultures, and events. The district may contract with a qualified person, partnership, corporation, or other entity for educational travel services. Any such contract shall be submitted to the Board for approval and/or ratification.

(cf. 3312 - Contracts)

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

(cf. 6153 - School-Sponsored Trips)

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

~~The Superintendent or designee shall ensure that each contract is in writing and includes all of the following: (Business and Professions Code 17554)~~

~~1. — The travel organization's name, trade or business name, business address, business telephone number, and a 24-hour emergency contact telephone number, pager, voice mail, or other method of 24-hour communication~~

~~2. — A detailed description of:~~

~~a. — Services to be provided as part of the program~~

~~b. — Agreed cost for the services~~

~~c. — Whether or not the educational travel organization maintains insurance that supplies coverage in the event of injury to any student traveler, including the type and amount of coverage, the policy number and issuer, and the name, address, and telephone number of the person or organization able to verify coverage~~

~~d. — Any additional costs to students~~

~~e. — Any experience and/or training requirements to be met by the educational travel organization's staff who will accompany students on the educational travel program~~

~~3. — The educational program being contracted for, including a copy of all materials to be~~

provided to students

4.—— The number of times the educational travel program or a substantially similar educational travel program has been conducted by the organization and the number of students who completed the program

5.—— The length of time the organization has either been arranging or conducting educational travel programs, and, at the option of the organization, other travel services with substantially similar components

6.—— The name of each owner, officer, general partner, or sole proprietor of the organization

7.—— Whether any owner or principal of the organization has had any judgment entered against him/her, made a plea of nolo contendere, or been convicted of any criminal violation in connection with the sale of any travel services for a period of 10 years predating the contract

Legal Reference:

EDUCATION CODE

35160 Authority of boards

35160.1 Broad authority of school districts

BUSINESS AND PROFESSIONS CODE

17540 Travel promoters

17550.9 Definition of travel services

17552-17556.5 Educational travel organizations

(6/97) 7/18

Nicasio School District

Board Policy

Payment For Goods And Services

BP 3314

Business and Noninstructional Operations

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

(cf. 3300 - Expenditures and Purchases)
(cf. 3312 - Contracts)
(cf. 3314.2 - Revolving Funds)
(cf. 3400 - Management of District Assets/Accounts)
(cf. 9320 - Meetings and Notices)

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

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

(cf. 9320 - Meetings and Notices)

The district shall not be responsible for unauthorized purchases.

Legal Reference:

EDUCATION CODE

17605 Delegation of authority for purchases

42630-42651 Orders, requisitions and warrants

42800-42806 Revolving cash fund

42810 Alternative revolving fund

42820 Prepayment funds

CODE OF CIVIL PROCEDURE

685.010 Rate of interest

GOVERNMENT CODE

16.5 Digital signatures

5500-5506 Uniform Facsimile Signatures of Public Officials Act

8111.2 Definition of public entity

PUBLIC CONTRACT CODE

7107 Retention proceeds; withholding; disbursement

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

Management Resources:

WEB SITES

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

California Secretary of State, digital signatures: <http://www.sos.ca.gov/digsig/digsig.htm>

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

(12/89 10/93) 7/07

Nicasio School District

Board Policy

Claims And Actions Against The District

BP 3320

Check with Keenan

Business and Non-instructional Operations

The Governing Board desires to conduct district operations in a manner that minimizes risk, protects 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 shall be presented to and acted upon in accordance with the Government Claims Act or other applicable state or district procedures, as well as the district's joint powers authority (JPA) agreement or other insurance coverage.

(cf. 3530 - Risk Management/Insurance)
(cf. 5143 - Insurance)

Any claim for money or damages not governed by the Government Claims Act (Government Code 810-996.6) or specifically excepted by Government Code 905 shall be presented and acted upon in accordance with district-established procedures consistent with the manner and time limitations specified in the accompanying administrative regulation, unless a procedure for processing such claims is otherwise provided by state or federal law or regulation. (Government Code 935)

Upon notice to the district of a claim, the Superintendent or designee shall take all necessary steps to protect the 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 935.4, the Board delegates to the Superintendent the authority to allow, compromise, or settle claims of \$50,000 or less pursuant to any conditions of coverage in the district's JPA agreement or insurance coverage.

