

Golden Feather School District

November 17, 2021 Board Agenda Concow School 2771 Pentz RD. Oroville, CA 95965 4:30 PM

For persons wishing to review the full agenda packet, one is available in the lobby at each school site. Meeting site is wheelchair accessible. Any individuals who require special accommodations should contact the superintendent 530-533-3467 at least two days before the meeting date.

1.0 Call to Order Time: _____

Board of Trustees

- Deborah Ingvaldsen – President _____
- Don Saul – Trustee _____
- Richard Miller – Clerk _____
- Matthew Morris – Trustee _____
- Josh Peete – Superintendent _____
- Pearl Lankford – Executive Assistant _____

2.0 Flag Salute

3.0 Approval to Vary the Sequence

Motion _____ Second _____ Vote _____

4.0 Public Comments

This is the time at which the President invites anyone in the audience: including district employees wishing to address the Board on a matter not on the agenda to stand, state your name and address for the record. Presentations will be limited to (3) minutes; maximum of (20) minutes to each subject matter. The board is prohibited by law from taking action or discussing any item presented if it is not listed on the agenda, unless permitted by law. For those wishing to address items on the agenda, time will be available as each agenda item is introduced.

5.0 Motion to Adjourn to Public Hearing – Educator Effectiveness Block Grant

Motion _____ Second _____ Vote _____

6.0 Public Hearing – Educator Effectiveness Block Grant

7.0 Motion to Reconvene to Regular Mtg.

Motion _____ Second _____ Vote _____

8.0 Reports

- 8.1 Superintendent Report/Board Goals
- 8.2 CSEA
- 8.3 GFTA
- 8.4 Parents’ Club
- 8.5 Board Member

9.0 Consent Calendar

These items are routine and will be enacted by one motion. Board Members may request that an item be removed from the Consent Calendar for discussion or action.

9.1 Bill Warrants 10/15/21-11/12/21 (REF)

9.2 Williams Quarterly – No Complaints (REF)

Motion _____ Second _____ Vote _____

10.0 Discussion Items

- 10.1 Board Vacancy
- 10.2 Project and Grant Update
- 10.3 Comprehensive Safety Plan
- 10.4 COVID-19 Vaccine Resolution/Mandate Letter
- 10.5 Saturday School
- 10.6 NVCF Funding with PRPD
- 10.7 Board Advance

11.0 Action Items

11.1 Set Date of Annual Organization Board Meeting (REF)

Motion _____ Second _____ Vote _____

11.2 Lou Uradzionek Resignation (REF)

Motion _____ Second _____ Vote _____

11.3 American Modular Systems Change Order#1 Approval (REF)

Motion _____ Second _____ Vote _____

11.4 COVID-19 Testing Start-up Procedure/Stipend (REF)

Motion _____ Second _____ Vote _____

11.5 APPROVE GASB (REF)

Motion _____ Second _____ Vote _____

11.6 Amendment to California Public Health Office Order: CSEA MOU (REF)

Motion _____ Second _____ Vote _____

12.0 For the Good of the Order

13.0 Motion to Adjourn to Closed Session

- 13.1 Public Employee Discipline/Dismissal/Release
- 13.2 Conference with Labor Negotiator – Josh Peete

Time In: _____ **Time Out:** _____ **Report Out** _____

The Board may adjourn to closed session to discuss matters of personnel, security, negotiations, student discipline, litigation, or other matters as authorized by Government Code Sections 3459.1, 54956.6, 54957, and 54957.6 and Education Code Sections 35136 and 48913. Pursuant to Government Code 54957.6 the Board may meet with district labor negotiators to review its position and to instruct its designated representatives with regards to Golden Feather Union Teachers Association (GFTA), California School Employees Association CSEA, and/or unrepresented confidential and administrative employees.

CSEA/GFTA/PERSONNEL

14.0 Adjournment Time: _____

Motion _____ Second _____ Vote _____

Educator Effectiveness Block Grant 2021

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone
Golden Feather Union Elementary School District	Mr. Josh Peete - Superintendent	jpeete@gfused.org 530.533.3467

The Educator Effectiveness Block Grant (EEBG) is a program providing funds to county offices of education, school districts, charter schools, and state special schools to provide professional learning and to promote educator equity, quality, and effectiveness.

As a condition of receiving funds for educator effectiveness, LEAs shall develop and adopt a plan for expenditure of funds, which requires the plan to be explained in a public meeting of the governing board of the school district, county board of education, or governing body of the charter school before its adoption in a subsequent meeting. Funds may be expended for the purposes identified in Assembly Bill 130, Chapter 44, Section 22 and Assembly Bill 167, Chapter 252, Section 9 and mentioned below in the "Planned Use of Funds" section. These expenditures may take place over fiscal years 2021–22, 2022–23, 2023–24, 2024–25, and 2025–26. LEAs may use these allocated funds to provide professional learning for teachers, administrators, paraprofessionals who work with students, and classified staff that interact with students in order to promote educator equity, quality, and effectiveness. The funding is distributed in an equal amount per unit of full-time equivalent certificated and classified staff as reported in California Longitudinal Pupil Achievement Data and California Basic Educational Data System for the 2020–21 fiscal year. This funding for certificated and classified staff shall not exceed the total certificated staff and classified staff count.

Expenditure Plan

Total Educator Effectiveness Block Grant funds awarded to the LEA
\$34,739

The following table provides the LEA's expenditure plan for how it will use EEBG funds to provide professional learning for teachers, administrators, paraprofessionals who work with students, and classified staff that interact with students in order to promote educator equity, quality, and effectiveness. The allowable use categories are listed below.

Allowable Use of Funds	Planned Use of Funds (Actions)	Planned Expenditures
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<p>1. Coaching and mentoring of staff serving in an instructional setting and beginning teacher or administrator induction, including, but not limited to, coaching and mentoring solutions that address a local need for teachers that can serve all pupil populations with a focus on retaining teachers, and offering</p>	<p>1a.) Induction program for new teachers over the course of the grant.</p> <p>\$10,000</p>
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Educator Effectiveness Block Grant 2021 for Page 1 of 6

<p>Allowable Use of Funds</p>	<p>Planned Use of Funds (Actions)</p>	<p>Planned Expenditures</p>
<p>structured feedback and coaching systems organized around social-emotional learning, including, but not limited to, promoting teacher self-awareness, self management, social awareness, relationships, and responsible decision making skills, improving teacher attitudes and beliefs about one's self and others, and supporting learning communities for educators to engage in a meaningful classroom teaching experience.</p>		
<p>2. Programs that lead to effective, standards-aligned instruction and improve instruction in literacy across all subject areas, including English language arts, history social science, science, technology, engineering, mathematics, and computer science.</p>	<p>2a.) Professional development in STEAM aligned content standards and strategies for all staff. 2b.) Instructional materials and resources for the new STEAM 2c.) Reading intervention program training 2d.) Instructional materials and resources for the reading intervention program</p>	<p>\$5,000</p>
<p>3. Practices and strategies that reengage pupils and lead to accelerated learning.</p>		
<p>4. Strategies to implement social-emotional learning, trauma-informed practices, suicide prevention, access to mental health services, and other approaches that improve pupil well-being.</p>	<p>4a.) Mental health counselor training 4b.) Training for social-emotional learning, trauma-informed practices, suicide prevention, access to mental health services, and other approaches that</p>	<p>\$4,000</p>

	improve pupil well-being.		
<p>5. Practices to create a positive school climate, including, but not limited to, restorative justice, training around implicit bias, providing positive behavioral supports, multitiered systems of support, transforming a school site's culture to one that values diverse cultural and ethnic backgrounds, and preventing discrimination, harassment, bullying, and intimidation based on actual or perceived characteristics, including disability, gender, gender identity, gender expression, language, nationality, race or ethnicity, religion, or sexual orientation.</p>	<p>5a.) Implementation of Multi-Tiered Systems of Support (MTSS) schoolwide practices to include Positive Behavior Interventions and Support (PBIS) strategies with all students.</p>	\$5,400	
<p>6. Strategies to improve inclusive practices, including, but not limited to, universal design for learning, best practices for early identification, and development of individualized education programs for individuals with exceptional needs.</p>	<p>6a.) Training for staff to improve inclusive practices, including, but not limited to, universal design for learning, best practices for early identification, and development of individualized education programs for individuals with exceptional needs.</p>	\$10,339	

