



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

Board of Directors

John Brennan

Rex Fortune, Ph.D.

Beth Kay

Judy Miller

Joshua Modlin

Jean-Paul Prentice

Kevin Smith-Fagan

Regular Meeting of the Board of Directors Thursday, March 11, 2021 9:30 a.m.

This meeting will be by teleconference pursuant to Executive Orders N-25-20 and N-29-20.

The Board of Directors (“Board”) and employees of Pacific Charter Institute shall meet via the Zoom meeting platform. Members of the public who wish to access this Board meeting may do so at <https://zoom.us/j/91655274894>. You may also call in using the Zoom phone number: US: + 1 253 215 8782 Meeting ID: 916 5527 4894

Members of the public who wish to comment during the Board meeting may use the “raise hand” tool on the Zoom platform. Members of the public calling in will be given the opportunity to address the Board during the meeting. Individual comments will be limited to three (3) minutes. If an interpreter is needed for comments, they will be translated to English and the time limit shall be six (6) minutes. The Board may limit the total time for public comment to a reasonable time. The Board reserves the right to mute or remove a participant from the meeting if the participant unreasonably disrupts the Board meeting.

Access to Board Materials: A copy of the written materials which will be submitted to the Board may be reviewed by any interested persons on the Pacific Charter Institute’s website along with this agenda following the posting of the agenda at least 72 hours in advance of this meeting.

Disability Access: Requests for disability-related modifications or accommodations to participate in this public meeting should be made 24 hours prior to the meeting by calling 866-992-9033, ext. 3000. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

AGENDA

- 1. Call to Order & Roll Call**
- 2. Adoption of Agenda**

3. Closed Session

1. Conference with Legal Counsel – Existing Litigation (Paragraph 1 of subdivision (d) of Section 54956.9)

Name of case: Jaswinder (“Jessie”) Bains v. The Pacific Charter Institute, et al., Sacramento County Superior Court Case No. 34-2018-00242248

4. Announcement of Action(s) Taken in Closed Session

5. Hearing of Parties Desiring to Address the Board and/or Present Petition

Anyone may address the board regarding any item that is within the board’s subject matter jurisdiction. At this point on the agenda, opportunity is provided for any individual or representative of a group to make statements to the board regarding an item(s) not listed on the agenda. The board, by law, may not take action on an item introduced during this portion of the agenda.

- 6. Consent Agenda Items** – All matters listed under Consent Agenda Items are to be considered by the Board to be routine and will be approved/enacted by the Board in one motion in the form listed below. Unless specifically requested by a Board member for further discussion or removed from the agenda, there will be no discussion of these items prior to the Board votes on them. The Executive Director recommends approval of all consent agenda items. Any agenda items removed will be voted upon following the motion to approve the Consent Agenda Items.

1. Approve December 10, 2020 meeting minutes

7. Business Items

1. Second Interim Report 2020-2021 – Mr. Larry Pastore, Corporate Accountant
2. Adopt Revised BP 3005 Health and Safety COVID Policy – Ms. Cathy Enos, Human Resources Manager
3. Lodi Unified SELPA Local Plan and Participation Agreement- Rio Valley Charter School- Mr. Tim Ribota, Director of Student Services

8. Reports/Communications

1. Site Based Schools Initiative – Dr. Paul Keefer, Executive Director
2. Student Achievement Update- 2020-2021 – Mr. Tim Ribota, Director of Student Services, Heather Marshall, Director, John Mittan, Director, Leslie Leedy, Director, Scott Stack, Director
3. PCI Bylaws- Review bylaws and discuss board of directors’ terms - Dr. Paul Keefer, Executive Director and Dr. Rex Fortune, Board President

9. Future Meetings: June 10, 2021 & June 14, 2021

10. Adjournment

Note: If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Executive Director, 866-992-9033, ext. 3000 at least 24 hours before the scheduled board meeting. [Government Code §54954.2] [Americans with Disabilities Act of 1990, §202].



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: March 11, 2021

AGENDA ITEM: #3.1 Closed Session

Background:

The Board will adjourn to closed session regarding the following matters.

1. Conference with Legal Counsel – Existing Litigation (Paragraph 1 of subdivision (d) of Section 54956.9)
Name of case: **Jaswinder (“Jessie”) Bains v. The Pacific Charter Institute, et al., Sacramento County Superior Court Case No. 34-2018-00242248**
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Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: March 11, 2021

AGENDA ITEM: #6 Consent Agenda Items 6.1

Background:

REQUIRES SINGULAR ROLL CALL VOTE

All matters listed under the Consent Agenda Items are to be considered routine and will be enacted by one motion followed by a roll call vote. There will be no separate discussion of these items unless the Board of Trustees, audience, or staff request specific items to be removed from the Consent Agenda Items for separate discussion and action. Any agenda items removed will be voted upon following the motion to approve the Consent Agenda Items.

1. Approve December 10, 2020 Regular Meeting Minutes

RECOMMENDED ACTION:

Board of Directors approve the Consent Agenda Items.



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: March 11, 2021

AGENDA ITEM: #6.1 Adoption of Minutes

Background:

Presented minutes include:

1. December 10, 2020 Regular Meeting

RECOMMENDED ACTION:

Board of Directors approve adoption of presented minutes.

1. Approve September 9, 2020 Special Meeting Minutes
2. Approve September 10, 2020 Regular Meeting Minutes
3. Adopt Injury and Illness Prevention Plan (IIPP) and the IIPP COVID-19 Addendum
4. Adopt BP 3005 Health and Safety COVID Policy
5. Adopt Revised BP 0001 IST Policy
6. Adopt BP 6002 Missed Assignments and Attendance Policy
7. Adopt Revised BP 5145.12 Search and Seizure Policy
8. Adopt Revised BP 6020 Parent and Family Engagement Policy
9. Approve School Plan for Student Achievement (SPSA)- Heritage Peak Charter School
10. Approve School Plan for Student Achievement (SPSA)- Rio Valley Charter School

7. Business Items

1. Audit Report 2019-2020- Heritage Peak Charter School, Rio Valley Charter School, Valley View Charter Prep, and Sutter Peak Charter Academy – James Marta and Associate: **APPROVED**
Motion: Kay
Second: Modlin
Vote: By a 5-0 vote, the members **Approved** the Audit Report.
Ayes: Kay, Miller, Modlin, Smith-Fagan, Fortune
No: None
2. First Interim Report 2020-2021- Heritage Peak Charter School, Rio Valley Charter School, Valley View Charter Prep, and Sutter Peak Charter Academy– Mr. Larry Pastore, Corporate Accountant and Ms. Danielle Franco-Matteoli, Business Manager: **APPROVED**
Motion: Miller
Second: Smith-Fagan
Vote: By a 5-0 vote, the members **Approved** the First Interim Report.
Ayes: Kay, Miller, Modlin, Smith-Fagan, Fortune
No: None
3. El Dorado Charter SELPA Local Plan and Participation Agreement- Valley View Charter Prep- Mr. Tim Ribota, Director of Student Services: **APPROVED**
Motion: Smith-Fagan
Second: Kay
Vote: By a 5-0 vote, the members **Approved** the SELPA and Participation Agreement for Valley View Charter School.
Ayes: Kay, Miller, Modlin, Smith-Fagan, Fortune
No: None

4. El Dorado Charter SELPA Local Plan and Participation Agreement- Sutter Peak Charter Academy- Mr. Tim Ribota, Director of Student Services: **APPROVED**
Motion: Smith- Fagan
Second: Kay
Vote: By a 5-0 vote, the members **Approved** the SELPA and Participation Agreement for Sutter Peak Charter Academy.
Ayes: Kay, Miller, Modlin, Smith-Fagan, Fortune
No: None

5. LCFF Budget Overview for Parents- Heritage Peak Charter School, Rio Valley Charter School, Valley View Charter Prep, Sutter Peak Charter Academy- PCI School Directors and Mr. Larry Pastore, Corporate Accountant: **APPROVED**
Motion: Kay
Second: Miller
Vote: By a 5-0 vote, the members **Approved** the Budget Overview for Parents.
Ayes: Kay, Miller, Modlin, Smith-Fagan, Fortune
No: None

6. New PCI Board of Directors Appointment- John Brennan: **APPROVED**
Motion: Kay
Second: Modlin
Vote: By a 5-0 vote, the members **Approved** to appoint John Brennan to the PCI Board of Directors.
Ayes: Kay, Miller, Modlin, Smith-Fagan, Fortune
No: None

8. **Reports/Communications**
 1. **PCI Organizational Update-** Dr. Paul Keefer, Executive Director. Dr. Keefer presented the organizational update, and the board expressed their gratitude for the PCI team and all the work everyone has done.

 2. **Academic Update** - Heritage Peak Charter School, Rio Valley Charter School, Valley View Charter Prep, and Sutter Peak Charter Academy - School Directors and Tim Ribota, Director of Student Services. The directors presented goals for the next four years which included virtual classes, focus on writing development, training teachers to be more successful teaching in a virtual setting, PCI writing initiative, and developed a year long professional development for all teachers to participate. Exact Path intervention was discussed, subgroup monitoring, K-2 DIBELS, progress monitoring and training teachers and parents.

9. **Future Meetings:** Thursday March 11, 2021

10. **Adjournment:** 10:59 a.m.

Motion: Smith-Fagan

Second: Kay

Vote: By a 5-0 vote, the members **Approved** to adjourn the meeting.

Ayes: Kay, Miller, Modlin, Smith-Fagan, Fortune

No: None

Adoption Date

Dr. Rex Fortune, Board President
PCI Board of Directors



Pacific Charter Institute

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BOARD OF DIRECTORS MEETING

DATE: March 11, 2021

AGENDA ITEM: #7.1 Second Interim Report 2020-2021

Background:

Mr. Larry Pastore, Corporate Accountant, will present and discuss the Second Interim Report for PCI.

Public school governing boards are required to certify twice a year regarding their ability to meet their financial obligations for the remainder of the year and for the subsequent two fiscal years. The certification, along with accompanying documents are referred to as the Interim Report.

RECOMMENDED ACTION:

Board of Directors approve the Second Interim Report 2020-2021.

PACIFIC CHARTER INSTITUTE

Second Interim

2020-21

1401 El Camino Avenue

Sacramento, CA 95815

866-992-9033

**Pacific Charter Institute
Second Interim
2020-21**

Revenues:

- LCFF revenues have been based on the FCMAT LCFF calculator.
- Title I revenues have been budgeted for Heritage Peak and Rio Valley.
- Lottery revenue is budgeted at \$199 per ADA.
- Special Education revenues are based on 40% of projected expenditures for Heritage Peak. All other schools are based on approximately \$500 per ADA.
- Proceeds from debt of \$3,500,000 represent a line of credit obtained by Pacific Charter Institute in anticipation of significant apportionment deferrals.

ADA Projections:

	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>
Heritage Peak	1,055	1,055	1,055
Rio Valley	821	821	821
Valley View	611	611	611
Sutter Peak	580	580	580

Expenditures:

- Step increases are not reflected in the budget.
- Instructional supplies and services are budgeted at two levels depending on services received. \$2,700 or \$400 per student.
- Special Education expenditures are budgeted to exceed revenues received. Required contributions for Heritage Peak - \$756,241, for Rio Valley - \$416,709, for Valley View - \$69,072, and for Sutter Peak - \$45,176.
- District Oversight Fee – 1 percent of LCFF Funding.
- Professional Development Fee – 3 percent of LCFF Funding for Sutter Peak.
- Facility Fee – 2 percent of LCFF Funding for Heritage Peak.
- PCI administrative costs of \$4,030,894 have been allocated to the schools based on projected ADA.
- Certain instructional and special education costs incurred by Heritage Peak have been allocated to the schools. Instructional costs of \$768,220 have been allocated based on ADA. Special education costs of \$1,437,992 have been allocated based on student count.

Fund Balance:

Fund balance is projected to be \$12,563,206 at June 30, 2021. Of this amount, \$1,606,438 is reserved for economic uncertainties and \$3,500,000 is reserved for debt service. The unappropriated portion of fund balance at June 30, 2021, is projected to be \$7,456,768.

Multi-Year Projection:

The Multi-Year Projection reflects the ADA figures presented above.

LCFF Revenues have been based on the FCMAT LCFF calculator.

Step increases have been included in the 2021-22 and 2022-23 projections.

STRS and PERS employer contribution rates are budgeted to increase in future years.

Pacific Charter Institute
Statement of Revenues, Expenditures and Changes in Fund Balance
Second Interim
2020-21

	<u>Heritage Peak</u>			<u>Rio</u>	<u>Valley</u>	<u>Sutter</u>	<u>Combined</u>
	<u>Admin.</u>	<u>School</u> <u>Operations</u>	<u>Combined</u>				
Revenues:							
LCFF Sources		\$10,110,816	\$10,110,816	\$8,055,602	\$5,365,969	\$5,273,793	\$28,806,180
Federal		496,267	496,267	377,107	115,119	109,279	1,097,772
State		341,647	341,647	270,291	189,773	182,115	983,826
Local		504,161	504,161	430,137	367,916	348,232	1,650,446
Other Financing Sources	3,500,000	0	3,500,000	0	0	0	3,500,000
	<u>3,500,000</u>	<u>11,452,891</u>	<u>14,952,891</u>	<u>9,133,137</u>	<u>6,038,777</u>	<u>5,913,419</u>	<u>36,038,224</u>
Expenditures:							
Certificated Salaries	347,036	6,433,187	6,780,222	2,972,941	1,673,976	1,687,747	13,114,886
Classified Salaries	1,390,685	469,593	1,860,278	197,427	178,476	95,855	2,332,036
Employee Benefits	762,174	2,155,425	2,917,599	1,115,091	619,868	487,491	5,140,049
Books & Supplies	85,000	1,390,740	1,475,740	997,491	956,091	1,017,226	4,446,548
Services	1,446,000	1,423,150	2,869,150	1,397,450	1,115,350	986,800	6,368,750
Capital Outlay	0	0	0	0	0	0	0
Other Outgo	0	303,324	303,324	80,556	131,660	210,952	726,492
Debt Service - Principal	0	0	0	0	0	0	0
Debt Service - Interest	0	0	0	0	0	0	0
PCI Cost Allocation:							
Administrative	(4,030,894)	1,387,469	(2,643,425)	1,079,727	803,549	760,149	0
Instructional	0	(768,220)	(768,220)	313,785	233,524	220,911	0
Special Education	0	(1,437,992)	(1,437,992)	791,846	316,738	329,408	0
	<u>(0)</u>	<u>11,356,676</u>	<u>11,356,676</u>	<u>8,946,315</u>	<u>6,029,231</u>	<u>5,796,539</u>	<u>32,128,761</u>
Excess	3,500,000	96,215	3,596,215	186,822	9,546	116,880	3,909,462
Fund Balance, Beginning	0	4,212,539	4,212,539	2,612,465	438,693	1,390,047	8,653,744
Fund Balance, Ending	<u>\$3,500,000</u>	<u>\$4,308,754</u>	<u>\$7,808,754</u>	<u>\$2,799,287</u>	<u>\$448,239</u>	<u>\$1,506,927</u>	<u>\$12,563,206</u>
Components of Ending Fund Balance:							
Designated Amounts:							
Reserve for Economic Uncertainty		\$567,834	\$567,834	\$447,316	\$301,462	\$289,827	\$1,606,438
Restricted		0	0	0	0	0	0
Debt Service	\$3,500,000	0	3,500,000	0	0	0	3,500,000
Unappropriated	0	3,740,920	3,740,920	2,351,971	146,777	1,217,100	7,456,768
	<u>\$3,500,000</u>	<u>\$4,308,754</u>	<u>\$7,808,754</u>	<u>\$2,799,287</u>	<u>\$448,239</u>	<u>\$1,506,927</u>	<u>\$12,563,206</u>

Heritage Peak Charter School
Statement of Revenues, Expenditures and Changes in Fund Balance
Second Interim
2020-21

	Adopted Budget	First Interim	Second Interim
<u>Revenues:</u>			
LCFF Sources	\$9,857,237	\$10,110,816	\$10,110,816
Federal	261,023	496,267	496,267
State	276,531	341,647	341,647
Local	504,161	504,161	504,161
Other Financing Sources	0	0	0
	<u>10,898,952</u>	<u>11,452,891</u>	<u>11,452,891</u>
<u>Expenditures:</u>			
Certificated Salaries	6,369,175	6,433,187	6,433,187
Classified Salaries	469,593	469,593	469,593
Employee Benefits	2,143,914	2,155,425	2,155,425
Books & Supplies	1,053,150	1,390,740	1,390,740
Services	1,423,150	1,423,150	1,423,150
Capital Outlay	0	0	0
Other Outgo	295,717	303,324	303,324
Debt Service - Principal	0	0	0
Debt Service - Interest	0	0	0
PCI Cost Allocation:			
Administrative	1,358,085	1,387,469	1,387,469
Instructional	(722,605)	(768,220)	(768,220)
Special Education	(1,437,992)	(1,437,992)	(1,437,992)
	<u>10,952,187</u>	<u>11,356,676</u>	<u>11,356,676</u>
Excess	(53,235)	96,215	96,215
Fund Balance, Beginning	4,000,494	4,121,539	4,212,539
Fund Balance, Ending	<u>\$3,947,259</u>	<u>\$4,217,754</u>	<u>\$4,308,754</u>
<u>Components of Ending Fund Balance:</u>			
Designated Amounts:			
Reserve for Economic Uncertainty	\$547,609	\$567,834	\$567,834
Restricted	0	0	0
Unappropriated	3,399,650	3,649,920	3,740,920
	<u>\$3,947,259</u>	<u>\$4,217,754</u>	<u>\$4,308,754</u>

**Heritage Peak Charter School
Revenue Detail
Second Interim
2020-21**

	<u>Object</u>	<u>Resource</u>	
<u>LCFF Sources:</u>			
LCFF	8011	0000	\$6,231,724
EPA	8012	1400	2,214,555
In-Lieu Property Taxes	8096	0000	1,664,537
Total Revenue Limit			<u>10,110,816</u>
<u>Federal:</u>			
Title I Part A	8290	3010	245,009
ESSERF	8290	3210	180,929
LLMF	8290	3220	70,329
			<u>496,267</u>
<u>State:</u>			
Mandate Block Grant	8550	0000	45,370
Lottery	8560	1100	209,945
LLMF	8590	7420	86,332
Total State Revenue			<u>341,647</u>
<u>Local:</u>			
Special Education	8792	6500	504,161
Total Local Revenue			<u>504,161</u>
<u>Other Financing Sources:</u>			
			<u>0</u>
			<u>\$11,452,891</u>

Rio Valley Charter School
Statement of Revenues, Expenditures and Changes in Fund Balance
Second Interim
2020-21

	Adopted Budget	First Interim	Second Interim
<u>Revenues:</u>			
LCFF Sources	\$7,759,780	\$8,055,602	\$8,055,602
Federal	177,846	377,107	377,107
State	215,811	270,291	270,291
Local	411,541	430,137	430,137
	8,564,978	9,133,137	9,133,137
<u>Expenditures:</u>			
Certificated Salaries	2,972,941	2,972,941	2,972,941
Classified Salaries	197,427	197,427	197,427
Employee Benefits	1,115,091	1,115,091	1,115,091
Books & Supplies	743,450	997,491	997,491
Services	1,397,450	1,397,450	1,397,450
Capital Outlay	0	0	0
Other Outgo	77,598	80,556	80,556
Debt Service - Principal	0	0	0
Debt Service - Interest	0	0	0
PCI Cost Allocation:			
Administrative	1,040,106	1,079,727	1,079,727
Instructional	285,906	313,785	313,785
Special Education	791,846	791,846	791,846
	8,621,815	8,946,314	8,946,315
Excess	(56,837)	186,823	186,822
Fund Balance, Beginning	2,882,314	2,612,465	2,612,465
Fund Balance, Ending	\$2,825,477	\$2,799,288	\$2,799,287
<u>Components of Ending Fund Balance:</u>			
Revolving Cash			
Designated Amounts:			
Reserve for Economic Uncertainty (5%)	\$431,091	\$447,316	\$447,316
Restricted	0	0	0
Unappropriated	2,394,386	2,351,972	2,351,971
	\$2,825,477	\$2,799,288	\$2,799,287

**Rio Valley Charter School
Revenue Detail
Second Interim
2020-21**

<u>LCFF Sources:</u>	<u>Object</u>	<u>Resource</u>	
LCFF	8011	0000	\$4,746,082
EPA	8012	1400	1,743,348
In-Lieu Property Taxes	8096	0000	1,566,172
Total Revenue Limit			<u>8,055,602</u>
 <u>Federal:</u>			
Title I Part A	8290	3010	192,786
ESSERF	8290	3210	127,524
LLMF	8290	3220	56,797
Total Federal Revenue			<u>377,107</u>
 <u>State:</u>			
Mandate Block Grant	8550	0000	37,192
Lottery	8560	1100	163,379
LLMF	8590	7420	69,720
Total State Revenue			<u>270,291</u>
 <u>Local:</u>			
Special Education	8792	6500	430,137
Total Local Revenue			<u>430,137</u>
			<u><u>\$9,133,137</u></u>

Valley View Charter Prep
Statement of Revenues, Expenditures and Changes in Fund Balance
Second Interim
2020-21

<u>Revenues:</u>	<u>Adopted Budget</u>	<u>First Interim</u>	<u>Second Interim</u>
LCFF Sources	\$5,532,215	\$5,365,969	\$5,365,969
Federal	85,375	115,119	115,119
State	161,541	189,773	189,773
Local	370,869	367,916	367,916
	<u>6,150,000</u>	<u>6,038,777</u>	<u>6,038,777</u>
 <u>Expenditures:</u>			
Certificated Salaries	1,725,376	1,673,976	1,673,976
Classified Salaries	178,476	178,476	178,476
Employee Benefits	628,915	619,868	619,868
Books & Supplies	970,050	956,091	956,091
Services	1,212,550	1,115,350	1,115,350
Capital Outlay	0	0	0
Other Outgo	55,322	131,660	131,660
Debt Service - Principal	0	0	0
Debt Service - Interest	0	0	0
PCI Cost Allocation:			
Administrative	828,929	803,549	803,549
Instructional	227,858	233,524	233,524
Special Education	316,738	316,738	316,738
	<u>6,144,214</u>	<u>6,029,232</u>	<u>6,029,231</u>
 Excess	 5,786	 9,545	 9,546
 Fund Balance, Beginning	 639,925	 438,693	 438,693
 Fund Balance, Ending	 <u>\$645,711</u>	 <u>\$448,238</u>	 <u>\$448,239</u>
 <u>Components of Ending Fund Balance:</u>			
Revolving Cash			
Designated Amounts:			
Reserve for Economic Uncertainty (5%)	\$307,211	\$301,462	\$301,462
Restricted	0	0	0
Unappropriated	338,500	146,776	146,777
	<u>\$645,711</u>	<u>\$448,238</u>	<u>\$448,239</u>

**Valley View Charter Prep
Revenue Detail
Second Interim
2020-21**

<u>LCFF Sources:</u>	<u>Object</u>	<u>Resource</u>	
LCFF	8011	0000	\$5,168,523
EPA	8012	1400	122,144
In-Lieu Property Taxes	8096	0000	75,302
Total Revenue Limit			<u>5,365,969</u>
 <u>Federal:</u>			
Special Education	8181	3310	77,750
LLMF	8290	3220	37,369
Total Federal Revenue			<u>115,119</u>
 <u>State:</u>			
Mandate Block Grant	8550	0000	22,312
Lottery	8560	1100	121,589
LLMF	8590	7420	45,872
Total State Revenue			<u>189,773</u>
 <u>Local:</u>			
Special Education	8792	6500	367,916
Total Local Revenue			<u>367,916</u>
			<u><u>\$6,038,777</u></u>

Sutter Peak Charter Academy
Statement of Revenues, Expenditures and Changes in Fund Balance
Second Interim
2020-21

	<u>Adopted Budget</u>	<u>First Interim</u>	<u>Second Interim</u>
<u>Revenues:</u>			
LCFF Sources	\$5,245,421	\$5,273,793	\$5,273,793
Federal	78,250	109,279	109,279
State	151,028	182,115	182,115
Local	339,918	348,232	348,232
	<u>5,814,617</u>	<u>5,913,419</u>	<u>5,913,419</u>
<u>Expenditures:</u>			
Certificated Salaries	1,647,747	1,687,747	1,687,747
Classified Salaries	95,855	95,855	95,855
Employee Benefits	480,451	487,491	487,491
Books & Supplies	1,000,100	1,017,226	1,017,226
Services	1,057,350	986,800	986,800
Capital Outlay	0	0	0
Other Outgo	209,817	210,952	210,952
Debt Service - Principal	0	0	0
Debt Service - Interest	0	0	0
PCI Cost Allocation:			
Administrative	759,751	760,149	760,149
Instructional	208,842	220,911	220,911
Special Education	329,408	329,408	329,408
	<u>5,789,321</u>	<u>5,796,539</u>	<u>5,796,539</u>
Excess	25,296	116,880	116,880
Fund Balance, Beginning	1,466,048	1,390,047	1,390,047
Fund Balance, Ending	<u>\$1,491,344</u>	<u>\$1,506,927</u>	<u>\$1,506,927</u>
<u>Components of Ending Fund Balance:</u>			
Designated Amounts:			
Reserve for Economic Uncertainty	\$289,466	\$289,827	\$289,827
Restricted	0	0	0
Unappropriated	1,201,878	1,217,100	1,217,100
	<u>\$1,491,344</u>	<u>\$1,506,927</u>	<u>\$1,506,927</u>

**Sutter Peak Charter Academy
Revenue Detail
Second Interim
2020-21**

	<u>Object</u>	<u>Resource</u>	
<u>LCFF Sources:</u>			
LCFF	8011	0000	\$4,958,320
EPA	8012	1400	115,598
In-Lieu Property Taxes	8096	0000	199,875
Total Revenue Limit			<u>5,273,793</u>
<u>Federal:</u>			
Special Education	8181	3310	72,500
LLMF	8290	3220	36,779
			<u>109,279</u>
<u>State:</u>			
Mandate Block Grant	8550	0000	21,946
Lottery	8560	1100	115,022
LLMF	8590	7420	45,147
Total State Revenue			<u>182,115</u>
<u>Local:</u>			
Special Education	8792	6500	348,232
Total Local Revenue			<u>348,232</u>
<u>Other Financing Sources:</u>			
			<u>0</u>
			<u>\$5,913,419</u>

Pacific Charter Institute
Statement of Revenues, Expenditures and Changes in Fund Balance

	2020-21	2021-22	2022-23
<u>Revenues:</u>			
LCFF Sources	\$28,806,180	\$29,847,425	\$30,736,554
Federal	1,097,772	550,676	550,676
State	983,826	736,755	736,755
Local	1,650,446	1,650,446	1,650,446
Other Financing Sources	3,500,000	0	0
	36,038,224	32,785,302	33,674,431
<u>Expenditures:</u>			
Certificated Salaries	13,114,886	13,558,091	14,103,885
Classified Salaries	2,332,036	2,443,845	2,566,037
Employee Benefits	5,140,049	5,305,196	5,477,614
Books & Supplies	4,446,548	3,677,750	3,677,750
Services	6,368,750	6,356,750	6,356,750
Capital Outlay	0	0	0
Other Outgo	726,492	698,571	718,607
Debt Service - Principal	0	3,500,000	0
Debt Service - Interest	0	43,750	43,750
	32,128,761	35,583,953	32,944,394
Excess	3,909,462	(2,798,651)	730,037
Fund Balance, Beginning	8,653,744	12,563,206	9,764,555
Fund Balance, Ending	\$12,563,206	\$9,764,555	\$10,494,592
<u>Components of Ending Fund Balance:</u>			
Designated Amounts:			
Reserve for Economic Uncertainty	\$1,606,438	\$1,604,198	\$1,647,220
Restricted	0	0	0
Debt Service	3,500,000	0	0
Unappropriated	7,456,768	8,160,358	8,847,373
	\$12,563,206	\$9,764,555	\$10,494,592

Pacific Charter Institute
Statement of Revenues, Expenditures and Changes in Fund Balance
Second Interim
2021-22

	<u>Heritage Peak</u>			<u>Rio Valley</u>	<u>Valley View</u>	<u>Sutter Peak</u>	<u>Combined</u>
	<u>Admin.</u>	<u>School Operations</u>	<u>Combined</u>				
Revenues:							
LCFF Sources		\$10,492,064	\$10,492,064	\$8,307,073	\$5,573,096	\$5,475,192	\$29,847,425
Federal		245,009	245,009	192,786	40,381	72,500	550,676
State		255,315	255,315	200,571	143,901	136,968	736,755
Local		504,161	504,161	430,137	367,916	348,232	1,650,446
Other Financing Sources		0	0	0	0	0	0
	<u>0</u>	<u>11,496,549</u>	<u>11,496,549</u>	<u>9,130,567</u>	<u>6,125,294</u>	<u>6,032,892</u>	<u>32,785,302</u>
Expenditures:							
Certificated Salaries	\$347,037	6,690,514	7,037,551	3,091,859	1,740,935	1,687,747	13,558,091
Classified Salaries	1,460,219	493,073	1,953,292	207,299	187,399	95,855	2,443,845
Employee Benefits	785,039	2,225,477	3,010,516	1,151,331	640,014	503,335	5,305,196
Books & Supplies	85,000	1,053,150	1,138,150	743,450	860,850	935,300	3,677,750
Services	1,446,000	1,423,150	2,869,150	1,397,450	1,103,350	986,800	6,356,750
Capital Outlay	0	0	0	0	0	0	0
Other Outgo	0	314,762	314,762	83,071	81,731	219,008	698,571
Debt Service - Principal	3,500,000	0	3,500,000	0	0	0	3,500,000
Debt Service - Interest	43,750	0	43,750	0	0	0	43,750
PCI Cost Allocation:							
Administrative	(4,167,045)	1,434,802	(2,732,243)	1,116,561	829,601	786,081	0
Instructional	0	(791,267)	(791,267)	323,199	240,529	227,538	0
Special Education	0	(1,481,132)	(1,481,132)	815,601	326,241	339,290	0
	<u>3,500,000</u>	<u>11,362,528</u>	<u>14,862,528</u>	<u>8,929,822</u>	<u>6,010,650</u>	<u>5,780,954</u>	<u>35,583,953</u>
Excess	(3,500,000)	134,021	(3,365,979)	200,745	114,644	251,938	(2,798,651)
Fund Balance, Beginning	3,500,000	4,308,754	7,808,754	2,799,287	448,239	1,506,927	12,563,206
Fund Balance, Ending	<u>\$0</u>	<u>\$4,442,775</u>	<u>\$4,442,775</u>	<u>\$3,000,032</u>	<u>\$562,883</u>	<u>\$1,758,866</u>	<u>\$9,764,555</u>
Components of Ending Fund Balance:							
Designated Amounts:							
Reserve for Economic Uncertainty		\$568,126	\$568,126	\$446,491	\$300,533	\$289,048	\$1,604,198
Restricted		0	0	0	0	0	0
Debt Service	\$0	0	0	0	0	0	0
Unappropriated	0	3,874,648	3,874,648	2,553,541	262,350	1,469,818	8,160,358
	<u>\$0</u>	<u>\$4,442,775</u>	<u>\$4,442,775</u>	<u>\$3,000,032</u>	<u>\$562,883</u>	<u>\$1,758,866</u>	<u>\$9,764,555</u>

Pacific Charter Institute
Statement of Revenues, Expenditures and Changes in Fund Balance
Second Interim
2022-23

	Heritage Peak			Rio Valley	Valley View	Sutter Peak	Combined
	Admin.	School Operations	Combined				
Revenues:							
LCFF Sources		\$10,804,604	\$10,804,604	\$8,554,521	\$5,739,129	\$5,638,300	\$30,736,554
Federal		245,009	245,009	192,786	40,381	72,500	550,676
State		255,315	255,315	200,571	143,901	136,968	736,755
Local		504,161	504,161	430,137	367,916	348,232	1,650,446
Other Financing Sources		0	0	0	0	0	0
	<u>0</u>	<u>11,809,089</u>	<u>11,809,089</u>	<u>9,378,015</u>	<u>6,291,327</u>	<u>6,196,000</u>	<u>33,674,431</u>
Expenditures:							
Certificated Salaries	\$364,388	6,958,135	7,322,523	3,215,533	1,810,572	1,755,257	14,103,885
Classified Salaries	1,533,230	517,726	2,050,956	217,664	196,769	100,648	2,566,037
Employee Benefits	810,553	2,297,805	3,108,357	1,188,750	660,814	519,693	5,477,614
Books & Supplies	85,000	1,053,150	1,138,150	743,450	860,850	935,300	3,677,750
Services	1,446,000	1,423,150	2,869,150	1,397,450	1,103,350	986,800	6,356,750
Capital Outlay	0	0	0	0	0	0	0
Other Outgo	0	324,138	324,138	85,545	83,391	225,532	718,607
Debt Service - Principal	0	0	0	0	0	0	0
Debt Service - Interest	43,750	0	43,750	0	0	0	43,750
PCI Cost Allocation:							
Administrative	(4,282,921)	1,469,903	(2,813,018)	1,157,810	849,897	805,312	0
Instructional		(815,005)	(815,005)	332,895	247,745	234,365	0
Special Education		(1,525,566)	(1,525,566)	840,069	336,028	349,469	0
	<u>0</u>	<u>11,703,436</u>	<u>11,703,436</u>	<u>9,179,166</u>	<u>6,149,417</u>	<u>5,912,375</u>	<u>32,944,394</u>
Excess	0	105,653	105,653	198,849	141,910	283,625	730,037
Fund Balance, Beginning	0	4,442,775	4,442,775	3,000,032	562,883	1,758,866	9,764,555
Fund Balance, Ending	<u>\$0</u>	<u>\$4,548,428</u>	<u>\$4,548,428</u>	<u>\$3,198,881</u>	<u>\$704,793</u>	<u>\$2,042,491</u>	<u>\$10,494,592</u>
Components of Ending Fund Balance:							
Designated Amounts:							
Reserve for Economic Uncertainty		\$585,172	\$585,172	\$458,958	\$307,471	\$295,619	\$1,647,220
Restricted		0	0	0	0	0	0
Debt Service	\$0	0	0	0	0	0	0
Unappropriated	0	3,963,256	3,963,256	2,739,923	397,322	1,746,872	8,847,373
	<u>\$0</u>	<u>\$4,548,428</u>	<u>\$4,548,428</u>	<u>\$3,198,881</u>	<u>\$704,793</u>	<u>\$2,042,491</u>	<u>\$10,494,592</u>



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: March 11, 2021

AGENDA ITEM: #7.2 BP 3005 Health and Safety COVID Policy

Background:

PCI updates Board Policy (BP) and Administrative Regulations (AR) as advised by legal counsel. Revisions, updates, deletions, and additions are the result of legislation and Case Law and resulting changes to Education Code, Government code and Civil Code. BP 3005 has been reviewed and updated by PCI Administration.

Ms. Cathy Enos, Human Resource Manager, will present and update the board on BP 3005.

RECOMMENDED ACTION:

Board of Directors adopt revised BP 3005 Health and Safety COVID Policy.



Pacific Charter Institute

Health and Safety Policy for COVID-19 BP 3005

Adopted: December 10, 2020

Revised: March 11, 2021

It is the policy of Pacific Charter Institute (“Charter School”) to take all reasonable measures to prevent the spread of the novel coronavirus disease (“COVID-19”) among students and staff. In accordance with this policy, the Charter School is temporarily implementing health and safety measures to mitigate the spread of COVID-19, to be used when the Charter School is allowed to resume in-person instruction. This policy recognizes that these measures are each designed to provide some protection against COVID-19. While there may be times when one measure may not be feasible, implementing the other measures can make up for the absence of another. This Policy includes both mandatory measures (using terms “shall” or “will”) as well as recommended measures intended to guide decisions in light of practical limitations.

This Policy is based on guidance provided by the Centers for Disease Control, the California Department of Education, the California Department of Public Health, and several county public health officials. The Governor and each county public health official is vested with the authority to impose health and safety standards, which may vary by locality in response to different local conditions. The Charter School will, as necessary, consult with their county health officer, or designated staff, who are best positioned to monitor and provide advice on local conditions to individually determine whether more or less stringent measures are necessary to align with the applicable public health order.



Pacific Charter Institute

This Policy constitutes the COVID-19 Infection Control Plan for each Charter School worksite. Prior to resuming in-person instruction, the Executive Director or designee shall perform a comprehensive risk assessment of all work areas and work tasks in accordance with guidance from the California Department of Public Health (“CDPH”) and this Policy. The following staff member(s) is (are) responsible for implementing this Policy at each campus:

Heritage Peak Charter School Locations:

Vacaville	Matthew Schneider	707-446-2506
West Sacramento	Romyl Mabanta	916-375-0401
Rio Linda	Rebecca Leader	916-281-8437

Rio Valley Charter School Locations:

Lodi	Sean Turner	209-368-4953
Elk Grove	Julie Alfonso	916-405-6600
Broadway	Siobhan Truesdale	916-451-0401



Pacific Charter Institute

The Charter School offers distance learning as an alternative to in-person instruction. Distance learning will also remain available for students who would be put at risk by an in-person instructional model once in-person instruction resumes. For example, students with a health condition, students with family members with a health condition, students who cohabitate or regularly interact with high-risk individuals, or individuals, or are otherwise identified as “at-risk” by the parents or guardians are students whose circumstances otherwise merit distance learning.

1. Limited campus access:

- The Charter School will allow only necessary visitors and volunteers on the Charter School campus and limit the number of students and staff with whom they come into contact.
- The Charter School will exclude from the campus any employee, student, parent, caregiver or visitor who refuses to take or does not pass a Wellness and Temperature Screening.
- Students excluded from campus on the basis of an elevated temperature or other COVID-19 related symptoms shall be provided with distance learning opportunities to support their academic success to the greatest extent possible during exclusion.
- Students and employees who are well but who have a household member that has been diagnosed with COVID-19 are directed to notify their teacher or the principal, respectively, and the Charter School will work with them to ensure that CDC-recommended precautions are followed.
- If allowed on campus, any community groups and other third-party users of campus facilities shall be subject to applicable health and safety plans and restrictions.
- Health and safety standards and procedures shall be applied equally to all users of a public school campus that is subject to a co-location arrangement.
- The Charter School will minimize close contact between students, staff, families, and the broader community at arrival and departure through one or more of the following methods:
 - Designate routes for entry and exit, using as many entrances and exits as can be supervised appropriately to decrease crowding at entry and exit points.
 - Instruct drivers to remain in their vehicles, to the extent possible, when dropping off or picking up students. When in-person drop-off or pick-up is needed, only a single parent or caregiver should enter the facility to pick up or drop off the child.
 - Require adults entering campus for in-person pick-up or drop-off to wear a face covering.
 - Provide supervision to disperse student gatherings during school arrival and departure.
 - Minimize contact at school between students, staff, families and the community at the beginning and end of the school day. The Charter School will prioritize minimizing contact between adults at all times.
 - Stagger arrival and drop off-times and locations as consistently as practicable as to minimize scheduling challenges for families.
 - Designate routes for entry and exit, using as many entrances as feasible.
 - Implement health screenings of students and staff upon arrival at school (see Section 2).



Pacific Charter Institute

2. Wellness Checks and Temperature Screenings:

- *COVID-19 Symptoms.* Currently, the CDC has identified the following as potential symptoms of COVID-19:
 - Fever or chills
 - Cough
 - Shortness of breath or difficulty breathing
 - Fatigue
 - Muscle or body aches
 - Headache
 - New loss of taste or smell
 - Sore throat
 - Congestion or runny nose
 - Nausea or vomiting
 - Diarrhea
- In-person wellness checks administered under this Policy shall:
 - Confirm that the subject has not experienced COVID-19 symptoms in the prior 24 hours or potentially been exposed to COVID-19, by soliciting the following information:
 - Have you had any one or more of these symptoms today or within the past 24 hours? Are these symptoms new or not explained by another reason?
 - Fever or chills
 - Cough
 - Shortness of breath or difficulty breathing
 - Fatigue
 - Muscle or body aches
 - Headache
 - New loss of taste or smell
 - Sore throat
 - Congestion or runny nose
 - Nausea or vomiting
 - Diarrhea
 - Do you live in the same household with, or have you had close contact with, someone who in the past 14 days has been in isolation for COVID-19 or had a test confirming they have the virus? Close contact means being within six feet of someone, unmasked, for more than 15 minutes at one time.
 - Have you traveled outside of the country in the past 14 days?
 - Be conducted safely and respectfully, and in a manner that maintains physical distancing within lines, by providing multiple screening entries into the campus if possible.
- In-person wellness checks do not need to be performed by a nurse or other health professional.



Pacific Charter Institute

- *Home Screening (Students)*. Parents shall be instructed to screen their student before leaving the house for school. Before leaving the house, a parent should confirm that the student has a temperature below 100.4 degrees Fahrenheit and does not exhibit any other COVID-19 symptoms.
 - Any student who has a fever or other COVID-19 symptoms must stay home from school for at least 10 days after the onset of symptoms, or such period as required by local health order or directive.
- *Home Screening (Staff)*. All employees who report to work (in-person) are required to perform a self-administered wellness check for COVID-19 symptoms before leaving home for work. Active symptom screening shall be conducted at the worksite if required by local order.
 - Any employee who has a fever of 100.4 degrees Fahrenheit or higher and/or any of the COVID symptoms is directed to remain home, notify his or her supervisor and await instructions.
 - If symptoms are secondary to an underlying condition (i.e., allergies or asthma) and have not worsened, then the employee can report to work and follow hygiene practices.
- *Campus Screening (Students)*. Staff shall actively monitor students for COVID-19 symptoms when the student enters the school site, which shall include a visual wellness check and a temperature check (confirming temperature below 100.4 degrees Fahrenheit) using a no-touch thermometer, to the extent feasible.
 - Complete an in-person wellness check for signs and symptoms of COVID-19.
 - If student answers “no” to all questions and appears well, student will be allowed to proceed onto campus
 - If the student answers “yes” to any question or upon visual check, and the screener feels the student may be exhibiting signs and symptoms of illness, the student’s temperature should be taken, preferably using a touchless infrared thermometer.
 - If the student’s temperature is 100.4 or above or they have verbally confirmed symptoms, have them put on a surgical facemask and go to the isolation area; have office staff contact the parent to pick up the student.
- *Campus Screening (Visitors)*. Each visitor to the school site shall be screened for COVID-19 symptoms before entering the school site.
 - The staff member who greets the visitor at the entrance shall administer an in-person wellness check prior to escorting the visitor to his or her destination:
 - If the visitor answers “no” to all questions, he or she may enter the school.
 - If the visitor answers “yes” to any of the questions, he or she may not enter the school.
- To prevent stigma and discrimination in the school setting, student and employee health screenings should be kept as private as possible to maintain the confidentiality of student and employee medical and student records. Race, nationality, country of origin and other protected characteristics should never be used as a basis for particularized health screening.
- Consult the local county health order to determine whether temperature checks are required.



Pacific Charter Institute

- To the extent feasible and when required, a no-touch thermometer should be used for temperature checks if possible.
 - If a thermometer requiring a touch method (under the tongue or arm, forehead, etc.) is the only type available, it should only be used when a fever is suspected and caution is taken by temperature screeners such as gloves, eye protection, and mask.
 - Thermometers must be properly cleaned and disinfected after each use.
- The Charter School will not penalize students and families for missing in-person instruction due to COVID-19.

3. COVID-19 testing and reporting:

- Consistent with CDPH Guidance, the Charter School will implement surveillance testing based on local disease trends periodically, as testing capacity permits and as practicable, and if directed by the local public health order. Examples of recommended frequency include testing all staff over 2 months, where 25% of staff are tested every 2 weeks, or 50% every month to rotate testing of all staff over time.
- Provided that doing so is supported by a local public health order, the Charter School expects students and staff to get tested as soon as possible after developing one or more COVID-19 symptoms or if one or more household members or close contacts tested positive for COVID-19.
- In the event of a positive test result:
 - The Charter School requires that parents/guardians and staff notify school administration immediately if the student or staff tested positive for COVID-19 or if one of their household members or non-household close contacts tested positive for COVID-19.
 - Upon receiving notification that staff or a student has tested positive for COVID-19 or been in close contact with a COVID-19 case, the Charter School will take actions as required in Section 4 below.
- Follow the process set forth in Section 4 upon receipt of test results.

4. Response to suspected or confirmed cases and close contacts:

- If the event of a suspected COVID-19 case(s):
 - The Charter School will identify isolation rooms and/or outdoor areas to separate anyone who exhibits COVID-19 symptoms.
 - Any students or staff exhibiting symptoms should immediately be required to wear a face covering and wait in a separate isolation area until they can be transported home or to a healthcare facility, as soon as practicable. For serious illness, call 9-1-1 without delay.



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- In the event of one or more confirmed COVID-19 case(s) the Charter School will follow the CDPH Framework for Reopening K-12 Schools, including implementation of the following practices:
 - Notify the county public health department immediately by calling:

County	Phone Number
Alameda	510-267-3250
Amador	209-223-6407
Butte	530-552-3300
Calaveras	209-754-6460
Colusa	530-458-0380
Contra Costa	925-313-6712
El Dorado	530-621-6100
Placer	530-889-7141
Sacramento	916-875-5881
San Joaquin	209-468-3411
Solano	707-784-8600
Stanislaus	209-558-7000
Sutter	530-822-7215
Yolo	530-666-8643
Yuba	530-749-6311



Pacific Charter Institute

- Notify all staff and families in the school community of any positive COVID-19 case while maintaining confidentiality as required by state and federal laws.
- Close off areas used by any sick person and do not use before cleaning and disinfection. Follow cleaning and ventilation procedures in Section 6 and 7.
- Investigate the COVID-19 illness and exposures and determine if any work-related factors could have contributed to risk of infection.
- Update protocols as needed to prevent further cases in accordance with CDPH Guidelines (“Responding to COVID-19 in the Workplace”).
- Implement communication plans for exposure at school and potential school closures to include outreach to students, parents, teachers, staff and the community.
- Include information for staff regarding labor laws, information regarding Disability Insurance, Paid Family Leave and Unemployment Insurance, as applicable to schools.
- Provide guidance to parents, teachers and staff reminding them of the importance of community physical distancing measures while a school is closed, including discouraging students or staff from gathering elsewhere.
- Develop a plan for continuity of education. Consider in that plan how to also continue nutrition and other services provided in the regular school setting to establish alternate mechanisms for these services to continue.
- Maintain regular communications with the local public health department.
- Where stable classroom cohorts have been maintained: All students and staff should be instructed to get COVID-19 testing and remain quarantined at home for 14 days.
- Where stable classroom cohorts have not been maintained: Utilize class seating rosters and consultation with teachers/staff to identify close contacts to the confirmed COVID-19 case in all classrooms and on-campus activities.
A “close contact”¹ is someone who has been within six feet of the person who tested positive for a prolonged period of time (at least 15 minutes) regardless of face covering use, or someone who had direct physical contact or shared eating or drinking utensils with that person, or if that person sneezed, coughed, or somehow got respiratory droplets on you.
Close contacts should be instructed to get COVID-19 testing and should remain quarantined at home for 14 days.
- For all settings: Provide information regarding close contacts to the county public health department via secure fax or email.

¹A close contact also includes a situation in which a person provided care at home to someone who is sick with COVID-19.



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- In consultation with the local public health department, the appropriate school official may decide whether school closure versus cleaning and quarantine of exposed persons or other intervention is warranted, including the length of time necessary, based on the risk level within the specific community as determined by the local public health officer.
- Close contacts to confirmed COVID-19 case(s):
 - Close contacts (household or non-household) of confirmed COVID-19 cases should be sent home immediately, instructed to get COVID-19 testing immediately and ten (10) days after their last day of exposure to the case. Even if they test negative, they should remain in quarantine for a full 14 days after (1) date of last exposure to COVID-19 positive non-household contact or (2) date that COVID-19 positive household member completes their isolation.
 - No actions need to be taken for persons who have not had direct contact with a confirmed COVID-19 case, and instead have had close contact with persons who were in direct contact.
 - Those who test positive should not return until they have met county health department criteria to discontinue home isolation.
- Returning to school after home isolation:
 - Symptomatic individuals who test negative for COVID-19 can return 3 days after resolution of fever (if any) and improvement in symptoms.
 - Documentation of a negative test result should be provided to school administrators.
 - In lieu of a negative test result, students and staff may return to work with a medical note by a physician that provides alternative explanation for symptoms and reason for not ordering COVID-19 testing.
 - Symptomatic individuals who test positive for COVID-19 can return 10 days after symptom onset or test date.
 - Close contacts to confirmed COVID-19 cases at school can return 14 days from the last date that the case was present at school while infectious.
 - Close contacts to confirmed COVID-19 cases at home or outside school can return a full 14 days after (1) date of last exposure to COVID-19 positive non-household contact or (2) date that COVID-19 positive household member completes their isolation.

5. Sanitizing/hygiene materials and practices:

- The Charter School will develop routines to ensure that students and staff wash or sanitize hands frequently, including upon arrival to campus, after using the restroom, after playing outside and returning to the classroom, before and after eating, and after coughing or sneezing.



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- Sanitation routines will enable students and staff to regularly wash their hands at staggered intervals.
- Staff will teach and reinforce proper handwashing technique, avoiding contact with one's eyes, nose, and mouth, using a tissue to wipe the nose, and covering coughs and sneezes.
- The Charter School shall make soap, tissues, no-touch trashcans, face coverings, water and paper towels or dryers for hand washing available. Students and staff should wash their hands for 20 seconds with soap, rubbing thoroughly after application. Soap products marketed as "antimicrobial" are not necessary or recommended.
- If soap and water are not readily available, the Charter School shall make available fragrance-free alcohol-based hand sanitizer that is at least sixty percent (60%) ethyl alcohol. (Note: frequent handwashing is more effective than the use of hand sanitizers.)
- Children under age 9 should only use hand sanitizer under adult supervision. Call Poison Control if consumed: 1-800-222-1222.
- The Charter School shall place posters conspicuously that encourage hand hygiene to help stop the spread of COVID-19.
- Employees should visit the CDC's coughing and sneezing etiquette and clean hands webpage for more information.

6. Routine cleaning and disinfecting: The Charter School will incorporate the CDPH and CDC Guidance for Cleaning, Disinfection and Ventilation as appropriate to maintain a high level of cleanliness throughout the year and reduce the risk of exposure to and spread of COVID-19 at the school site.

- Custodial staff will perform thorough cleaning when students are not present. When cleaning, the space will be aired out before children arrive.
- Staff should wait twenty-four (24) hours before cleaning and disinfecting any area that was used by a person who was experiencing COVID-19 symptoms. If it is not possible to wait twenty-four (24) hours, then staff should wait as long as possible.
- The Charter School will ensure proper ventilation during cleaning and disinfecting. Staff are encouraged to introduce fresh outdoor air as much as possible, by opening windows where practicable.
- All frequently touched surfaces in the workplace, such as chairs, desks, tables, keyboards, telephones, handrails, light switches, sink handles, bathroom surfaces and door handles, will be routinely disinfected.
- Students and employees are discouraged from sharing desks, computers, books, phones, pens, art supplies, or other work tools and equipment, including playground equipment, when possible. When shared use is allowed, the items and equipment will be cleaned and disinfected between uses.
- Staff will be trained as appropriate in the chemical hazards, manufacturer's directions, and Cal/OSHA requirements for safe and correct application of cleaning and disinfectant agents in



Pacific Charter Institute

accordance with the Healthy Schools Act guidance from the California Department of Pesticide Regulation and Cal/OSHA.

- When choosing disinfecting products, the Charter School will use those approved for use against COVID-19 on the Environmental Protection Agency (EPA)- approved list “N” and require staff to follow product instructions.
 - To reduce the risk of asthma and other health effects related to disinfecting, the Charter School will select disinfectant products on list N with asthma-safer ingredients (hydrogen peroxide, citric acid or lactic acid) as recommended by the US EPA Design for Environment program.
 - The Charter School will avoid products that contain peroxyacetic (paracetic) acid, sodium hypochlorite (bleach) or quaternary ammonium compounds, which can cause asthma.
 - Staff shall follow label directions for appropriate dilution rates and contact times.
 - The Charter School will establish a cleaning and disinfecting schedule in order to avoid both under- and over-use of cleaning products.
- Subject to available resources, disposable disinfecting wipes shall be made available so that employees can wipe down commonly used surfaces (e.g., doorknobs, keyboards, remote controls, desks, other work tools and equipment) before each use. Disinfectant wipes and sprays will be kept away from students.
- To the extent feasible, site resources that necessitate sharing or touching items (e.g., drinking fountains) will not be used and replacement items (e.g., reusable water bottles) will be used to the extent practicable.
- Each student’s belongings will be kept in an individually labeled storage container, cubby, or locker. Students are encouraged to take belongings home each day to be cleaned.

7. Facility measures: The Charter School will incorporate CDE guidance for maintaining a healthy facility, to include some or all of the following:

- Property Management will ensure that ventilation systems and fans operate properly and increase circulation of outdoor air as much as possible by opening windows and doors and other methods.
- Windows and doors should not be opened if doing so poses a safety or health risk by exacerbating seasonal allergies or asthma symptoms.
 - The Charter School will consider alternatives, such as increased central air filtration (targeted filter rating of at least MERV 13) if opening windows poses a safety or health risk to persons using the facility.
- Property Management will ensure that all water systems and features (e.g., drinking fountains) are safe to use after a prolonged facility shutdown to minimize the risk of Legionnaires’ disease and other diseases associated with water.
- If possible, suspend or modify use of site resources that necessitate sharing or touching items. For example, consider suspending use of drinking fountains and installing hydration stations; encourage the use of reusable water bottles.



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- Consider installing additional temporary handwashing stations at all school entrances and near classrooms to minimize movement and congregation in bathrooms.
- Consider installing privacy boards or clear screens to increase and enforce separation between staff and students.

8. Physical distancing (staff): The Charter School will incorporate CDPH and CDE guidance with respect to physical distancing between employees, to include some or all of the following:

- The Charter School will consider arranging work schedules and providing telework options to limit the total number of staff on campus each day.
- The Charter School will arrange desks and workspaces to create a minimum of six (6) feet between individuals.
- Break rooms, staff rooms and conference rooms will have posted occupancy limits. Staff should minimize use of staff rooms, break rooms and other indoor settings. Staff are encouraged to eat meals outdoors or in large, well ventilated spaces.
- Where possible, trainings and other meetings will be conducted virtually or in a manner that accommodates physical distancing.

9. Physical distancing (students): The Charter School will incorporate CDE guidance with respect to physical distancing between students on campus, to include some or all of the following:

- The Charter School will consider different options for instructional scheduling models, including using a blended learning model to limit the total number of students on campus each day.
- The Charter School will establish a maximum occupancy of each classroom. Desks will be arranged to minimize face-to-face contact and maintain a minimum of six (6) feet between students.
- To reduce possibilities for infection, students must remain in the same space and in cohorts as small and consistent as practicable, including for recess and lunch.
 - Ensure students and staff remain in stable classroom cohorts by keeping the same students and teacher or staff together for the entire school day. Students should not mix with other stable classroom cohorts.
 - Prioritize the use and maximization of outdoor space for activities where practicable.
 - Minimize movement of students and teachers or staff as much as practicable. For example, consider ways to keep teachers with one group of students for the whole day.
 - In secondary schools or in situations where students have individualized schedules, plan for ways to reduce mixing among cohorts and to minimize contact.
 - Maximize space between seating and desks. Distance teacher desks at least six feet away from students. Consider ways to establish separation of students through other means if practicable, such as, six feet between desks, where practicable, partitions between desks,



Pacific Charter Institute

- markings on classroom floors to promote distancing or arranging desks in a way that minimizes face-to-face contact.
- Consider redesigning activities for smaller groups and rearranging furniture and play spaces to maintain separation.
- The Charter School will implement measures to maintain physical distancing while students move between classrooms that are easy for students to understand and are developmentally appropriate, including potentially one or more of the following recommendations.
 - Hallways: Minimize congregate movement through hallways as much as practicable. For example, establish more ways to enter and exit a campus, stagger passing times when necessary or when students cannot stay in one room, and establish designated one-way walking/passage areas.
 - Restrooms: Stagger restroom use by groups of students to the extent practicable, and/or assign certain groups of students to use certain restrooms.
 - Libraries: Stagger group use of libraries.
 - Outdoors: Consider holding recess activities in separated areas designated by class.
- Outdoor and large format spaces (e.g., auditoriums) may be used for instructional activities where physical distancing cannot be maintained in classrooms.
- Activities where there is increased likelihood for transmission from contaminated exhaled droplets such as band and choir practice and performances are not permitted indoors.
 - Activities that involve singing must only take place outdoors.
- The Charter School will implement procedures for turning in assignments to minimize contact.
- The Charter School will implement a plan to maintain physical distancing during meals (serving meals in the classroom or outdoors, staggering cafeteria use, etc.). Food will be distributed in single-service meals instead of buffet, salad bar or family-style formats.
- The Charter School will implement appropriate physical distancing measures during physical activities.
 - Playgrounds and Recess: The Charter School will consider holding recess activities in separated areas designated by class and/or staggered throughout the day, and limiting use of shared playground equipment in favor of physical activities that require less contact with surfaces and allow for greater physical distancing.
 - Physical Education: The Charter School will consider conducting physical education classes outdoors whenever possible, maintaining separation of classes and with appropriate physical distancing within groups to the extent practicable.

10. Use of face coverings: The Charter School will follow CDPH, CDE and CDC guidance and state and local health orders on the use of face coverings. All staff are encouraged to review the CDPH and CDC guidance on cloth face coverings; face coverings must be used in accordance with CDPH Guidelines and this Policy unless a person is exempt as explained in this Policy, particularly in indoor environments, on school buses, and areas where physical distancing alone is not sufficient to prevent disease transmission.



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- Until such time as the statewide order is lifted, all adults must wear a cloth face covering at all times while on campus, except while eating or drinking.
 - Staff excluded from this requirement are those that require respiratory protection according to Cal/OSHA standards.
- Employees should wear a clean face mask to work every day.
- Employees should avoid touching the mask and should wash their hands frequently, including after removing the mask.
- Employees are expected to teach and reinforce proper use of face coverings, and in limited circumstances, face shields.
- Teachers may use clear plastic face shields with an appropriate seal (cloth covering extending from the bottom edge of the shield and tucked into the shirt collar) in certain limited situations in the classroom to enable students to see their faces and avoid potential barriers to phonological instruction as long as the wearer maintains physical distance from others, to the extent practicable. Staff must return to wearing a face covering outside of the classroom.
- The Charter School will post signs regarding the proper use, removal, and washing of face coverings.
- The Charter School will post signs to remind employees that CDC recommends maintaining social distancing of at least six (6) feet, and that the State of California currently requires face masks to be worn in public settings with certain limited exceptions.
- All students who are not prevented from doing so by a breathing problem or disability shall wear a clean cloth face covering:
 - While waiting to enter the school campus.
 - In any area outside of the classroom (except when eating or drinking).
 - While leaving school.
 - While waiting for or riding on a school bus.
- ~~Elementary school students in grades TK-2 are strongly encouraged, but are not required, to wear a cloth face covering within their stable classroom cohort. A face shield is an acceptable alternative for children in this cohort who cannot wear a face mask properly.~~
- ~~Students in all grade levels TK-12 grades 3 and above are required to wear cloth face coverings at all times, while at school or school activity, unless exempt. when in the classroom even if they are in a stable classroom cohort.~~
- Proper use of cloth face coverings by students will be strictly enforced. The Charter School will exclude from campus who refuses to wear a face mask. Students excluded from face covering requirements include anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the covering without assistance.
- The Charter School shall educate students, particularly younger elementary school students, on the rationale and proper use of face coverings.
- A cloth face covering or face shield may be removed for meals, snacks, naptime, or outdoor recreation, or when it needs to be replaced. When a cloth face covering is temporarily removed,



Pacific Charter Institute

it should be placed in a clean paper bag (marked with the student's name and date) until it needs to be put on again.

- The Charter School will provide face coverings for students and staff who lose their face coverings or forget to bring them to school.

11. Use of gloves and PPE: The Charter School requires employees to wear gloves and other Personal Protective Equipment (“PPE”) in accordance with the following standards.

- The Charter School will provide surgical masks, face shields, and disposable gloves for employees engaging in Wellness and Temperature Screenings.
- Workers or other persons handling or serving food must use gloves in addition to cloth face coverings.
- The Charter School will provide a clear plastic barrier or face covering and disposable gloves for front office and food service employees.
- The Charter School will provide equipment and PPE to custodial staff for cleaning and disinfecting, including:
 - For regular surface cleaning, gloves appropriate for all cleaning and disinfecting.
 - For classified staff engaged in deep cleaning and disinfecting, proper PPE for COVID-19 disinfection (disposable gown, gloves, eye protection, and mask or respirator) in addition to PPE as required by product instructions.
 - All cleaning and disinfecting products must be kept out of children's reach and stored in a space with restricted access.
- As required by Cal/OSHA, the Charter School will provide training on the proper use of PPE to protect employees from the hazards of the cleaning products used.
- Employees must wash hands after removing gloves.

12. Support for Students at Increased Risk of Becoming Infected or Unrecognized Illness:

- The Executive Director or designee will review student health plans, including 504 Plans, to identify students who may need additional accommodations to minimize potential exposure.
- The Executive Director or designee will develop a process for engaging families for potentially unknown concerns that may need to be accommodated.
- The Charter School will identify additional preparations for classroom and non-classroom environments as needed to ensure the safety of students at increased risk of becoming infected or having unrecognized illness. Persons who might be at increased risk of becoming infected or having unrecognized illness include the following:
 - Individuals who have limited mobility or require prolonged and close contact with others, such as direct support providers and family members;



Pacific Charter Institute

- Individuals who have trouble understanding information or practicing preventive measures, such as hand washing and physical distancing; and
- Individuals who may not be able to communicate symptoms of illness.

13. Maintaining Healthy Operations: The Charter School will follow CDPH Guidance for maintaining healthy operations, including the following practices.

- Monitor staff absenteeism and have a roster of trained back-up staff where available.
- Monitor the types of illnesses and symptoms among your students and staff to help isolate them promptly as needed.
- Designate a staff liaison or liaisons to be responsible for responding to COVID-19 concerns. Workers should know who they are and how to contact them. The liaison should be trained to coordinate the documentation and tracking of possible exposure, in order to notify local health officials, staff and families in a prompt and responsible manner.
- Maintain communication systems that allow staff and families to self-report symptoms and receive prompt notifications of exposures and closures, while maintaining confidentiality, as required by FERPA and state law related to privacy of educational records.
- Consult with local health departments if routine testing is being considered by a local educational agency. The role of providing routine systematic testing of staff or students for COVID-19 (e.g., PCR swab testing for acute infection, or presence of antibodies in serum after infection) is currently unclear.
- Support students who are at higher risk for severe illness or who cannot safely distance from household contacts at higher risk, by providing options such as virtual learning or independent study.

14. Protection of higher risk employees:

- The Charter School recognizes that older adults and people of any age who have serious underlying medical conditions are at higher risk for severe illness from COVID-19.²
- Consistent with operational needs, the Charter School shall support options to telework, if available and reasonable.
- The Charter School shall attempt to limit vulnerable employees' duties to minimize their contact with visitors and other employees.

² This includes employees with any one or more of the following high risk factors: age 65 years and older, chronic lung disease, moderate to severe asthma, serious heart conditions, immune deficiency, severe obesity (body mass index of 40 or higher), diabetes, chronic kidney disease undergoing dialysis, or liver disease.



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15. Communications to the Charter School community:

- The Charter School will engage with families and staff to develop strategies to prepare and respond to the COVID-19 emergency, including guidelines for families about when to keep students home from school and other topics.
- Prior to the start of the school year, the Charter School will communicate to staff, students, and parents about new, COVID-19-related protocols, including:
 - Enhanced sanitation practices
 - Physical distancing requirements and recommendations
 - Proper use, removal and washing of face coverings.
 - Screening practices.
 - How COVID-19 is spread.
 - COVID-19 specific symptom identification.
 - Preventing the spread of COVID-19 if you are sick, including the importance of not coming to work if staff members have symptoms, or if they or someone they live with has been diagnosed with COVID- 19.
 - Guidelines for employees regarding COVID-19 specific symptom identification and when to seek medical attention
 - Guidelines for families about when to keep students home from school.
 - Systems for self-reporting symptoms.
 - Criteria and plan to close schools again for physical attendance of students.
- The Charter School will train staff and students on protocols for physical distancing for both indoor and outdoor spaces.
- Communications will be targeted to the most vulnerable members of the Charter School community.
- The Charter School will develop a communications plan for implementation if the school has a positive COVID-19 case in accordance with CDPH and CDE guidelines.

The Executive Director or designee is authorized to implement changes or additions to this policy in order to ensure compliance or consistency with new or revised orders or guidance from local, county, state or federal authorities (“Agencies”), to take any and all actions consistent with orders and guidance from the Agencies that is not specifically addressed by this policy, and to ensure compliance with the Charter School’s charter petition. The Executive Director or designee shall provide the Board with regular updates as to actions taken pursuant to this section.



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: March 11, 2021

AGENDA ITEM: #7.3 Lodi Unified SELPA Local Plan and Participation Agreement-
Rio Valley Charter School

Background:

Mr. Tim Ribota, Director of Student Services, will present and discuss the SELPA agreement.

The Lodi Unified SELPA's revised Local Plan Section B and the revised Charter SELPA Participation Agreement were approved at the October 6, 2020, CEO Council meeting. Each partner of the Charter SELPA is required to adopt the Local Plan and the Participation Agreement for each of their respective LEAs/schools between now, October 2020 and February 2021.

RECOMMENDED ACTION:

Board of Directors approve the Lodi Unified SELPA Agreement for RVCS.

Special Education Local Plan Area (SELPA) Local Plan

SELPA

Fiscal Year

LOCAL PLAN

Section A: Contacts and Certifications

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

Section A: Contacts and Certifications

SELPA

Fiscal Year

Contact Information and Certification Requirements

From the five choices below, check the box that best represents the Special Education Local Plan Area's (SELPA's) planned submission to the CDE:

- Initial Local Plan (new SELPAs only)
- Annual Plan
- Amended Governance and Administration
- Amended Local Educational Agency Membership
- Amended Annual Plan
- Amended Local Educational Agency Membership

Special Education Local Plan Area Contact Information

Include current contact information for the SELPA administrator and the administrative unit and fiscal agency responsible for the implementation of the local plan.

Special Education Local Plan Area Administrator

SELPA administrator position changes do not require amendments to the local plan. However, in such cases, new SELPA administrators assume the responsibility for the contents and implementation of the last submitted and approved local plan filed with the California Department of Education (CDE).

SELPA Contact Information

SELPA Name	<input type="text" value="Lodi Area Special Education Region"/>		
SELPA Code	<input type="text" value="3911"/>		
Street Address	<input type="text" value="1305 East Vine St."/>	Zip Code	<input type="text" value="95240"/>
City	<input type="text" value="Lodi"/>	County	<input type="text" value="San Joaquin"/>
Administrator First Name	<input type="text" value="Paul"/>		
Administrator Last Name	<input type="text" value="Warren"/>		
Email	<input type="text" value="pwarren@lodiUSD.net"/>		
Telephone	<input type="text" value="209-331-7062"/>	Extension	<input type="text"/>
Contact Title	<input type="text" value="Director"/>		
Web Address	<input type="text" value="https://www.lodiUSD.net/district/student-support-ser"/>		

Section A: Contacts and Certifications

SELPA

Fiscal Year

Responsible Local Agency (RLA)/Administrative Unit (AU) Contact Information

RLA/AU	<input type="text" value="Lodi Unified School District"/>		
Street Address	<input type="text" value="1305 East Vine St."/>	Zip Code	<input type="text" value="95240"/>
City	<input type="text" value="Lodi"/>	County	<input type="text" value="San Joaquin"/>
Superintendent First Name	<input type="text" value="Cathy"/>	Last Name	<input type="text" value="Washer"/>
Email	<input type="text" value="cwasher@lodiUSD.net"/>		
Telephone	<input type="text" value="209-331-7010"/>	Extension	<input type="text"/>
Web Address	<input type="text" value="https://www.lodiUSD.net/district/superintendents-cf"/>		

Special Education Local Plan Agency Review Requirements

Community Advisory Committee

The SELPA must provide the local plan Governance and Administration component (Section B) to the Community Advisory Committee (CAC) for review. The CAC must be provided with at least 30 days to conduct this review.

The local plan was provided to the CAC for review on what date

County Office of Education

(California Education Code (EC) sections 56140, 56195.1(c), and 56205)

Within 45 days, the County Office of Education (COE), or COEs (as applicable) must approve or disapprove any proposed initial local plan submitted by a local educational agency (LEA) or group of LEAs within the county or counties, and any amendment to the Governance and Administration element thereafter.

COE responsible for approving the Local Plan is the

The local plan was submitted to the COE on what date

Section A: Contacts and Certifications

SELPA

Fiscal Year

Public Hearing Requirements

Local Educational Agency

Annual Budget and Service Plans (Sections D, E, and Attachments)

LEAs participating in a SELPA's governance structure are not required to convene a separate public hearing for the adoption of the Annual Budget and Service Plans. However, LEAs must post PH notices at each school site with information related to the SELPA's PH for the adoption of the Annual Budget Plan, and/or Annual Service Plan at least 15 days before the hearing. Evidence of the posting should be maintained and made available upon request by the CDE.

Special Education Local Plan Area

Annual Budget and Services Plans (Sections D, E, and Attachments)

A PH notice for the adoption of the Annual Budget and/or Annual Service Plan(s) shall be posted at least 15 days before the hearing.

Annual Budget Plan PH Posting Date	<input type="text" value="Sep 15, 2020"/>
Annual Budget Plan PH Date	<input type="text" value="Sep 15, 2020"/>
Annual Services Plan PH Posting Date	<input type="text" value="Sep 15, 2020"/>
Annual Services Plan PH Date	<input type="text" value="Sep 15, 2020"/>

Submitting the Local Plan to the California Department of Education

STEP 1:

Section A is required when submitting any and all local plan sections to the CDE for approval.

STEP 2:

Select the radio button and check-box that represents whether the SELPA's organization is a single-LEA, or multiple-LEA structure; and the membership participation (including charter schools, COEs, and whether the SELPA meets the criteria for a small and sparse SELPA).

Single-LEA Multiple-LEAs

- Charter Schools Only
- LEAs Only (including Charter LEAs)

Section A: Contacts and Certifications

SELPA

Fiscal Year

COE/LEA

Small and Sparse (EC sections 56211 through 56212)

STEP 3:

Is the local plan component (Governance and Administration, Annual Budget Plan, or Annual Service Plan) an amendment to a previously submitted plan?

Yes No If "Yes," enter the fiscal year of the previously approved plan

STEP 4:

Include the agency, name, and title of the participants who collaborated in the development of the local plan sections. Select the "Add" button to insert a new row and the "-" button to delete the corresponding row.

Add	Agency	First and Last Name	Title	Section
-	Lodi USD	Paul Warren	Administrator	All Sections
-	Lodi USD	Cathy Washer	Administrator	All Sections
-	Lodi USD	Adina Andris	Finance	Multiple Sections
-	Lodi USD	April Juarez	Finance	Multiple Sections
-	Lozano Smith	Aimee Perry	Attorney	Multiple Sections
-				

STEP 5:

Select the check box to indicate which of the five certifications are being submitted. Include the total number of each type of certification being submitted.

- Certification 1 Number Submitted
- Certification 2 Number Submitted
- Certification 3 Number Submitted
- Certification 4 Number Submitted

Section A: Contacts and Certifications

SELPA

Fiscal Year

Certification 5 Number Submitted

STEP 6:

Make sure all applicable certifications are signed electronically and are attached to this pdf.

STEP 7:

Electronically submit the completed section(s) to the CDE at SELPALocalPlan@cde.ca.gov. SELPAs may individually email the corresponding Sections (B, D, E), and the Attachments file to the CDE in the same manner. Or, SELPA may attach all files to a single email.

IMPORTANT: Include the SELPA name, "Local Plan" and the Sections (A, B, D, E, and/or Attachments) being submitted in the "Subject" line of all emails sent to the CDE.

Section A: Contacts and Certifications

SELPA

Fiscal Year

Certification 1: Governance and Administration

Certification 1 is required for an initial Section B submission to the CDE, and each subsequently amended submission.

I certify the attached Governance and Administration local plan section has been adopted at LEA public hearings by the represented local board(s) (LEA/county) and is the basis for the operation and administration of special education programs. I further assure the agency(ies) represented herein will meet all applicable requirements of state and federal laws, regulations, and state policies and procedures, including compliance with the Individuals with Disabilities Education Act (IDEA), Title 20 of *United States Code (USC)* 1400 et seq., implementing regulations under Title 34 *Code of Federal Regulations (34 CFR)* Parts 300 and 303, 29 *USC* 705 (20) and 794-794b, the Federal Rehabilitation Act of 1973 as amended, the provisions of the California *EC* Part 30, and Chapter 3 Division 1 of Title 5 of the *California Code of Regulations (5 CCR)*. Copies of all interagency agreements have been attached to the Governance and Administration section of the local plan.

I further certify written agreements have been developed and entered into by LEAs participating in the local plan. Such agreements include, but are not limited to all provisions pursuant to *EC* Section 56195.7.

Web address where the SELPA local plan, including all sections, is posted.

RLA/AU Authorized Agent

Date

Local Governance Council Chairperson

Date

SELPA Administrator

Date

Section A: Contacts and Certifications

SELPA

Fiscal Year

Certification 2: Annual Budget Plan and Annual Service Plan

Certification 2 is required for an initial Section D, and/or E submission to the CDE and each subsequent annual revision.

I certify the attached local plan section(s) including, (1) the Annual Budget Plan; and/or (2) the Annual Service Plan has/have was/were adopted at a SELPA public hearing and is/are the basis for the operation and administration of special education programs specified herein. I further assure the agency(ies) represented will meet all applicable requirements of state and federal laws, regulations, and state policies and procedures, including compliance with the Individuals with Disabilities Education Act (IDEA), 20 USC 1400 et seq., and implementing regulations under 34 CFR Parts 300 and 303, 29 USC 705 (20) and 794-794b, the Federal Rehabilitation Act of 1973 as amended, the provisions of the California EC Part 30, and Chapter 3 Division 1 of 5 CCR.

Web address where the SELPA local plan, including all sections, is posted.

RLA/AU Authorized Agent

Date

Local Governance Council Chairperson

Date

SELPA Administrator

Date

Special Education Local Plan Area (SELPA) Local Plan Certification 5

SELPA

Fiscal Year

Certification 5: Participating Local Educational Agency

The SELPA shall include a signed copy of the following local educational agency (LEA) certification for each participating agency when submitting the original, or revised local plan Governance and Administration (Section B).

LEA

The LEA certifies the SELPA local plan has been adopted by the LEA/county local governing board(s) and is the basis for the operation and administration of special education programs. The LEA will meet all applicable requirements of special education state and federal laws and regulations, and state policies and procedures. Be it further resolved, the LEA superintendent shall administer the local implementation of policies, procedures, and practices in accordance with special education state and federal laws, rules, and regulations, which will ensure full compliance. The Superintendent certifies the LEA is participating in a:

- Single LEA SELPA Multi-LEA SELPA

This Governance and Administration was:

Adopted on the day of ,
Yeas Nays

The superintendent, or chief administrator of the LEA ensures the current local plan: Governance and Administration (Section B), Annual Budget Plan (Section D), and Annual Services Plan (Section E), including updates or revisions to Sections B, D, E, and/or Attachments, is posted on the LEA web site, is on file at each LEA, and is available to any interested party.

Web address where the SELPA local plan, including all sections, is posted.

LEA Superintendent/Chief Administrator

Date

Special Education Local Plan Area (SELPA) Local Plan

SELPA

Fiscal Year

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

Section B: Governance and Administration

SELPA Lodi Area Special Education Region

Fiscal Year 2020-21

B. Governance and Administration

California *Education Code (EC)* sections 56195 et seq. and 56205

Participating Local Educational Agencies

Participating local educational agencies (LEAs) included in the Special Education Local Plan Area (SELPA) local plan must be identified in Attachment I.

Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan:

Lodi Unified School District, Oak View Union Elementary School District, New Hope Elementary School District and Rio Valley Charter School makeup the LASER SELPA.

2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable:

Lodi Unified is designated as the “Responsible Local Agency” (RLA). All of the districts, including the RLA, and Rio Valley Charter School are designated as “local educational agencies” (“LEA”).

The Superintendents' Council is made up of the Superintendents of the LEAs, the CEO of the charter school, and the SELPA Executive Director.

The Superintendents' Council acts as an executive board to establish operational procedures and make decisions in any matter regarding the implementation, administration, evaluation and operation of special education programs and services in accordance with the Local Plan. The RLA Superintendent and the LEA Superintendents and CEO of Rio Valley Charter School are responsible for the management and supervision of all special education program operations within the SELPA.

The SELPA Executive Director is a member of the Superintendents' Council, is advisory to the Superintendents' Council, acts at its direction, and is responsible to the RLA Superintendent. The SELPA Executive Director will administer and implement regionalized services as specified in this Local Plan, pursuant to rules, guidelines and procedures adopted by the Council of Superintendents.

The management structure of the SELPA consists of the SELPA Executive Director and such other management positions as may be specified by the Superintendents' Council.

The Superintendents' Council Responsibilities:

The Superintendents' Council shall determine the delivery of services, all matters pertaining to personnel, instruction and instructional requirements as well as the acquisition, allocation, utilization, and disposal of capital assets and supplies, and other necessary functions. No action will be taken except by majority

Section B: Governance and Administration

SELPA Lodi Area Special Education Region

Fiscal Year 2020-21

vote of the members of the Council at an official meeting of that body. A quorum is defined as 75 percent of the members of the Council.

The Superintendents' Council is the decision-making entity of the local plan consortia. This Council performs the following functions:

1. Directing the allocation and utilization of special education management and support services and other resources within the SELPA in accordance with the provisions of the Local Plan.
2. Reviewing special education issues and recommending effective practices to the Boards of Education of each district and Board of Directors of each LEA charter school.
3. Providing leadership in the development of statements of policies and procedures, goals, priorities and plans for the comprehensive and systematic provision of special education programs and services and recommending their adoption by the Boards of each district or LEA charter schools.
4. Adopting administrative rules, regulations and procedures for the management of special education programs and services in the SELPA to insure the implementation of agreements.
5. Monitoring special education programs and services with respect to both planned and actual efforts, progress and results.
6. Adopting guidelines and procedures for the conduct of special education programs and services available through the Local Plan.
7. Providing executive direction to the SELPA Director through the RLA Superintendent regarding the implementation, administration and operation of special education programs and services in accordance with the Local Plan.
8. Making recommendations to the RLA Board of Education.
9. Advising the SELPA Director regarding current status and accomplishment of special

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education programs in the respective districts.

10. Providing assistance to the SELPA Director.
11. Providing leadership for inter-district actions pertaining to the implementation, administration and operation of the Local Plan.
12. Being responsible to the governing boards of each of the member LEAs.
13. Specifying responsibility for the operation of special education programs.
14. Recommending an annual budget and program plan to the respective Boards.
15. Approve an annual budget and program plan and present it to the Boards of Trustees or Directors of each Local Educational Agency.
16. Assuring that all students residing in the LASER have access to Special Education.

It is the responsibility of the LEA Superintendents and CEO in implementing the Plan to:

1. Participate as a voting member, or designate an alternate participant, on the Superintendents' Council.
2. Implement special education programs and services agreed upon in the Local Plan.
3. Recommend policies governing special education to the local Governing Boards for approval. Review, recommend changes and/or approve the annual budget plan.
4. Provide input to the Responsible Local Agency Superintendent about the selection and evaluation of the SELPA Director and staff.
5. Implement due process policies and procedures and SELPA agreements.

Responsibilities of District Special Education Administrator:

The Special Education Administrator participates in the preparation of the annual budget plan for the district and the SELPA, advises the Superintendents, when appropriate, about policy development, collects information about program operations and reports that information to the Superintendents' Council, participates in the recruiting, screening and interview process for Responsible Local Agency staff that has a SELPA function. The Special Education Administrator participates in the recruiting, screening and interview process for Local Education Agency staff that has a SELPA function, participates in the evaluation of Responsible Local Agency staff that provides service to Local Education Agencies, and assists LEA Superintendents in the management and operation of Local Education Agency programs and services. The Special Education Administrator also provides mutual

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technical assistance in due process and complaint procedures.

Responsibilities of the RLA Superintendent and CEO of the Charter School:

As recommended by the Superintendents' Council, the RLA Superintendent/CEO of the Charter School will:

1. Establish and administer through a Special Education Program Administrator, special education programs and services that are most effectively provided by the RLA. The direct program operations part of the RLA will function as an LEA, have status equal to district program operation in other participating districts, and assure that all individuals with exceptional needs have access to services and instruction, as described on their individual education program.
2. Contract with other SELPAs, districts, agencies or non-public schools or agencies for services to individuals with exceptional needs that are not available within the Service Region.
3. Provide reasonable and necessary administrative support.
4. Coordinate implementation of the plan through the Superintendent's Council.
5. Serve as Chair and voting member of the Superintendent's Council.
6. Through the most cost-effective means, provide the Regionalized Services as described in Education Code Section 56200 (C) (2-6) which are:

a. Personnel Development

Annual Evaluation: The RLA shall be the responsible entity for conducting the annual evaluation as required by cooperation with the California Department of Education. RLA staff shall use accepted needs assessment procedures in determining the topic for the annual evaluation. RLA staff appointed by the RLA Superintendent shall assist LEAs in LASER, as needed in collecting and reporting data required by the CDE. An estimate of .10 FTE may be needed to accomplish the annual evaluation responsibility of the SELPA.

b. Data Collection and Management Information systems.

c. Curriculum Development

d. Ongoing Program Review

Provision for Ongoing Review of Programs - The State has in place a system for review of the special education programs in the districts. It is the responsibility of the SELPA to support the delivery of effective programs and services in its districts, to support a continuum of appropriate service options, to improve the quality of the programs offered, and to monitor them and participate in the review processes, including the Quality Assurance Process, the Procedural Safeguards and Complaints processes and mediation and due process procedures. The LASER SELPA endeavors first to provide adequate information, resources and support to all its member districts, so that they may deliver compliant, quality services. Further, SELPA staff will, under the

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direction of the Administrative Director Student Services/SELPA and Superintendents' Council, participate in all State review processes and any local review processes to ensure that appropriate and necessary services are offered for all children with disabilities and to support continuous improvement of those services. The SELPA will ensure that adequate information related to all areas of compliance is available to all the member LEAs. The SELPA will ensure the availability of a full continuum of options, supplemental aids and services, and regionalized programs, for all children with disabilities, severe low incidence, non-severe, and early childhood

The RLA Superintendent will also provide the Program Specialist Services as specified in Education Code Section 56220 (C) (1). These services are based upon the needs of participating LEAs and the RLA programs. Program Specialists shall be employed by the RLA through usual employment procedures of the RLA; secure the adoption and implementation of policies for due process decisions; and implement the mediation process when appropriate.

3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan:

The role of the Governing Boards of Trustees and Boards of Directors is to review and adopt policies, which govern the implementation of the Local Plan or are required by the California Education Code. For the purposes of this Local Plan, the term "policy" shall not be restricted to Board of Education or Board of Director policies. The term "policy" shall include SELPA policies, procedures, regulations, agreements and memoranda of understanding.

The identification of issues for policy-making may be made by the Superintendents' Council, LEAs or RLA Boards of Education, LEA or RLA Superintendents/CEO. The SELPA Director will draft recommended policies when warranted. The RLA Superintendent will submit the recommended policies to the RLA Board of Education for review and adoption. LEA Superintendents/CEO will simultaneously review the policies with their Boards and, if appropriate, seek adoption.

The LASER Superintendents' Council shall annually review these provisions for funding distribution and determine whether revisions or amendments are warranted.

4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan:

It is the responsibility of the LEA Superintendents and CEO in implementing the Plan to:

1. Participate as a voting member, or designate an alternate participant, on the Superintendents' Council.
2. Implement special education programs and services agreed upon in the Local Plan.

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- 3. Recommend policies governing special education to the local Governing Boards for approval. Review, recommend changes and/or approve the annual budget plan.
- 4. Provide input to the RLA Superintendent about the selection and evaluation of the SELPA Director and staff.
- 5. Implement due process policies and procedures and SELPA agreements.

5. Describe the policies and procedures of the SELPA that allow for the participation of charter schools in the local plan:

A request by a charter school to participate as a local education agency in the SELPA will be treated in the same manner as such request. In reviewing and approving a request by a school district or a charter school to participate as a local education agency in the LASER, the following requirements shall apply:

- 1. The LEA or charter school shall participate in state and federal funding for special education and the allocation plan developed in the same manner as other local education agencies of the LASER. The LEA or charter school shall participate in the governance of the SELPA in the same manner as other local education agencies of the SELPA; all LEA charter schools jointly shall have one vote as SELPA members.
- 2. Charter schools making application for initial LEA status in the LASER-must submit the following documentation to the SELPA Director prior to July 1 for consideration of SELPA membership the following July:

API/AYP reports for each school for the past three (3) years; copy of letters from the CDE on Program Improvement status or other corrective actions; copy of audits for the past three (3) years; copy of unaudited Actuals submitted to the CDE for the past three (3) years; copy of any correspondence from the authorizing LEA/agency (if non-LUSD) regarding fiscal status of the charter school; written assurance statement that special education funds will be expended solely for special education purposes.

The approval of additional members of the LASER SELPA by the Superintendents' Council shall be followed by a redrafting of the Local Plan and action by each member's governing body. The LASER SELPA will provide services to eligible students enrolled in charter schools as described in the Local Plan.

6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan:

The Lodi Area SELPA CAC is comprised of parents of individuals with disabilities enrolled in public or non-public schools with the Lodi Area SELPA. The CAC may include pupils and adults with disabilities,

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general education teachers and parents, special education providers, and other school personnel within the Lodi Area SELPA. It may also include representatives of other public and non-public agencies, and persons concerned with the education of persons with disabilities.

The school boards of the participating LEAs shall appoint one member and alternates to the CAC. The Superintendents' Council shall establish policies for the operation of the CAC in accordance with the state regulations for CAC guidelines.

The CAC will be established as advisory to the Superintendents' Council and each member will be responsible to the appointing Board of Education or agency. Responsibilities of the CAC are as follows:

- Provide input from members regarding areas to be addressed in the Local Plan. Once the Plan has been developed, CAC members will receive it for review and comment.

- At the time initial input is solicited, members of the CAC may provide recommendations for prioritizing services.

- Members of the CAC are encouraged to provide suggestions for parent education activities. Members are encouraged to participate in parent education activities and to recruit individuals who may assist in the implementation of the Plan.

- Members of the CAC are encouraged to discuss all aspects of the Plan in the community. Information is made available to them so they can become a resource to the community.

- Members are encouraged to be supportive of families and individuals with disabilities and to support and participate in activities on their behalf.

7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC:

See number 6 above.

8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan:

See numbers 1-6 above.

Allocation of Resources to the SELPA AU

All other SELPA revenue will be retained by the AU of the SELPA, Lodi Unified School District. The revenue received will be utilized to operate SELPA-wide programs including: Special Day Classes for Learning Disabled, Communicatively Disabled, Infant, Preschool and K-12 Severely Disabled, Orthopedically and Multi-Disabled students; Resource Specialist Programs,

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Designated Instruction and Services such as Language, Speech and Hearing (LSH), Adapted Physical Education, and Itinerant Services for Vision and Hearing Impaired students.

The AU will use SELPA revenue to provide psycho-educational assessments to determine special education eligibility, consultation by school psychologists, LSH Specialists and program specialists to determine appropriate services for students in the least restrictive environments, assistive technology, occupational and physical therapy, school nursing services, and administrative support. Regionalized Services funding shall be allocated to the AU for the purpose of ensuring the provision of Regionalized Services specified in

Education Code 56836.23.

The AU will use SELPA revenue to support technology and the clerical staff required to comply with all state and federally mandated reports, including the California Special Education Management Information System (CASEMIS).

The AU will use SELPA revenue to provide legal consultation on all issues related to the operation of effective and legally compliant special education programs and services in all LEAs included in the Lodi Area SELPA. Individual LEA legal advisors shall consult with SELPA legal counsel to determine the most appropriate course of action for both the individual LEA and the SELPA as a whole.

The AU will use SELPA revenue to absorb all unfunded special education expenses for Lodi, Oak View and New Hope districts as well as the Rio Valley Charter School treated as a school of the district, to include, but not limited to individualized programs, related services, independent evaluations, due process hearings, legal guidance, attorneys' fees and any other costs as identified by the LASER Superintendents' Council. SELPA revenue for the Rio Valley Charter School will be limited to all special education expenses that can be met with existing revenue. Any excess costs for Rio Valley Charter School members are to be covered by the Rio Valley Charter School.

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan:

Coordinating with Other Public Agencies:

The SELPA will facilitate agreements for the provision and coordination of services by other public agencies that are funded to serve children with disabilities. A Committee will develop each interagency agreement for consideration by the Superintendents' Council. The SELPA Director has the primary responsibility to negotiate agreements with other public agencies. These agreements include but are not limited to: Part C (Infants), California Children's Services, Head Start, Valley Mountain

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Regional Center and others as needed.

Listing of agencies, designated agency liaisons, and the most current effective date for a Memorandum of Understanding/or Interagency Agreement:

1. Mental Health; Director; April 2001
2. Valley Mountain Regional Center Executive; Director; April 2002
3. California Children's Services; Director; March 2001
4. Head Start; Executive Director; September 2002
5. Department of Rehabilitation and Employment Development Dept.; Rehabilitation Supervisor; January 1998
6. Part H; Director; June 2002

10. For multi-LEA local plans, specify:

- a. The responsibilities of each participating COE and LEA governing board in the policymaking process:

LEA Responsibilities:

Each LEA can identify issues for policy-making. Each LEA, in conjunction with its Board, has the option to adopt policies submitted for review by the RLA Superintendent.

Decision-Making Process:

The LEA Superintendents each act on behalf of their respective employing school districts (Lodi, Oak View and New Hope), and the LEA Chief Executive Officer (“CEO”) acts on behalf of Rio Valley Charter School in the SELPA and as members of the SELPA Board of Directors. In addition, the SELPA employs an Executive Director (SELPA Executive Director). The Superintendents of Lodi, Oak View, New Hope, and the CEO of Rio Valley Charter School, or their designee, and the SELPA Executive Director, collectively, constitute the Superintendents' Council. Meetings of the Council are held regularly or are called at the request of one of the members of the Council. All LEA Superintendents' Council members collectively will have 1 vote.

The following process will be used:

1. Items for consideration may be initiated from a Governing Board, a Superintendent, the Superintendents Council or the CAC.
2. Items will be presented at meetings for discussion and recommendations.

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3. The SELPA Executive Director will develop a draft proposal, policy position paper.
4. The SELPA Executive Director will present draft to the Council.
5. The RLA Board of Education reviews the proposal (Local Boards), as appropriate. Each Board accepts the proposal when appropriate. If rejected by one or more boards, the RLA Superintendent activates the mediation process.

At the Superintendents' Council level, issues will be resolved by majority vote. If agreement cannot be reached, the RLA Superintendent or LEA Superintendent will request mediation from the County Superintendent of schools. The resultant recommendation will be advisory to the Superintendents' Council.

At the Governing Boards level, will resolve issues by majority vote. If an agreement cannot be reached, or if a proposal requires unanimous consent from each LEA, the RLA Superintendent or the LEA Superintendent will request mediation from the County Superintendent of schools. The resultant recommendation will be advisory to the Superintendents' Council. Thirty days after the advisory recommendation, the RLA Board has the authority to determine a resolution of the program.

Procedures for Making Changes in the Service Delivery System

Any of the LEAs comprising the LASER can request a change in the governance structure and the service delivery system of the LASER through the Superintendent's Council. Changes not agreed to by the Council shall be subject to the mediation process described in this section. Disputes over the distribution of funding, the responsibility for service and other governance activities are subject to the dispute process as provided herein.

- b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan:

It is the responsibility of the LEA Superintendents and CEO in implementing the Plan to:

1. Participate as a voting member, or designate an alternate participant, on the Superintendents' Council.
2. Implement special education programs and services agreed upon in the Local Plan.
3. Recommend policies governing special education to the local Governing Boards for approval. Review, recommend changes and/or approve the annual budget plan.
4. Provide input to the RLA Superintendent about the selection and

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evaluation of the SELPA Director and staff.

5. Implement due process policies and procedures and SELPA agreements.

c. The responsibilities of each LEA and COE for coordinating the administration of the local plan:

See responses to 2, 10a and 10b above.

11. Identify the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA related to:

a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan:

The LEA Superintendents each act on behalf of their respective employing school districts (Lodi, Oak View and New Hope), and the CEO acts on behalf of Rio Valley Charter School in the SELPA and as members of the SELPA Board of Directors. In addition, the SELPA employs an Executive Director (SELPA Executive Director). The Superintendents of Lodi, Oak View, New Hope, and the CEO of Rio Valley Charter School, or their designee, and the SELPA Executive Director, collectively, constitute the Superintendents' Council. Meetings of the Council are held regularly or are called at the request of one of the members of the Council. All LEA Superintendents' Council members collectively will have 1 vote.

The Superintendents' council will also provide input to the RLA Superintendent about the selection and evaluation of the SELPA Director and staff.

Program Specialists shall be employed by the RLA through usual employment procedures of the RLA. Program Specialists shall be under the supervision of the SELPA Director or designee who shall allocate such services throughout the region.

The Superintendents' Council acts as an executive board to establish operational procedures and make decisions in any matter regarding the implementation, administration, evaluation and operation of special education programs and services in accordance with the Local Plan.

The Council shall determine the delivery of services, all matters pertaining to personnel, instruction and instructional requirements as well as the acquisition, allocation, utilization, and disposal of capital assets and supplies, and other necessary functions. No action will be taken except by majority vote of the members of the Council at an official meeting of that body. A quorum is defined as 75 percent of the members of the Council.

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- b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA:

Revenue Sources

The California Department of Education (CDE) will allocate Special Education funding to the San Joaquin County Office of Education. Funding will then be allocated to the Administrative Unit (AU) of the LASER, which is the RLA, based on decisions made pursuant to the process and guidelines described herein. The LASER Superintendents' Council shall annually review and approve the distribution of funding based on available dollars, utilization of the funding in each of the LEAs, and requests from any LEA to operate programs. This process allows for the reallocation of funding when necessary and for recapturing funding should the SELPA ever experience declining enrollment.

Funds available are understood to be those allocated to the SELPA on the Advance Certification from the CDE. Each spring the CDE provides funding estimates for the AU of the SELPA using the AB 602 revenue calculations on forms distributed to each SELPA. The Lodi Area SELPA will follow the state apportionment cycle in the distribution of special education revenues.

Revenue limit dollars generated by students in special day classes will be used as a funding source for special education programs in accordance with Education Code requirements. Funding for the SELPA includes Growth, Cost of Living Adjustment (COLA), and Equalization allocations, as appropriate, annually as well as any other funding sources allocated to California SELPAs.

Each LEA within the SELPA is assured an equitable share of federal and state special education funds available to the SELPA to provide special education services to residents of the LEAs. Services may be provided through funding allocated to the district of residence, another school district, a county office or the AU of the SELPA.

Allocation of Resources to the LEA

1. The SELPA has the financial responsibility for special education and support services for all of its students. Distribution of SELPA funding to operate specific LEA programs will be calculated based on the actual costs of all special education programs operated by the LEA during the previous year and will be distributed to the LEA for all such costs. Each spring, funding estimates for the following year will be based on the special education program costs of the LEA program during the previous year. LEA costs will include teacher and instructional assistant expenses plus other operating costs to include instructional materials, books, equipment and staff training.

2. Charter schools within the Lodi Area SELPA that operate independently from a school district as an LEA shall be subject to the guidelines within the Lodi Area Special

Education Local Plan. Funding will be provided in the same manner as an LEA but not with the same allocation formula. If any charter school LEA exceeds the funding allocations specified in the Annual Budget as approved by the Superintendents Council, the cost of such excess shall be

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borne by the charter school LEA responsible for the excess costs.

3. Special education budgeting for AB 602 funds will be based on estimated rates from School Services. Actuals will be based on State certification.

4. Any LEA or charter school applying to be an LEA in LASER and granted such status will be budgeted at the following rates:

Year 1: Lesser of the Growth rate or SELPA rate

Year 2 and beyond: Lesser of LEA/Charter base + COLA or SELPA base + COLA

5. In the event an LEA, i.e., Lodi, New Hope, Oak View, or Rio Valley Charter School obtains special education services by contracting with an outside entity, funding estimates for the following year will be based on the actual contracted expenses during the previous year and the SELPA will distribute funds for all such costs. Such expenses will include teacher and instructional assistant expenses plus other operating costs to include instructional materials, books, equipment and staff training.

6. In order to provide prudent fiscal safeguards and a consistent and equitable level of financial support, the allocation for other operating costs shall be based on a formula of \$12.30 per pupil of average daily attendance, or an amount to be determined annually by the LASER Superintendents' Council.

7. In determining special education allocations for each LEA, the annual P2 certification and the December special education pupil count will be utilized. All identified special

education students aged 3 to 22 years will be included in these formulas. Preliminary data gathering will begin in January each year. Priorities will be identified beginning in February and established in May-June. Distribution of dollars should be finalized no later than 30 days after the notification by the CDE of the actual funding available to the SELPA. All recommendations will be presented to the LASER Superintendents' Council for review and action.

8. The SELPA Director, in consultation with the Educational Services and Business Divisions of the AU, shall recommend the allocation of funding for instructional staffing. The allocation shall cover all estimated costs and be based on the actual costs of such staff during the previous year. The annual SELPA service delivery and budget allocation plan shall be adopted following a public hearing held by the Board of Education of the AU each year in accordance with the timeline established for adoption of the overall district budget.

9. Changes in funding distribution shall be recommended by the SELPA Director, in consultation with the Educational Services and Business Divisions of the AU, to the LASER Superintendents' Council. Changes in budget allocations will be reflected on the reporting documents required of the individual LEAs by the CDE. All LEA budgets are approved at public meetings.

10. Proposed changes by an LEA that would impact another LEAs budget or

program(s) shall be submitted to the SELPA Director who will present them to the LASER

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Superintendents' Council for consideration. Such changes shall include, but not be limited to 1) changes in services being provided by an LEA; 2) changes in facility needs/uses; 3) programmatic requests.

11. The audit trail of utilization of federal flow-through funds shall be maintained by setting up a separate budget. The SELPA Director will assist the Business Division in preparing annual reports based on expenditure information.

c. The operation of special education programs:

The SELPA Administrator shall serve on behalf of the member LEAs and implement the Local Plan including the direct instructional support provided by program specialists and the following regionalized services and operations:

Coordination of the SELPA and the administration of the Local Plan.

Coordinated system of identification and assessment.

Coordinated system of procedural safeguards.

Coordinated system of staff development and parent education.

Coordinated system of curriculum development and alignment with the core curriculum.

Coordinated system of internal program review, evaluation of the effectiveness of the local plan and implementation of a local plan accountability mechanism.

Coordinated system of data collection and management.

Coordination of interagency agreements.

Coordination of services to medical facilities.

Coordination of services to licensed children's facilities and foster family homes.

Preparation and transmission of required SELPA reports.

Fiscal and logistical support of the Community Advisory Committee.

Coordination of transportation services for students with disabilities.

Coordination of career and vocational and transition services.

Assurance of full educational opportunity.

Fiscal administration and the allocation of state and federal funds.

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Direct instructional support provided by Program Specialists.

The SELPA Executive Director, in conjunction with the Program Specialists and based on service needs, will recommend how Program Specialist services should be allocated throughout the SELPA.

d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs:

The audit trail of utilization of federal flow-through funds shall be maintained by setting up a separate budget. The SELPA Director will assist the Business Division in preparing annual reports based on expenditure information.

The SELPA Staff Development Committee shall develop the annual plan based on annual needs assessments. SELPA staff will prepare the Staff Development budget based on the committee's recommendations for the distribution and utilization of state personnel development funds.

Funding to operate special education programs for eligible students 0 through 5 shall be retained by the AU of the SELPA and shall be subject to the terms and conditions of federal and state Infant and Preschool funding and program mandates.

SELPA Low Incidence funding authorization shall be:

Based on IEP rationale that the equipment requested will promote the least restrictive environment for the student and minimize the necessity for placement in an isolated setting. A request for the expenditure of such funds for equipment shall be submitted in writing to the SELPA office for administrative approval as appropriate.

b. Requests for specialized services funds shall also be based on documented IEP justification. The SELPA staff will prioritize needs and recommend distribution of available state funds. The use of such services in home and schools is

individually determined based on educational needs.

Allocation of Resources to the SELPA AU

All other SELPA revenue will be retained by the AU of the SELPA, Lodi Unified School District. The revenue received will be utilized to operate SELPA-wide programs including: Special Day Classes for Learning Disabled, Communicatively Disabled, Infant, Preschool and K-12 Severely Disabled, Orthopedically and Multi-Disabled students; Resource Specialist Programs, Designated Instruction and Services such as Language, Speech and Hearing (LSH), Adapted Physical

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Education, and Itinerant Services for Vision and Hearing Impaired students.

The AU will use SELPA revenue to provide psycho-educational assessments to determine special education eligibility, consultation by school psychologists, LSH Specialists and program specialists to determine appropriate services for students in the least restrictive environments, assistive technology, occupational and physical therapy, school nursing services, and administrative support. Regionalized Services funding shall be allocated to the AU for the purpose of ensuring the provision of Regionalized Services specified in

Education Code 56836.23.

The AU will use SELPA revenue to support technology and the clerical staff required to comply with all state and federally mandated reports, including the California Special Education Management Information System (CASEMIS).

The AU will use SELPA revenue to provide legal consultation on all issues related to the operation of effective and legally compliant special education programs and services in all LEAs included in the Lodi Area SELPA. Individual LEA legal advisors shall consult with SELPA legal counsel to determine the most appropriate course of action for both the individual LEA and the SELPA as a whole.

The AU will use SELPA revenue to absorb all unfunded special education expenses for Lodi, Oak View and New Hope districts as well as the Rio Valley Charter School treated as a school of the district, to include, but not limited to individualized programs, related services, independent evaluations, due process hearings, legal guidance, attorneys' fees and any other costs as identified by the LASER Superintendents' Council. SELPA revenue for the Rio Valley Charter School will be limited to all special education expenses that can be met with existing revenue. Any excess costs for Rio Valley Charter School members are to be covered by the Rio Valley Charter School.

12. Describe how specialized equipment and services will be distributed within the SELPA in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environments:

Each LEA is given funds for specialized equipment:

SELPA Low Incidence funding authorization shall be:

Based on IEP rationale that the equipment requested will promote the least restrictive environment for the student and minimize the necessity for placement in an isolated setting. A request for the expenditure of such funds for equipment shall be submitted in writing to the SELPA office for administrative approval as

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appropriate.

b. Requests for specialized services funds shall also be based on documented IEP justification. The SELPA staff will prioritize needs and recommend distribution of available state funds. The use of such services in home and schools is

individually determined based on educational needs.

Policies, Procedures, and Programs

Pursuant to *EC* sections 56122 and 56205(a), the SELPA ensures conformity with Title 20 *United States Code (USC)* and in accordance with Title 34 *Code of Federal Regulations (CFR)* Section 300.201 and has in effect policies, procedures, and programs. For each of the following 23 areas, identify whether, or not each of the following provisions of law are adopted as stated. If the policy is not adopted as stated, briefly describe the SELPA's policy for the given area. In all cases, provide the SELPA policy and procedure numbers; the document title; and the physical location where the policy can be found.

1. Free Appropriate Public Education: 20 USC Section 1412(a)(1)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that a free appropriate public education is available to all children with disabilities residing in the LEA between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school." The policy is adopted by the SELPA as stated:

Yes No

2. Full Educational Opportunity: 20 USC Section 1412(a)(2)

Policy/Procedure Number:

Document Title:

Document Location:

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"It shall be the policy of this LEA that all children with disabilities have access to educational programs, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

Yes No

3. Child Find: 20 USC Section 1412(a)(3)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, who are in need of special education and related services, are identified, located, and evaluated. A practical method has been developed and implemented to determine which children with disabilities are currently receiving needed special education and related services." The policy is adopted by the SELPA as stated:

Yes No

**4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP):
20 USC Section 1412(a)(4)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20 USC Section 1436 (d), is developed, implemented, reviewed, and revised for each child with a disability who requires special education and related services in accordance with 20 USC Section 1414 (d). It shall be the policy of this LEA that an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions." The policy is adopted by the SELPA as stated:

Yes No

5. Least Restrictive Environment: USC Section 1412(a)(5)

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Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the general educational environment, occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily." The policy is adopted by the SELPA as stated:

Yes No

6. Procedural Safeguards: 20 USC Section 1412(a)(6)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards according to state and federal laws and regulations." The policy is adopted by the SELPA as stated:

Yes No

7. Evaluation: 20 USC Section 1412(a)(7)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that a reassessment of a child with a disability shall be conducted at least once every three years or more frequently, if appropriate." The policy is adopted by the SELPA as stated:

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Yes No

8. Confidentiality: 20 USC Section 1412(a)(8)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that the confidentiality of personally identifiable data, information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

Yes No

9. Part C to Part B Transition: 20 USC Section 1412(a)(9)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that children participating in early intervention programs under the Individuals with Disabilities Education Act (IDEA), Part C, and who will participate in preschool programs, experience a smooth and effective transition to preschool programs in a manner consistent with 20 USC Section 1437(a)(9). The transition process shall begin prior to the child's third birthday."The policy is adopted by the SELPA as stated:

Yes No

10. Private Schools: 20 USC Section 1412(a)(10)

Policy/Procedure Number:

Document Title:

Section B: Governance and Administration

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Document Location:

"It shall be the policy of this LEA to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive appropriate special education and related services pursuant to LEA coordinated procedures. The proportionate amount of federal funds will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents." The policy is adopted by the SELPA as stated:

Yes No

11. Local Compliance Assurances: 20 USC Section 1412(a)(11)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that the local plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs, and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the IDEA; the Federal Rehabilitation Act of 1973, Section 504 of Public Law; and the provisions of the California EC, Part 30." The policy is adopted by the SELPA as stated:

Yes No

12. Interagency: 20 USC Section 1412(a)(12)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for free appropriate public education are provided, including the continuation of services during an interagency dispute resolution process." The policy is adopted by the SELPA as stated:

Yes No

13. Governance: 20 USC Section 1412(a)(13)

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Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the local plan. A final determination that an LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Education Agency." The policy is adopted by the SELPA as stated:

Yes No

14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to ensure that personnel providing special education related services are appropriately and adequately prepared and trained, and that those personnel have the content knowledge and skills to serve children with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications." The policy is adopted by the SELPA as stated:

Yes No

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE." The policy is adopted by the SELPA as stated:

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Yes No

16. Participation in Assessments: 20 USC Section 1412(a)(16)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs described in 20 USC Subsection 6311. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments where necessary and as indicated in their respective Reps.." The policy is adopted by the SELPA as stated:

Yes No

17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA, and will be used to supplement and not to supplant state, local, and other federal funds." The policy is adopted by the SELPA as stated:

Yes No

18. Maintenance of Effort: 20 USC Section 1412(a)(18)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities

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except as provided in federal laws and regulations." The policy is adopted by the SELPA as stated:

Yes No

19. Public Participation: 20 USC Section 1412(a)(19)

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:

"It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comments are available to the general public, including individuals with disabilities and parents of children with disabilities, and are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA." The policy is adopted by the SELPA as stated:

Yes No

20. Suspension and Expulsion: 20 USC Section 1412(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

"The LEA assures that data on suspension and expulsion rates will be provided in a manner prescribed by the CDE. When indicated by data analysis, the LEA further assures that policies, procedures, and practices related to the development and implementation of the IEPs will be revised." The policy is adopted by the SELPA as stated:

Yes No

21. Access to Instructional Materials: 20 USC Section 1412(a)(23)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to provide instructional materials to blind students or other students with print disabilities in a timely manner according to the state-adopted National

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Instructional Materials Accessibility Standard." The policy is adopted by the SELPA as stated:

Yes No

22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children as children with disabilities." The policy is adopted by the SELPA as stated:

Yes No

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school or receiving a special education assessment and/or services." The policy is adopted by the SELPA as stated:

Yes No

Administration of Regionalized Operations and Services

Pursuant to EC sections 56195.7(c), 56205(a)(12)(B), 56368, and 56836.23, describe the regionalized operation and service functions. Descriptions must include an explanation of the direct instructional support provided by program specialists; and the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the reference number, document title, and the location (e.g., SELPA office) for each function:

1. Coordination of the SELPA and the implementation of the local plan:

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Reference Number:

Document Title:

Document Location:

Description:

2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

Document Location:

Description:

3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

Document Location:

Description:

4. Coordinated system of staff development and parent and guardian education:

Reference Number:

Document Title:

Document Location:

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Description:

5. Coordinated system of curriculum development and alignment with the core curriculum:

Reference Number:

Document Title:

Document Location:

Description:

6. Coordinated system internal program review, evaluation of the effectiveness of the local plan, and implementation of the local plan accountability system:

Reference Number:

Document Title:

Document Location:

Description:

7. Coordinated system of data collection and management:

Reference Number:

Document Title:

Document Location:

Description:

8. Coordination of interagency agreements:

Reference Number:

Document Title:

Document Location:

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Description:

9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Document Location:

Description:

10. Coordination of services to licensed children's institutions and foster family homes:

Reference Number:

Document Title:

Document Location:

Description:

11. Preparation and transmission of required special education local plan area reports:

Reference Number:

Document Title:

Document Location:

Description:

12. Fiscal and logistical support of the CAC:

Reference Number:

Document Title:

Document Location:

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Description:

13. Coordination of transportation services for individuals with exceptional needs:

Reference Number:

Document Title:

Document Location:

Description:

14. Coordination of career and vocational education and transition services:

Reference Number:

Document Title:

Document Location:

Description:

15. Assurance of full educational opportunity:

Reference Number:

Document Title:

Document Location:

Description:

16. Fiscal administration and the allocation of state and federal funds pursuant to *EC* Section 56836.01—The SELPA Administrator's responsibility for the fiscal administration of the annual budget plan; the allocation of state and federal funds; and the reporting and accounting of special education funding.

Reference Number:

Document Title:

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SELPA

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Document Location:

Description:

17. Direct instructional program support that maybe provided by program specialists in accordance with EC Section 56368:

Reference Number:

Document Title:

Document Location:

Description:

Special Education Local Plan Area Services

1. A description of programs for early childhood special education from birth through five years of age:

Reference Number:

Document Title:

Document Location:

Description:

2. A description of the method by which members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, may address questions or concerns to the SELPA governing body or individual administrator:

Reference Number:

Document Title:

Document Location:

Description:

Section B: Governance and Administration

SELPA Lodi Area Special Education Region

Fiscal Year 2020-21

3. A description of a dispute resolution process, including mediation and final and binding arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan:

Reference Number:	n/a
Document Title:	Lodi Local Plan
Document Location:	This document is not available online. SELPA office.
Description:	<p>Disputes over the distribution of funding, the responsibility for service and other governance activities are subject to the dispute process as provided herein.</p> <p><u>Procedures for Conflict Resolution</u></p> <p>In the event the Superintendents' Council cannot achieve that consensus in the decision-making process either or the Governing Boards will activate the following procedures for mediation of differences.</p> <p style="text-align: center;">Level Procedure Superintendent's Council</p> <p>Will resolve issues by majority vote. If agreement cannot be reached, the RLA Superintendent or LEA Superintendent will request mediation from the County Superintendent of schools. The resultant recommendation will be advisory to the Superintendents' Council.</p> <p style="text-align: center;">Level Procedure Governing Boards</p> <p>Will resolve issues by majority vote. If an agreement cannot be reached, or if a proposal requires unanimous consent from each LEA, the RLA Superintendent or the LEA Superintendent will request mediation from the County Superintendent of schools. The resultant recommendation will be advisory to the Superintendents' Council. Thirty days after the advisory recommendation, the RLA Board has the authority to determine a resolution of the program.</p>

4. A description of the process being used to ensure a student is referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized:

Reference Number:	6164.4
Document Title:	Identification and Evaluation of Individuals for Special Education
	https://www.lodiusd.net/uploaded/Board_of_Education/Board_Policies/

Section B: Governance and Administration

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Document Location:

Description:

5. A description of the process being used to oversee and evaluate placements in nonpublic, nonsectarian schools and the method of ensuring that all requirements of each student's individualized education program are being met. The description shall include a method for evaluating whether the student is making appropriate educational progress:

Reference Number:

Document Title:

Document Location:

Description:

6. A description of the process by which the SELPA will fulfill the obligations to provide free and appropriate public education (FAPE) to a student age 18 to 21 (or age 22 under the circumstances described in EC 56026(c)(4)) who has been incarcerated in a county jail and remains eligible for special education services:

The obligation to make FAPE available extends to those otherwise-eligible adults in county jail, age 18 to 21, who: (a) had been identified as a child with a disability and had received services in accordance with an IEP, but left school prior to their incarceration; or (b) did not have an IEP in their last educational setting, but had actually been identified as a child with a disability. (EC Section 56040)

It is the responsibility of the district of residence (DOR) to provide special education services and related services to an adult student in county jail who remains eligible for these services and wishes to receive them. The DOR is the district in which the student's parents resided when the student turned 18, unless and until the parents move to a new DOR. For conserved students, the DOR is based on the residence of the conservator. (EC Section 56041)

Reference Number:

Section B: Governance and Administration

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Document Title:

Document Location:

Description:

Special Education Local Plan Area (SELPA) Local Plan

SELPA

Fiscal Year

LOCAL PLAN

Section D: Annual Budget Plan

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

Section D: Annual Budget Plan

SELPA

Fiscal Year

D. Budget Plan

Each special education local plan area (SELPA) must have a responsible local agency or an administrative unit (RLA/AU), which is the legal entity that receives funds and is responsible for seeing that every eligible child receives appropriate services.

Public Hearing Notice Posting Date:

The Budget Plan was adopted at a SELPA public hearing on (date):

Projected special education budget funding, revenues, and expenditures by local educational agencies (LEAs) are specified in **Attachments II–V**. This includes supplemental aids and services provided to meet the needs of students with disabilities as defined by the Individuals with Disabilities Education Act (IDEA), as well as those who are placed in regular education classrooms and environments, and those who have been identified with low incidence disabilities who also receive special education services. Enter the following information:

RLA/AU Name

Number of LEAs

SELPA Mission Statement—(this field is optional)

SELPA Beliefs—(this field is optional)

SELPA Support Provided to LEAs

Section D: Annual Budget Plan

SELPA

Fiscal Year

Table 1: Special Education Revenue by Source

Using the fields below, identify the special education revenues by funding source. The total revenue and the percent of total funding by source is automatically calculated.

Funding Revenue Source	Amount	Percentage of Total Funding
Assembly Bill (AB) 602 State Aid	<input type="text" value="\$17,262,268"/>	25.28%
AB 602 Property Taxes	<input type="text"/>	0.00%
Federal IDEA Part B	<input type="text" value="\$5,605,527"/>	8.21%
Federal IDEA Part C	<input type="text"/>	0.00%
State Infant/Toddler	<input type="text" value="\$469,780"/>	0.69%
Preschool	<input type="text" value="\$135,335"/>	0.20%
State Mental Health	<input type="text" value="\$1,879,288"/>	2.75%
Federal Mental Health	<input type="text" value="\$336,143"/>	0.49%
Other <input type="text" value="Unrestricted General Fund Contribution"/>	<input type="text" value="\$42,583,925"/>	62.37%
Other <input type="text"/>	<input type="text"/>	0.00%
Total Revenue	\$68,272,266	100.00%

Using the form template provided in **Attachment II**, complete a distribution of revenues to all LEAs participating in the SELPA by funding source.

Section D: Annual Budget Plan

SELPA Lodi Area Special Education Region

Fiscal Year 2020-21

Table 2: Total Budget by Object Codes

Object Code	Amount	Percentage of Total Funding
Object Code 1000—Certificated Salaries	26,630,292	39.54%
Object Code 2000—Classified Salaries	14,648,636	21.75%
Object Code 3000—Employee Benefits	15,754,476	23.39%
Object Code 4000—Supplies	\$254,994	0.38%
Object Code 5000—Services and Operations	\$9,569,954	14.21%
Object Code 6000—Capital Outlay		0.00%
Object Code 7000—Other Outgo and Financing*	\$492,952	0.73%
Total Expenditures	67,351,304	100.00%

Using the templates provided in **Attachment III**, complete a distribution of projected expenditures by LEAs participating in the SELPA by object code.

*Include a description of the expenditures identified under object code 7000:

Object 7310, State Special Schools = \$68,000
 Object 7221, Trans Apport to District \$632,553 (Note this fund 10 Special Ed. Pass-thru Only)
 Object 7310, Indirect Costs \$412,822
 Object 7439, Other Debt Service \$12,130

Section D: Annual Budget Plan

SELPA Lodi Area Special Education Region

Fiscal Year 2020-21

Table 3: Federal, State, and Local Revenue Summary

Using the fields below, identify funding by revenue jurisdiction and percent of total budget.

Revenue Source	Amount	Percentage of Total Funding
State Special Education Revenue	19,611,336	28.73%
Federal Revenue	\$6,077,005	8.90%
Local Contribution	42,583,925	62.37%
Total Revenue From All Sources	68,272,266	100.00%

Using the form template provided in **Attachment IV**, provide a complete distribution of revenues to all LEAs participating in the SELPA by federal and state funding source.

Special Education Local Plan Area Funding Distribution

Describe the basic premise of the SELPA Allocation Plan for distributing dollars as closely as possible to how they are earned.

SELPA allocation funds are directly connected with Special Education supports and services. Accounting and Budget Administrators are involved in the fiduciary coding and allocations to SELPA partners and accountability measures are in place to ensure grant compliance.

Describe how the SELPA distributes IDEA revenues to the LEAs, including the models used to provide services to member LEAs:

SELPA Director in concert with Lodi USD Departmental Managers ensure SELPA wide compliance with IDEA implementation as well as state and federal grant allocations/spending. SEIS, ARIES, and other electronic databases are used to monitor service needs and implementation and ensure service fidelity. Accounting and budgeting safeguards are in place to ensure SELPA compliance to state/federal allocation regulations.

Section D: Annual Budget Plan

SELPA

Fiscal Year

Table 4: Special Education Local Plan Area Operating Expenditures

Using the fields below, identify the total projected SELPA operating expenditures by SELPA accounting codes, the amount, and the percent of total expenses .

Accounting Categories and Codes		Amount	Percentage of Total
Certificated Salaries Code	<input type="text" value="1000"/>	<input type="text" value="26,630,292"/>	39.17%
Classified Salaries Code	<input type="text" value="2000"/>	<input type="text" value="14,648,636"/>	21.55%
Employee Benefits Code	<input type="text" value="3000"/>	<input type="text" value="15,754,476"/>	23.17%
Supplies Code	<input type="text" value="4000"/>	<input type="text" value="\$254,994"/>	0.38%
Services and Operations Code	<input type="text" value="5000"/>	<input type="text" value="\$9,569,954"/>	14.08%
Capital Outlay Code	<input type="text" value="6000"/>	<input type="text" value="\$0"/>	0.00%
Other Outgo/Financing Code	<input type="text" value="7000"/>	<input type="text" value="\$1,125,505"/>	1.66%
Total Operating Expenditures		67,983,857	100.00%

Section D: Annual Budget Plan

SELPA

Fiscal Year

Table 5: Projected Expenditures for Supplemental Aids and Services in the Regular Classroom for Students with Low Incidence Disabilities

Enter the total revenue expenditures for supplemental aids and services for students with disabilities who are placed in the regular education classroom and for those who are identified with low incidence disabilities.

Total Federal and State Revenue budgeted for Supplemental Aids and Service Expenditures in the Regular Classroom Setting

Total Federal and State Funding

Percent of Total LEA Federal and State Revenue Expenditures for Supplemental Aids and Services in the Regular Classroom Setting

Total Projected Federal and State Revenue budgeted for Students with Low Incidence Disability Expenditures.

Percent of Total LEA Federal and State Revenue Expenditures for Students with Low Incidence Disabilities

Using the form template provided in **Attachment V**, provide a complete distribution of projected federal and state revenue expenditures by LEAs participating in the SELPA.

Special Education Local Plan Area (SELPA) Local Plan

SELPA

Fiscal Year

LOCAL PLAN
Attachments
SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

Attachment I

SELPA:

Fiscal Year:

Attachment I—Local Educational Agency Listing

Participating Local Educational Agency Identification

Enter the California Department of Education (CDE) issued county/district/school code (CDS) and the full name for each local educational agency (LEA) participating in the local plan. The LEA names will automatically populate the remaining attachments. Pursuant to California *Education Code (EC)* sections 56205(a)(12)(D)(iii) and 56195.1(b) and (c). Special Education Local Plan Areas (SELPAs) with one or more LEAs, or those who join with the county office of education (COE) to submit a local plan to the CDE for consideration of approval must include copies of joint powers agreements or contractual agreements, as appropriate.

Users may remove all entries in each Attachment template (I through VI) by selecting the "Reset" button below. Similarly, users may add, or remove table rows by selecting the "plus" or "minus" buttons below. Actions taken here will be automatically repeated for each table included herein.

Add or Delete Row	List Number	CDS CODE	LEA
<input type="checkbox"/> + <input type="checkbox"/> -	1	3968585	Lodi Unified School District
<input type="checkbox"/> + <input type="checkbox"/> -	2	3968619	New Hope Elementary
<input type="checkbox"/> + <input type="checkbox"/> -	3	3968635	Oak View Union Elementary
<input type="checkbox"/> + <input type="checkbox"/> -	4	122580	Rio Valley Charter

Attachment II

SELPA: Lodi Area Special Education Region

Fiscal Year: 2020-21

Attachment II—Projected Special Education Revenue by Local Educational Agency

For each local educational agency (LEA) participating in the local plan, enter the projected special education revenue funding sources allowed by the Individuals with Disabilities Education Act (IDEA). Information included in this table must be consistent with revenues identified in Section D, Table 1.

LEA	Assembly Bill (AB) 602 State Aid	AB 602 Property Tax	Federal IDEA Part C	Federal IDEA Part B	State Infant/Toddler	State Preschool	State Mental Health	Federal Mental Health	Subtotal
Lodi Unified School District	17,262,268	\$0	\$0	\$5,605,527	\$469,780	\$135,335	\$1,879,288	\$336,143	25,688,341
New Hope Elementary	\$154,771	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$154,771
Oak View Union Elementary	\$125,051	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$125,051
Rio Valley Charter	\$430,137	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$430,137
Totals:	17,972,227	\$0	\$0	\$5,605,527	\$469,780	\$135,335	\$1,879,288	\$336,143	26,398,300

Attachment III

SELPA:

Fiscal Year:

Attachment III—Projected Expenditures by Object Code by Local Educational Agency

For each local educational agency (LEA) participating in the local plan, enter the projected special education expenditures by LEA and object code as allowed by the IDEA. Information included in this table must be consistent with expenditures identified in Section D, Tables 2.

LEA	1000 Certificated Salaries	2000 Classified Salaries	3000 Employee Benefits	4000 Supplies	5000 Services and Operations	6000 Capital Outlay	7000 Other Outgo and Financing	Subtotal
Lodi Unified School District	26,630,292	14,648,636	15,754,476	\$254,994	\$9,569,954	\$0	\$492,952	67,351,304
New Hope Elementary	\$77554	\$30227	\$55739	\$0	\$0	\$0	\$0	\$163,520
Oak View Union Elementary	\$94290	\$0	\$41249	\$1000	\$0	\$0	\$0	\$136,539
Rio Valley Charter	\$909,955	\$0	\$50143	\$0	\$0	\$0	\$0	\$960,098
Totals:	27,712,091	14,678,863	15,901,607	\$255,994	\$9,569,954	\$0	\$492,952	68,611,461

Attachment IV

SELPA:

Fiscal Year:

Attachment IV—Projected Revenue by Federal, State, and Local Funding Source by Local Educational Agency

For each local educational agency (LEA) participating in the local plan, enter the projected special education expenditures allowed by each funding source. Information included in this table must be consistent with revenues identified in Section D, Table 3.

LEA	Federal Revenue	Percent of Total Federal Revenue	State Revenue	Percent of Total State Revenue	Local Revenue	Total Federal and State Fundings
Lodi Unified School District	\$6,077,005	100.00%	19,611,336	96.51%	42,583,925	25,688,341
New Hope Elementary	\$0	0.00%	\$154,771	0.76%	\$0	\$154,771
Oak View Union Elementary	\$0	0.00%	\$125,051	0.62%	\$0	\$125,051
Rio Valley Charter	\$0	0.00%	\$430,137	2.12%	\$0	\$430,137
Totals:	\$6,077,005	100.00%	20,321,295	100.00%	42,583,925	26,398,300

Attachment V—Projected Expenditures by Local Educational Agency for Supplemental Aids and Services in the Regular Classroom for Students with Disabilities and Those Identified with Low Incidence Disabilities

Enter the revenue allocated to each LEA for supplemental aids and services (SAS) for those students with disabilities placed in the regular classroom setting and those who are identified with low incidence (LI) disabilities. Information included in this table must be consistent with revenues identified in Section D, Table 5.

LEA	Total Federal and State Revenue	Total Revenue Allocated to SAS in Regular Classroom	Percent of Total LEA Federal and State Revenue SAS	Total Revenue Allocated to Students with LI Disabilities	Percent of Total LEA Federal and State Revenue Low Incidence	Total Percent of Projected Total Revenue by LEA for SAS and LI
Lodi Unified School District	25,688,341	\$0	0%	\$0	0%	0.00%
New Hope Elementary	\$154,771	\$0	0%	\$0	0%	0.00%
Oak View Union Elementary	\$125,051	\$0	0%	\$0	0%	0.00%
Rio Valley Charter	\$430,137	\$0	0%	\$0	0%	0.00%
Totals:	26,398,300	\$0	<i>Not Applicable</i>	\$0	<i>Not Applicable</i>	<i>Not Applicable</i>

<p>LEA</p>	<p>1. Enter the names of all LEAs, vendors or contractors of the State Departments of Health Care Services, State Hospitals, and any designated local public health or mental health agency participating in the local plan. Select the California Longitudinal Pupil Achievement Data System (CALPADs) School Owner Code from the drop-down menu.</p> <p>2. Check the box for each service provided by the corresponding LEA. If a service is not provided by a provider, leave the box "blank." Service codes are defined in Section E of the local plan.</p>																																																				
<p>Rio Valley Charter</p>	<table border="0"> <tr> <td><input checked="" type="checkbox"/> 330</td> <td><input checked="" type="checkbox"/> 210</td> <td><input checked="" type="checkbox"/> 220</td> <td><input type="checkbox"/> 230</td> <td><input type="checkbox"/> 240</td> <td><input type="checkbox"/> 250</td> <td><input type="checkbox"/> 260</td> <td><input type="checkbox"/> 270</td> <td><input type="checkbox"/> 340</td> <td><input type="checkbox"/> 350</td> <td><input type="checkbox"/> 360</td> <td><input type="checkbox"/> 370</td> <td><input checked="" type="checkbox"/> 415</td> </tr> <tr> <td><input checked="" type="checkbox"/> 425</td> <td><input checked="" type="checkbox"/> 435</td> <td><input checked="" type="checkbox"/> 436</td> <td><input checked="" type="checkbox"/> 445</td> <td><input checked="" type="checkbox"/> 450</td> <td><input checked="" type="checkbox"/> 460</td> <td><input checked="" type="checkbox"/> 510</td> <td><input checked="" type="checkbox"/> 515</td> <td><input type="checkbox"/> 520</td> <td><input type="checkbox"/> 525</td> <td><input checked="" type="checkbox"/> 530</td> <td><input type="checkbox"/> 535</td> <td><input type="checkbox"/> 540</td> </tr> <tr> <td><input type="checkbox"/> 545</td> <td><input type="checkbox"/> 610</td> <td><input type="checkbox"/> 710</td> <td><input type="checkbox"/> 715</td> <td><input type="checkbox"/> 720</td> <td><input type="checkbox"/> 725</td> <td><input type="checkbox"/> 730</td> <td><input type="checkbox"/> 735</td> <td><input type="checkbox"/> 740</td> <td><input type="checkbox"/> 745</td> <td><input type="checkbox"/> 750</td> <td><input type="checkbox"/> 755</td> <td><input type="checkbox"/> 760</td> </tr> <tr> <td><input checked="" type="checkbox"/> 820</td> <td><input checked="" type="checkbox"/> 830</td> <td><input checked="" type="checkbox"/> 840</td> <td><input checked="" type="checkbox"/> 850</td> <td><input type="checkbox"/> 855</td> <td><input type="checkbox"/> 860</td> <td><input type="checkbox"/> 865</td> <td><input type="checkbox"/> 870</td> <td><input type="checkbox"/> 890</td> <td><input checked="" type="checkbox"/> 900</td> <td><input type="checkbox"/> 900</td> <td><input type="checkbox"/> 900</td> <td><input type="checkbox"/> 900</td> </tr> </table>	<input checked="" type="checkbox"/> 330	<input checked="" type="checkbox"/> 210	<input checked="" type="checkbox"/> 220	<input type="checkbox"/> 230	<input type="checkbox"/> 240	<input type="checkbox"/> 250	<input type="checkbox"/> 260	<input type="checkbox"/> 270	<input type="checkbox"/> 340	<input type="checkbox"/> 350	<input type="checkbox"/> 360	<input type="checkbox"/> 370	<input checked="" type="checkbox"/> 415	<input checked="" type="checkbox"/> 425	<input checked="" type="checkbox"/> 435	<input checked="" type="checkbox"/> 436	<input checked="" type="checkbox"/> 445	<input checked="" type="checkbox"/> 450	<input checked="" type="checkbox"/> 460	<input checked="" type="checkbox"/> 510	<input checked="" type="checkbox"/> 515	<input type="checkbox"/> 520	<input type="checkbox"/> 525	<input checked="" type="checkbox"/> 530	<input type="checkbox"/> 535	<input type="checkbox"/> 540	<input type="checkbox"/> 545	<input type="checkbox"/> 610	<input type="checkbox"/> 710	<input type="checkbox"/> 715	<input type="checkbox"/> 720	<input type="checkbox"/> 725	<input type="checkbox"/> 730	<input type="checkbox"/> 735	<input type="checkbox"/> 740	<input type="checkbox"/> 745	<input type="checkbox"/> 750	<input type="checkbox"/> 755	<input type="checkbox"/> 760	<input checked="" type="checkbox"/> 820	<input checked="" type="checkbox"/> 830	<input checked="" type="checkbox"/> 840	<input checked="" type="checkbox"/> 850	<input type="checkbox"/> 855	<input type="checkbox"/> 860	<input type="checkbox"/> 865	<input type="checkbox"/> 870	<input type="checkbox"/> 890	<input checked="" type="checkbox"/> 900	<input type="checkbox"/> 900	<input type="checkbox"/> 900	<input type="checkbox"/> 900
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Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: March 11, 2021

AGENDA ITEM: #8.1 Site Based Schools Initiative

Background:

Dr. Paul Keefer, Executive Director, will present and discuss site-based schools initiative launched by Pacific Charter Institute. Dr. Keefer will provide the Board of Directors an update on the description of the program. Dr. Keefer will also update the Board on the planning and strategic steps for the schools.

RECOMMENDED ACTION:

No Action is necessary.



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: March 11, 2021

AGENDA ITEM: #8.2 Student Achievement Update

Background:

Student Achievement Update - Heritage Peak Charter School, Rio Valley Charter School, Valley View Charter Prep, Sutter Peak Charter Academy – PCI School Directors and Tim Ribota, Director of Student Services will present the Student Achievement Update for all four schools.

RECOMMENDED ACTION:

No Action is necessary.



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: March 11, 2021

AGENDA ITEM: #8.3 Review PCI Bylaws

Background:

Review and discuss PCI bylaws focusing on Article VII Board of Directors Section 5- Directors' Term.

RECOMMENDED ACTION:

No Action is necessary.

BYLAWS
OF
PACIFIC CHARTER INSTITUTE
(A California Nonprofit Public Benefit Corporation)

ARTICLE I
NAME

Section 1. NAME. The name of this Corporation is Pacific Charter Institute.

ARTICLE II
PRINCIPAL OFFICE OF THE CORPORATION

Section 1. PRINCIPAL OFFICE OF THE CORPORATION. The principal office for the transaction of the activities and affairs of the Corporation is 1401 El Camino Avenue, Suite 510, Sacramento, California 95815. The Board of Directors may change the location of the principal office. Any such change of location must be noted by the Secretary on these bylaws opposite this Section; alternatively, this Section may be amended to state the new location.

Section 2. OTHER OFFICES OF THE CORPORATION. The Board of Directors may at any time establish branch or subordinate offices at any place or places where the Corporation is qualified to conduct its activities.

ARTICLE III
GENERAL AND SPECIFIC PURPOSES; LIMITATIONS

Section 1. GENERAL AND SPECIFIC PURPOSES. The purpose of the Corporation is to manage, operate, guide, direct and promote one or more California public charter schools. Also in the context of these purposes, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation.

The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

ARTICLE IV
CONSTRUCTION AND DEFINITIONS

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context indicates otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit

Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, and the plural includes the singular, and the term “person” includes both a legal entity and a natural person.

ARTICLE V DEDICATION OF ASSETS

Section 1. **DEDICATION OF ASSETS.** The Corporation’s assets are irrevocably dedicated to public benefit purposes as set forth in the Charter School’s Charter. No part of the net earnings, properties, or assets of the Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any director or officer of the Corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the Corporation shall be distributed to a nonprofit fund, foundation, or corporation that is organized and operated exclusively for charitable purposes and that has established its exempt status under Internal Revenue Code section 501(c)(3).

ARTICLE VI CORPORATIONS WITHOUT MEMBERS

Section 1. **CORPORATIONS WITHOUT MEMBERS.** The Corporation shall have no voting members within the meaning of the Nonprofit Corporation Law. The Corporation’s Board of Directors may, in its discretion, admit individuals to one or more classes of nonvoting members; the class or classes shall have such rights and obligations as the Board of Directors finds appropriate.

ARTICLE VII BOARD OF DIRECTORS

Section 1. **GENERAL POWERS.** Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the Corporation’s activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors (“Board”).

Section 2. **SPECIFIC POWERS.** Without prejudice to the general powers set forth in Section 1 of these bylaws, but subject to the same limitations, the Board of Directors shall have the power to:

- a. Appoint and remove, at the pleasure of the Board of Directors, all corporate officers, agents, and employees; prescribe powers and duties for them as are consistent with the law, the articles of incorporation, and these bylaws; fix their compensation; and require from them security for faithful service.
- b. Change the principal office or the principal business office in California from one location to another; cause the Corporation to be qualified to conduct its activities in

any other state, territory, dependency, or country; conduct its activities in or outside California.

- c. Borrow money and incur indebtedness on the Corporation's behalf and cause to be executed and delivered for the Corporation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.
- d. Adopt and use a corporate seal.

Section 3. DESIGNATED DIRECTORS AND TERMS. The number of directors shall be no less than five (5) and no more than seven (7), unless changed by amendments to these bylaws. All directors shall have full voting rights, including any representative appointed by the charter authorizer as consistent with Education Code Section 47604(c). If the charter authorizer appoints a representative to serve on the Board of Directors, the Corporation may appoint an additional director to ensure an odd number of Board members. All directors shall be designated by the existing Board of Directors.

Section 4. RESTRICTION ON INTERESTED PERSONS AS DIRECTORS. No persons serving on the Board of Directors may be interested persons. An interested person is (a) any person compensated by the Corporation for services rendered to it within the previous twelve (12) months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. The Board may adopt other policies circumscribing potential conflicts of interest.

Section 5. DIRECTORS' TERM. Each director shall hold office for three (3) years and until a successor director has been designated and qualified. Directors may serve a maximum of two consecutive terms. Additional one-year (1) terms may be granted by the majority vote of all directors. One (1) year term must be voted on annually and approved by a majority of the board each year. All terms shall commence on July 1 and shall expire on June 30 of the year of the term unless appointment is mid-year in which the board member begins service and the first term will be less than a full three-year term.

Section 6. NOMINATIONS BY CHAIRMAN OR EXECUTIVE DIRECTOR. The Chairman of the Board of Directors, the Executive Director, or both, may nominate qualified candidates for election to the Board of Directors. The nominations will be made at least seven (7) days before the date of any election of directors.

Section 7. EVENTS CAUSING VACANCIES ON BOARD. A vacancy or vacancies on the Board of Directors shall occur in the event of (a) the death, resignation, or removal of any director; (b) the declaration by resolution of the Board of Directors of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court to have breached a duty under California Nonprofit Public Benefit Corporation Law, Chapter 2, Article 3; or (c) the increase of the authorized number of directors.

Section 8. RESIGNATION OF DIRECTORS. Except as provided below, any director may resign by giving written notice to the Chairman of the Board, if any, or to the **Executive Director**, or the Secretary, or to the Board. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If a director's resignation is effective at a later time, the Board of Directors may elect a successor to take office as of the date when the resignation becomes effective.

Section 9. DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS. Except on notice to the California Attorney General, no director may resign if the Corporation would be left without a duly elected director or directors.

Section 10. REMOVAL OF DIRECTORS. Any director may be removed, with or without cause, by the vote of the majority of the members of the entire Board of Directors at a special meeting called for that purpose, or at a regular meeting, provided that notice of that meeting and of the removal questions are given in compliance with the provisions of the Ralph M. Brown Act. (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code). Any vacancy caused by the removal of a director shall be filled as provided in Section 12.

Section 11. VACANCIES FILLED BY BOARD. Vacancies on the Board of Directors may be filled by approval of the Board of Directors or, if the number of directors then in office is less than a quorum, by (a) the affirmative vote of a majority of the directors then in office at a regular or special meeting of the Board, or (b) a sole remaining director.

Section 12. NO VACANCY ON REDUCTION OF NUMBER OF DIRECTORS. Any reduction of the authorized number of directors shall not result in any directors being removed before his or her term of office expires.

Section 13. PLACE OF BOARD OF DIRECTORS MEETINGS. Meetings shall be held at the principal office of the Corporation. The Board of Directors may also designate that a meeting be held within the physical boundaries of the county in which the greatest number of pupils enrolled in charter schools operated by PCI reside. All meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, California Government Code Sections 54950, et seq., as said chapter may be modified by subsequent legislation.

Section 14. MEETINGS; ANNUAL MEETINGS. All meetings of the Board of Directors and its committees shall be called, noticed, and held in compliance with the provisions of the Ralph M. Brown Act ("Brown Act"). (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code). The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. This meeting shall be held at a time, date, and place as noticed by the Board of Directors in accordance with the Brown Act.

Section 15. REGULAR MEETINGS. Regular meetings of the Board of Directors, including annual meetings, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least 72 hours before a regular meeting, the Board of Directors, or its designee shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting.

Section 16. SPECIAL MEETINGS. Special meetings of the Board of Directors for any purpose may be called at any time by the Chairman of the Board of Directors, if there is such an officer, or a majority of the Board of Directors. If a Chairman of the Board has not been elected then the Executive Director is authorized to call a special meeting in place of the Chairman of the Board. The party calling a special meeting shall determine the place, date, and time thereof.

Section 17. NOTICE OF SPECIAL MEETINGS. In accordance with the Brown Act, special meetings of the Board of Directors may be held only after twenty-four (24) hours notice is given to the public through the posting of an agenda. Directors shall also receive at least twenty-four (24) hours notice of the special meeting, in the manner:

- a. Any such notice shall be addressed or delivered to each director at the director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Board of Directors are regularly held.
- b. Notice by mail shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient or to a person at the office of the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver.
- c. The notice of special meeting shall state the time of the meeting, and the place if the place is other than the principal office of the Corporation, and the general nature of the business proposed to be transacted at the meeting. No business, other than the business the general nature of which was set forth in the notice of the meeting, may be transacted at a special meeting.

Section 18. QUORUM. A majority of the directors then in office shall constitute a quorum. All acts or decisions of the Board of Directors will be by majority vote of the directors in attendance, based upon the presence of a quorum. Should there be less than a majority of the directors present at any meeting, the meeting shall be adjourned. The directors present at a duly called and held meeting at which a quorum is initially present may continue to do business notwithstanding the loss of a quorum at the meeting due to a withdrawal of directors from the meeting, provided that any action thereafter taken must be approved by at least a majority of the required quorum for such meeting or such greater percentage as may be required by law, the Articles of Incorporation or these Bylaws. Directors may not vote by proxy. The vote or abstention of each board member present for each action taken shall be publicly reported.

Section 19. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:

- a. At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the school districts in which the Pacific Charter Institute operates;
- b. All votes taken during a teleconference meeting shall be by roll call;
- c. If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;
- d. All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;¹
- e. Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and
- f. The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.²

Section 20. ADJOURNMENT. A majority of the directors present, whether or not a quorum is present, may adjourn any Board of Directors meeting to another time or place. Notice of such adjournment to another time or place shall be given, prior to the time schedule for the continuation of the meeting, to the directors who were not present at the time of the adjournment, and to the public in the manner prescribed by any applicable public open meeting law.

Section 21. COMPENSATION AND REIMBURSEMENT. Directors may not receive compensation for their services as directors or officers, only such reimbursement of expenses as the Board of Directors may establish by resolution to be just and reasonable as to the Corporation at the time that the resolution is adopted.

Section 22. CREATION AND POWERS OF COMMITTEES. The Board, by resolution adopted by a majority of the directors then in office, may create one or more committees of the Board, each consisting of two or more directors and no one who is not a director, to serve at the pleasure of the Board. Appointments to committees of the Board of Directors shall be by majority vote of the directors then in office. The Board of Directors may appoint one or more

¹ This means that members of the Board of Directors who choose to utilize their homes or offices as teleconference locations must open these locations to the public and accommodate any members of the public who wish to attend the meeting at that location.

² The Brown Act prohibits requiring members of the public to provide their names as a condition of attendance at the meeting.

directors as alternate members of any such committee, who may replace any absent member at any meeting. Any such committee shall have all the authority of the Board, to the extent provided in the Board of Directors' resolution, except that no committee may:

- a. Take any final action on any matter that, under the California Nonprofit Public Benefit Corporation Law, also requires approval of the members or approval of a majority of all members;
- b. Fill vacancies on the Board of Directors or any committee of the Board;
- c. Fix compensation of the directors for serving on the Board of Directors or on any committee;
- d. Amend or repeal bylaws or adopt new bylaws;
- e. Amend or repeal any resolution of the Board of Directors that by its express terms is not so amendable or subject to repeal;
- f. Create any other committees of the Board of Directors or appoint the members of committees of the Board;
- g. Expend corporate funds to support a nominee for director if more people have been nominated for director than can be elected; or
- h. Approve any contract or transaction to which the Corporation is a party and in which one or more of its directors has a material financial interest.

The Board may also create one or more advisory committees composed of directors and non-directors. It is the intent of the Board to encourage the participation and involvement of faculty, staff, parents, students and administrators through attending and participating in open committee meetings. The Board may establish, by resolution adopted by a majority of the directors then in office, advisory committees to serve at the pleasure of the Board.

Section 23. MEETINGS AND ACTION OF COMMITTEES. Meetings and actions of committees of the Board of Directors shall be governed by, held, and taken under the provisions of these bylaws concerning meetings, other Board of Directors' actions, and the Brown Act, if applicable, except that the time for general meetings of such committees and the calling of special meetings of such committees may be set either by Board of Directors' resolution or, if none, by resolution of the committee. Minutes of each meeting shall be kept and shall be filed with the corporate records. The Board of Directors may adopt rules for the governance of any committee as long as the rules are consistent with these bylaws. If the Board of Directors has not adopted rules, the committee may do so.

Section 24. NON-LIABILITY OF DIRECTORS. No director shall be personally liable for the debts, liabilities, or other obligations of the Corporation.

Section 25. COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS. The Charter School and the Board of Directors shall comply with all applicable provisions of the Family Education Rights Privacy Act (“FERPA”) as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

Section 26. EXPECTED PARTICIPATION BY DIRECTORS. Directors shall attend three (3) of five (5) regularly scheduled board meetings. Directors shall complete the evaluation of the Executive Director annually. Directors shall attend at least one high school graduation. If these participation levels are not met the director may be subject to removal by a board vote.

ARTICLE VIII OFFICERS OF THE CORPORATION

Section 1. OFFICES HELD. The officers of the Corporation shall be a President, who shall be known as the “Executive Director,” a Secretary, and a Treasurer. The Corporation, at the Board’s direction, may also have a Chairman of the Board and a Vice-Chair. The officers, in addition to the corporate duties set forth in this Article VIII, shall also have administrative duties as set forth in any applicable contract for employment or job specification. Officers shall not also be directors (Board members).

Section 2. DUPLICATION OF OFFICE HOLDERS. Any number of offices may be held by the same person, except that neither the Secretary nor the Treasurer may serve concurrently as either the Executive Director or the Chairman of the Board.

Section 3. ELECTION OF OFFICERS. The officers of the Corporation shall be chosen annually by the Board of Directors and shall serve at the pleasure of the Board, subject to the rights of any officer under any employment contract.

Section 4. REMOVAL OF OFFICERS. Without prejudice to the rights of any officer under an employment contract, the Board of Directors may remove any officer with or without cause.

Section 5. RESIGNATION OF OFFICERS. Any officer may resign at any time by giving written notice to the Board. The resignation shall take effect on the date the notice is received or at any later time specified in the notice. Unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to any rights of the Corporation under any contract to which the officer is a party.

Section 6. VACANCIES IN OFFICE. A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for normal appointment to that office, provided, however, that vacancies need not be filled on an annual basis.

Section 7. CHAIRMAN OF THE BOARD. If a Chairman of the Board of Directors is elected, he or she shall preside at the Board of Directors’ meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time. If a Chairman of the Board of Directors is elected, there shall also be a Vice-Chairman of the Board of Directors. In the absence of the Chairman, the Vice-Chairman shall preside at Board of Directors

meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time.

Section 8. EXECUTIVE DIRECTOR. The Executive Director, who is the chief executive officer, shall be the general manager of the Corporation and shall supervise, direct, and control the Corporation's activities, affairs, and officers as fully described in any applicable employment contract, agreement, or job specification. The Executive Director shall have such other powers and duties as the Board of Directors or the bylaws may require.

Section 9. SECRETARY. The Secretary shall keep or cause to be kept, at the Corporation's principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings, and actions of the Board and of committees of the Board. The minutes of meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, special, or emergency and, if special or emergency, how authorized; the notice given; the names of the directors present at Board of Directors and committee meetings; and the vote or abstention of each board member present for each action taken.

The Secretary shall keep or cause to be kept, at the principal California office, a copy of the articles of incorporation and bylaws, as amended to date.

The Secretary shall give, or cause to be given, notice of all meetings of the Board and of committees of the Board of Directors that these bylaws require to be given. The Secretary shall keep the corporate seal, if any, in safe custody and shall have such other powers and perform such other duties as the Board of Directors or the bylaws may require.

Section 10. TREASURER. The Treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the Corporation's properties and transactions. The Treasurer shall send or cause to be given to directors such financial statements and reports as are required to be given by law, by these bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times.

The Treasurer shall (a) deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Corporation with such depositories as the Board of Directors may designate; (b) disburse the corporation's funds as the Board of Directors may order; (c) render to the Executive Director, Chairman of the Board, if any, and the Board, when requested, an account of all transactions as Treasurer and of the financial condition of the Corporation; and (d) have such other powers and perform such other duties as the Board, contract, job specification, or the bylaws may require.

If required by the Board, the Treasurer shall give the Corporation a bond in the amount and with the surety or sureties specified by the Board of Directors for faithful performance of the duties of the office and for restoration to the Corporation of all of its books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Treasurer on his or her death, resignation, retirement, or removal from office.

ARTICLE IX CONTRACTS WITH DIRECTORS

Section 1. **CONTRACTS WITH DIRECTORS.** The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor any other corporation, firm, association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest).

ARTICLE X CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES

Section 1. **CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES.** The Corporation shall not enter into a contract or transaction in which a non-director designated employee (e.g., officers and other key decision-making employees) directly or indirectly has a material financial interest.

ARTICLE XI LOANS TO DIRECTORS AND OFFICERS

Section 1. **LOANS TO DIRECTORS AND OFFICERS.** The Corporation shall not lend any money or property to or guarantee the obligation of any director or officer without the approval of the California Attorney General; provided, however, that the Corporation may advance money to a director or officer of the Corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that director or officer would be entitled to reimbursement for such expenses of the Corporation.

ARTICLE XII INDEMNIFICATION

Section 1. **INDEMNIFICATION.** To the fullest extent permitted by law, the Corporation shall indemnify its directors, officers, employees, and other persons described in Corporations Code Section 5238(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that section, and including an action by or in the right of the Corporation by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the Board of Directors by any person seeking indemnification under Corporations Code Section 5238 (b) or Section 5238 (c) the Board of Directors shall promptly decide under Corporations Code Section 5238 (e) whether the applicable standard of conduct set forth in Corporations Code Section 5238 (b) or Section 5238 (c) has been met and, if so, the Board of Directors shall authorize indemnification.

ARTICLE XIII INSURANCE

Section 1. **INSURANCE.** The Corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its directors, officers, employees,

and other agents, to cover any liability asserted against or incurred by any director, officer, employee, or agent in such capacity or arising from the director's, officer's, employee's, or agent's status as such.

ARTICLE XIV MAINTENANCE OF CORPORATE RECORDS

Section 1. MAINTENANCE OF CORPORATE RECORDS. The Corporation shall keep:

- a. Adequate and correct books and records of account;
- b. Written minutes of the proceedings of the Board and committees of the Board; and
- c. Such reports and records as required by law.

ARTICLE XV INSPECTION RIGHTS

Section 1. DIRECTORS' RIGHT TO INSPECT. Every director shall have the right at any reasonable time to inspect the Corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary as permitted by California and federal law. The inspection may be made in person or by the director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents.

Section 2. ACCOUNTING RECORDS AND MINUTES. On written demand on the Corporation, any director may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the Board of Directors and committees of the Board of Directors at any reasonable time for a purpose reasonably related to the director's interest as a director. Any such inspection and copying may be made in person or by the director's agent or attorney. This right of inspection extends to the records of any subsidiary of the Corporation.

Section 3. MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS. The Corporation shall keep at its principal California office the original or a copy of the articles of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the directors at all reasonable times during office hours.

ARTICLE XVI REQUIRED REPORTS

Section 1. ANNUAL REPORTS. The Board of Directors shall cause an annual report to be sent to itself (the members of the Board of Directors) within 120 days after the end of the Corporation's fiscal year. That report shall contain the following information, in appropriate detail:

- a. The assets and liabilities, including the trust funds, or the Corporation as of the end of the fiscal year;
- b. The principal changes in assets and liabilities, including trust funds;
- c. The Corporation's revenue or receipts, both unrestricted and restricted to particular purposes;
- d. The Corporation's expenses or disbursement for both general and restricted purposes;
- e. Any information required under these bylaws; and
- f. An independent accountant's report or, if none, the certificate of an authorized officer of the Corporation that such statements were prepared without audit from the Corporation's books and records.

Section 2. ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS. As part of the annual report to all directors, or as a separate document if no annual report is issued, the Corporation shall, within 120 days after the end of the Corporation's fiscal year, annually prepare and mail or deliver to each director and furnish to each director a statement of any transaction or indemnification of the following kind:

- (a) Any transaction (i) in which the Corporation, or its parent or subsidiary, was a party, (ii) in which an "interested person" had a direct or indirect material financial interest, and (iii) which involved more than \$50,000 or was one of several transactions with the same interested person involving, in the aggregate, more than \$50,000. For this purpose, an "interested person" is either:
 - (1) Any director or officer of the Corporation, its parent, or subsidiary (but mere common directorship shall not be considered such an interest); or
 - (2) Any holder of more than 10 percent of the voting power of the Corporation, its parent, or its subsidiary. The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the Corporation, the nature of their interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.
- (b) The amount and circumstances of any indemnifications aggregating more than \$10,000 paid during the fiscal year to any director or officer of the Corporation pursuant to Article XII of these Bylaws.

**ARTICLE XVII
BYLAW AMENDMENTS**

Section 1. BYLAW AMENDMENTS. The Board of Directors may adopt, amend or repeal any of these Bylaws by a majority of the directors present at a meeting duly held at which a quorum is present, except that no amendment shall change any provisions of the Charter that created Pacific Charter Institute or make any provisions of these Bylaws inconsistent with that Charter, the Corporation's Articles of Incorporation, or any laws.

**ARTICLE XVIII
FISCAL YEAR**

Section 1. FISCAL YEAR OF THE CORPORATION. The fiscal year of the Corporation shall begin on July 1st and end on June 30th of each year.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of Pacific Charter Institute, a California nonprofit public benefit corporation; that these bylaws, consisting of 14 pages, are the bylaws of the Corporation as adopted by the Board of Directors on 9/5/2019; and that these bylaws have not been amended or modified since that date.

Executed on 9/17/2019 at Sacramento California.

Judy Miller, Secretary