Roster of Public Agencies

Within 10 days of any change in the name of the district, the mailing address of the Board, or the names and addresses of the Board president, the Board clerk or secretary, or other Board members, the Superintendent or designee shall file the updated information with the Secretary of State and the County Clerk. (Government Code 53051)

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

Big Oak Flat-Groveland Unified School District v. Superior Court of Tuolumne County, (2018) 21 Cal.App.5th 403

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>

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Nicasio School District

Administrative Regulation

Claims And Actions Against The District

Check with Keenan

AR 3320

Business and Noninstructional Operations

Time Limitations

The following time limitations apply to claims against the district:

1. Claims for money or damages relating to any cause of action which is governed by a statute or regulation, including childhood sexual abuse and other causes of action specifically excepted from the Government Claims Act by Government Code 905, shall be filed in accordance with the governing statute or regulation. (Government Code 905, 935)
2. In accordance with the Board's authority pursuant to Government Code 935, claims for money or damages which relate to any cause of action specifically excepted from the Government Claims Act by Government Code 905 but which are not governed by any other claims presentation statute or regulation shall be filed not later than six months after the accrual of the cause of action. (Government Code 905, 935)
3. Claims for money or damages relating to a cause of action for death or for injury to person, personal property, or growing crops shall be presented to the Governing Board not later than six months after the accrual of the cause of action. (Government Code 911.2)
4. Claims for money or damages relating to any other cause of action shall be filed not later than one year after the accrual of the cause of action. (Government Code 911.2)

Receipt of Claims

A claim, any amendment thereto, or an application to present a late claim shall be deemed presented and received when delivered to the district office or deposited in a post office, mailbox, sub-post office, substation, mail chute, or other similar facility maintained by the U.S. government, in a sealed envelope properly addressed to the district office with postage paid, or when otherwise actually received in the district office or by the Board secretary or clerk. (Government Code 915, 915.2)

Upon receipt of a claim against the district pursuant to the Government Claims Act, the Superintendent or designee shall promptly provide written notice to the district's joint powers authority or insurance carrier in accordance with the applicable conditions of coverage.

Review of Contents of the Claim

The Superintendent or designee shall review any claim received to ensure that the claim contains all of the following information as specified in Government Code 910 and 910.2:

1. The name and post office address of the claimant
2. The post office address to which the person presenting the claim desires notices to be sent
3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted
4. A general description of the indebtedness, obligation, injury, damage, or loss incurred insofar as it may be known at the time of presentation of the claim
5. The name(s) of the district employee(s) causing the injury, damage, or loss if known
6. The amount claimed if it totals less than \$10,000, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds \$10,000, the dollar amount shall not be included in the claim and the claimant shall indicate whether the claim is a limited civil case.
7. The signature of the claimant or the person acting on his/her behalf

Notice of Claim Insufficiency

The Board shall not act upon the claim until at least 15 days after such notice is given.
(Government Code 910.8)

Amendment to Claims

Within the time limits provided in the section "Time Limitations" above or prior to final action by the Board, whichever is later, a claim may be amended if, as amended, it relates to the same transaction or occurrence which gave rise to the original claim. (Government Code 910.6)

Late Claims

For claims under items #2 and #3 in the section "Time Limitations" above, any person who presents a claim later than six months after the accrual of the cause of action shall present, along with the claim, an application to present a late claim. Such claim and the application to present a late claim shall be presented not later than one year after the accrual of the cause of action.
(Government Code 905, 911.4)

If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its designee may, within 45 days, give written notice that the claim was not presented

timely and that it is being returned without further action. (Government Code 911.3)

The Board shall grant or deny the application to present a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the Board provided that such agreement is made before the expiration of the 45-day period. (Government Code 911.6)

The Board shall grant the application to present a late claim where one or more of the following conditions are applicable: (Government Code 911.6)

1. The failure to present the claim was through mistake, inadvertence, surprise, or excusable neglect and the district was not prejudiced in its defense regarding the claim by the claimant's failure to present the claim within the time limit.
2. The person who sustained the alleged injury, damage, or loss was a minor during all of the time specified for presentation of the claim.
3. The person who sustained the alleged injury, damage, or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason he/she failed to present the claim.
4. The person who sustained the alleged injury, damage, or loss died before the expiration of the time specified for the presentation of the claim.