Allowable Use of Funds	Planned Use of Funds (Actions)	Planned Expenditures
<p>7. Instruction and education to support implementing effective language acquisition programs for English learners, which may include integrated language development within and across content areas and building and strengthening capacity to increase bilingual and biliterate proficiency.</p>		

8. New professional learning networks for educators not already engaged in an education-related professional learning network to support the requirements of subdivision (c).	
9. Instruction, education, and strategies to incorporate ethnic studies curricula adopted pursuant to Section 51226.7 into pupil instruction for grades 7 to 12, inclusive.	
10. Instruction, education, and strategies for certificated and classified educators in early childhood education, or childhood development.	\$
	Subtotal \$34,739

Educator Effectiveness Block Grant Plan Instructions

Introduction

A program providing funds to county offices of education, school districts, charter schools, and state special schools to provide professional learning and to promote educator equity, quality, and effectiveness.

For additional information regarding Educator Effectiveness Block Grant funding please see the web page at <https://www.cde.ca.gov/fg/aa/ca/educatoreffectiveness.asp>.

Purpose and Requirements

As noted in the Introduction, a program providing funds to county offices of education, school districts, charter schools, and state special schools to provide professional learning and to promote educator equity, quality, and effectiveness: ● To ensure professional development meets educator and pupil needs, local educational agencies are **encouraged to allow school site and content staff to identify the topic or topics of professional learning**. Professional learning provided pursuant to this section shall do both of the following:

- Be **content focused**, incorporate **active learning**, support **collaboration**, use **models** of effective practice, provide **coaching** and **expert support**, offer **feedback** and **reflection**, and be of **sustained duration**.
- As applicable, be aligned to the **academic content standards** adopted pursuant to Sections 51226, 60605, 60605.1, 60605.2, 60605.3, 60605.4, 60605.8, and 60605.11, and the model curriculum adopted pursuant to Section 51226.7, as those sections read on June 30, 2020, and former Section 60605.85, as that section read on June 30, 2014.

Areas that to be considered for funding as outlined in Education Code include:

- (1) **Coaching and mentoring** of staff serving in an instructional setting and beginning teacher or administrator induction, including, but not limited to, coaching and mentoring solutions that address a local need for teachers that can serve all pupil populations with a focus on retaining teachers, and offering structured feedback and coaching systems organized around social-emotional learning, including, but not limited to, promoting teacher self-awareness, self-management, social awareness, relationships, and responsible decision making skills, improving teacher attitudes and beliefs about one's self and others, and supporting learning communities for educators to engage in a meaningful classroom teaching experience.
 - (2) Programs that lead to effective, **standards-aligned instruction** and improve **instruction in literacy** across all subject areas, including English language arts, history-social science, science, technology, engineering, mathematics, and computer science.
 - (3) Practices and strategies that **reengage pupils** and lead to **accelerated learning**.
 - (4) Strategies to implement **social-emotional learning, trauma-informed practices, suicide prevention, access to mental health services**, and other approaches that improve pupil well-being.
- Educator Effectiveness Block Grant 2021 for Page 4 of 6
- (5) Practices to create a **positive school climate**, including, but not limited to, restorative justice, training around implicit bias, providing positive behavioral supports, multitiered systems of support, transforming a school's culture to one that values diverse cultural and ethnic backgrounds, and preventing discrimination, harassment, bullying, and intimidation based on actual or perceived characteristics, including disability, gender, gender identity, gender expression, language, nationality, race or ethnicity, religion, or sexual orientation.
 - (6) Strategies to improve **inclusive practices**, including, but not limited to, universal design for learning, best practices for early identification, and development of individualized education programs for individuals with exceptional needs.
 - (7) Instruction and education to support implementing **effective language acquisition** programs for English learners, which may include integrated language development within and across content areas, and building and strengthening capacity to increase bilingual and biliterate proficiency.
 - (8) **New professional learning networks** for educators not already engaged in an education-related professional learning network to support the requirements of subdivision (c) - see *slide 12 for subdivision (c)*.
 - (9) Instruction, education, and strategies to incorporate **ethnic studies** curricula adopted pursuant to Section 51226.7 into pupil instruction for grades 7 to 12, inclusive.
 - (10) Instruction, education, and strategies for certificated and classified educators in **early childhood education, or childhood development**.

Instructions to complete the template:

Total Educator Effectiveness Block Grant funds awarded to the LEA

Provide the total amount of Educator Effectiveness Block Grant funds the LEA is awarded.

Allowable Use of Funds Table

The table is in three parts, **Allowable Use of Funds**, **Planned Use of Funds (Actions)**, and **Planned Expenditures**. Data is only required in the **Planned Use of Funds** and **Planned Expenditures** columns.

(1) Allowable Use of Funds

The LEA must specify the amount of EEBG funds that it intends to use to implement a planned action. This column is prepopulated with the allowable uses of funds. There is no need to input additional information in this column. **(2)**
Planned Use of Funds (Actions)

- Provide a description of the action(s) the LEA will implement using EEBG funds. The description can be brief and/or in list form. Include the group that will receive the professional learning (teachers, administrators, paraprofessionals who work with students and classified staff that interact with students).
- An LEA has the flexibility to include planned use of funds/actions described in one or more areas list under **Allowable Use of Funds**. It is not required to include actions for every allowable use of funds listed.

Educator Effectiveness Block Grant 2021 for Page 5 of 6

(3) Planned Expenditures

Specify the amount of funds the LEA plans to expend to implement the action(s). The amount of funds included in this section should reflect the total funds planned to be expended over the life of the grant.

Fiscal Requirements

As a condition of receiving funds, a school district, COE, charter school, or state special school shall do **both** of the following: • On or before **December 30, 2021**, develop and adopt a plan delineating the expenditure of funds apportioned pursuant to this section, including the professional development of teachers, administrators, paraprofessionals, and classified staff. The plan shall be **presented in a public meeting of the governing board** of the school district, county board of education, or governing body of the charter school, **before its adoption in a subsequent public meeting**.

- On or before **September 30, 2026**, report detailed expenditure information to CDE, including, but not limited to, specific purchases made and the number of teachers, administrators, paraprofessional educators, or classified staff that received professional development. The CDE shall determine the format for this report.

Funding apportioned pursuant to this section is subject to the **annual audits** required by Section 41020.

Checks Dated 10/15/2021 through 11/12/2021

Check Number	Check Date	Pay to the Order of	Fund-Object	Expensed Amount	Check Amount
3005-212833	10/19/2021	Saul, Don R	01-4300		248.63
3005-212834	10/19/2021	ACSA	01-5300		993.43
3005-212835	10/19/2021	ALHAMBRA/SIERRA SPRINGS	01-4300		594.52
3005-212836	10/19/2021	AT&T	01-5900		250.88
3005-212837	10/19/2021	BASIC LABORATORY INC ACCOUNTS RECEIVABLE	01-5800		187.00
3005-212838	10/19/2021	BUTTE COUNTY SHERIFFS DEPT	01-5800		114.00
3005-212839	10/19/2021	CALIF OCCUPATIONL MEDICAL PROF	01-5800		93.00
3005-212840	10/19/2021	Eagle Security Systems	01-5800		150.00
3005-212841	10/19/2021	Frontline Technologies	01-5800		2,617.81
3005-212842	10/19/2021	HOUGHTON MIFFLIN COMPANY Heinemann	01-4100		1,200.00
3005-212843	10/19/2021	Thomas Ace Hardware Inc	01-4300		63.46
3005-213083	10/21/2021	AT&T Mobility	01-5900		1,935.68
3005-213084	10/21/2021	Ben Toilet Rentals Inc	01-5800		136.85
3005-213085	10/21/2021	Butte Valley Pump & Electric	01-4300		5,020.03
3005-213086	10/21/2021	E-Rate Advisors	01-5800		625.00
3005-213087	10/21/2021	LAKEVIEW PETROLEUM CO STOHLMAN & ROGERS INC	01-4300		3,133.61
3005-213088	10/21/2021	Park Planet	01-6400		23,827.52
3005-213089	10/21/2021	VERIZON WIRELESS	01-5900		2.19
3005-213785	10/28/2021	Peete, Joshua J	01-4300		23.47
3005-213786	10/28/2021	BASIC LABORATORY INC ACCOUNTS RECEIVABLE	01-5800		386.80
3005-213787	10/28/2021	Hancock Automotive	01-5600		1,091.71
3005-213788	10/28/2021	HOME DEPOT CRC/GECFGECF DEPT 32 2649078221	01-4300		1,888.30
3005-213789	10/28/2021	HOUGHTON MIFFLIN COMPANY Heinemann	01-4100		954.08
3005-213790	10/28/2021	NEC Cloud Comm America, Inc	01-5900		136.17
3005-213791	10/28/2021	OFFICE DEPOT	01-4300		1,372.88
3005-213792	10/28/2021	Oroville Safe Lock & Door	01-4300		69.81
3005-213793	10/28/2021	Ryan Shaw Construction	01-5800		750.00
3005-214034	11/02/2021	Central Valley Environmental	01-6500		6,638.00
3005-214035	11/02/2021	Hancock Automotive	01-5600		638.16
3005-214036	11/02/2021	L&L Farms	01-4300		800.00
3005-214037	11/02/2021	Learning A-Z	01-4300		416.00
3005-214038	11/02/2021	P G & E	01-5800		4,941.55
3005-214039	11/02/2021	R.B. Spencer Inc	01-5800		3,297.00
3005-214040	11/02/2021	RECOLOGY BUTTE COLUSA COUNTIES	01-5500		1,103.72
3005-214041	11/02/2021	ROTO ROOTER	01-5600		875.00
3005-214312	11/04/2021	CA Div of State Architects	25-5800		4,851.50
3005-214591	11/09/2021	Peete, Joshua J	01-4300		224.14
3005-214592	11/09/2021	BASIC LABORATORY INC ACCOUNTS RECEIVABLE	01-5800		270.40
3005-214593	11/09/2021	Clark Pest Control Accounting Office	01-5800		145.00

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

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Checks Dated 10/15/2021 through 11/12/2021

Check Number	Check Date	Pay to the Order of	Fund-Object	Expensed Amount	Check Amount
3005-214594	11/09/2021	DANNIS WOLIVER KELLEY	01-5800		1,336.50
3005-214595	11/09/2021	E-Rate Advisors	01-5800		625.00
3005-214596	11/09/2021	OFFICE DEPOT	01-4300		160.95
3005-214597	11/09/2021	Oroville Safe Lock & Door	01-4300		47.61
Total Number of Checks			43		74,237.36

Fund Recap

Fund	Description	Check Count	Expensed Amount
01	GeneralFund	42	69,385.86
25	CapitalFacilitiesFund	1	4,851.50
Total Number of Checks		43	74,237.36
Less Unpaid Tax Liability			.00
Net (Check Amount)			74,237.36

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

ESCAPE ONLINE

Quarterly Report on Williams Uniform Complaints

[Education Code § 35186(d)]

District: Golden Feather Union Elementary School District

Person completing this form: Pearl Lankford/Josh Peete

Title: Executive Assistant to the Superintendent

Quarterly Report Submission Date: 11/17/2021

July – September x
October – December
January – March
April - June

Date for information to be reported publicly at governing board meeting: November 17, 2021

Please check the box that applies:

No complaints were filed with any school in the district during the quarter indicated above.

Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0		
Teacher Misassignments or Vacancies	0		
Facilities Conditions	0		
CAHSEE Intensive Instruction and Services	0		
TOTALS	0		

Print Name of District Superintendent: Josh Peete

Signature of District Superintendent:

Date:

Send to: Educational Support Services, BCOE
G. Wilson
5 County Center Drive, Oroville, CA 95965
gwilson@bcoe.org or fax 530.532.5828





Categorical and Grant Funding Overview 2021-22

Golden Feather Elementary School District

As of Nov. 17, 2021

Federal Categorical Overview of Funding

2021-22		Projected Revenue	Funding Timelines
Title I, Part A (Improving Academic Achievement)		\$69,762.00	7/1/2021-9/30/2022
Title II, Part A (Improving Teacher Quality)		\$8,652.00	7/1/2021-9/30/2022
Title IV, Part A (Student Support and Academic Enrichment)		\$10,000.00	7/1/2021-9/30/2022
Title V, SRSA (Small, Rural Schools Achievement)		\$868.00	7/1/2021-9/30/2022
2020 CSI (Comprehensive Support & Improvement)		\$177,547.00	3/25/2021-9/30/2022

Total Federal Funds \$266,829.00

Categorical: Title I, Part A - Improving Academic Achievement

2021-22		Projected Revenue	Budgeted Expenses
Projected Revenue		\$69,762.00	
Indirect Cost and Admin Support (15% cap)			\$0
Intervention Teacher Support (50% Salary/benefits)			\$40,113.00
Instructional Aide (Salary/benefits)			<u>\$31,788.00</u>
Total Budgeted Expenses			\$71,901.00
Required Contribution from General Fund		\$2,139.00	

<https://www.cde.ca.gov/sp/sw/>

Categorical: Title II, Part A - Improving Teacher Quality

2021-22		Projected Revenue	Budgeted Expenses
Projected Revenue		\$8,652.00	
Indirect Cost and Admin Support (15% cap)			\$715.00
Instruction (Teacher Salary/Benefits)			\$5,937.00
Administrative Support (ConApp)			<u>\$2000.00</u>
Total Budgeted Expenses			\$8,652.00
Unbudgeted			\$0

Note: Funding used for a portion of a teacher's salary and benefits to support Grade-Span Reduction.

[.https://www.cde.ca.gov/pd/ti](https://www.cde.ca.gov/pd/ti)

Categorical: Title IV, Part A - Student Support and Academic Enrichment

2021-22		Projected Revenue	Budgeted Expenses
Projected Revenue		\$10,000.00	
Indirect Cost and Admin Support (15% cap)			\$768.00
BCOE Contracted Support Services			<u>\$9,232.00</u>
Total Budgeted Expenses			10,000.00
Unbudgeted			\$0

<https://www.cde.ca.gov/sp/st/>

Categorical: Title V, Part A - Student Support and Academic Enrichment

2021-22		Projected Revenue	Budgeted Expenses
Projected Revenue		\$868.00	
Indirect Cost and Admin Support (15% cap)			\$67.00
Contracted Services/Supports (portion of BCOE contract)			<u>\$801.00</u>
Total Budgeted Expenses			\$868.00
Unbudgeted		\$0	

<https://www.cde.ca.gov/sp/st/>

Categorical: CSI

Comprehensive Support & Improvement

2021-22		Projected Revenue	Budgeted Expenses
Projected Revenue		\$177,547.00	
Indirect Cost and Admin Support (15% cap)			\$13,637.00
GSR & Professional Learning (Teacher Salary/Benefits)			\$78,322.00
BCOE Coordinated District Support PD/Coaching			\$66,000.00
Curriculum & Technology			\$19,588.00
Total Budgeted Expenses			\$177,547.00
Unbudgeted			\$0

<https://www.cde.ca.gov/sp/sw/t1/csi.asp>

State & Federal CARES Act and Learning Loss Mitigation Overview

2019-20 / 2021-22		Projected Revenue	Balance as of 6/30/21	Spending Deadlines
CR - CoronaVirus Relief Fund		\$60,538.00	\$0	6/30/2021
Learning Loss General Fund		\$5,998.00	\$0	6/30/2021
GEER - Governor's Emergency Education Relief Fund		\$3,680.00	\$0	6/30/2022
ESSER I - Ele/Sec School Emergency Relief Fund		\$69,592.00	\$0	9/30/2022
ESSER II - Ele/Sec School Emergency Relief Fund		\$275,854.00	\$258,195.00	9/30/2023
ESSER III - Ele/Sec School Emergency Relief Fund		\$617,833.00	\$617,833.00	9/30/2024
IPI - In-Person Instruction Grant (AB86)		\$20,137.00	\$20,137.00	8/31/2022
ELOG - Expanded Learning Opportunities Grant (AB86)		\$62,398.00	\$45,302.00	9/30/2024*
Total CARES Act/Learning Loss Mitigation Funds			\$1,116,030	

*Comprised of six separate resources; each having different expenditure deadlines

CARES Act: Coronavirus Relief Funding

Deadline: 6/30/2021

2019-20 / 2020-21		Projected Revenue	Expenditures
Projected Revenue		\$60,538.00	
Technology (Chromebooks/laptops)			\$49,836.00
Connectivity (HotSpots)			\$6,847.00
Online Intervention Subscriptions			\$867.00
Student Nutrition			\$630.00
Covid-19 Health/Safety Supplies for Reopening			\$2,330.00
Classified Support Staff			<u>\$28.00</u>
Total Expenditures			\$60,538.00
Unspent			\$0

<https://www.cde.ca.gov/fg/cr/caresact.asp>

CARES Act: Learning Loss General Fund

Deadline: 6/30/2021

2020-21	Projected Revenue	Expenditures
Projected Revenue	\$5,998.00	
HotSpots		\$2,835.00
Technology		\$2,741.00
Indirect Cost		<u>\$422.00</u>
Total Expenditures		\$5,998.00
Unspent		\$0

<https://www.cde.ca.gov/fg/cr/learningloss.asp>

**CARES Act: GEER
 (Governor's Emergency Education Relief Fund)
 Deadline: 9/30/2022**

2020-21		Projected Revenue	Expenditures
Projected Revenue		\$3,680.00	
Hotspots			\$684.00
Software Licenses			\$2,785.00
Indirect Cost and Admin Support (15% cap)			<u>\$211.00</u>
Total Expenditures			\$3,680.00
Unspent			\$0

[.https://www.cde.ca.gov/fg/cr/learningloss.asp](https://www.cde.ca.gov/fg/cr/learningloss.asp)

CARES Act: ESSER I (Elementary and Secondary School Emergency Relief) Deadline: 9/30/2022

2020-21		Projected Revenue	Expenditures
Projected Revenue		\$69,592.00	
Indirect Cost and Admin Support (15% cap)			\$4,114.00
Technology (View Sonic Boards)			\$30,782.00
Hotspots			\$3,558.00
Curriculum & Materials			\$761.00
Student Information System (AERIES)			\$12,689.00
Classified Support Staff			\$3,103.00
Student Nutrition			<u>\$14,585.00</u>
Total Expenditures			\$69,592.00
Unspent			\$0

<https://www.cde.ca.gov/fg/cr/caresact.asp>

CARES Act: ESSER II (Elementary and Secondary School Emergency Relief) Deadline: 9/30/2022

2020-21 / 2021-22		Projected Revenue	Expenditures
Projected Revenue		\$258,195.00	
Indirect Cost and Admin Support (15% cap)			\$1,243.00
Hotspots			\$1,096.00
Student Nutrition			\$15,321.00
Total Expenditures			\$17,659.00
Balance Carried Forward to 2021-22			\$240,536.00

<https://www.cde.ca.gov/fg/cr/caresact.asp>

CARES Act: ESSER III (Elementary and Secondary School Emergency Relief) Deadline: 9/30/2024

2021-22		Projected Revenue	Budgeted Expenses
Projected Revenue		\$617,833.00	
Indirect Cost and Admin Support (15% cap)			\$11,270.00
Strategies for Continuous and Safe In-Person Learning			\$135,195.00
Addressing Lost Instructional Time (20% of the LEAs ESSER III funds)			<u>\$471,368.00</u>
Total Budgeted Expenses			\$617,833.00
Unbudgeted			\$0

ESSER III Plan Board Adopted: 10.xx.21

<https://www.cde.ca.gov/fg/cr/caresact.asp>

**AB86: IPI
(In-Person Instruction)
Deadline: 8/31/2022**

2021-22	
Projected Revenue	Budgeted Expenses
\$20,137.00	
Curriculum & Materials	<u>\$20,137.00</u>
Total Budgeted Expenses	\$20,137.00
Unbudgeted	\$0

[.https://www.cde.ca.gov/fg/cr/learningloss.asp](https://www.cde.ca.gov/fg/cr/learningloss.asp)

**AB86: ELO-G
 (Expanded Learning Opportunities Grant)
 Deadline: 8/31/2022 - 9/30/2023***

2021-22	
	Budgeted Expenses
Projected Revenue	\$62,398.00
Summer Programs (2021)	\$17,096.00
Summer Programs (2022 & 2023)	\$45,302.00
Total Budgeted Expenses	\$62,398.00
Unbudgeted	\$0

*Six separate resources; each having different expenditure deadlines

<https://www.cde.ca.gov/fg/cr/learningloss.asp>

**CDPH Operational Support Grant
 (Covid-19 Testing Support)
 Deadline: 6-Months**

2021-22		Projected Revenue	Budgeted Expenses
Projected Revenue		\$43,333.00	
Staff Stipends (testing services)			<u>\$43,333.00</u>
Total Budgeted Expenses			\$43,333.00
Unbudgeted			\$0

[.https://www.cde.ca.gov/fg/cr/learningloss.asp](https://www.cde.ca.gov/fg/cr/learningloss.asp)

North Valley Community Foundation and Other Grants Summary

2021-22	Balance	Allowable Uses
Grossman Gosner Charitable Fund Grant	\$12,653.00	Unspecified
NVCF Mental Health Grant	\$15,175.00	Canine Therapy for Students
NVCF Long-term Recovery	\$12,871.00	Programs and Services that Help Restore Normal and Routine Activities to School Communities and Student Lives
NVCF PE Shed	\$7,000.00	Outdoor Wellness Project for Concow School @ Spring Valley
NVCF Amphitheater	<u>\$2,400.00</u>	To repair amphitheater at Spring Valley
Total Grant Balances	\$50,099.00	

Restart Grant Summary

Grant Expenditure Title	Remaining Balance	Description
Playground Installation	\$25,000.00	Repair/replace playground, play structure and PE equipment
HVAC	\$114,275.00	HVAC to replace system at Spring Valley School
Generator	\$159,945.00	Purchase generator
Internet Connectivity Project	<u>\$11,995.00</u>	Upgrade internet connectivity
Total Planned Expenses	\$311,215.00	
Total Restart Grant Balance	\$259,145.00	
Overage Amount to Cover	(\$52,070.00)	



November 9, 2021

Governor Gavin Newsom
California Governor's Office
1303 10th Street, Suite 1173
Sacramento, CA 95814

Sent Via Electronic Mail

Dear Governor Newsom,

As County Superintendent of Schools and Superintendents of the 15 school districts in El Dorado County, we have served our communities through each challenging stage of the COVID-19 pandemic. We are pleased to have been among the schools who were first in the State to return students to full time, in-person instruction while implementing the mandates of the California Department of Public Health (CDPH). With the support of El Dorado County Public Health Officer Dr. Nancy Williams, we have been relentless in our focus on the safety of students and staff and, during this time, we have observed overall minimal in-school transmission.

On October 1, 2021, your office issued a press release indicating that you are directing CDPH to require a COVID-19 vaccination for all K-12 students once the vaccine is fully approved by the Federal Food & Drug Administration (FDA). At this time, we are aware that this mandate may go into effect as early as July 2022. Currently, there are allowances for families to decline vaccination utilizing medical, religious, and personal exemptions.

It is important to understand the challenges these mandates are creating for our school community. As you are likely aware, many in our community have significant concerns regarding the continuance of mask mandates. The introduction of the vaccination mandate has created additional concerns. In listening to our community, we anticipate the implementation of a vaccination mandate, without an exemption for personal beliefs, will deeply impact schools as families leave for independent study programs or other alternatives to classroom-based instruction.

From the very beginning of the response to this pandemic, State regulations have been mandated, placing much of the burden for communication, implementation, and enforcement entirely on principals, teachers, staff, administrators, and school boards. With the responsibility to implement these mandates, school boards and administrators are left to manage the real frustrations of large portions of our public, taking time and focus away from our critical mission of serving students and supporting teachers and staff. The resulting divisions within some communities are eroding the trust and partnerships that are essential in public schools.

We presume that it is the State's intention to create a supportive structure for public schools, thus we are requesting that more be done during this very difficult time to support our work educating children and youth with the following:

1. It is critical to engage the public in a transparent and coherent manner by clearly reinforcing that the authority over these mandates lies with the State, and by clearly informing the public as to how they can engage with the correct decision-makers in these matters.

2. In addition, we request that the State identify what benchmarks must be met to end universal masking in classrooms.
3. Furthermore, the creation and implementation of COVID-19 safety guidelines, including guidelines for masks, quarantines, and the establishment of normal classroom instruction, must be tailored to local conditions and County Public Health Directors should be provided the authority to adjust all CDPH guidance and mandates to fit local conditions.
4. Finally, it is vital that the State of California maintains the medical, religious, and personal exemptions with regard to the COVID-19 vaccination requirement. It is essential that we honor the voices of our parents.

In El Dorado County, we believe in the importance of safe, in-person instruction for our students. We are asking for your support, to allow us to return to the business of educating our students in the safest and most normal way. Our students, our educators, and our communities need your support.

Respectfully,

Dr. Ed Manansala, El Dorado County Superintendent of Schools
Jeremy Meyers, Superintendent, Black Oak Mine Unified School District
Dr. David Roth, Superintendent, Buckeye Union School District
Matthew Smith, Superintendent, Camino Union School District
Dr. Ron Carruth, Superintendent, El Dorado Union High School District
Meg Enns, Superintendent, Gold Oak Union School District
Keri Phillips, Superintendent, Gold Trail Union School District
Grant Coffin, Superintendent, Indian Diggings School District
Dr. Todd Cutler, Superintendent, Lake Tahoe Unified School District
Dave Scroggins, Superintendent, Latrobe School District
Curtis Wilson, Superintendent, Mother Lode Union School District
Annette Lane, Superintendent, Pioneer Union School District
Eric Bonniksen, Superintendent, Placerville Union School District
Pat Atkins, Superintendent, Pollock Pines Elementary and Silver Fork School Districts
Jim Shoemake, Superintendent, Rescue Union School District

CC: Toni Atkins, Senate President Pro Tempore, California State Senate
Frank Bigelow, California State Assembly Member
Brian Dahle, California State Senator
El Dorado County Board of Supervisors
Nick Hardeman, Chief of Staff, California State Assembly
Kevin Kiley, California State Assembly Member
Dr. Richard Pan, California State Senator
Anthony Rendon, Speaker, California State Assembly
Dr. Sohil Sud, California Department of Public Health
Dr. Nancy Williams, Public Health Officer, El Dorado County

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE THERMALITO
UNION ELEMENTARY SCHOOL DISTRICT
RESOLUTION NO: 21-22-04**

**Resolution Calling for State Officials to
Not Require the COVID-19 Vaccine for Students and Staff**

WHEREAS, California Governor Gavin Newsom announced October 1, 2021, that California would be the first state in the nation to require all students to be vaccinated; and

WHEREAS, Governor Newsom's announcement stated students will be required to be vaccinated, or complete an approved exemption form for in-person learning, starting the term following FDA full approval of the vaccine for their grade span (7-12 and K-6); and

WHEREAS, Governor Newsom is directing the California Department of Public Health to add the COVID-19 vaccine to other vaccinations required for in-person school attendance; and

WHEREAS, COVID-19 vaccine requirements will apply to all "pupil[s] of any private or public elementary or secondary school[s]" (HSC section 120335(b)); and

WHEREAS, this mandate will be a condition of in-person attendance (HSC section 120335(f)), and any student who is not vaccinated, and does not complete an approved exemption form, may remain enrolled in independent study but may not attend in-person instruction; and

WHEREAS, Governor Newsom has directed adults be held to the same standards as students for the COVID-19 vaccine; and

WHEREAS, Governor Newsom's announcement states the current verify-or-test requirement for staff will be converted to a vaccine mandate no later than when the first phase of the student requirement becomes effective; and

WHEREAS, THERMALITO UNION ELEMENTARY SCHOOL DISTRICT supports local control and decision making; and

WHEREAS, THERMALITO UNION ELEMENTARY SCHOOL DISTRICT public schools have operated in-person learning safely since reopening in November 2020 with limited vaccine availability for children and no vaccine mandate; and

WHEREAS, THERMALITO UNION ELEMENTARY SCHOOL DISTRICT parents and community members have expressed concern regarding the lack of parental and personal choice, along with the lack of research on long-term impacts on children for the COVID-19 vaccine;

NOW THEREFORE, BE IT RESOLVED, that the governing board of the THERMALITO UNION ELEMENTARY SCHOOL DISTRICT asks that the State of California legislature uphold the constitutionally guaranteed right to provide informed consent before proceeding with any medical procedure of residents of the State of California for themselves and their children; and allow for parents, students and staff to have choice in the matter by recommending and not requiring the COVID-19 vaccine for students and staff of TK-12 grade Local Education Agencies.

BE IT FURTHER RESOLVED, that the governing board of the THERMALITO UNION ELEMENTARY SCHOOL DISTRICT will petition the State of California that the COVID-19 Vaccine be a recommendation and not a requirement for students and staff.

This resolution will be shared with the offices of California Assembly Member Gallagher, State Senator Nielsen, Governor Newsom, the Butte County Public Health Department, and the California Department of Public Health.

Adopted this ____ day of _____ in 2021

Motion made by: _____ Second made by: _____

Members voting "aye":

Members voting "No":

Columbia Elementary School District

Board Resolution No. 2122-10

COLUMBIA ELEMENTARY SCHOOL DISTRICT POSITION ON MANDATED VACCINES FOR STAFF AND STUDENTS IN K-8 SCHOOLS

As a public school, Columbia Elementary School District believes in parental choice. Thus, CESD believes in choice and preserving choice for its staff and students, including when it comes to personal medical decisions. A trend of school districts adopting COVID-19 vaccination mandates for staff and students is occurring across California. On October 1, 2021, the Governor announced he is planning on mandating the COVID-19 vaccine for all staff and students for in-person learning by January, 2022 or July, 2022, pending FDA approval. In his announcement, he stated that there will be exemptions for personal belief, religious and medical exemptions. However, he explained that there will be a conversation with the legislators about exemptions.

This document outlines the position of CESD on the COVID-19 vaccination mandates for schools. The Board of Trustees will vote on full approval of this position at some point in the near future during their monthly board meeting.

CESD has operated in-person learning safely since August 12, 2020 **without available vaccines for most of that time and without mandates**.

CESD LACKS LEGAL AUTHORITY TO MANDATE THE COVID-19 VACCINE FOR STUDENTS

Individual school boards, including CESD's Board, lack legal authority to mandate the COVID-19 vaccine for students. Pursuant to Title 17, Section 6025 of the California Code of Regulations, a school "shall unconditionally admit or allow continued attendance" to any child, provided the school has received documentation that the child has been immunized in accordance with sections 6065 and 6060, a permanent medical exemption in accordance with section 6051, or a personal beliefs exemption in accordance with Health and Safety Code section 120335.

An individual public school district Board does not have discretion to condition the admission of its students upon a requirement that the students receive specific additional vaccinations beyond those that are already required under state law. Health and Safety Code section 120335 provides a list of ten specifically enumerated childhood illnesses for which a child must be vaccinated as a condition for admission to any school in California, unless the child has a medical exemption. Those illnesses are identified in subdivision (b), as follows:

- (1) Diphtheria; (2) Hepatitis B; (3) Haemophilus influenzae type b; (4) Measles; (5) Mumps; (6) Pertussis (whooping cough); (7) Poliomyelitis; (8) Rubella; (9) Tetanus; and (10) Varicella (chickenpox). (Health & Safety Code § 120335(b).) Notably, this list **does not include** the COVID-19 vaccination. Thus, once a student demonstrates that they have received these ten vaccines (or they provide a valid medical exemption) CESD must allow that student to attend school, in person.

While paragraph 11, subdivision (b) of Section 120335 provides for an expansion of the statutorily enumerated vaccination requirements through the addition of “any other disease deemed appropriate” by the California Department of Public Health (“CDPH”), it does not authorize individual school boards, such as CESD’s Board of Trustees, to add other vaccination requirements.

Moreover, and importantly, even if CDPH ultimately decides to require students to receive a COVID-19 vaccination in order to attend school, California law expressly limits its authority to mandate additional vaccinations for school children without also providing an opportunity to opt out based on personal beliefs, as follows: “[A]ny immunizations deemed appropriate by the department pursuant to paragraph (11) of subdivision (a) of Section 120325 or paragraph (11) of subdivision (b) of Section 120335, may be mandated before a pupil’s first admission to any private or public elementary or secondary school [...] only if exemptions are allowed for both medical reasons and personal beliefs.” (Health & Safety Code § 120338, italics added.) Thus, even if CDPH were to eventually require the COVID-19 vaccination for all age-eligible schoolchildren, including CESD students, CESD would also be required to permit children and their families to opt out of the COVID-19 vaccination requirement by submitting a medical or personal belief exemption.

THE BENEFITS COVID-19 VACCINATION DO NOT OUTWEIGH THE POTENTIAL HARMS FOR ALL STUDENTS AND STAFF

A COVID-19 vaccination mandate is unnecessary. Children are not generally at risk of hospitalization or death from a COVID-19 infection. Of the 66,000 COVID-19 deaths in California since January 2020, there have been 33 deaths among children under 18, lower than the typical death rate among children during average flu seasons over a similar time period. The estimated infection fatality rate for children ages 0-17 is 0.00002%. Put another way, children have a one in a million risk of dying from COVID-19. Moreover, a recent review found that the mortality risk for children without serious pre-existing conditions is effectively zero. The COVID-19 School Dashboard developed by Brown University tracks over 5,000 schools, 4 million students, and 1.3 million staff, and has consistently found student and staff infection rates of 0.1% to 0.2% since it began publishing in September 2020. Regardless, parents who wish to provide their child with extra protection from COVID-19 already have the opportunity to get their child vaccinated. A mandate for all students does not broaden such an opportunity.

Currently, there are no FDA approved COVID-19 vaccines for children ages 0 to 15. The Pfizer-BioNTech (“Pfizer”) product has only received Emergency Use Authorization (“EUA”) from the Food and Drug Administration (“FDA”) for children ages 12 to 15, meaning the product is still undergoing safety and efficacy trials for that age group. While the FDA recently issued its approval for the use of Pfizer’s Comirnaty vaccine, such approval is only applicable for use in individuals ages 16 and up. Thus, as applied to its students that are between the ages of 12 to 15, CESD is considering a mandate that would require children to be inoculated with a vaccine that has not yet received FDA approval. Such a mandate would be reckless and exposes CESD and its board members to serious potential liability.

The risks associated with the Pfizer vaccine are not innocuous, especially for children. Indeed, according to the FDA, the Pfizer vaccine has been demonstrated to increase risks of myocarditis and pericarditis (i.e., heart inflammation), with some cases requiring intensive care support. The observed risk is highest in males 12 through 17 years of age. A recent study analyzing VAERS data underscores this risk, finding that the risk of hospitalization due to vaccine induced myocarditis is higher than the risk of

hospitalization due to COVID-19 for boys ages 12-17. Thus, a mandate would be especially risky for students that fall within this age group.

If students under the age of 16 are injured as a result of the COVID-19 vaccine, they and their families will have no legal recourse against either Pfizer or the U.S. Government because the vaccine is currently authorized only for emergency use, which authorization provides blanket immunity to Pfizer and the FDA.

THE RIGHT TO INFORMED CONSENT SHOULD NOT BE IGNORED

A competent person has a constitutionally protected liberty interest in refusing unwanted medical treatment. (*Cruzan v. Dir., Mo. Dep't of Health* (1990) 497 U.S. 261, 278.) California courts have long held that the right to refuse medical treatment is a constitutionally guaranteed right that must not be abridged. (*Bartling v. Superior Court* (1984) 163 Cal.App.3d 186, 195.) The imposition of a vaccine mandate infringes upon this right. "The forcible injection of medication into a nonconsenting person's body represents a substantial interference with that person's liberty." (*Washington v. Harper* (1990) 494 U.S. 210, 229.)

A mandate also interferes with an individual's federally recognized right to provide informed consent before proceeding with any medical procedure. A school imposed mandate turns COVID-19 vaccination into a coercive act, free of consent, because students who do not consent to vaccination for COVID-19 will have no option but to disenroll from CESD. While some students may choose to attend online school or to enroll in independent study, California law is clear that a child cannot be forced into independent study; a family's selection of independent study for their child must be voluntarily and a family has an option to discontinue independent study at any time. (Educ. Code § 51747, et seq.)

A VACCINATION MANDATE DISCRIMINATES AGAINST STUDENTS AND STAFF WHO HAVE RECOVERED FROM COVID-19

According to CDPH, since 2020, at least 516,017 Californians aged 5 to 17 have been infected with and recovered from COVID-19. At least 3,348,082 adults ages 18-64 have been infected and 3,329,070 recovered from COVID-19. An approximate death rate for adults ages 18-64 of 0.005%. Vaccine mandates unfairly discriminate and effectively punish (through exclusion) these individuals.

Numerous recent studies support the conclusion that people who have recovered from COVID-19 may have more durable and long-lasting immunity to COVID-19 than individuals with vaccine induced immunity. A recent study of residents of Vo, Italy, showed that 98.8% of people infected with Covid-19 in early 2020 continued to show detectable levels of antibodies nine months after they recovered from the initial infection. An NIH-funded study published in *Cell Reports Medicine* found that the immune response of 254 COVID-19 survivors remained durable and strong over a period of 250 days after infection, supporting a finding that the body's T- and B-cells provide a sustained defense to reinfection. Finally, a recent Israeli study found that a vaccinated person is 92.8% protected from infection while an unvaccinated person who recovered from COVID-19 is 94.8% protected from re-infection. A recent study of Israeli healthcare workers demonstrated that individuals who have recovered from COVID-19 have up to 13 times greater immunity than those who are fully vaccinated and have never been infected with COVID-19. Thus, natural immunity is not inferior to vaccine induced immunity and should not be treated as such. A mandate would unfairly exclude many CESD students who have recovered from COVID-19 and

have not been vaccinated and yet have immunity that is equal to or superior to that provided by a vaccine.

A COVID-19 VACCINATION MANDATE WOULD INFRINGE UPON COLUMBIA STUDENTS AND STAFF'S FUNDAMENTAL RIGHT TO BODILY INTEGRITY

"[I]t is well established that, as a general matter, minors as well as adults are 'persons' under the Constitution who are entitled to the protection provided by our constitutional rights." (Am. Acad. of Pediatrics v. Lungren (1997) 16 Cal.4th 307, 334; In re Roger S. (1977) 19 Cal.3d 921, 927; see also In re Scott K. (1979) 24 Cal.3d 395.) Thus, CESD's students and staff are entitled to fundamental rights, including the right of privacy, as provided by the California Constitution.