If the application to present a late claim is denied, the claimant shall be given notice in substantially the same form as set forth in Government Code 911.8. (Government Code 911.8)

If the Board does not take action on the application to present a late claim within 45 days, the application shall be deemed to have been denied on the 45th day unless the time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement. (Government Code 911.6)

Action on Claims

Within 45 days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement between the district and the claimant before the expiration of the 45-day period. If the 45-day period has expired, the time limit may be extended if legal action has not commenced or been barred by legal limitations. (Government Code 912.4)

The Board may act on the claim in one of the following ways: (Government Code 912.4, 912.6)

1. If the Board finds that the claim is not a proper charge against the district, the claim shall be rejected.
2. If the Board finds that the claim is a proper charge against the district and is for an amount justly due, the claim shall be allowed.

3. If the Board finds that the claim is a proper charge against the district but is for an amount greater than is justly due, the Board shall either reject the claim or allow it in the amount justly due and reject it as to the balance.
4. If legal liability of the district or the amount justly due is disputed, the Board may reject or compromise the claim.
5. If the Board takes no action on the claim, the claim shall be deemed rejected.

If the Board allows the claim in whole or in part or compromises the claim and the claimant accepts the amount allowed or offered to settle the claim, the Board may require the claimant to accept it in settlement of the entire claim. (Government Code 912.6)

The Board or its designee shall transmit to the claimant written notice of action taken or of inaction which is deemed rejection. The notice shall be in the form set forth in Government Code 913 and shall either be personally delivered or mailed to the address stated in the claim or application. (Government Code 913, 915.4)

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Nicasio School District

Board Policy

Travel Expenses

BP 3350

Business and Noninstructional Operations

The Governing Board recognizes that district employees may incur expenses in the course of performing their assigned duties and responsibilities. To ensure the prudent use of public funds, the Superintendent or designee shall establish rules to keep such expenses to a minimum while affording employees a reasonable level of safety and convenience.

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

The Board shall authorize payment for actual and necessary travel expenses incurred by any employee performing authorized services for the district, whether within or outside district boundaries. (Education Code 44032)

The Superintendent or designee shall establish procedures for the approval of travel requests and the submission and verification of expense claims. He/she also shall establish reimbursement rates in accordance with law and Board policy.

An employee shall obtain approval from the Superintendent or designee prior to traveling. The Superintendent or designee may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee's supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the performance of the employee's duties. 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.

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

All out-of-state travel for which reimbursement will be claimed shall be approved in advance by the Board.

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 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 receipts.

Authorized 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)

The mileage allowance provided by the district for employees' use of their private vehicles shall be equal to the rate established by the Internal Revenue Service.

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 expense reimbursement.

OPTION 1: Meal costs shall be reimbursed based on documented actual expenses within the maximum amounts established by the Superintendent or designee and based on the time of day that travel for district business begins and ends.

~~OPTION 2: 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.~~

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 10 working days following return from travel when possible. The form shall be accompanied by 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.

~~When approved by the Superintendent or designee, an employee may be issued a district credit card for use while on authorized district business. Receipts documenting the expenses incurred on a district credit card shall be submitted promptly following return from travel. Under no circumstances shall personal expenses be charged on a district credit card, even if the employee intends to subsequently reimburse the district for the personal charges.~~

When necessary, the Superintendent or designee may approve a cash advance, not to exceed the estimated out-of-pocket reimbursable expenses, to an employee authorized to travel on district business. Within 10 working days following return from travel, the employee shall submit a final accounting with all necessary supporting documentation. He/she shall refund to the district any amount of cash advance exceeding the actual approved reimbursable expenses.