The right of privacy "guarantees to the individual the freedom to choose to reject, or refuse to consent to, intrusions of his bodily integrity." (Conservatorship of Wendland (2001) 26 Cal.4th 519, 531-532.) "There is no dispute the right to bodily integrity is a fundamental right which limits the traditional police powers of the state in the context of public health measures under the federal and state Constitutions." (Coshov v. City of Escondido (2005) 132 Cal.App.4th 687, 709.) While a state agency may exercise its police power to protect public health, it must do so only after establishing there is no alternative means to meet its objective. However, and importantly, CESD's board lacks authority to require a vaccination that has not been mandated by the California legislature or CDPH and is not required as a condition of attendance at other public schools throughout the state.

A COVID-19 VACCINATION MANDATE WOULD ALSO INFRINGE UPON CESD STUDENTS' FUNDAMENTAL RIGHT TO EDUCATION

The California Constitution guarantees a right to a free public education. Under the Fourteenth Amendment of the United States Constitution, "[no] State shall . . . deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." (U.S. Const., amend. XIV.) "The Equal Protection Clause was intended as a restriction on state legislative action inconsistent with elemental constitutional premises." (Plyler v. Doe (1982) 457 U.S. 202, 216.) Thus, courts treat as "presumptively invidious those classifications that disadvantage a 'suspect class,' or that impinge upon the exercise of a 'fundamental right.' With respect to such classifications, it is appropriate to enforce the mandate of equal protection by requiring the State to demonstrate that its classification has been precisely tailored to serve a compelling governmental interest." (Id. at 216-217.)

"A person may not be ... denied equal protection of the laws." (Cal. Const., art. I, § 7, subd. (a).) The California Constitution thus prohibits the government from making a law, rule, or regulation that restricts the freedom of one group while not restricting the freedom of other similarly situated groups unless there is a rational basis connected to a legitimate governmental interest sufficient to justify the disparate treatment. Where "the disparate treatment has a real and appreciable impact on a fundamental right or interest," strict scrutiny applies. (Butt v. State of California (1992) 4 Cal.4th 674, 685-686.)

A child's right to public education is one such fundamental right or interest: "In view of the importance of education to society and to the individual child, the opportunity to receive the schooling furnished by the state must be made available to all on an equal basis." (Jackson v. Pasadena City School Dist. (1963)

59 Cal.2d 876, 880.) It is “well settled that the California Constitution makes public education uniquely a fundamental concern of the State and prohibits maintenance and operation of the common public school system in a way which denies basic educational equality to the students of particular districts.” (Butt, supra, 4 Cal.4th at 685; see also Cal. Const., art. IX, § 5.) A COVID-19 vaccination mandate for CESD students would deprive children whose parents are not comfortable inoculating their child with a very recently approved or EUA-only (for children under 15) vaccine aimed at preventing an illness that is rarely dangerous for children, of equal access to education—and would thus be subject to strict scrutiny. Columbia could not possibly meet its burden of showing that a vaccine mandate for children – which is actually for the benefit of adults – that will ultimately bar some children from school, is reasonable or necessary when healthy children are not at high risk of serious illness and all adults (who are disproportionately at a much higher risk of serious illness from COVID-19) who work with children can get vaccinated to protect themselves.

CESD CANNOT JUSTIFY THE BURDEN OF A COVID-19 MANDATE TO SUPPORT SUCH A BLATANT AND SERIOUS INFRINGEMENT OF ITS STUDENTS’ FUNDAMENTAL RIGHTS

“When receipt of a public benefit is conditioned upon the waiver of a constitutional right, the government bears a heavy burden of demonstrating the practical necessity for the limitation.” (Bagley v. Washington Township Hospital Dist. (1966) 65 Cal.2d 499, 505.) In order to impose a COVID-19 vaccination requirement for its students, CESD would need to establish that: “(1) the condition reasonably relates to the purposes of the legislation which confers the benefit; (2) the value accruing to the public from imposition of the condition manifestly outweighs any resulting impairment of the constitutional right; and (3) there are no available alternative means that could maintain the integrity of the benefits program without severely restricting a constitutional right.” (Robbins v. Superior Court (1985) 38 Cal.3d 199, 213.) CESD cannot meet this burden.

First, CESD cannot establish that a COVID-19 vaccination requirement reasonably relates to a student’s constitutional right to a free public education. While a mandate would likely increase the percentage of CESD students who are vaccinated for COVID-19, it is unreasonable to require families to inoculate their children for COVID-19 in order to attend CESD.

Second, the value of a COVID-19 vaccination mandate for CESD students is of little public benefit because children are rarely hospitalized and rarely die from a COVID-19 infection. Children are also less likely to spread COVID-19. Importantly, all children and adults ages 12 and up have an opportunity to get a COVID-19 vaccination if they and their families choose.

Third, a mandate appears to disproportionately discriminate against people of color. Therefore, creating racial, ethnic and philosophical issues with the mandate. As evidenced by the ethnic breakdown of COVID-19 Vaccination rates referenced by CDPH.

Fourth, there are available alternative means for CESD to continue to provide its students with an in-person education without requiring all students to receive a COVID-19 vaccine. Most CESD students have been back in school since August 12, 2020 and by April, 2021 over 90% of students were in-person learning. All CESD students returned to a full-time, in-person schedule, and CESD has had zero (0) “outbreaks” involving students or staff with over 1,200 staff and students on campus regularly. Thus, a vaccination mandate is not necessary for students and staff to continue to safely attend school.



Mary Sakuma
Superintendent
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Ann Bates
Senior Executive Assistant
abates@bcoe.org

Board of Education

Mike Walsh

Brenda J. McLaughlin

Amy Christianson

Alan White

Karin Matray

Julian Diaz

Vacant

1859 Bird Street
Oroville, CA 95965
(530) 532-5761
Fax (530) 532-5762
www.bcoe.org

Date: October 13, 2021

To: District Executive Assistants

From: Ann Bates, Senior Executive Assistant to Mary Sakuma, Butte County Superintendent of Schools

Re: Date of Annual Organizational Board Meeting
Meeting must take place no sooner than the second Friday in December.

Education Code § 35143 *The governing board of each school district shall hold an annual organizational meeting. In a year in which a regular election for governing board members is conducted, the meeting shall be held on a day within a 15-day period that commences with the date upon which a governing board member elected at that election takes office.*

Organizational meetings in years in which no such regular election for governing board members is conducted shall be held during the same 15-day period on the calendar. Unless otherwise provided by rule of the governing board, the day and time of the annual meeting shall be selected by the board at its regular meeting held immediately prior to the first day of such 15-day period, and the board shall notify the county superintendent of schools of the day and time selected. The clerk of the board shall, within 15 days prior to the date of the annual meeting, notify in writing all members and members-elect of the date and time selected for the meeting.

Education Code § 72000(c)(2)(A) *makes the same provision for a community college district.*

To comply with this requirement, please note the action of your district governing board by completing the statement that appears below. Do indicate if local charter provisions or other rules prevail relative to such an organizational meeting. Please return one copy to Mary Sakuma, County Superintendent, within 10 days of the organizational meeting, retaining a copy for your district files.

Pursuant to § 35143 and § 72000(c)(2)(A) of the **Education Code** the Governing Board of

the GOLDEN FEATHER UNION School District, at its meeting on NOVEMBER 17, 2021, has selected _____, 20____, as

the date of the annual organizational meeting of said board.

The meeting will be held at _____

beginning at _____.

Secretary/Clerk

11/17/21
Date

10-27-2021

Letter OF Resignation

To: Josh Peete Principal/Superintendent
ConCow School Golden Feather Union School
District

As of November 10, 2021, I am
resigning of my full 25 Hrs as
a part-time position.

Thank you,

Signed: Louis Uradzionek
Louis Uradzionek



To: American Modular Systems
 787 Spreckels Ave.
 Manteca, CA 95336
 (209) 825-1921

Change Order #: 1
Initiation Date: 10/29/21
AMS Project 1659-21

Customer: Golden Feather Union Elementary School District
Site Address: 2771 Pentz Rd
 Oroville, CA 95964

Change initiated by: Spring Valley ES

AMS is directed to make the following changes in the contract:

WUI Compliance:	\$9,606 / classroom	\$19,212
Remove/reinstall metal roof, provide/install 3/4" sheathing, fire resistant underlayment		
Provide/install Hardi exterior siding/trim		
Repaint buildings		
Engineering / Drafting / Coordination		\$1,120
DSA Fees (estimated)		\$400
ADA sink cabinet w/ cold water only	\$3,240 per 4 lf / classroom	\$6,480
(1) sink per classroom ; (2) total		

The contract sum will be **increased/decreased** by this change order: \$27,212.00

The contract time will be **unchanged/increased/decreased** by: _____ days.

New project completion date: na

American Modular Systems

By: Justin Torres
 Business Development Mgr.
 Date: 10/29/21

Owner or Owner Representative

By: [Signature]
 Title: Superintendent
 Date: 11-2-21

Note: All conditions and terms of the contract order will apply except as herein changed.

California Department of Public Health

COVID-19 Weekly Testing Start-up Grant

Personnel / Stipends

The grant from CDPH is compensating the individuals in schools for starting up the weekly COVID-19 testing program.

“These dollars are to be used to fund personnel to support COVID-19 testing within K-12 schools.”

“The funding can be used to ... **provide stipends to existing staff.**”

Districts will have the option to extend this funding for an additional 6 months.

Golden Feather UESD will elect to extend this funding for the full 12 month period.

The total amount of the grant will be divided by 12 months.

Employees are keeping track of time on a monthly time sheet.

1/12th of the funds provided for this responsibility will be paid out via stipend each month.

All contributing employee's actual time worked on this task will be added up for a total amount of person hours for the month. Each contributing employee will be paid a percentage of the monthly stipend by dividing the amount of hours they work by the total person hours for the month. For example, if all time sheet hours added up to 25 total person hours of time to administer the program for the month. Employee A has a timesheet for the month that adds up to 5 hours of time. They will receive 20% of the monthly stipend for that month because they contributed 5/25th of the workload.

Staff that perform duties in classrooms have not been/will not be trained to administer COVID-19 testing. This work will be done by classified and admin staff.

MEMORANDUM OF UNDERSTANDING

between the

GOLDEN FEATHER UNION ELEMENTARY SCHOOL DISTRICT

and the

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION and its Golden Feather

Chapter #400 (CSEA)

California Public Health Officer Order:

“Vaccine Verification for Workers in Schools” from August 11, 2021

10/4/21

This memorandum of understanding (“MOU/Agreement”) is agreed to between the Golden Feather Union Elementary School District (“District”) and the California School Employees Association and its Golden Feather Chapter #400 (together “CSEA”) concerning the District’s response to the “Vaccine Verification for Workers in Schools” order from the California Department of Public Health.

On August 11, 2021, the State Public Health Officer of the State of California issued an order that applies to all workers (employees, volunteers, or contractors) serving students at facilities identified as public and private schools for TK-12. The California Department of Public Health has clarified that this Order specifically requires:

1. Verification of vaccine status of all workers so identified
2. If the worker is not fully vaccinated, OR the vaccine status is unknown, the worker is required to undergo diagnostic testing at least once weekly
3. Unvaccinated or incompletely vaccinated workers must observe all other infection control requirements and ARE NOT exempted from testing even if the worker has a medical contraindication to vaccination

Failure to submit proof of vaccination means that you will be treated as an unvaccinated worker and will be required to undergo weekly testing. Should a member’s vaccination status change and they wish to submit proof of vaccination in the future, workers may submit to administration.

Acceptable proof of vaccination includes copies of the following:

- COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided and date last dose administered; OR
- A photo of a Vaccination Record Card; OR
- A photo of the client's Vaccination Record Card stored on a phone or electronic device; OR
- Documentation of COVID-19 vaccination from a health care provider; OR
- Documentation of vaccination from other contracted employers who follow the CDC vaccination records guidelines and standards.

The District will offer FDA approved COVID-19 tests provided by a 3rd party contracted by the District. Vaccinated employees have the option to test while unvaccinated employees or those employees who decline to state their vaccination status are required to test weekly.

If a positive test result should occur, employees are required to be sent home based on flow charts provided by California Department of Public Health (CDPH), Butte County Public Health (BCPH), and Butte County Office of Education (BCOE). Flow charts are posted at the following link: <https://www.gfusd.org/District/1945-COVID-19.html>

Return from quarantine / isolation is also based on the flow charts provided by BCOE and public health.

Weekly COVID-19 Testing

Weekly testing begins on Mondays, starting on October 11, 2021 or the first day of the week an employee works.

Mondays moving forward: If an employee misses the testing window or appointment – s/he will need to plan to make the Tuesday morning testing window or an appointment. Even if s/he did not take the test, that person will still remain in paid status for one work day.

Tuesday: Employees that did not test Monday, must test on Tuesday. Employees will not be able to work if they miss the testing window or their appointment to test on Tuesday. Employees report to work on Tuesday, take the test during the testing window or appointment, then return to work. All Tuesday tests will be taken after the morning announcements or when the earliest staff is available to offer the test.

If you show up Tuesday and refuse to get tested – a Notice of Paid Suspension letter with instructions to comply or leave campus until you comply will be provided. For the time that you do not comply you will be paid for 3 working days. Notice of paid suspension will be served to you on Tuesday. Staff will only receive one Notice of Suspension with Pay Letter for not taking

the weekly COVID-19 test. Subsequent letters for this same infraction will be entitled a Notice of Suspension without Pay.

The District will follow 13.3 in the CBA, which reads as follows:

13.3 Emergency Suspension - CSEA and the District recognize that emergency situations can occur involving the health and welfare of students or employees. If the employee's presence would lead to a clear and present danger to the lives, safety or health of students or fellow employees, the District may immediately suspend, with pay, the employee for three (3) days. No suspension without pay shall take effect until three (3) working days after service of a notice of suspension. During the three (3) days, the District shall serve notice and the statement of facts upon the employee, who shall be entitled to respond to the factual conventions supporting the emergency according to Grievance Procedure.

If you do not comply with the weekly COVID-19 test by Friday morning of that corresponding week, you will be placed on unpaid suspended leave. You will receive another letter entitled Notice of Suspension without Pay.

If you continue to fail to comply with testing requirements, you will be placed on unpaid suspended leave for 10 working days. During those 10 days, you have the option to comply with the testing requirements. Should the 10 working days in unpaid suspended leave pass and you do not comply, the District will then proceed with further discipline, including, but not limited to dismissal.

You will receive a statement of charges per 13.3, if charges are issued against you. You will remain in unpaid suspended leave status while your charges are pending.

Should sick leave be used on Monday, October 11, or any other day moving forward: the District will refer to Article 10.3 e of the contract:

- e. The District may require as a condition of payment of Sick Leave, appropriate verification of any absence of more than three consecutive workdays or in the event the District suspects abuse of Sick Leave.

Suspected improper use of sick leave will be analyzed under article 10 of the contract.

A unit member can choose to use an alternative testing lab if they do not agree with the District's offered COVID-19 testing facility at the expense of the employee. The CSEA member must provide proof of an FDA approved COVID-19 test which the member has taken and submit that to the District office. All positive cases are required to be reported to Butte County Public Health by the District.

If an employee is under a COVID-19 quarantine / isolation and the employee is asked and agrees to work from home - they will remain in paid status and their sick leave will not be deducted.

All employees shall have the right to request a reasonable accommodation as afforded by applicable law.

Compliance with further governmental orders: The Parties recognize that the COVID-19 epidemic is evolving and so is the governmental response. The Parties will comply with further state or federal legislation or orders as they affect the terms and conditions of employment of bargaining unit employees and will bargain as needed over the effects of such further directives.

At the request of either party, CSEA or the District can open negotiations on this MOU.

All employees shall have the right to request a reasonable accommodation as afforded by applicable law.

Duration of Agreement: This Agreement shall remain in effect through June 30, 2022. This Agreement may be extended upon mutual agreement.

Jordan Huff, CSEA President

Josh Peete, Superintendent

Date: _____

Date: _____