Check current policy

Legal Reference:

EDUCATION CODE

42634 Itemization of expenses

44016 Travel expense to employment interview

44032 Travel expenses

44033 Automobile allowance

44802 Student teacher's travel expense

Management Resources:

INTERNAL REVENUE SERVICE PUBLICATIONS

Per Diem Rates (For Travel Within the Continental United States), Publication 1542

WEB SITES

Internal Revenue Service: <http://www.irs.gov>

U.S. General Services Administration, Per Diem Rates: <http://www.gsa.gov/perdiem>

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Nicasio School District

Since 1862

Agenda Item # 7c

Board of Trustees
Michelle Rutledge, *Board President* ~ Elaine Doss, *Trustee* ~ Mark Burton, *Trustee*

To: Nicasio School District Board of Trustees
From: Jan La Torre-Derby, Ed.d. Interim Superintendent
Date: April 3, 2019
Re: Action: Potential Energy Audit and Solar Application for Funding

Objective:

To consider and to give staff direction on pursuing an Energy Audit and Application for Funding through Sage Renewables along with a Resolution which is required to apply for state funding

Background:

On March 7, 2019 Trustees received a formal presentation by David Willard, Sage Renewables Founder, regarding state funding available for school solar projects. In order to be eligible for state funding, the district is required to submit an Energy Audit as part of the application process. David Willard shared a free resource for the Energy Audit, Bright Schools funding.

In pursuing the funding for the free Energy Audit, staff learned that indeed Nicasio is eligible, but the timeline could not be met by Bright Schools, to align with the deadline for submission for the funding request from the California Energy Commission (CEC), which is May 31, 2019.

Once it was determined that Bright Schools could not perform a timely energy audit, staff spoke with Sage Renewables to get a quote on an Energy Audit should Trustees be interested in moving forward on an application to the California Energy Commission, for a 20 year interest free loan for solar energy and generator backup at approximately \$120,000. A formal Resolution is also required and attached.

Options for Trustee consideration

1. Take no action, at this time, regarding a Solar Energy project. Monitor future funding options.
2. Approve resolution for Bright Schools Program to be considered for a free Energy Audit and submit an application to Bright School Program for potential future funding.
(Requires Resolution-See attached)
3. Engage in a contract with Sage Renewables for an Energy Audit only. (Not to exceed \$5,000)
4. Engage in a contract with Sage Renewables for an Energy Audit and Solar Energy Application for funding to the CEC by the May 31, 2019 deadline. (Not to exceed \$15,000 for both)

The quotes and resolutions are presented for review and direction to staff, should there be interest in pursuing funding for a district Energy Audit and Solar Project. As stated in the presentation on March 7, 2019, Sage Renewable would not provide oversight for the ongoing project, should CEC funding be awarded.

Funding Source/Cost:

Not to exceed \$15,000 for an Energy Audit and submission of the application to CEC.

Sage Renewable's quote is attached. The quote is "Not to exceed \$15,000" for both the Energy Audit and CEC Application on behalf the Nicasio School District. The breakdown is not to exceed "\$5,000 for the Energy Audit" and not to exceed \$10,000 for the "CEC Solar Application".

Recommendation:

Staff requests direction regarding a potential, future solar project based on the options listed #1-4.

1. Take no action, at this time, regarding an Energy Audit and Solar Energy project. Monitor future funding options.
2. Approve resolution for Bright Schools Program to be considered for a free Energy Audit and submit an application to Bright Schools Program for potential future funding.
(Requires Resolution-See attached)
3. Engage in a contract with Sage Renewables for an Energy Audit only. (Not to exceed \$5,000)
4. Engage in a contract with Sage Renewables for an Energy Audit and Solar Energy Application for funding to the CEC by the May 31, 2019 deadline. (Not to exceed \$15,000 for both)



Task Order CEC 0% Loan Application Assistance

Task Order # TBD (assigned when executed)

This Task Order is pursuant to the Professional Services Agreement ("PSA") between Sage Renewable Energy Consulting, Inc. ("SAGE") and Nicasio School District ("CLIENT") dated 4/3/2019.

This Task Order must be mutually executed before work is commenced.

Project Name CEC 0% Loan Application Assistance

Client Nicasio School District

Physical Location Nicasio, CA

Estimated Start Date April 4, 2019

Estimated End Date May 31, 2019

Estimated Fees Not to Exceed \$15,000

Project Contacts

SAGE	Nicasio School District
Name: David Williard	Name: Jan La Torre-Derby
Title: Principal	Title: Interim Superintendent
Email: david@sagerenew.com	Email: janlatorre@marinschools.org
Phone: (415) 847-9066	Phone: (415) 499-5821
Address: 1719 Fifth Avenue San Rafael, CA 94901	Address: 5555 Nicasio Valley Road P.O. Box 711 Nicasio, CA 94946, CA 92058

Project Overview

The District is interested in applying for a 0% loan to fund a solar photovoltaic project through the California Energy Commission's Energy Conservation Assistance Act-Education Subaccount (ECAA-Ed) Competitive Loan Program (PON-18-101). This task order outlines services that Sage can provide to help complete and submit the application.

Scope of Services

Task 1 Create and Submit Application for CEC 0% Loan

- 1.1 Collect any data necessary for site analysis as required for loan application
- 1.2 Gather all data necessary to complete loan application
- 1.3 Conduct energy audit of facilities as required by application and create report
- 1.4 Model PV systems appropriately sized to offset site energy bills
- 1.5 Conduct lifecycle energy and financial modeling as required by application
- 1.6 Prepare Board Resolution necessary for application
- 1.7 Prepare and complete all CEQA documentation required for application
- 1.8 Prepare and complete Jobs Creation Estimate as required by application
- 1.9 Prepare and complete any other application materials necessary
- 1.10 Complete and submit loan application to CEC prior to 5/31/19 deadline

Site Visits: Up to 2, one for energy audit site visit and one for Board meeting.

Schedule and Deliverables

Task	Start Date	End Date	Deliverables
1 Complete CEC Application	4/4/2019	5/31/2019	– Feasibility Review Memorandum

Project Requirements and Assumptions

1. Expected number of site visits is outlined in Scope of Work. If additional travel is requested by CLIENT, it may be billed on a T&M basis in addition to this Project Scope.
2. Site data will be made available as-needed. SAGE will review available existing data and provide preliminary review of project constraints.
3. CLIENT will provide estimates of changes in electricity consumption at proposed sites based on energy efficiency measures, anticipated changes site usage, and new construction.

Fees and Payment Schedule

The total Project fees listed in this section are based on evaluation of 25 District sites.

Project Initiation Fee

SAGE charges a fixed project initiation fee of \$1,000, which will be invoiced on the first Project invoice.

Time and Materials Fee Structure

The Scope of Services will be provided on a time and materials (T&M) basis with a not to exceed (NTE) limit of \$14,000, billed at the hourly rates listed below. Sage will aim to keep project costs as low as possible. T&M travel time is billable at the full hourly rate. SAGE will notify CLIENT when 80% of a task's budget has been exhausted and will not exceed NTE limits without consent of CLIENT.

Hourly Fee Schedule

Title	2019 Hourly Fees
Principal	\$230
Senior Project Manager	\$215
Project Manager / Engineer	\$195
Energy Consultant / Construction Manager	\$170
Energy Technician / Analyst	\$140
Energy Intern	\$105
Project Administrator	\$80

Total Estimated Fees

Description	Fee
1 Project Initiation Fee	\$1,000
2 CEC Loan Application Preparation & Submittal	NTE \$14,000
Total	NTE \$15,000


Billing/Payment Structure

SAGE invoices on a monthly basis with terms of Net 30.

Term of Fee Schedule

The Fee Schedule above is for project work completed through December 31, 2020.

IN WITNESS WHEREOF, authorized representatives of both SAGE and CLIENT have executed this agreement as of the date set forth above.

SAGE	Nicasio School District
	
Name: David Williard	Name:
Title: Principal	Title:
Date: 3/21/2019	Date: