



**San Juan Unified School District**  
Board of Education  
3738 Walnut Avenue, Carmichael, California 95608

**Board of Education Minutes**  
**March 19, 2024**

**Regular Meeting**  
Board of Education  
5:15 p.m.

**Open Session/Call to Order/Announcement of Closed Session Topics (A)**

The March 19 regular meeting was called to order by the president, Pam Costa. The board meeting was held in person and was also livestreamed on the district website.

**Roll Call**

Present:  
Pam Costa, president  
Saul Hernandez, vice president  
Ben Avey, clerk  
Paula Villescaz, member  
Tanya Kravchuk, member  
Manuel Perez, member  
Zima Creason, member

**Announcement of Closed Session Topics/Closed Session Visitor Comments (A-1)**

There were no closed session visitor comments.

**Closed Session (B)**

The meeting was then recessed with the board convening in closed session to consider student expulsions in five cases and student enrollment in one case (Education Code section 48918[f]); to discuss one personnel matter – public employee appointment/employment – interim deputy superintendent (Government Code section 54957); to conference with legal counsel – existing litigation pursuant to Government Code section 54956.9(d)(1). California School Employees Association v. Alameda Unified School District, et. al. Alameda County Superior Court, Case No. 22CV005456; and to discuss collective bargaining matters – discussion with negotiator Daniel Thigpen, Executive Director, Labor Relations and Government Affairs, regarding CSEA Chapter 127 General/Operations support, Chauffeurs/Teamsters Local No. 150 Transportation, Supervisors, Teachers and Certificated Supervisory units, and regarding non-represented groups: management and confidential units (Government Code section 54957.6).

**Reconvene Open Session/Pledge of Allegiance (C)**

At 6:30 p.m., the meeting was called back to order by the president, Pam Costa. Four members of the Del Campo High School Air Force Jr. ROTC led the group in the Pledge of Allegiance.

**Minutes Approved (D)**

It was moved by Ms. Villescaz, seconded by Mr. Perez, that the minutes of the February 27 regular meeting be approved. MOTION CARRIED 6-0-1 [AYES: Hernandez, Avey, Villescaz, Kravchuk, Perez, Creason; NOES: None; ABSTAIN: Costa].

**Recognition: Week of the Young Child (E-1a)**

It was moved by Ms. Kravchuk, seconded by Mr. Perez, to adopt Resolution No. A-436 proclaiming the week of April 6-12 as Week of the Young Child. MOTION CARRIED UNANIMOUSLY [Costa, Hernandez, Avey, Villescaz, Kravchuk, Perez, Creason].

**High School Student Council Reports (E-2)**

High School Student Council representatives Noah McCray and Jacob Lasquete from Meraki High School and Brian Anderson and Kimberly Beren from El Sereno High School updated the board on the goals, activities and achievements at their respective schools.

**Closed Session/Expulsion Actions (E-7)**

Mr. Avey reported that the board voted unanimously to accept a hearing panel's recommendation of one expulsion in case number S-23 and two suspended expulsions in case numbers S-24 and S-27, and the board also voted unanimously to accept as written one stipulated expulsion in case number S-29, one denied enrollment in case number RA-07 and one violated suspended expulsion in case number M-17.

**Visitor Comments (F)**

Larisa Babchanik expressed opposition to the proposed fencing project at Del Campo High School near Moraga Drive.

Matt Ceccato spoke about the San Juan Education Foundation scholarship programs.

Melanie Staley made comments about available resources for a Cowan Elementary School student who needs extra assistance.

**Consent Calendar Approved (G-1/G-7, G-9, G-10)**

Superintendent Bassanelli pulled item G-8. Ms. Costa pulled item G-11. It was moved by Ms. Creason, seconded by Ms. Villescaz, that the consent calendar items G-1 through G-7, G-9 and G-10 be approved. MOTION CARRIED UNANIMOUSLY [Costa, Hernandez, Avey, Villescaz, Kravchuk, Perez, Creason].

**Personnel (G-1)**

Appointments, leaves of absence, separations and job description/salary range change – approved as submitted.

**Purchasing Report (G-2)**

Purchase orders and service agreements, change orders, construction and public works bids, piggyback contracts, zero dollar contracts and bids/RFPs – approved as submitted.

**Business/Financial Report (G-3)**

Notices of Completion and warrants and payroll – approved as submitted.

**Gifts (G-4)**

Acceptance of gifts to Bella Vista High School, Choices Charter School, Laurel Ruff Transition School, Mesa Verde High School, San Juan High School and Skycrest Elementary School.

**Surplus Property Report (G-5)**

Approval to dispose of surplus property pursuant to Board Policy 3270 and Education Code sections 17545 and 17546.

**Resolution No. 4123: District Election Order (G-6)**

Adoption of Resolution No. 4123 District Election Order.

**2024-2025 Head Start/Early Head Start Grant (G-7)**

Approval to submit and implement, if funded, the following grant: Head Start and Early Head Start Grant 2024-2025.

**Resolution No. 4124: Mesa Verde High School Lease Amendment No. 3 (G-9)**

Adoption of Resolution No. 4124 approving the third amendment to the lease for the Mesa Verde High School Outdoor Learning Facilities project no. 210-9513-P1 between San Juan Unified School District and Robert A. Bothman Construction.

**Ratification of Committee Member (G-10)**

Ratification of Olivia O'Neil as a committee member to the Special Education Community Advisory Committee.

**Consent Calendar Continued (H) (G-8, G-11)****Short-Term Expanded Learning Program Site Facilitator Position (G-8)**

Approval of a short-term Expanded Learning Programs Site Facilitator position for Student Support Services from 03/20/2024 until 08/05/2024.

Superintendent Bassanelli explained that staff would like to remove this item from the consent calendar, as this short-term position is no longer necessary and was filled instead through a temporary assignment.

**Certification of Absence: Pam Costa (G-11)**

Certification that the February 27, 2024, regular meeting, absence of board member Pam Costa occurred due to illness (medical), pursuant to Education Code 35120(c) and Board Bylaw 9250.

It was moved by Mr. Avey, seconded by Mr. Hernandez, that the consent calendar item G-11 be approved. MOTION CARRIED 6-0-1 [AYES: Hernandez, Avey, Villescaz, Kravchuk, Perez, Creason; NOES: None; ABSTAIN: Costa].

**Bond Opinion Research Results (I-1)**

Chief Operations Officer Frank Camarda introduced the topic, explaining that FM3 Research was hired to conduct a community opinion survey to assess the level of support for the district to move forward with a potential bond measure in November 2024. Mr. Camarda then introduced Fairbank, Maslin, Maullin, Metz & Associates (FM3 Research) Senior Vice President Lucia Del Puppo, who gave a presentation on the key findings of a districtwide survey that was conducted during December 11-17, 2023. The survey involved 615 telephone and online interviews (in both English and Spanish) of likely November 2024 voters in the San Juan Unified School District. Ms. Del Puppo shared detailed information regarding the survey specifics and methodology used to gather feedback, as well as the mood of voters, key areas that resonate with voters, ballot language tested, the level of support for different bond amounts, areas of less importance to voters and the percentage levels in support of a potential bond measure. Ms. Del Puppo then presented a list of conclusions.

Board member asked questions and made comments, which Ms. Del Puppo and Mr. Camarda addressed. Ms. Creason inquired about the survey type, the sample population polled and athletic field lighting. Ms. Villescaz made comments about the bond amount, the sample population polled and the impact of positive messaging. Mr. Avey inquired about the Assembly Bill 195 ballot label requirement, voter turnout and the timing of the polling. Mr. Hernandez expressed confidence that voters will be able to see the progress that has been made with district facilities with the last three bond measures. Ms. Kravchuk asked about the timing of the bond measure related to the upcoming presidential election.

Mr. Camarda then provided a timeline of next steps to determine if the bond measure is a viable path forward, which includes community engagement, some of which could be embedded into the already scheduled Facilities Master Plan community input meetings, and a tracking survey. Mr. Avey asked if the new Facilities Master Plan would be complete by the election, which Mr. Camarda said it would be close to being done and general costs would likely be available. Ms. Creason emphasized the importance of enhancing board members' understanding of the potential bond measure and the Facilities Master Plan as they engage with community members. Mr. Hernandez inquired about board members serving on a bond committee. Ms. Costa highlighted the importance of ensuring that both school sites and board members are well-informed on the issue.

**Dress Code Policy Update (I-2)**

Assistant Superintendent of Secondary Education and Programs Kristan Schnepp gave an update on the process for revising the student dress code policy, which began in 2019. Ms. Schnepp provided background information, discussed the need to create a consistent dress code policy and shared information about the dress code survey that was conducted. Additionally, Ms. Schnepp explained the convening of the dress code committee and the process the committee has undertaken since September 2022. Ms. Schnepp also provided information about the collaboration with labor partners, principal and vice principals. Lastly, Ms. Schnepp shared the communication plan to promote the upcoming public review period that will take place this spring, seeking to increase participation and gather feedback and input on the draft policy which will help to inform the final student dress code policy. Board members made comments and posed questions, which staff addressed.

Ms. Creason encouraged staff to provide some historical context at the community outreach meetings. Ms. Kravchuk expressed appreciation for the outreach and the effort to get the community involved and she inquired about some of the language in the dress code policy. Mr. Hernandez inquired about the language in the current dress code board policy, which Superintendent Bassanelli explained the intent is to bring back proposed revisions to Board Policy 5132 which would eliminate that wording.

Ms. Villescaz shared that she agrees with the importance of providing context during the community meetings and she commented about safety and minimizing loss of class time. Ms. Costa thanked staff for their work as well as the efforts spent to meet the needs for all in the community.

#### **2023-2024 Second Interim and Budget/Financial Status Report (I-3)**

Chief Financial Officer Joel Ryan presented the 2023-2024 Second Interim Report, certifying the Second Interim Report as positive, with the understanding of the fiduciary responsibility to maintain fiscal solvency for the current and subsequent two fiscal years. The Second Interim Report reflects actual revenue and expenditures through January 31, 2024, forecasts the remainder of the 2023-2024 fiscal year, and provides a multi-year budget projection for years 2024-2025 and 2025-2026. Mr. Avey inquired about the COLA projections, which Mr. Ryan addressed. It was moved by Ms. Villescaz, seconded by Mr. Perez, to approve the 2023-2024 Second Interim Report with the positive certification of the district's ability to meet its financial obligations for the current fiscal year and subsequent two fiscal years. MOTION CARRIED UNANIMOUSLY [Costa, Hernandez, Avey, Villescaz, Kravchuk, Perez, Creason].

#### **2024-2027 District Transportation Plan (I-4)**

Mr. Camarda presented the item. Board members made comments and posed questions, which staff addressed. It was moved by Mr. Hernandez, seconded by Ms. Creason, to approve the 2024-2027 District Transportation Plan. MOTION CARRIED UNANIMOUSLY [Costa, Hernandez, Avey, Villescaz, Kravchuk, Perez, Creason].

#### **Board Reports (J)**

Ms. Villescaz reported on her site visits to Katherine Johnson Middle School, Encina Preparatory High School and Meraki High School, and she spoke about the Sacramento County Office of Education (SCOE) Teachers of the Year recognition at a recent Sacramento Kings game.

Ms. Kravchuk shared details of her site visits to Cameron Ranch Elementary School, Thomas Kelly Elementary School, and Rio Americano High School, and she reported that she, along with Mr. Hernandez, attended Sports-A-Rama at Del Campo High School.

Mr. Avey provided details about meetings he attended including the Citrus Heights 2x2 meeting, the Citrus Heights City Council meeting, a learning session regarding the System of Professional Growth and a meeting of the Community Advisory Committee.

Mr. Hernandez spoke about the recent passing of a Del Campo High School student, acknowledging the significant support that the family has received from the Del Campo school community.

#### **Future Agenda (K)**

There were no items added to the future agenda.

#### **Closed Session Continued (B)**

At 8:37 p.m., Ms. Costa announced that the board would return to closed session to continue item B-4, collective bargaining matters. Ms. Costa then recessed the meeting in memory of Ava Bolima.

#### **Adjournment (L)**

At 9:24 p.m., Ms. Costa stated there were no closed session actions to report, and there being no further business, the regular meeting was adjourned.

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Pam Costa, Board President

Melissa Bassanelli, Secretary

Approved: \_\_\_\_\_  
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**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** E-1 (a)

**MEETING DATE:** 04/09/2024

**SUBJECT:** California School Bus Driver's Appreciation Day

**CHECK ONE:**

For Discussion:

For Action:

Report:

Workshop:

Recognition:

Emergency Action:

**DEPARTMENT:** Transportation

**ACTION REQUESTED:**

The superintendent is recommending that the board adopt Resolution No. A-437 proclaiming April 23, 2024, as California School Bus Driver's Appreciation Day.

**RATIONALE/BACKGROUND:**

Annually, on the fourth Tuesday of April, the State of California officially recognizes all school bus drivers for their continued and excellent services to the youth of the State. The district's bus drivers are deserving of special public recognition and the highest commendations; thus the district also traditionally adopts a resolution proclaiming the fourth Tuesday of April as School Bus Driver's Appreciation Day.

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

**FISCAL IMPACT:**

Current Budget: \$ N/A

Additional Budget: \$ N/A

Funding Source: N/A

(Unrestricted Base, Supplemental, other restricted, etc.)

Current Year Only  On-going

**LCAP/STRATEGIC PLAN:**

Goal: N/A Focus: N/A

Action: N/A

Strategic Plan: N/A

**PREPARED BY:** Rebecca Toto, Ed.D., Assistant Superintendent, Human Resources 

**APPROVED BY:** Melissa Bassanelli, Superintendent of Schools 

**SAN JUAN UNIFIED SCHOOL DISTRICT**

**Resolution No. A-437**

**CALIFORNIA SCHOOL BUS DRIVER'S APPRECIATION DAY**  
**April 23, 2024**

**WHEREAS**, annually, on the fourth Tuesday of April, the people of California should officially recognize all school bus drivers for their continued and excellent services to the youth of the State, and these drivers are deserving of special public recognition and the highest commendations; and

**WHEREAS**, the safety of our children rests in the hands of trained school bus drivers for up to two or three hours each school day; and

**WHEREAS**, personal time and energy are expended by school bus drivers in their initial training, maintaining a current license, perfecting their driving skills, and accruing added knowledge of school bus laws through continuing education classes; and

**WHEREAS**, school bus drivers, through counseling and disciplinary techniques, are sometimes asked to assist the students in appropriate interactive peer and adult behavior; and

**WHEREAS**, school bus drivers often face natural and unexpected hazards in the performance of their duties; and

**WHEREAS**, school bus drivers exhibit patience and kindness toward students, parents, and school staff in the performance of their duties; and

**WHEREAS**, school bus drivers consistently demonstrate an awareness of, and direct attention to, the mechanical maintenance of the school bus and safety conditions of the school bus routes; and

**WHEREAS**, many school bus drivers perform their services for thousands and thousands of accident-free miles, year after year.

**NOW, THEREFORE, BE IT RESOLVED**, that the San Juan Unified School District Board of Education hereby proudly proclaims April 23, 2024, as California's School Bus Driver's Appreciation Day to be celebrated by the district and community.

Attested to this  
9th Day of April, 2024

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Pam Costa, President

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Melissa Bassanelli  
Superintendent of Schools

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Saul Hernandez, Vice President

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Ben Avey, Clerk

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Paula Villescaz, Member

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Tanya Kravchuk, Member

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Manuel Perez, Member

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Zima Creason, Member

Board of Education  
San Juan Unified School District  
Sacramento County, California

APPROVED: 

## HUMAN RESOURCES

The following reports are submitted for board approval

Personnel Pages	Page #
<b>Appointments</b>	
Management	
Certificated	1
Classified	1
<b>Leaves of Absence</b>	
Management	
Certificated	1
Classified	1-2
<b>Separations</b>	
Management	2
Certificated	2
Classified	2
<b>Pre-Retirement Reduced Workload</b>	
<b>Reassignments/Change in Work Year</b>	
<b>Errata</b>	
<b>Job Description/Salary Range Change</b>	
Management	2-9
Certificated	
Classified	
Unrepresented	
<b>Cabinet Contracts/Extension of Contract</b>	
<b>Recommendation to Extend A District Intern Credential</b>	
Certificated	
<b>Credential Approval Recommendations</b>	
Certificated	
<b>Charter School Personnel Actions</b>	
Choices	

Agenda for the April 9, 2024 Board Meeting

**1. APPOINTMENTS**

**CERTIFICATED**

Type	Name	Status	Assignment	Location	Effective Date (s)
New Hire	Greenwood, Kiara	Prob	Tch-Pre-school	Skycrest	03/11/24
New Hire	Prizmich, Heather	Temp	Counselor-9/12	San Juan	03/08/24 06/05/24
Rehire	Alvarez, Dana	Prob	Teacher Grade 3	Grand Oaks	03/07/24
Rehire	Brush, Danette	Prob	Tch- Resource Spec K/12	Pasadena Avenue	03/18/24
Rehire	Morales, Gabryella	Temp	Teacher Grade 1	Mariposa	03/11/24 06/05/24

**CLASSIFIED**

Type	Name	Status	Assignment	Location	Effective Date (s)
New Hire	Cernat, Inna	Prob	Inst Asst Health	Health Services	03/05/24
New Hire	Flores, Linda	Prob	Expanded Learn Site Fac	Pupil Personnel Services	03/11/24
New Hire	Ibrahim Khail, Hayat Ullah	Prob	Inst Asst/Bil-Pashto	Katherine Johnson	03/13/24
New Hire	Johnson King, Tamara	Prob	Clerk	Lichen	03/11/24
New Hire	Klisch, Denny	Prob	Nutrition Services Worker II	Nutrition Services	03/19/24
New Hire	Knowles, Stephanie	Prob	Instructional Assistant I	Starr King	03/11/24
New Hire	Lavell, Breanne	Prob	Instructional Assistant I	Northridge	03/11/24
New Hire	Miller, Brett	Prob	Instructional Assistant II	Kingswood	03/13/24
New Hire	Oleynik, Nataliya	Prob	Account Clerk I	Fiscal Services	03/18/24
New Hire	Orozco Bravo, Cynthia	Prob	School Playground Rec Aide	Dyer-Kelly	03/18/24
New Hire	Perez, Francisco	Prob	Htg & Air Cond Tech II	M&O - Building Maintenance	03/05/24
New Hire	Rogers, Barbara	Prob	Nutrition Services Supv I	El Camino	03/19/24
New Hire	Rosebrock, Barbara	Prob	Campus Safety Monitor	Peck	03/06/24
Rehire	Ayazi, Elaha	Prob	Non-Instr Supp Aide	General Davie	03/11/24
Rehire	Britt, Savannah	Prob	Instructional Assistant III	Whitney Avenue	03/15/24
Rehire	Ciuriuc-Birdsong, James	Prob	Custodian	San Juan	03/13/24
Rehire	Maldonado, Sergio	Prob	Custodian	M&O - Building Maintenance	03/18/24
Rehire	Ortiz, Matthew	Prob	Custodian	M&O - Building Maintenance	03/06/24
Rehire	Peck, Nicholas	Prob	Grounds Equip Operator	M&O - Building Maintenance	04/01/24
Rehire	Santin, Christy	Prob	Instructional Assistant I	Mariposa	03/11/24
Rehire	Taylor, Justin	Prob	Expanded Learn Site Fac	Pupil Personnel Services	03/18/24
Rehire	Walker, Barbara	Prob	Teacher Elementary K-8	Dyer-Kelly	08/08/24
Rehire	Wheeler, Liberty	Prob	Nutrition Services Worker I	Churchill	03/12/24

**2. LEAVES OF ABSENCE**

**CERTIFICATED**

Type	Name	Status	Assignment	Location	Effective Date (s)
Paid	Arthur, Stuart	Perm	Tch-Grad 9/12	Bella Vista	02/26/24 06/05/24
Paid	Culpepper, Kristen	Perm	Teacher Grade 5	Dyer-Kelly	02/26/24 06/05/24
Paid	Jaimes, Garrett	Perm	Tch-Grad 7/8	Carnegie	02/28/24 06/05/24
Paid	Johnson, Laurie	Perm	Tch-English Language Dev	Dewey	02/28/24 03/19/24
Paid	Ures, Kathleen	Prob	Teacher Grade 1	Peck	02/28/24 03/31/24
Paid	Ures, Victoria	Perm	Teacher Kindergarten	Orangevale	02/28/24 05/27/24
Paid	Ward, Bradley	Perm	Tch-Grad 9/12	Mesa Verde	02/26/24 04/21/24
Paid	Wyley, Abigail	Prob	Teacher Grade 5	Del Paso	02/26/24 06/05/24
Unpaid	Flaherty, Megan	Perm	Tch-Grad 7/8	Arcade	02/14/24 06/05/24
Unpaid	Saghari, Fariba	Perm	Tch-CDPT	Twin Lakes	02/27/24 04/04/24
Unpaid	Webb, Whitney	Perm	Teacher Grade 4	Northridge	02/15/24 06/05/24

**CLASSIFIED**

Type	Name	Status	Assignment	Location	Effective Date (s)
Paid	Aguirre-Mazzi, Natalia	Perm	Supv-Comm Partnrshp&Vol	Superintendents Office	02/12/24 06/28/24
Paid	Benson, Shawn	Perm	Environmental Safety Tech	M&O - Building Maintenance	02/27/24 06/30/24
Paid	Boulos, Lorena	Prob	Campus Safety Monitor	Woodside	03/01/24 06/30/24
Paid	Orchekowski, Jennifer	Perm	Instructional Assistant III	El Camino	01/12/24 03/19/24
Unpaid	Atkinson-Rodgers, Natasha	Perm	Bus Driver	Transportation	02/17/24 05/24/24
Unpaid	Bartholomew, Jessica	Perm	Instructional Assistant I	Dyer-Kelly	03/01/24 06/04/24
Unpaid	Lloret, Cortney	Perm	Inst Asst Alt Learn Cntr	Meraki	02/08/24 06/30/24
Unpaid	Ostapyuk, Dan	Prob	Intermed Clerk Typist	Pupil Personnel Services	02/29/24 03/21/24
Unpaid	Sarvary, Neelab	Perm	Non-Instr Supp Aide	Garfield ECE	02/28/24 06/30/24

Agenda for the April 9, 2024 Board Meeting

**2. LEAVES OF ABSENCE (Continued)**

**CLASSIFIED**

Type	Name	Status	Assignment	Location	Effective Date (s)
Unpaid	Strain, Maddilyn	Perm	Instructional Assistant I	Arlington Heights	02/09/24 06/30/24

**3. SEPARATIONS**

**MANAGEMENT**

Type	Name	Status	Assignment	Location	Effective Date (s)
Resignation	Zils, Sarah	Prob	Assistant Director	Special Education- Kenneth	06/30/24

**CERTIFICATED SUPERVISORY**

Type	Name	Status	Assignment	Location	Effective Date (s)
Resignation	Shorey, Stacey	Perm	ECE Administrator	Early Childhood Education	03/08/24

**CERTIFICATED**

Type	Name	Status	Assignment	Location	Effective Date (s)
Resignation	Ramey-Davis, Charlee	Perm	Tch-Mild/Moderate K/12	Mesa Verde	03/15/24

**CLASSIFIED**

Type	Name	Status	Assignment	Location	Effective Date (s)
Resignation	Bell, Laura	Prob	Instructional Assistant III	Northridge	03/16/24
Resignation	Radmanesh, Mohammad	Perm	Supv-Inter/Prev Progs	Central Enroll/family Svcs	03/05/24

Dismissal	CL# 592	Prob	Van Driver	Transportation	03/15/24
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**4. JOB DESCRIPTION / SALARY RANGE CHANGE**

**Management**

Class Title	Unit	New/Update	Old Salary Range	New Salary Range	Effective Date (s)
Director, Special Education	SJAA	Update	25	N/A	04/10/24
Director II, Special Education	SJAA	New	N/A	26	04/10/24



## JOB DESCRIPTION

Position Code: 331

Management Group

MANAGEMENT SERIES, SALARY RANGE 25

**POSITION TITLE:** Director – Special Education

**DEFINITION:** Assumes responsibility to organize and administer a Special Education Local Plan Area (SELPA) function ***the Special Education Department for the purpose of implementing and maintaining student support service programs and services*** in accordance with applicable laws and regulations; supervise the performance of assigned personnel; develop and ensure implementation of specific intervention and educational programs provided by the district for students identified as individuals with exceptional needs;

**DIRECTLY RESPONSIBLE TO:** Assistant Superintendent – Student Support Services ***Director II – Special Education***

**SUPERVISION OVER:** Special Education program managers and principals **specialist, psychologists and program administrators**; and, in cooperation with site principals, certificated and classified staff as assigned.

**DUTIES AND RESPONSIBILITIES:** (Responsibilities will include, but not be limited to): (Any one position may not include all of the duties listed; the listed examples do not include all duties and responsibilities that may be found in positions within this classification.):

1. Assumes responsibility for planning, organizing, and supervising the instructional program for special education including budget development and projecting staffing needs/cutbacks.
2. Supervises all special education programs in the district and plans and develops new special education programs as needed.
3. Supervises district's special education schools **centers** including evaluation of staff and assists with budgets, curriculum and training.
4. Advises state and district personnel on the planning of special education facilities.
5. Works cooperatively with state and federal agencies participating in educational programs for handicapped students and works closely with community agencies extending special services.
6. Prepares budget information for and makes periodic reports to the **Assistant Superintendent, Student Support Services – Associate Superintendent of Educational Services and Director II of Special Education**.
7. Selects and supervises the selection and development of assessment instruments for screening, eligibility, student progress and dismissal.
8. Works closely with the transportation department relative to problems of transporting special education children.
9. **Serves as the district's authority in due process hearings, communicating and consulting with parents and investigating complaints/concerns.**
10. In conjunction with the personnel department, is responsible for the recommendations for employment of credential and classified staff.
11. **Monitors changes in legislation and legal guidelines and develops recommended policy changes as needed.**

12. **Supervise the identification, evaluation, and placement of students referred for special education.**
13. **Supervise and assist in evaluation of student progress through coordinating academic, health, language, and psychological testing.**
14. **Assist principals, assistant principals and special education teachers with student learning and behavior problems.**
15. **Responsible for the individual placement of pupils in program.**
16. **Supervise implementation of Individual Education Plans (IEP's).**
17. **Provide information, assistance, and counseling to parents of special education students through conferences and home visits.**
18. **Assist with supervision and evaluation of special education staff in conjunction with site principals.**
19. **Represent the District in due process hearings and mediation.**
20. **Performs other duties as assigned.**

**QUALIFICATIONS:**

Training, Education and Experience: Must possess an administrative ~~service or both the elementary and secondary administrative~~ credential and a credential appropriate to any area in special education.

Knowledge and Skills: Knowledge of learning theories, human needs, curriculum development and motivation theory; knowledge of laws pertaining to special education; knowledge of staffing organization, selection and supervision of personnel; skill in defining problems and drawing valid conclusions.

- Knowledge of:
  - learning theories
  - human needs
  - curriculum development and motivation theory
  - laws pertaining to special education
  - staffing organization
  - selection and supervision of personnel
- Skill in defining problems and drawing valid conclusions.

Physical Characteristics (consideration will be given to reasonable accommodation): \*~~Sufficient vision to read printed material; sufficient hearing to conduct in person and telephone conversations; sufficient physical mobility to move about the district and drive a car; ability to speak in an understandable voice with sufficient volume to be heard in normal conversational distance, on the telephone, and in addressing groups; physical, mental, and emotional stamina to endure long hours under sometimes stressful conditions.~~

- \*Sufficient vision to read printed material
- \*Sufficient hearing to conduct in person and telephone conversations
- \*Sufficient physical mobility to move about the district and drive a car
- \*Ability to speak in an understandable voice with sufficient volume to be heard in normal conversational distance, on the telephone, and in addressing groups
- Physical, mental, and emotional stamina to endure long hours under sometimes stressful conditions.

\*With or without the use of aids.

Other Characteristics: Possession of a valid California driver's license; willing to work additional hours periodically; willing to travel locally.

Approved by Personnel Division  
Adopted by Board: 07/20/80  
Revised by Human Resources  
Division: 04/23/1998  
10/22/2010  
Revision Approved: TBD

DRAFT



## JOB DESCRIPTION

**Position Code:** TBD

**Management Group**

**MANAGEMENT SERIES, SALARY RANGE 26**

**POSITION TITLE:** Director II – Special Education

**DEFINITION:** Review, monitor, plan, organize, direct and implement the functions of the Special Education Department for the purpose of implementing and maintaining special education programs and services in conformance with district and state guidelines; managing the overall operation of the Special Education programs and services; assumes responsibility to organize and administer a Special Education Local Plan Area (SELPA) function in accordance with applicable laws and regulations.

**DIRECTLY RESPONSIBLE TO:** Associate Superintendent, Educational Services

**SUPERVISION OVER:** Special Education Director, Assistant Director, Special Education Staff, and, in cooperation with site principals, certificated and classified staff as assigned.

**DUTIES AND RESPONSIBILITIES:** (Any one position may not include all of the duties listed; the listed examples do not include all duties and responsibilities that may be found in positions within this classification):

1. In collaboration with the Associate Superintendent, establish the vision and goals of the Special Education department and provide related coaching, guidance and support for the Special Education community including staff, families, and students.
2. Collaborate with a wide variety of internal and external groups (e.g. school administration and staff, county staff, regulatory organizations, and labor units, etc.) for the purpose of implementing assigned programs and service and addressing organizational objectives.
3. Compiles data from a variety of sources for the purpose of evaluating and/or developing programs, complying with the financial, legal and administrative requirements.
4. Implement proactive measures to develop relationships with parents and other agencies for the purpose of developing cooperative educational plans.
5. Develop long and short range plans and goals while monitoring and tracking systemic trends related to Special Education.
6. Support the Associate Superintendent of Educational Services for the purpose of developing and implementing services and programs and achieving department and district goals.
7. Supervise and evaluate the performance of assigned staff.
8. Conduct and attend meetings, resolve problems related to Special Education, provide directives and guidance for staff and the public.
9. Prepare and maintain a variety of narrative and statistical reports, records and files.
10. Communicate with other administrators, District personnel and members of the public to coordinate activities, resolve issues, and exchange information.
11. Develop special education budgets and purchases.
12. Serves as the district's authority in due process hearings, communicating and consulting with parents and investigating complaints/concerns.
13. Monitors changes in legislation and legal guidelines and develops recommended policy changes as needed.
14. Prepare applications, reports, and documents for submission to the Local, State and Federal Agencies.

15. Supervise preparation of special education reviews.
16. Monitors and ensures compliance with laws and regulations pertaining to special education and develops written policies and procedures to follow legal requirements. Participate in special education programs with public and private organizations and agencies including but not limited to: County Office of Education, County office of Civil Rights, and California Department of Education.
17. Plan and organize District special education programs.
18. Assist in training of staff related to special education.
19. Serves as the district's authority in communicating and consulting with parents and
20. Perform other duties similar to the above in scope and function as required.

## **QUALIFICATIONS:**

### Education and Experience:

1. Special Education teaching experience;
2. Three to five years increasingly responsible educational management experience preferred;
3. A Master's degree in education or public administration or related field from an accredited university or college is preferred.

### Licenses and Certifications:

1. Valid California Class C driver's license issued by the California Department of Motor Vehicles within 30 days of hire or before driving any vehicle requiring this license.
2. Valid California Administrative Credential.

### Knowledge, Skills, and Abilities:

1. Budget preparation and control;
2. Oral and written communication skills;
3. Principles and practices of management;
4. Applicable laws, codes, regulations, policies and procedures.
5. District organization, operations, policies and objectives;
6. Current office management and procedures. Lead, plan, organize, control and direct the functions of Special Education;
7. Coordinate and work with professional staff, parents, and community groups;
8. Assess effectiveness of programs;
9. Develop, interpret and monitor division and program budgets and evaluate and compare costs associated with the delivery of services;
10. Establish and maintain effective working relationships with the staff and the public;
11. Communicate effectively both orally and in writing;
12. Interpret, apply and explain rules, regulations, policies and procedures;
13. Implement management strategies based on evaluation data;
14. Exercise judgement and discretion in interpreting and applying policies and procedures;
15. Coordinate the completion of a number of tasks simultaneously in order to meet internal and external deadlines;
16. Analyze situations accurately and adopt an effective course of action;
17. Meet schedules and time lines;
18. Work independently with little direction;
19. Plan and organize work;

20. Prepare comprehensive narrative and statistical reports;
21. Supervise and evaluate the performance of assigned staff;
22. Operate and use District business systems and equipment.

**WORKING CONDITIONS:**

Work Environment:

- Indoor office environment
- Moderate noise
- Frequent interruptions and significant distractions

Typical Physical Characteristics: (with or without use of aids; consideration will be given to reasonable accommodation).

- Inspect documents and other written materials with fine print
- Communicate to exchange information in person, in small groups, and/or on the telephone
- Move about facilities to conduct work, including walking, standing, sitting, or remaining in a stationary position for long periods of time
- Physical, mental and emotional stamina to endure long hours under sometimes stressful conditions
- Operate office equipment requiring repetitive hand movement and fine coordination

Other Characteristics:

- Ability to work additional hours periodically and weekends on occasion
- Ability to travel locally and attend conferences/seminars periodically

This job description is not a complete statement of essential functions and responsibilities. The district retains the discretion to add or change typical duties of a position at any time.

Board Approved: TBD

Proposed Salary range for Director II - Special Education										
Salary Range	Class Code	Job Classification	Paid Days	1	2	3	3	5	6	Continuing Education
26		Director II - Special Education	245	\$ 145,005.00	\$ 151,047.00	\$ 157,034.00	\$ 163,896.00	\$170,725.00	\$177,839.00	\$ 186,219.00
				\$ 591.86	\$ 616.52	\$ 642.20	\$ 668.96	\$ 696.84	\$ 725.87	\$ 760.08

SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION

AGENDA ITEM: G-2  
MEETING DATE: 04/09/2024

APPROVED:    
Joel Ryan CFO

## Purchasing Contracts Report

The following reports are submitted for board approval/ratification:

	Inc	Page #
Purchase Orders & Service Agreements		
Change Orders	✓	1
Construction & Public Works Bids	✓	2
Piggyback Contracts	✓	3
Zero Dollar Contract	✓	4
Bids/RFPs	NA	
Other	NA	
ERRATA	NA	

Purchasing Contracts Board Report  
Change Orders/Amendments

March 6, 2024 - March 19, 2024

**Change Orders**

PO#	Date	Vendor Name	Description	Original PO Amount \$	Previous Approved C/O Totals \$	Current C/O for Approval Amount \$	New Contract Amount \$	Responsibility

**Service Agreement Change Orders**

PO#	Date	Vendor Name	Description	Original PO Amount \$	Previous Approved C/O Totals \$	Current C/O for Approval Amount \$	New Contract Amount \$	Responsibility
PO24-00370	3/13/2024	California Teaching Fellows Foundation	Additional staffing services for summer programs	\$ 1,801,800.00		\$ 699,932.28	\$ 2,501,732.28	317 Student Support Services
PO24-02024	3/14/2024	IntelliBricks	Additional classes Spring Robotics Program	\$ 35,808.00		\$ 36,096.00	\$ 71,904.00	321 OSLA

**Other Contract Change Orders**

PO#	Date	Vendor Name	Description	Original PO Amount \$	Previous Approved C/O Totals \$	Current C/O for Approval Amount \$	New Contract Amount \$	Responsibility
VR24-03105	3/7/2024	ATC Group Services LLC DBA Atlas Technical	Additional soil samples for Arcade New Construction 001-9512-P1	\$ 99,338.00	\$ 68,007.00	\$ 9,123.00	\$ 176,468.00	216 - Facilities
VR24-01566	3/7/2024	JK Architecture Engineering	Additional design through closeout for Mira Loma MOD (CTE) 205-9495-P2 project	\$ 15,000.00	\$ 50,000.00	\$ 210,000.00	\$ 275,000.00	217 - Facilities
VR24-02949	3/19/2024	Campbell Keller	Additional items for Mesa Admin Furniture 210-9306-J1	\$ 687,787.83	\$ 28,278.79	\$ 38,724.37	\$ 754,790.99	216 - Facilities

**Lease Amendments/Change Orders**

PO#	Date	Vendor Name	Description	Original PO Amount \$	Previous Approved C/O Totals \$	Current C/O for Approval Amount \$	New Contract Amount \$	Responsibility
							\$ -	

**General Contract Change Orders**

PO#	Date	Vendor Name	Description	Original PO Amount \$	Previous Approved C/O Totals \$	Current C/O for Approval Amount \$	New Contract Amount \$	Responsibility

**Purchasing Contracts Board Report**  
**Construction and Public Works Bids and Contracts**

March 6, 2024 - March 19, 2024

Upon evaluation of the bids/contracts staff has awarded the following in accordance with all legal guidelines.

**General Contract**

Fund	Date	PO#	Bid #	Vendor Name	Description	Amount \$	Responsibility

**Other Contracts**

Fund	Date	PO#	Bid #	Vendor Name	Description	Amount \$	Responsibility
26	3/13/2024	TBD	24-214	MCM Roofing Co., Inc	General contract roofing Mariposa 131-9605-P1 project	\$ 1,332,000.00	216 - Facilities
14	3/16/2024	TBD	24-217	National Aquatic Services, Inc	General contract DM Pool El Camino 201-9565-24DM project	\$ 169,869.48	212 - M&O
26	3/16/2024	TBD	Piggyback	Campbell Keller	Furniture for Mariemont MOD 130-9495-P1 project	\$ 1,622,479.92	216 - Facilities
26	3/18/2024	TBD	24-211	Fuse Services, Inc	General contract HVAC Sierra Oaks 146-9390-P1 project	\$ 615,000.00	216 - Facilities
01 & 26	3/19/2024	TBD	24-201	B&M Builders, Inc.	HVAC Replacement Sylvan Middle School 050-9390-P&ESSER	\$ 418,000.00	216 - Facilities
01 & 26	3/19/2024	TBD	24-204	B&M Builders, Inc.	HVAC Replacement Mariposa Avenue ES 131-9390-P&ESSER	\$ 498,000.00	216 - Facilities
01 & 26	3/19/2024	TBD	24-205	B&M Builders, Inc.	HVAC Replacement Howe Avenue ES 123-9390-P&ESSER	\$ 906,000.00	216 - Facilities
01 & 26	3/19/2024	TBD	24-206	B&M Builders, Inc.	HVAC Replacement Gold River Discovery Center 172-9390-P&ESSER	\$ 635,000.00	216 - Facilities
01 & 26	3/19/2024	TBD	24-207	B&M Builders, Inc.	HVAC Replacement General Davie, Jr 174-9390-P&ESSER	\$ 498,000.00	216 - Facilities
01 & 26	3/19/2024	TBD	24-209	B&M Builders, Inc.	HVAC Replacement Arlington Heights ES 103-9390-P&ESSER	\$ 336,000.00	216 - Facilities
01 & 26	3/19/2024	TBD	24-208	DDK Mechanical, inc.	HVAC Replacement Cottage ES 108-9390-P&ESSER	\$ 327,160.00	216 - Facilities
01 & 26	3/19/2024	TBD	24-203	DDK Mechanical, inc.	HVAC Replacement Mission Avenue ES 133-9390-P&ESSER	\$ 351,960.00	216 - Facilities
01 & 26	3/19/2024	TBD	24-202	DDK Mechanical, inc.	HVAC Replacement Skycrest ES 149-9390-P&ESSER	\$ 691,500.00	216 - Facilities
26	3/20/2024	TBD	24-215	DK Enterprises Inc dba King's Roofing	General contract roofing Gold River 172-9605-P1 project	\$ 1,218,000.00	216 - Facilities
26	3/6/2024	TBD	Piggyback	Campbell Keller	Furniture for Arcade New Construction 001-9512-P1 project	\$ 1,893,632.33	216 - Facilities

**New Addendum to Master Agreements**

Fund	Date	PO#	Bid #	Vendor Name	Description	Amount \$	Responsibility

**Purchasing Contracts Board Report**  
**Board Pre-Approval**  
**Piggyback Contracts**

March 6, 2024 - March 19, 2024

Staff has determined that purchasing through contracts issued by various state agencies within the State of California will save administrative time and expense, provide favorable pricing, and will be in the best interests of the district. District staff is requesting the Board of Education's authorization to piggyback on the approved bids in accordance with Public Contract Code Section 20118.

Fund	Date	Piggyback #, Title	Vendor Name	Description	Term
Other Funds	3/13/2024	Santa Rita Union School District Bid No. 21024	McGrath RentCorp dba Mobile Modular Management Corporation	Modular classroom buildings and associated options	Start May 12, 2023; contract is 4 years with 1 year extension for a total of 5 years

**Purchasing Contracts Board Report**  
**Board Pre-Approval**  
**Zero Dollar**

March 6, 2024 - March 19, 2024

Fund	Date	Site/ Department	Vendor Name	Description
All	3/19/2024	Pasadena	Puppet Art Theater Co.	Puppet show for dental care
All	3/19/2024	Pasadena	Rock Steady Juggling	Water science assembly

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM: G-3  
MEETING DATE: 04/09/2024**

**APPROVED:**

  
Joel Ryan CFO

## **Business and Financial Report**

The following reports are submitted for board approval/ratification:

	Inc	Page #
Easements/Leases		
Notices of Completion	✓	1
Quarterly Investment Report		
Warrants & Payroll		
Budget Revisions		
E-Rate		
ERRATA		

## Notices of Completion - Board of Education

<b>CONTRACTOR</b>	<b>PROJECT</b>	<b>DATE OF ACCEPTANCE</b>	<b>DATE RECORDED</b>
Western Engineering Contractors, Inc.	PO#307906 VR24-01955 Provide all labor, materials, equipment, tools, transportation and incidentals for parking lot upgrades at Rio Americano High School, 4540 American River Drive, Sacramento, CA 95864, located in the San Juan Unified School District. Vendor: Western Engineering Contractors, Inc.	2/15/2024	2/21/2024
Abide Builders, Inc.	PO#308716 VR24-01519 Provide all labor, materials, equipment, tools, transportation and incidentals for demolition of existing parking shade structure, footing, fencing, concrete and asphalt. Install owner furnished shade structure, replace concrete, asphalt, and fencing, at Encina High School, 1400 Bell Street, Sacramento, CA 95825, located in the San Juan Unified School District. Vendor: Abide Builders, Inc.	3/4/2024	3/6/2024
MCM Roofing Co., Inc.	PO#308577 VR24-01937 Provide all labor, materials, equipment, tools, transportation and incidentals for re-roofing, at Del Campo High School, 4925 Dewey Drive, Fair Oaks, CA 95628, located in the San Juan Unified School District. Vendor: MCM Roofing Co., Inc.	3/5/2024	3/8/2024

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** G-5

**MEETING DATE:** 04/09/2024

**SUBJECT:** Surplus Property

**CHECK ONE:**

- For Discussion:   
For Action:   
Report:   
Workshop:   
Recognition:   
Emergency Action:

**DEPARTMENT:** Business Support Services

**ACTION REQUESTED:**

The superintendent is recommending that the board approve the disposal of surplus property pursuant to Board Policy 3270.

**RATIONALE/BACKGROUND:**

The Governing Board recognizes that the district may own personal property which is unusable, obsolete, or no longer needed by the district. The superintendent or designee shall arrange for the sale or disposal of district personal property in accordance with board policy and the requirements or state law.

The superintendent or designee shall identify to the board all items not needed by the district together with their estimated value and a recommended disposition.

**ATTACHMENT(S):**

A: List of Surplus Property

**BOARD COMMITTEE ACTION/COMMENT:**

N/A

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

**FISCAL IMPACT:**

Current Budget: \$ \_\_\_\_\_ N/A \_\_\_\_\_

Additional Budget: \$ \_\_\_\_\_ N/A \_\_\_\_\_

Funding Source: \_\_\_\_\_ N/A \_\_\_\_\_

(unrestricted base, supplemental, other restricted, etc.)

Current Year Only  Ongoing

**LCAP/STRATEGIC PLAN:**

Goal: \_\_\_\_\_ N/A \_\_\_\_\_ Focus: \_\_\_\_\_ N/A \_\_\_\_\_

Action: \_\_\_\_\_ N/A \_\_\_\_\_

Strategic Plan: \_\_\_\_\_ N/A \_\_\_\_\_

**PREPARED BY:** Joel Ryan, Chief Financial Officer



**APPROVED BY:** Melissa Bassanelli, Superintendent of Schools



4/9/2024

The following District property is unusable, obsolete, or no longer needed. The items are to be disposed of by sale, recycled, donated, or discarded as required by Board Policy 3270 Education Code 17545 and 17546.

<b>Location/Site</b>	<b>Make</b>	<b>Model</b>	<b>Description</b>	<b>Fixed Asset / Serial #</b>	<b>Disposition</b>
Laurel Ruff	Kenmore		Fridge	LA44207005	eWaste
Marvin Marshall	HP	ProBook	Laptop	1100015260	eWaste
Marvin Marshall	HP	ProBook 430 G3	Laptop	10011937 / 5CD60NGW	eWaste
Marvin Marshall	HP	ProBook 450 G2	Laptop	10110409 / CND5135Y5B	eWaste
Marvin Marshall	HP	Photosmart 8150	Printer	MY49K2M10N	eWaste
Marvin Marshall	HP	OfficeJet Pro 8720	Printer	CN87PC6J7S	eWaste
Marvin Marshall	HP	LaserJet P2035	Printer	20192936 / VNBG20254	eWaste
Marvin Marshall	HP	LaserJet Pro 454dn	Printer		eWaste
Marvin Marshall	HP	OfficeJet Pro 8100	Printer	20192987 / CN613V16B	eWaste
Marvin Marshall	HP	LaserJet Pro M452dn	Printer	2012971	eWaste
Marvin Marshall	HP	LaserJet Pro MFP M4795dn	Printer		eWaste
Marvin Marshall	HP	LaserJet Enterprise M507	Printer	PHCCN7V0VB	eWaste
Marvin Marshall	HP	LaserJet Pro MFP M479Fdn	Printer		eWaste
Marvin Marshall	HP	Elite Display E231i	Monitor	5CVS12029X	eWaste
Marvin Marshall	Samsung	SM-T290	Tablet	R9WN50NP90J	eWaste
Sylvan	Xerox	WorkCentre 4250	Copier	MAC586880	eWaste
Sylvan	Epson	SureColor T7270	Printer	20191745	eWaste

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** G-6

**MEETING DATE:** 04/09/2024

**SUBJECT:** Short-Term Local Control and Accountability Plan (LCAP) Analyst

CHECK ONE:

- For Discussion:
- For Action:
- Report:
- Workshop:
- Recognition:
- Emergency Action:

**DEPARTMENT:** Teaching and Learning

**ACTION REQUESTED:**

The superintendent is recommending that the board approve a short-term Local Control and Accountability Plan (LCAP) Analyst. This position will run from April 10, 2024, until July 5, 2024.

**RATIONALE/BACKGROUND:**

California Education Code Section 45103 requires that before employing a short-term employee, the governing board of a school district, at a regularly scheduled board meeting, shall specify the service required to be performed by the employee pursuant to the definition of "classification" in subdivision (a) of Section 45101, and shall certify the ending date of the service.

Teaching and Learning requires the support of a short-term LCAP Analyst to receive specialized training on the duties serviced by the current LCAP Analyst who will be retiring on July 5, 2024.

**ATTACHMENTS:**

N/A

**BOARD COMMITTEE ACTION/COMMENT:**

N/A

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

**FINANCIAL DATA:**

N/A

**PREPARED BY:** Shannon Rich, Classified Analyst, Human Resources *SR*

**APPROVED BY:** Rebecca Toto, Assistant Superintendent, Human Resources *RT*  
Melissa Bassanelli, Superintendent of Schools *MB*

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM: G-7**

**MEETING DATE: 04/09/2024**

**SUBJECT:** Short-Term Nutrition Services - Supervisor III

CHECK ONE:

For Discussion:

For Action:

Report:

Workshop:

Recognition:

Emergency Action:

**DEPARTMENT:** Nutrition Services

**ACTION REQUESTED:**

The superintendent is recommending that the board approve the extension of the short-term Nutrition Services - Supervisor III. The creation of this short- term assignment was board approved on January 23, 2024. This position originally ran from January 24, 2024, until April 15, 2024. Due to an unforeseen extension to the leave of absence, the recommendation is to extend the position until May 7, 2024. The extension proposed would keep the position under 75% of the school year worked.

**RATIONALE/BACKGROUND:**

California Education Code Section 45103 requires that before employing a short-term employee, the governing board of a school district, at a regularly scheduled board meeting, shall specify the service required to be performed by the employee pursuant to the definition of “classification” in subdivision (a) of Section 45101, and shall certify the ending date of the service.

Nutrition Services requires the extension of the support of a short-term Nutrition Services - Supervisor III to cover the area serviced by a current Nutrition Services - Supervisor III. The current Nutrition Services - Supervisor III will be out on a board approved leave of absence until May 7, 2024.

**ATTACHMENTS:**

N/A

**BOARD COMMITTEE ACTION/COMMENT:**

N/A

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

**FINANCIAL DATA:**

N/A

**PREPARED BY:** Shannon Rich, Analyst, Human Resources *SR*

**APPROVED BY:** Rebecca Toto, Assistant Superintendent, Human Resources *RT*

Melissa Bassanelli, Superintendent of Schools *MB*

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** I-1

**MEETING DATE:** 04/09/2024

**SUBJECT:** Universal Prekindergarten (UPK) Update

CHECK ONE:

- For Discussion:   
For Action:   
Report:   
Workshop:   
Recognition:   
Emergency Action:

**DEPARTMENT:** Division of Teaching and Learning

**ACTION REQUESTED:**

The superintendent is recommending that the board receive an update regarding the current progress for Universal Prekindergarten (UPK) in alignment with state legislation.

**RATIONALE/BACKGROUND:**

The purpose of this report is to update the board on the fourth year of UPK implementation and planning, which includes the expansion of services for 4-year-old students in transitional kindergarten (TK). The intent of UPK planning (through legislation) rests on five focus areas and recommends that all school districts form collaborative teams inclusive of multiple departments, labor partners, and school community members. Staff approached UPK planning by adhering to the recommendation of collaboration by involving more than five parent committees, labor partners, 15 district departments, and the parent community through surveys, listening sessions, and school site feedback.

Currently, there are 33 TK classes, with eight added at the beginning of the 2023-24 school year. The district will continue to expand TK classes through a phased approach, by adding additional classrooms each year through the 2025-26 school year when students who turn age four by September 1<sup>st</sup> will be eligible for TK. Newly added TK classroom schedules mirror the school kindergarten schedules to provide continuity and consistency in the early learning classrooms. Locations where TK will be added for 2024-25 are Carriage, Cambridge Heights, Carmichael, Deterding, Dewey, and Del Paso Manor Elementary Schools.

The UPK grant allocation is a one-time allocation intended to support school districts in the implementation process. As a part of supporting the UPK plan, the district is braiding funding sources from additional programs such as Expanded Learning Opportunity Programs (ELO-P) and the Work Force Development Grant in partnership with the Sacramento County Office of Education (SCOE). The Work Force Development Grant is a program that supports the development of TK teachers while ELO-P funding supports opportunities for students to access an expanded school day through various programs. UPK implementation will continue to thrive as staff learns more through the years.

**ATTACHMENT(S):**

- A: UPK PowerPoint Presentation  
B: TK Expansion Schedule for 2021/22-2024/25 School Years

**BOARD COMMITTEE ACTION/COMMENT:**

N/A

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet 04/01/2024

**FISCAL IMPACT:**

Current Budget: \$ 550,574.00

Additional Budget: \$ \_\_\_\_\_

Funding Source: \_\_\_\_\_ One time grant allocation

(Unrestricted Base, Supplemental, other restricted, etc.)

Current Year Only  On-going

**LCAP/STRATEGIC PLAN:**

Goal: N/A Focus: N/A  
Action: N/A

Strategic Plan: N/A

**PREPARED BY:** Cassandra Bennett Porter, Director, Elementary/K-8

**APPROVED BY:** Amberlee Townsend-Snider, Assistant Superintendent, Elementary Education and Programs

ATS

Amy L. Slavensky, Ph.D., Interim Deputy Superintendent, Schools and Student Supports

ALS

Melissa Bassanelli, Superintendent of Schools *MB*



# Universal Pre-K Update

San Juan Unified School District  
Board of Education  
April 9, 2024

1



## Universal Pre-Kindergarten



ACCESS TO JOYFUL,  
CULTURALLY AFFIRMING  
EARLY LEARNING  
EXPERIENCES FOR ALL 4  
YEAR-OLD CHILDREN



PHASED IN  
APPROACH OVER 5  
YEARS



BRAIDING OF FUNDS TO  
SUSTAIN HIGH QUALITY  
EARLY LEARNING  
PROGRAMS

2

1



## Focus Areas for Planning

- A. Vision and Coherence
- B. Community Engagement and Partnerships
- C. Workforce Recruitment and Professional Learning
- D. Curriculum, Instruction, and Assessment
- E. Facilities, Services, and Operations

3



## Vision and Coherence

	2021-22	2022-23	2023-24	2024-25	2025-26
Eligibility for TK	Turn 5 between September 2 and December 2	Turn 5 between September 2 and February 2	Turn 5 between September 2 and April 2	Turn 5 between September 2 and April 2	Turn 4 by September 1
Enrollment Projections	288	480	672	864	1,104
Enrollment Actuals	292	434	593		
Teacher Need with 1 Instructional Assistant per class	15	22	31	36	55

\* State penalty for students outside of the eligibility window.

4



## UPK and ELO-P (Expanded Learning Opportunity Programs)

Legislative Requirement	Local Action
9 hours of daily program options SJUSD Options:	Number of TK-K students in ELO-P programs
• Bridges • YMCA	8 Transitional Kindergarten 122 Kindergarten
• Discovery Club	70 Transitional Kindergarten 239 Kindergarten

5



## Community Engagement and Partnerships

- Video messaging
- First 5 surveys
- Family climate surveys
- Translated flyers
- School communication
- Sacramento County Office of Education Partnership (SCOE)

6



# Workforce Development and Professional Learning

TK teachers are required to have a Multiple Subject Teaching Credential *and* 24 Early Childhood Education (ECE) units.

- Workforce Development Grant
  - 18 practitioners enrolled
- Alder Academy Residency
  - 3 practitioners enrolled

7



## Professional Learning Opportunities

- Inclusive Practices
  - 4 Blended TK programs
- Powerful Play
- Culturally Affirming Curriculum
- De-escalation
- New PreK-K Bridging Committee



8



## Facilities, Services, and Operations



### New Facilities

New TK/K complex at Legette



### New Furniture

12 TK classrooms



### Transportation

154 students Pre-k through K



### Nutrition Services

Meals provided to all students  
Breakfast, lunch, and after school

9



## New Opportunities

- Access to age-appropriate playgrounds
- Supporting early learners with self-care
- Partnerships with families
- P-3 alignment
- Inclusive practices
- Partnership with California State Preschool Program to provide access to full-day programs



10

5



# Questions

## Transitional Kindergarten Five-Year Expansion

<b>Site</b>	<b>% Unduplicated</b>	<b>TK Sites 2021-22</b>	<b>TK Sites Added 2022-23</b>	<b>TK sites Added 2023-24</b>	<b>TK Sites Added 2024-25</b>
Arlington Heights	69.2	2 classes		remove 1 class	
Cambridge Heights	48				1 class
Cameron Ranch	83.2	1 class			
Carmichael	85.6				1 class
Carriage	68				1 class
Charles Peck	80.1				
Cottage	89	2 TK/K combos			
Cowan	48.5			1 class	
Coyle	79.4		1 class		
Del Dayo	38.1	1 class			
Del Paso Manor	71.8				1 class
Deterding	56				1 class
Dewey	47.7				1 class
Dyer Kelly	95.4				
Gold River	41.6			2 classes	
Grand Oaks	82.4		1 class		
Green Oaks	44.6			1 class	
Greer	87			1 class	
Howe	93.4	1 class			
Kingswood	86.5			1 class	
Legette	37	1 class			
Lichen	71.3		1 class		
Mariemont	31				
Mariposa	84.3			1 class	
Mission	49.5				

Year 5: 2025-2026 sites TBD based on enrollment.

<b>Site</b>	<b>% Unduplicated</b>	<b>TK Sites 2021-22</b>	<b>TK Sites Added 2022-23</b>	<b>TK sites Added 2023-24</b>	<b>TK Sites Added 2024-25</b>
Northridge	73.4			1 class	
Oakview	49.9	1 class			
Orangevale Open	35.4				
Ottomon	69.2		1 class		
Pasadena	79.8	1 class			
Pershing	46.3	1 class			
Schweitzer	61.8			1 class	
Sierra Oaks	57.5		1 class		
Skycrest	81.9	1 class			
Starr King	90.2		1 class		
Thomas Edison	76.7	1 class			
Thomas Kelly	64.2	1 class			
Trajan	50.8			1 class	
Twin Lakes	35.1	1 class			
Whitney	90.5				
Woodside	68.3		1 class		

Year 5: 2025-2026 sites TBD based on enrollment.

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** I-2

**MEETING DATE:** 04/09/2024

**SUBJECT:** San Juan Choices Charter School On-Going  
Salary Schedule Adjustment

**CHECK ONE:**

- For Discussion:
- For Action:
- Report:
- Workshop:
- Recognition:
- Emergency Action:

**DEPARTMENT:** Admissions and Family Services

**ACTION REQUESTED:**

The superintendent is recommending that the board discuss the salary schedule adjustment for San Juan Choices Charter School. The adjustments for CCS are as follows:

- All base salaries shall be increased by a total of 10.0%, effective July 1, 2023.

**RATIONALE/BACKGROUND:**

San Juan Choices Charter School (CCS) attempts to, when fiscally possible, match the raises and bonuses the district provides to its own employees. On October 11, 2022, the board approved a salary schedule increase of 10% for the San Juan Teachers Association retroactive to July 1, 2022. Other bargaining groups within the district were also given a 10% salary schedule increase. Because of the timing of the district's approval and due to a leadership change at CCS, the school was unable to make this request to the board before the end of the 2022-2023 fiscal year.

CCS anticipates a stable enrollment pattern and moderate growth over the next three years which will ensure healthy financial reserves that will support quality programs and services while honoring the hard work of teachers and staff by providing competitive salaries.

**ATTACHMENT(S):**

A: Choices Charter School 10% Salary Projection

**BOARD COMMITTEE ACTION/COMMENT:**

N/A

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

**FISCAL IMPACT:**

Budget Increase (Salaries): \$168,927  
Additional Budget (Benefits): \$54,355  
Funding Source: Charter General Fund

**LCAP/STRATEGIC PLAN:**

Goal: N/A Focus: N/A  
Action: N/A  
Strategic Plan: N/A

**PREPARED BY:** Brent Givens, School Director, Choices Charter School  
Brian Ginter, Director, Admissions and Family Services

**APPROVED BY:** Debra Calvin, Ed.D., Associate Superintendent, Educational Services DC  
Amy L. Slavensky, Ph.D., Interim Deputy Superintendent, Schools and Student Support ALS  
Melissa Bassanelli, Superintendent of Schools MBS

San Juan Unified 2023/24 Choices 10% Salary Projection										
ITEM	OBJECT	UA's	UA's	UA's	BDEV	Actual & Encu	1st Int			
		2020-21 Actuals	2021-22 Actuals	2022-23 Actuals	2023-24	2023-24	2023-24	2024-25	2025-26	
REVENUE										
LCFF Revenue	8010-8099	\$ 2,814,958.01	\$ 2,190,038.00	\$ 2,503,946.00	\$ 3,188,513.00	\$ 695,836.32	\$ 3,168,434.00	\$ 3,189,709.00	\$ 3,230,222.00	
Federal Revenues	8100-8299	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
Other State	8300-8599	\$ 176,593.36	\$ 183,951.23	\$ 213,480.72	\$ 197,621.00	\$ 30,815.00	\$ 200,853.00	\$ 201,062.00	\$ 204,313.00	
Local Revenue	8600-8799	\$ 8,666.00	\$ 9,291.00	\$ 30,963.00	\$ 10,000.00	\$ 0.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	
Deferred Revenue into Next Year										
	Total Revenue	\$ 3,000,217.37	\$ 2,383,280.23	\$ 2,748,389.72	\$ 3,396,134.00	\$ 726,651.32	\$ 3,379,287.00	\$ 3,400,771.00	\$ 3,444,535.00	
EXPENDITURES										
Certified Salaries	1XXX	\$ 1,487,704.24	\$ 1,605,480.32	\$ 1,429,883.18	\$ 1,399,879.00	\$ 1,422,257.45	\$ 1,627,614.80	\$ 1,642,263.33	\$ 1,657,043.70	
Classified Salaries	2XXX	\$ 283,060.64	\$ 172,297.99	\$ 228,685.04	\$ 233,718.00	\$ 227,018.00	\$ 258,327.80	\$ 260,652.75	\$ 262,998.62	
Payroll Related Costs (Excl H&W)	3XXX	\$ 420,141.00	\$ 448,097.29	\$ 477,758.60	\$ 457,942.00	\$ 470,065.13	\$ 512,965.33	\$ 520,240.68	\$ 526,500.83	
H&W	34XX	\$ 280,153.43	\$ 261,394.82	\$ 279,212.47	\$ 292,427.00	\$ 315,443.48	\$ 313,861.00	\$ 323,214.06	\$ 332,845.84	
Total Employee Benefits	3XXX	\$ 700,294.43	\$ 709,492.11	\$ 756,971.07	\$ 750,369.00	\$ 785,506.81	\$ 826,826.33	\$ 843,454.73	\$ 859,346.67	
Materials & Supplies	4XXX	\$ 30,272.55	\$ 32,117.71	\$ 22,322.77	\$ 28,700.00	\$ 17,723.63	\$ 31,200.00	\$ 44,437.00	\$ 44,437.00	
Services & Operating Expense (Excl sub)	5XXX	\$ 211,218.71	\$ 375,273.11	\$ 283,969.32	\$ 255,974.00	\$ 99,611.10	\$ 289,549.00	\$ 309,196.00	\$ 329,988.00	
Subagreements	51XX	\$ 0.00	\$ 16,016.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
Total Opeting Exp.	5XXX	\$ 211,218.71	\$ 393,289.11	\$ 283,969.32	\$ 255,974.00	\$ 99,611.10	\$ 289,549.00	\$ 309,196.00	\$ 329,988.00	
Capital Outlay	6XXX	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
Other Outgo ( Excld Indrct)	7100-7299	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
Indirect	7400-7499	\$ 7,842.80	\$ 4,812.20	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
Total Expenditure		\$ 2,720,393.37	\$ 2,917,489.44	\$ 2,721,831	\$ 2,668,640	\$ 2,552,118.79	\$ 3,033,518	\$ 3,100,004	\$ 3,153,814	
DIFFERENCE		\$ 279,824.00	\$ -534,209.21	\$ 26,558.34	\$ 727,494.00	\$ -1,825,467.47	\$ 345,769.07	\$ 300,767.18	\$ 290,721.00	
Interfund Transfers										
Transfers in	8900-8929	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
Transfers out	7600-7629	\$ 224,525.53	\$ 234,409.91	\$ 250,950.65	\$ 281,530.00	\$ 8,850.55	\$ 281,530.00	\$ 286,886.00	\$ 292,403.00	
Other Sources/Uses										
Sources	8930-8979	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
Uses	7630-7699	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
Contributions	8980-8999	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
CHANGE TO FUND BALANCE		\$ 55,298.47	\$ -768,619.12	\$ -224,392.31	\$ 445,964.00	\$ -1,834,318.02	\$ 64,239.07	\$ 13,881.18	\$ -1,682.00	
BEGINNING BALANCE		9791	\$ 1,207,223.11	\$ 1,262,521.58	\$ 493,902.46	\$ 269,510.15	\$ 715,474.15	\$ -1,564,807.87	\$ 333,749.22	\$ 347,630.40
ENDING BALANCE		9790	\$ 1,262,521.58	\$ 493,902.46	\$ 269,510.15	\$ 715,474.15	\$ -1,564,807.87	\$ 333,749.22	\$ 347,630.40	\$ 345,948.40
Assumptions										
1	Built the projections on 1st interim									
2	Adjust out year revenues for the 1% & 2% colas in out years that was not captured at 1st interim									
3	Adjusted 23-24 revenues for changes not captured at 1st interim									
4	10% salary increase was applied to positional salaries and monohan's budgeted amount.									
5	Discretionary salaries were left at 1st interim amounts									
6	Assume 10% increase in oversight fees in out years									
7	Applied CPI percentage to 5xx in out years									
8	Increased oversight fee 10% in each of the out years									
9	Left 4xxx as 1st int amounts in the out years as the increase is greater than CPI									
10	Assumes rent and utilities assumed increase 3% (object 76x)									
11	ADA is 245 for all years									
12	Adjust benefits to match projection model									
Reserves										
	Required reserve is 5% for districts with 0-300 ADA									
	The 5% is to be applied to all expenditures (all resources) in this projection it is only applied to R0308,1100,1400,6500									
	Most of choices restricted resources are not budgeted in the out years. Future planning should include budgeting all resources in out years.									
FCMAT recommends that charter schools adopt a minimum cash reserve of 5% of the total of all budgeted expenditures and develop a five-year plan to increase that reserve from 5% to at least 10% of total budgeted expenditures										
The below scenario provides estimates on the required reserves with all resources projecting expenditures. Projected expenditures were made with the following assumptions: if a grant was ongoing the yearly appropriation was budgeted as expense; if a grant had an end date the remaining fund balance at 1st int was divided by years remaining and budgeted; R6300 budgeted 23-24 amount in out years										
2023-24	2024-25	2025-26								
\$171,061.65	\$181,319.69	\$184,286.05	5% of all resources -not many are budgeted in out years.							
\$342,123.29	\$362,639.38	\$368,572.10	10% Reserve all resources							

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:**

**I-3**

**MEETING DATE:**

**04/09/2024**

**SUBJECT:** Adoption of the 2024 Level I Developer Fee Justification Study

CHECK ONE:

For Discussion:

For Action:

Report:

Workshop:

Recognition:

Emergency Action:

**DEPARTMENT:** Facilities

**ACTION REQUESTED:**

The superintendent is recommending that the board adopt Resolution No. 4125, accepting the 2024 Level I Developer Fee Justification Study.

**RATIONALE/BACKGROUND:**

At its meeting on January 24, 2024, the State Allocation Board (SAB) increased the statutory Level 1 fees by 7.84 percent, to \$5.17 per square foot for residential construction and \$0.84 per square foot for commercial construction. As per AB 602, newly added section 66016.5, school districts must adopt the study prior to adopting any associated development fee. Previously, the school district could adopt the impact fee nexus study simultaneously with the adopted fee amounts. School districts may adopt both the study and any corresponding fee adjustment at the same meeting, but the two items must be agenized separately.

Education Code section 17620 (AB 2926, Chapter 887/Statutes 1986) provides that “the Governing Board of any school district is authorized to levy a fee, charge, dedication, or other forms of requirement against any development project for the construction or reconstruction of school facilities.” To levy and collect developer fees, a school district must show the correlation (or “nexus”) between new residential, commercial and industrial development and the need for new or reconstructed school facilities.

Developer fees were originally established in 1987 with a maximum fee of \$1.50 per square foot of new residential construction and \$0.25 per square foot of new commercial/industrial construction. This maximum amount is reviewed and adjusted every two years by the SAB. Developer fees may be used to finance new schools and equipment and to reconstruct existing facilities in order to maintain adequate school facilities for district students. Other appropriate uses of developer fees include, but are not limited to interim housing, site acquisition, replacement of aged or inadequate portable classrooms and housing for class-size reduction. Up to three percent of the fees collected may be used to defray the administrative costs incurred by the district in collecting these fees. Uses of the fees that are specifically prohibited by law include: regular or routine maintenance of facilities, asbestos abatement incidental to construction or reconstruction and deferred maintenance programs.

**ATTACHMENT(S):**

- A: 2024 Developer Fee Justification Study
- B: Resolution No. 4125 Adoption of Fee Justification Study
- C: 2024 Developer Fee Presentation

**BOARD COMMITTEE ACTION/COMMENT:**

Facilities Committee Meeting: 04/02/2024

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

**FISCAL IMPACT:**

Current Budget: N/A

Additional Budget: N/A

Funding Source: N/A

(Unrestricted Base, Supplemental, other restricted, etc.)

Current Year Only  Ongoing:

**LCAP/STRATEGIC PLAN:**

Goal: N/A Focus: N/A

Action: N/A

Strategic Plan: N/A

**PREPARED BY:** Frank Camarda, Chief Operations Officer 

**APPROVED BY:** Mellisa Bassanelli, Superintendent of Schools 

MARCH 2024

2024 DEVELOPER FEE JUSTIFICATION STUDY  
FOR  
SAN JUAN UNIFIED SCHOOL DISTRICT

MELISSA BASSANELLI,  
*SUPERINTENDENT*

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DRAFT



## **Executive Summary**

This Developer Fee Justification Study demonstrates that the San Juan Unified School District requires the full statutory impact fee to accommodate impacts from development activity.

A fee of \$4.79 per square foot for residential construction and a fee of \$0.78 per square foot for commercial/industrial construction is currently assessed on applicable permits pulled in the District. The new fee amounts are **\$5.17** per square foot for residential construction and **\$0.84\*** per square foot for commercial/industrial construction. This proposed increase represents \$0.38 per square foot and \$0.06 per square foot for residential and commercial/industrial construction, respectively.

The following table shows the impacts of the new fee amounts:

**Table 1**  
**San Juan Unified**  
**Developer Fee Collection Rates**

<b>Totals</b>	<u>Previous</u>	<u>New</u>	<u>Change</u>
Residential	\$4.79	\$5.17	\$0.38
Commercial/Ind.	\$0.78	\$0.84	\$0.06

\*except for Rental Self Storage facilities in which a fee of \$0.05 per square foot is justified.

The total projected number of housing units to be built over the next five years is 945. The average area per unit is 1,885 square feet. This Study demonstrates a need of \$5.31 per square foot for residential construction.



## **Background**

Education Code Section 17620 allows school districts to assess fees on new and replacement residential and new and replacement commercial construction within their respective boundaries. These fees can be collected without special city or county approval, to fund the construction of new school facilities necessitated by the impact of residential and commercial development activity. In addition, these fees can also be used to fund the reconstruction of school facilities to accommodate students generated from new development projects. Fees are collected immediately prior to the time of the issuance of a building permit by the City or the County.

As new development generates students, additional school facilities or modernization of existing facilities will be needed to house the new students. Because of the high cost associated with constructing school facilities and the District's limited budget, outside funding sources are required for future school construction. State and local funding sources for the construction and/or reconstruction of school facilities are limited.

The authority cited in Education Code Section 17620 states in part "... the governing board of any school district is authorized to levy a fee, charge, dedication or other form of requirement against any development project for the construction or reconstruction of school facilities." The legislation originally established the maximum fee rates at \$1.50 per square foot for residential construction and \$0.25 per square foot for commercial/industrial construction. Government Code Section 65995 provides for an inflationary increase in the fees every two years based on the changes in the Class B construction index. As a result of these adjustments, the fees authorized by Education Code 17620 are currently **\$5.17** per square foot of residential construction and **\$0.84** per square foot of commercial or industrial construction.



### Purpose and Intent

Prior to levying developer fees, a district must demonstrate and document that a reasonable relationship exists between the need for new or reconstructed school facilities and residential, commercial and industrial development. The justification for levying fees is required to address three basic links between the need for facilities and new development. These links or nexus are:

**Burden Nexus:** A district must identify the number of students anticipated to be generated by residential, commercial and industrial development. In addition, the district shall identify the school facility and cost impact of these students.

**Cost Nexus:** A district must demonstrate that the fees to be collected from residential, commercial and industrial development will not exceed the cost of providing school facilities for the students to be generated from the development.

**Benefit Nexus:** A district must show that the construction or reconstruction of school facilities to be funded by the collection of developer fees will benefit the students generated by residential, commercial and industrial development.

The purpose of this Study is to document if a reasonable relationship exists between residential, commercial and industrial development and the need for new and/or modernized facilities in the San Juan Unified School District.

Following in this Study will be figures indicating the current enrollment and the projected development occurring within the attendance boundaries of the San Juan Unified School District. The students generated will then be loaded into existing facilities to the extent of available space. Thereafter, the needed facilities will be determined and an estimated cost will be assigned. The cost of the facilities will then be compared to the area of residential, commercial and industrial development to determine the amount of developer fees justified.



**Enrollment and Impacts**

In 2023/2024 the District's total enrollment (CBEDS) was 38,488 students. The enrollment by grade level is shown here in Table 2.

**Table 2**  
**San Juan Unified**  
**CURRENT ENROLLMENT**

<b>Grade</b>	<b>2023/2024</b>
TK/K	3,095
1	2,773
2	2,908
3	2,931
4	2,961
5	2,923
6	2,796
TK-6 Total	20,387
7	2,899
8	2,937
7-8 Total	5,836
9	2,947
10	3,115
11	2,988
12	3,215
9-12 Total	12,265
TK-12 Total	38,488

This data will be the basis for the enrollment impacts which will be presented later after a review of the development projections and the student generation factors.



**Student Generation Factor**

In determining the impact of new development, the District is required to show how many students will be generated from the new developments. In order to ensure that new development is paying only for the impact of those students that are being generated by new homes and businesses, the student generation factor is applied to the number of new housing units to determine development-related impacts.

The same analysis and student generation rate applicable to new development is applicable to replacement residential and commercial development. In determining the impact of replacement development, the District is required to show how many students will be generated from the replacement developments. In order to ensure that replacement development is paying only for the impact of those students that are being generated by homes and businesses replacing other previously existing homes and businesses, the student generation factor is applied to the number of replacement housing units to determine development-related impacts.

The student generation factor identifies the number of students per housing unit and provides a link between residential construction projects and projections of enrollment. The State-wide factor used by the Office of Public School Construction is 0.70 for grades TK-12. For the purposes of this Study we will use the local factors to determine the students generated from new housing developments. This was done by comparing the number of housing units in the school district to the number of students in the school district as of the 2020 Census. Table 3 shows the student generation factors for the various grade groupings.

**Table 3**  
**San Juan Unified**  
**STUDENT GENERATION FACTORS**

<b><u>Grades</u></b>	<b><u>Students per Household</u></b>
TK-6	0.14605
7-8	0.04344
9-12	0.08909
<b>Total</b>	<b>0.27858</b>



When using the Census data to determine the average district student yield rate, it is not possible to determine which students were living in multi-family units versus single family units. Therefore, only the total average yield rate is shown. The Census data does indicate that **57.6%** of the total housing units within the district boundaries are single family units. It is reasonable to assume that the construction of new housing units would be similar to the current housing stock, which was confirmed by the various planning departments within the school district boundaries, and therefore the overall student generation rate will be used to determine student yields from the projected developments.

#### New Residential Development Impacts

The San Juan Unified School District has experienced an average new residential construction rate of approximately 189 units per year over the past four years. This was determined by reviewing the residential permits pulled and school development impact fees paid to the District. After contacting each of the planning departments within the school district boundaries, it was determined that the residential construction rate over the next five years will average 189 units per year. Projecting the average rate forward, we would expect that 945 units of residential housing will be built within the District boundaries over the next five years as shown here:

#### **New Development Housing Projections**

<u>Planning Area</u>	<u># of Units</u>
City of Citrus Heights	615
Sacramento County	330
<b>Total</b>	<b>945</b>

To determine the impact of residential development, a student projection is done. Applying the student generation factor of 0.2786 to the projected 945 units of residential housing, we expect that 263 students will be generated from the new residential construction over the next five years. This includes 138 elementary school students, 41 middle school students, and 84 high school students.

The following table shows the projected impact of new development. The students generated by development will be utilized to determine the facility cost impacts to the school district.



**Table 4**  
**San Juan Unified**  
**DEVELOPMENT IMPACT ANALYSIS**

<u>Grades</u>	<u>Generation Rate</u>	<u>Students Generated</u>
TK to 6	0.1460	138
7 to 8	0.0434	41
9 to 12	0.0891	84
<b>Totals</b>	<b>0.2786</b>	<b>263</b>

#### **Existing Facility Capacity**

To determine the need for additional school facilities, the capacity of the existing facilities must be identified and compared to current and anticipated enrollments. The District's existing building capacity will be calculated using the State classroom loading standards shown in Table 6. The following types of "support-spaces" necessary for the conduct of the District's comprehensive educational program, are not included as "teaching stations," commonly known as "classrooms" to the public:

**Table 5**  
**List of Core and Support Facilities**

Library	Resource Specialist
Multipurpose Room	Gymnasium
Office Area	Lunch Room
Staff Workroom	P.E. Facilities

Because the District requires these types of support facilities as part of its existing facility and curriculum standards at its schools, new development's impact must not materially or adversely affect the continuance of these standards. Therefore, new development cannot require that the District house students in these integral support spaces.

#### **Classroom Loading Standards**

The following maximum classroom loading-factors are used to determine teaching-station "capacity," in accordance with the State legislation and the State School Building Program. These



capacity calculations are also used in preparing and filing the baseline school capacity statement with the Office of Public School Construction.

**Table 6**  
**State Classroom Loading Standards**

TK/Kindergarten	25 Students/Classroom
1 <sup>st</sup> -3 <sup>rd</sup> Grades	25 Students/Classroom
4 <sup>th</sup> -6 <sup>th</sup> Grades	25 Students/Classroom
7 <sup>th</sup> -8 <sup>th</sup> Grades	27 Students/Classroom
9 <sup>th</sup> -12 <sup>th</sup> Grades	27 Students/Classroom

Existing Facility Capacity

The State determines the baseline capacity by either loading all permanent teaching stations plus a maximum number of portables equal to 25% of the number of permanent classrooms or by loading all permanent classrooms and only portables that are owned or have been leased for over 5 years. As allowed by law and required by the State, facility capacities are calculated by identifying the number of teaching stations at each campus. All qualified teaching stations were included in the calculation of the capacities at the time the initial inventory was calculated. To account for activity and changes since the baseline was established in 1998/99, the student grants (which represent the seats added either by new schools or additions to existing schools) for new construction projects funded by OPSC have been added. Using these guidelines the District's current State calculated capacity is shown in Table 7.

**Table 7**  
**San Juan Unified**  
**Summary of Existing Facility Capacity**

<u>School Facility</u>	Total District Capacity
Grades TK-6	22,678
Grades 7-8	6,263
Grades 9-12	13,227
Totals	42,168



The District has not participated in the State Building Program for any new construction projects and therefore has not established a State capacity as of this time. The State capacity can sometimes be lower than the District capacity as the State capacity limits the number of portable classrooms that are counted towards the total capacity.

As Table 7 shows, the total District capacity of the District facilities is 42,168 students.

**Unhoused Students by State Housing Standards**

This next table compares the facility capacity with the space needed to determine if there is available space for new students from the projected developments. The space needed was determined by reviewing the historic enrollments over the past four years along with the projected enrollment in five years to determine the number of seats needed to house the students within the existing homes. The seats needed were determined individually for each grade grouping. The projected enrollment in the space needed analysis did not include the impact of any new housing units.

**Table 8**  
**San Juan Unified**  
**Summary of Available District Capacity**

<u>School Facility</u>	<u>District Capacity</u>	<u>Space Needed</u>	<u>Available Capacity</u>
Grades TK-6	22,678	21,752	926
Grades 7-8	6,263	6,031	232
Grades 9-12	13,227	12,640	587
Totals	42,168	40,423	1,745

The District capacity of 42,168 is more than the space needed of 40,423, assuming the existing facilities remain in sufficient condition to maintain existing levels of service. The difference is 1,745 students.

**Calculation of Development's Fiscal Impact on Schools**

This section of the Study will demonstrate that a reasonable relationship exists between residential, commercial/industrial development and the need for school facilities in the San Juan Unified School District. To the extent this relationship exists, the District is justified in levying developer fees as authorized by Education Code Section 17620.



**New Construction Costs**

The available capacity on the previous page indicates that additional new school facilities are not needed. Therefore, the costs for new schools or new classrooms at existing schools are not included in the study. However, it is possible that development in a specific area can exceed the capacity of the neighborhood school. In this instance the district may decide to build new facilities instead of housing students in a school that is farther away. In this case, the use of the fees is still justified as the students generated by the new development are being housed in new facilities which directly benefits the students from new development.

**Reconstruction/Modernization Costs**

In addition to any new facilities needed, there is also a need to reconstruct or modernize existing facilities in order to maintain the existing levels of service as students from new development continue to arrive in the District's facilities. In order to generate capacity, it may also be necessary to reopen closed school facilities. Such reopening often requires reconstruction in order to provide the District's existing level of service. For purposes of this report, the analysis of modernization/reconstruction includes the possible reopening and refurbishing of closed or unused school facilities.

California has made a significant investment in school facilities through grants provided to help extend the useful life of public schools. The State's largest funding source for public school modernization projects, the School Facilities Program (SFP), requires a minimum local funding contribution of 40% of SFP-eligible costs. The State may provide up to 60% of the eligible costs at those times that State funding is available. However, SFP modernization grants frequently, if not usually, fall short of providing 60% of the actual costs for major modernizations. In the best cases, developer fees can help meet the District's required 40% local share. In many cases, developer fees may be necessary to supplement both the State's and the school district's contribution to a project.

Buildings generate eligibility for State reconstruction/modernization funding once they reach an age of 25 years old for permanent buildings and 20 years old for portables. The usable life of school facilities is an important consideration in determining district facility needs into the future. The specific time when the projected residential developments will be built cannot be precisely predicted. Some new homes may be immediately occupied by families with school aged children, while others may be immediately occupied who will have school-aged children in five to ten years. As a result of these variables, for each new home, the District must be prepared to house the students



residing there for an extended period of time. Students generated by the next five years of development will need to be accommodated in District schools for a significant amount of time that could exceed twenty years. Thus, the District will need to ensure that it has facilities in place for future decades.

As evidenced by the State Building program's use of the criteria that buildings older than twenty-five years (and portables older than twenty years) are eligible for modernization funds, school buildings require reconstruction/modernization to remain in use for students beyond the initial twenty to twenty-five years of life of those buildings. To the extent that the District has buildings older than twenty to twenty-five years old, the point will be reached without reconstruction/modernization that those buildings will no longer be able to provide the existing level of service to students, and may, in some circumstances, need to be closed entirely for health and safety reasons. However, because of the new development, reconstruction/modernization must occur in order to have available school housing for the students generated from development.

The following table shows the District's eligibility for modernization/reconstruction funding in the State Building Program.

**Table 9**

**Modernization Project Needs**

<b>School</b>	<b>Eligible Modernization Grants</b>				<b>State Funding</b>	<b>District Share</b>	<b>Project Total</b>
	<b>Elem</b>	<b>Middle</b>	<b>High</b>	<b>Spec Ed</b>			
Del Paso Manor	90	0	0	0	\$639,068	\$426,046	\$1,065,113
Dyer Kelly	410	0	0	0	\$2,615,862	\$1,743,908	\$4,359,769
Grand Oaks	100	0	0	0	\$710,075	\$473,383	\$1,183,458
Greer	395	0	0	0	\$2,520,159	\$1,680,106	\$4,200,265
Kenneth	383	0	0	0	\$2,443,597	\$1,629,065	\$4,072,662
Leggette	675	0	0	0	\$4,306,601	\$2,871,068	\$7,177,669
Lichen	330	0	0	0	\$2,105,450	\$1,403,634	\$3,509,083
Mariposa	150	0	0	0	\$993,053	\$662,036	\$1,655,088
Northridge	111	0	0	0	\$734,859	\$489,906	\$1,224,765
Sierra Oaks	100	0	0	0	\$710,075	\$473,383	\$1,183,458
Starr King	634	172	0	0	\$5,203,521	\$3,469,014	\$8,672,535
Sunrise	100	0	0	0	\$710,075	\$473,383	\$1,183,458
Andrew Carnegie Middle	0	103	0	0	\$719,919	\$479,946	\$1,199,864
Arden Middle	0	830	0	0	\$5,590,465	\$3,726,977	\$9,317,442
Barrett Middle	0	672	0	0	\$4,526,256	\$3,017,504	\$7,543,760
Sylvan Middle	0	505	0	0	\$3,401,428	\$2,267,619	\$5,669,046
Casa Roble High	0	0	275	0	\$2,408,849	\$1,605,899	\$4,014,748
Del Campo High	0	0	185	0	\$1,682,029	\$1,121,353	\$2,803,382
El Camino Fundamental High	0	0	1197	0	\$10,485,062	\$6,990,041	\$17,475,103
Mira Loma High	0	0	835	0	\$7,314,141	\$4,876,094	\$12,190,235
Rio Americano High	0	0	55	0	\$536,649	\$357,766	\$894,415
San Juan High	0	0	605	0	\$5,299,467	\$3,532,978	\$8,832,445
<b>TOTALS</b>	<b>3478</b>	<b>2282</b>	<b>3152</b>	<b>0</b>	<b>\$65,656,657</b>	<b>\$43,771,106</b>	<b>\$109,427,763</b>



The District prepared a Facility Master Plan in 2014 that identified \$554,508,067 in “Facility Condition Improvement Projects” plus an additional \$837,574,311 in “Master Plan Improvement Projects”. The grand total facility needs identified were in excess of \$2.4 billion. The identified facility needs exceed the eligibility for modernization projects in the State Building Program.

**Table 10**  
**New Development Share of Modernization Costs**

<b>Grade</b>	<b>Eligible Modernization</b>		<b>New Development Impacts</b>	
	<b>Grants</b>	<b>Students</b>	<b>\$/Student</b>	<b>Amount</b>
<b>TK-6</b>	3,478	138	\$32,106	\$4,430,628
<b>7-8</b>	2,282	41	\$34,038	\$1,395,558
<b>9-12</b>	3,152	84	\$43,184	\$3,627,456
<b>Totals</b>	<b>8,912</b>	<b>263</b>		<b>\$9,453,642</b>

**Includes students from new developments not housed in new facilities.**  
**Amounts based on State OPSC allowances for new construction projects.**

This data is used to show that there are significant needs within the school District to invest in its existing facilities. Without modernizing its schools, the District could be forced to begin closing some of its buildings and schools.

To accurately account for the amount of the modernization projects attributed to the impact of new developments, only the students from new developments that were not already housed in new facilities are included in the net needs for modernization projects. As can be seen in the charts, the net modernization needs due to new development impacts are much less than the total District modernization needs.

#### Impact of New Residential Development

This next table compares the development-related enrollment to the available district capacity for each grade level and then multiplies the unhoused students by the new school construction costs to determine the total school facility costs related to the impact of new residential housing developments.

The modernization needs are included for the students not housed in new facilities but who would be housed in existing facilities that are eligible for and need to be modernized to provide adequate housing and to maintain the existing level of service for the students generated by development.



**Table 11**

**San Juan Unified  
Summary of Residential Impact**

School Facility	Students Generated	Available Space	Net Unhoused	Construction Cost Per Student	Total Facility Costs
Elementary	138	926	0	\$32,106	\$0
Middle	41	232	0	\$34,038	\$0
High & Cont.	84	587	0	\$43,184	\$0
Site Purchase:	0.0 acres				\$0
Site Development:					\$0
				<b>New Construction needs due to development:</b>	<b>\$0</b>
				<b>Modernization needs due to development:</b>	<b>\$9,453,642</b>
				<b>TOTAL DEVELOPMENT IMPACT:</b>	<b>\$9,453,642</b>
				<b>Average cost per student:</b>	<b>\$35,945</b>
				<b>Total Residential Sq Ft:</b>	<b>1,781,325</b>
				<b>Residential Fee Justified:</b>	<b>\$5.31</b>

The total need for school facilities based solely on the impact of the 945 new housing units projected over the next five years totals \$9,453,642. To determine the impact per square foot of residential development, this amount is divided by the total square feet of the projected developments. As calculated from the historic Developer Fee Permits, the average size home built has averaged 1,885 square feet. The total area for 945 new homes would therefore be 1,781,325 square feet. The total residential fee needed to be able to collect \$9,453,642 would be **\$5.31** per square foot.

**Impact of Other Residential Development**

In addition to new residential development projects that typically include new single family homes and new multi-family units, the District can also be impacted by additional types of new development projects. These include but are not limited to redevelopment projects, additions to existing housing units, and replacement of existing housing units with new housing units.



These development projects are still residential projects and therefore it is reasonable to assume they would have the same monetary impacts per square foot as the new residential development projects. However, the net impact is reduced due to the fact that there was a previous residential building in its place. Therefore, the development impact fees should only be charged for other residential developments if the new building(s) exceed the square footage area of the previous building(s). If the new building is larger than the existing building, then it is reasonable to assume that additional students could be generated by the project. The project would only pay for the development impact fees for the net increase in assessable space generated by the development project. Education Code allows for an exemption from development impacts fees for any additions to existing residential structures that are 500 square feet or less.

Pursuant to the above, in situations where there is no increase in square footage of the replacement development, if student yield rates of the replacement development are equal to or less than the student yield rates of the preexisting development, then there are no additional students and therefore no fee may be charged on the replacement development. In contrast, if one or more of the student yield rates of the replacement development is greater than the student yield rates of the preexisting development, then there are additional students and cost impacts, and therefore a fee may be charged on the replacement development.

#### Impact of Commercial/Industrial Development

There is a correlation between the growth of commercial/industrial firms/facilities within a community and the generation of school students within most business service areas. Fees for commercial/industrial can only be imposed if the residential fees will not fully mitigate the cost of providing school facilities to students from new development.

The approach utilized in this section is to apply statutory standards, U.S. Census employment statistics, and local statistics to determine the impact of future commercial/industrial development projects on the District. Many of the factors used in this analysis were taken from the U.S. Census, which remains the most complete and authoritative source of information on the community in addition to the “1990 SanDAG Traffic Generators Report”.

#### Employees per Square Foot of Commercial Development

Results from a survey published by the San Diego Association of Governments “1990 San DAG Traffic Generators” are used to establish numbers of employees per square foot of building area to be



anticipated in new commercial or industrial development projects. The average number of workers per 1,000 square feet of area ranges from 0.06 for Rental Self Storage to 4.79 for Standard Commercial Offices. The generation factors from that report are shown in the following table.

**Table 12**

<b>Commercial/Industrial Category</b>	<b>Average Square Foot Per Employee</b>	<b>Employees Per Average Square Foot</b>
Banks	354	0.00283
Community Shopping Centers	652	0.00153
Neighborhood Shopping Centers	369	0.00271
Industrial Business Parks	284	0.00352
Industrial Parks	742	0.00135
Rental Self Storage	15541	0.00006
Scientific Research & Development	329	0.00304
Lodging	882	0.00113
Standard Commercial Office	209	0.00479
Large High Rise Commercial Office	232	0.00431
Corporate Offices	372	0.00269
Medical Offices	234	0.00427

*Source: 1990 SanDAG Traffic Generators report*

Students per Employee

The number of students per employee is determined by using the S0802: Means of Transportation to Work by Selected Characteristics 2018-2022 American Community Survey 5-Year Estimates and DP1: Profile of General Population and Housing Characteristics 2020: DEC Demographic Profile for the District. There were 162,451 employees and 141,593 homes in the District. This represents a ratio of 1.1473 employees per home.

There were 39,445 school age children attending the District in 2020. This is a ratio of 0.2428 students per employee. This ratio, however, must be reduced by including only the percentage of employees that worked in their community of residence (35.5%), because only those employees living in the District will impact the District's school facilities with their children. The net ratio of students per employee in the District is 0.0862.

School Facilities Cost per Student

Facility costs for housing commercially generated students are the same as those used for residential construction. The cost factors used to assess the impact from commercial development projects are contained in Table 11.



### Residential Offset

When additional employees are generated in the District as a result of new or replacement commercial/industrial development, fees will also be charged on the residential units necessary to provide housing for the employees living in the District. To prevent a commercial or industrial development from paying for the portion of the impact that will be covered by the residential fee, this amount has been calculated and deducted from each category. The residential offset amount is calculated by multiplying the following factors together and dividing by 1,000 (to convert from cost per 1,000 square feet to cost per square foot).

- Employees per 1,000 square feet (varies from a low of 0.06 for rental self storage to a high of 4.79 for office building).
- Percentage of employees that worked in their community of residence (35.5 percent).
- Housing units per employee (0.8716). This was derived from the 2018-2022 ACS 5 Year Estimates and DP1 data for the District, which indicates there were 141,593 housing units and 162,451 employees.
- Percentage of employees that will occupy new housing units (75 percent).
- Average square feet per dwelling unit (1,885).
- Residential fee charged by the District (\$5.17 per square foot).
- Average cost per student was determined in Table 11.

The following table shows the calculation of the school facility costs generated by a square foot of new commercial/industrial development for each category of development.

**Table 13**

<b>Type</b>	<b>San Juan Unified</b>						
	<b>Summary of Commercial and Industrial Uses</b>						
	<b>Employees per 1,000 <u>Sq. Ft.</u></b>	<b>Students per <u>Employee</u></b>	<b>Students per <u>1,000 Sq. Ft.</u></b>	<b>Average Cost per <u>Student</u></b>	<b>Cost per <u>Sq. Ft.</u></b>	<b>Residential offset per <u>Sq. Ft.</u></b>	<b>Net Cost per <u>Sq. Ft.</u></b>
Banks	2.83	0.0862	0.244	\$35,945	\$8.77	\$6.40	\$2.37
Community Shopping Centers	1.53	0.0862	0.132	\$35,945	\$4.74	\$3.46	\$1.28
Neighborhood Shopping Centers	2.71	0.0862	0.234	\$35,945	\$8.40	\$6.13	\$2.27
Industrial Business Parks	3.52	0.0862	0.303	\$35,945	\$10.91	\$7.96	\$2.95
Industrial Parks	1.35	0.0862	0.116	\$35,945	\$4.18	\$3.05	\$1.13
Rental Self Storage	0.06	0.0862	0.005	\$35,945	\$0.19	\$0.14	\$0.05
Scientific Research & Development	3.04	0.0862	0.262	\$35,945	\$9.42	\$6.88	\$2.54
Lodging	1.13	0.0862	0.097	\$35,945	\$3.50	\$2.56	\$0.94
Standard Commercial Office	4.79	0.0862	0.413	\$35,945	\$14.84	\$10.83	\$4.01
Large High Rise Commercial Office	4.31	0.0862	0.372	\$35,945	\$13.35	\$9.75	\$3.60
Corporate Offices	2.69	0.0862	0.232	\$35,945	\$8.33	\$6.08	\$2.25
Medical Offices	4.27	0.0862	0.368	\$35,945	\$13.23	\$9.66	\$3.57

\*Based on 1990 SanDAG Traffic Generator Report



**Net Cost per Square Foot**

Since the State Maximum Fee is now \$0.84 for commercial/industrial construction, the District is justified in collecting the maximum fee for all categories with the exception of Rental Self Storage. The District can only justify collection of \$0.05 per square foot of Rental Self Storage construction.

**Impact of Replacement/Reconstruction Projects**

This section provides clarification for the process of charging fees for projects that consist of replacement of existing structures with new buildings.

**Residential to Residential:** When a residential building is replaced with a residential building, the regulations state that the school impact fees will only be charged for the net increase in area if the net increase is greater than 500 square feet.

**Commercial to Commercial:** When a commercial building is replaced with a commercial building, the impact fees charged will be for the net increase in building area and when such increase is linked to an increase in students generated by the replacement development compared to the preexisting development. Fees may also be charged when there is no net increase in building area but there is an increase in the students to be generated by the replacement development when compared to the preexisting development. In order for the new building to get credit for the area of the existing building to be demolished, it needs to be in existence when the building permit for the replacement building is issued.

Table 13 illustrates the students generated per 1,000 square feet by the various types of commercial developments. When one type of development is being replaced by a type that generates more students, then there is an increase in students generated that results in the justification of development fees for the projects impact on schools. By comparing the net cost impacts between the two types of construction as shown in the table, then the difference between the two rates is the net increase in impact. That amount would be the fee that would be charged for commercial replacement projects with a not to exceed amount of \$0.84 which is the current maximum commercial rate.

**Commercial to Residential:** When a commercial building is replaced with residential construction, the school impact fees should be an amount equal to the difference between the current residential and current commercial rates for up to the total area of the existing commercial building(s). Any construction area that exceeds the area of the existing buildings will be subject to the standard



residential fees. This process gives a credit for the school impacts of the commercial buildings. The net school impact fees paid will address the increased impact of residential construction as compared to commercial construction. The net charge for conversion of commercial space to residential space is \$5.17 (residential) - \$0.84 (commercial) = \$4.33 per square foot. This same impact fee process is charged when senior housing complexes (which are charged commercial rates) are converted to standard residential units.

**Residential to Commercial:** When a residential building is replaced with a commercial building, no impact fees may be charged unless the students generated by the replacement development is shown to be greater than the preexisting development. In order for the new building to get credit for the area of the existing building to be demolished, it needs to be in existence when the building permit for the replacement building is issued

Each of these specific situations result in the collection of development impact fees in order to address the net increase in impacts on school district facilities as a result of the development project. The methodology the District would use to justify the imposition of fees on replacement developments is illustrated in Appendix F to this Study. Where replacement projects do not fall into any of the categories identified in this Study, those projects will be evaluated on a case-by-case basis.

#### Verifying the Sufficiency of the Development Impact

Education Code Section 17620 requires districts to find that fee revenues will not exceed the cost of providing school facilities to the students generated by the development paying the fees. This section shows that the fee revenues do not exceed the impact of the new development.

The total need for school facilities resulting from new development totals \$9,453,642. The amount the District would collect over the five year period at the maximum rate of \$5.17 for residential and \$0.84 for commercial/industrial development would be as follows:

\$5.17 x 945 homes x 1,885 sq ft per home = \$9,209,450 for Residential

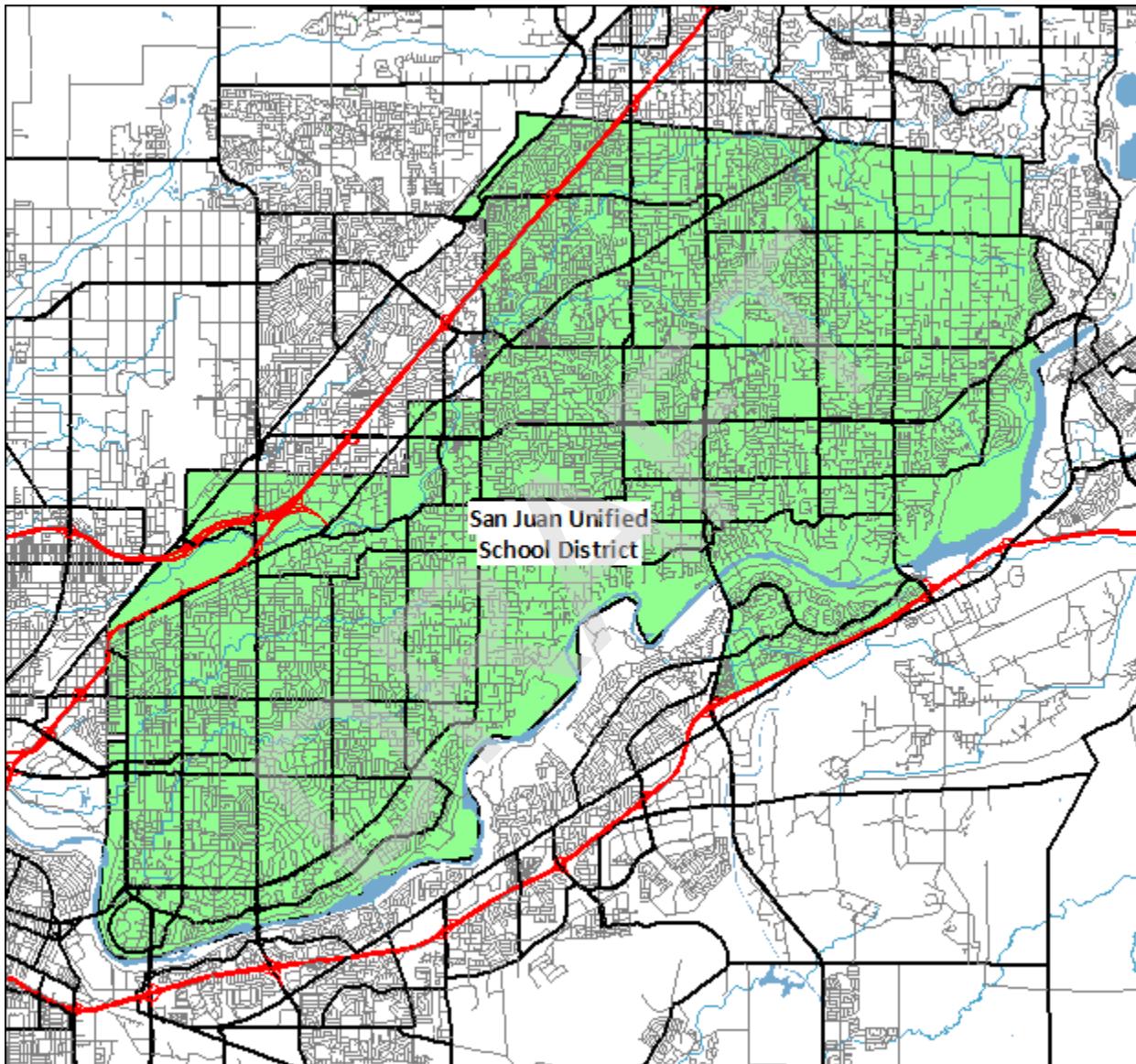
\$0.84 x 50,000 sq ft per year x 5 years = \$210,000 for Commercial/Industrial

Total projected 5 year income: \$9,419,450

The estimated income is less than the projected facility needs due to the impact of new development projects.

### District Map

The following map shows the extent of the areas for which development fees are applicable to the San Juan Unified School District.





## Conclusion

Based on the data contained in this Study, it is found that a reasonable relationship exists between residential, commercial/industrial development and the need for school facilities in the San Juan Unified School District. The following three nexus tests required to show justification for levying fees have been met:

Burden Nexus: New and replacement residential development will generate an average of 0.2786 TK-12 grade students per unit. Because the District does not have adequate facilities for all the students generated by new developments, the District will need to build additional facilities and/or modernize/reconstruct the existing facilities in order to maintain the existing level of services in which the new students will be housed.

Cost Nexus: The cost to provide new and reconstructed facilities is an average of \$5.31 per square foot of residential development. Each square foot of residential development will generate \$5.17 in developer fees resulting in a shortfall of \$0.14 per square foot.

Benefit Nexus: The developer fees to be collected by the San Juan Unified School District will be used for the provision of new and reconstructed or modernized school facilities. This will benefit the students to be generated by new and replacement development by providing them with adequate educational school facilities.

The District's planned use of the fees received from development impacts will include the following types of projects, each of which will benefit students from new developments.

- 1) **New Schools:** When there is enough development activity occurring in a single area, the District will build a new school to house the students from new developments.
  
- 2) **Additions to Existing Schools:** When infill development occurs, the District will accommodate students at existing schools by building needed classrooms and/or support facilities such as cafeterias, restrooms, gyms and libraries as needed to increase the school capacity. Schools may also need upgrades of the technology and tele-communication systems to be able to increase their capacity.



- 3) Portable Replacement Projects: Some of the District's capacity is in portables and therefore may not be included in the State's capacity calculations. These portables can be replaced with new permanent or modular classrooms to provide adequate space for students from new developments. These projects result in an increase to the facility capacity according to State standards. In addition, old portables that have reached the end of their life expectancy, will need to be replaced to maintain the existing level of service. These types of projects are considered modernization projects in the State Building Program. If development impacts did not exist, the old portables could be removed.
- 4) Modernization/Upgrade Projects: In many cases, students from new developments are not located in areas where new schools are planned to be built. The District plans to modernize or upgrade older schools to be equivalent to new schools so students will be housed in equitable facilities to those students housed in new schools. These projects may include updates to the building structures to meet current building standards, along with upgrades to the current fire and safety standards and any access compliance standards.

The District plans to use the developer fees on the projects in their Facility Master Plan that in 2014 identified \$554,508,067 in "Facility Condition Improvement Projects" plus an additional \$837,574,311 in "Master Plan Improvement Projects". The grand total facility needs identified were in excess of \$2.4 billion.

The reasonable relationship identified by these findings provides the required justification for the San Juan Unified School District to levy the maximum fees of **\$5.17** per square foot for residential construction and **\$0.84** per square foot for commercial/industrial construction, except for Rental Self Storage facilities in which a fee of **\$0.05** per square foot is justified as authorized by Education Code Section 17620.

# Appendices

2024 Developer Fee Justification Study

San Juan Unified School District

# PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS



Note: This is a modified view of the original table produced by the U.S. Census Bureau. This download or printed version may have missing information from the original table.

San Juan Unified School District, California		
Label	Count	Percent
➤ SEX AND AGE		
➤ MEDIAN AGE BY SEX		
➤ RACE		
➤ TOTAL RACES TALLIED [1]		
➤ HISPANIC OR LATINO		
➤ HISPANIC OR LATINO BY RACE		
➤ RELATIONSHIP		
➤ HOUSEHOLDS BY TYPE		
➤ HOUSING OCCUPANCY		
▼ Total housing units	147,528	100.0%
Occupied housing units	141,593	96.0%
Vacant housing units	5,935	4.0%
For rent	2,808	1.9%
Rented, not occupied	179	0.1%
For sale only	818	0.6%
Sold, not occupied	297	0.2%
For seasonal, recreational, or	410	0.3%
All other vacants	1,423	1.0%
▼ VACANCY RATES		
Homeowner vacancy rate (percent)	1.0	(X)
Rental vacancy rate (percent) [5]	4.3	(X)
▼ HOUSING TENURE		
▼ Occupied housing units	141,593	100.0%
Owner-occupied housing units	79,132	55.9%
Renter-occupied housing units	62,461	44.1%

## Table Notes

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### PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS

**Survey/Program:** Decennial Census

**Year:** 2020

**Table ID:** DP1

Note: For information on data collection, confidentiality protection, nonsampling error, subject definitions, and guidance on using the data, visit the 2020 Census Demographic and Housing Characteristics File (DHC) Technical Documentation webpage.

To protect respondent confidentiality, data have undergone disclosure avoidance methods which add "statistical noise" - small, random additions or subtractions - to the data so that no one can reliably link the published data to a specific person or household. The Census Bureau encourages data users to aggregate small populations and geographies to improve accuracy and diminish implausible results.

An "(X)" means not applicable.

An "-" means the statistic could not be computed because there were an insufficient number of observations.

[1] The alone or in combination categories are tallies of responses rather than respondents. That is, the alone or in combination categories are not mutually exclusive. Individuals who reported two races were counted in two separate and distinct alone or in combination race categories, while those who reported three races were counted in three categories, and so on. For example, a respondent who indicated "White and

Black or African American" was counted in the White alone or in combination category as well as in the Black or African American alone or in combination category. Consequently, the sum of all alone or in combination categories equals the number of races reported (i.e., responses), which exceeds the total population.

[2] "Child" includes biological, adopted, and stepchildren of the householder.

[3] "Own children" includes biological, adopted, and stepchildren of the householder.

[4] The homeowner vacancy rate is the proportion of the homeowner inventory that is vacant "for sale." It is computed by dividing the total number of vacant units "for sale only" by the sum of owner-occupied units, vacant units that are "for sale only," and vacant units that have been sold but not yet occupied; and then multiplying by 100.

[5] The rental vacancy rate is the proportion of the rental inventory that is vacant "for rent." It is computed by dividing the total number of vacant unit "for rent" by the sum of the renter-occupied units, vacant units that are "for rent," and vacant units that have been rented but not yet occupied; and then multiplying by 100.

Source: U.S. Census Bureau, 2020 Census Demographic Profile

# Selected Housing Characteristics

Note: This is a modified view of the original table produced by the U.S. Census Bureau. This download or printed version may have missing information from the original table.

		San Juan Unified School District, California			
Label		Estimate	Margin of Error	Percent	Percent Margin of Err
▼ HOUSING OCCUPANCY					
▼ Total housing units		145,936	±1,509	145,936	(
Occupied housing units		139,201	±1,577	95.4%	±C
Vacant housing units		6,735	±707	4.6%	±C
Homeowner vacancy rate		1.0	±0.4	(X)	(
Rental vacancy rate		4.4	±0.8	(X)	(
▼ UNITS IN STRUCTURE					
▼ Total housing units		145,936	±1,509	145,936	(
1-unit, detached		84,100	±1,351	57.6%	±C
1-unit, attached		12,152	±972	8.3%	±C
2 units		3,040	±468	2.1%	±C
3 or 4 units		9,093	±845	6.2%	±C
5 to 9 units		10,633	±899	7.3%	±C
10 to 19 units		5,608	±575	3.8%	±C
20 or more units		18,101	±869	12.4%	±C
Mobile home		3,052	±391	2.1%	±C
Boat, RV, van, etc.		157	±70	0.1%	±(
▼ YEAR STRUCTURE BUILT					
▼ Total housing units		145,936	±1,509	145,936	(

# Table Notes

---

## Selected Housing Characteristics

**Survey/Program:** American Community Survey

**Year:** 2022

**Estimates:** 5-Year

**Table ID:** DP04

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, the decennial census is the official source of population totals for April 1st of each decennial year. In between censuses, the Census Bureau's Population Estimates Program produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.

Information about the American Community Survey (ACS) can be found on the ACS website. Supporting documentation including code lists, subject definitions, data accuracy, and statistical testing, and a full list of ACS tables and table shells (without estimates) can be found on the Technical Documentation section of the ACS website.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the [Methodology](#) section.

Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.

Households not paying cash rent are excluded from the calculation of median gross rent.

Telephone service data are not available for certain geographic areas due to problems with data collection of this question that occurred in 2019. Both ACS 1-year and ACS 5-year files were affected may take several years in the ACS 5-year files until the estimates are available for the geographic areas affected.

The 2018-2022 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.

Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on 2020 Census data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Explanation of Symbols:

-

The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest inter or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.

N

The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area.

(X)

The estimate or margin of error is not applicable or not available.

median-

The median falls in the lowest interval of an open-ended distribution (for example "2,500-")

median+

The median falls in the highest interval of an open-ended distribution (for example "250,000+").

\*\*

The margin of error could not be computed because there were an insufficient number of sample observations.

\*\*\*

The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.

\*\*\*\*

A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.

# Means of Transportation to Work by Selected Characteristics

Note: This is a modified view of the original table produced by the U.S. Census Bureau. This download or printed version may have missing information from the original table.

Label	San Juan Unified School District, California	Total	Car, truck, van, SUV, or minivan
		Estimate	Margin of Error
➤ Workers 16 years and over		162,451	±3,107
➤ EARNINGS IN THE PAST 12 MONTHS (IN 2022 INFLATION-ADJUSTED DOLLARS) FOR WORKERS			
➤ POVERTY STATUS IN THE PAST 12 MONTHS			
➤ Workers 16 years and over		162,451	±3,107
➤ Workers 16 years and over who did not work from home		137,318	±2,883
➤ TIME OF DEPARTURE TO GO TO WORK			
➤ TRAVEL TIME TO WORK			
Less than 10 minutes		8.7%	±0.6
10 to 14 minutes		10.7%	±0.7
15 to 19 minutes		16.1%	±0.9
20 to 24 minutes		18.7%	±0.9
25 to 29 minutes		8.3%	±0.6
30 to 34 minutes		17.9%	±0.8
35 to 44 minutes		6.9%	±0.5
45 to 59 minutes		5.9%	±0.5
60 or more minutes		7.0%	±0.6
Mean travel time to work (minutes)		27.0	±0.6
➤ Workers 16 years and over in households		162,112	±3,078

# Table Notes

## Means of Transportation to Work by Selected Characteristics

**Survey/Program:** American Community Survey

**Year:** 2022

**Estimates:** 5-Year

**Table ID:** S0802

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, the decennial census is the official source of population totals for April 1st of each decennial year. In between censuses, the Census Bureau's Population Estimates Program produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.

Information about the American Community Survey (ACS) can be found on the ACS website. Supporting documentation including code lists, subject definitions, data accuracy, and statistical testing, and a full list of ACS tables and table shells (without estimates) can be found on the Technical Documentation section of the ACS website.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the [Methodology](#) section.

Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.

Foreign born excludes people born outside the United States to a parent who is a U.S. citizen.

Workers include members of the Armed Forces and civilians who were at work last week.

Industry titles and their 4-digit codes are based on the 2017 North American Industry Classification System. The Industry categories adhere to the guidelines issued in Clarification Memorandum No. "NAICS Alternate Aggregation Structure for Use By U.S. Statistical Agencies," issued by the Office of Management and Budget.

Occupation titles and their 4-digit codes are based on the 2018 Standard Occupational Classification.

When information is missing or inconsistent, the Census Bureau logically assigns an acceptable value using the response to a related question or questions. If a logical assignment is not possible, data are filled using a statistical process called allocation, which uses a similar individual or household to provide a donor value. The "Allocated" section is the number of respondents who received an allocated value for a particular subject.

Several means of transportation to work categories were updated in 2019. For more information, see: Change to Means of Transportation.

In 2019, methodological changes were made to the class of worker question. These changes involved modifications to the question wording, the category wording, and the visual format of the categories on the questionnaire. The format for the class of worker categories are now listed under the headings "Private Sector Employee," "Government Employee," and "Self-Employed or Other." Additionally, the category of Active Duty was added as one of the response categories under the "Government Employee" section for the mail questionnaire. For more detailed information about the

The 2018-2022 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.

Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on 2020 Census data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Explanation of Symbols:

-

The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest inter or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.

N

The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area.

(X)

The estimate or margin of error is not applicable or not available.

median-

The median falls in the lowest interval of an open-ended distribution (for example "2,500-")

median+

The median falls in the highest interval of an open-ended distribution (for example "250,000+").

\*\*

The margin of error could not be computed because there were an insufficient number of sample observations.

\*\*\*

The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.

\*\*\*\*

A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.

**SchoolWorks, Inc.**  
*8700 Auburn Folsom Road, #200  
 Granite Bay, CA 95746  
 916.733.0402*



## Use of Developer Fees:

A School District can use the revenue collected on residential and commercial/industrial construction for the purposes listed below:

- Purchase or lease of interim school facilities to house students generated by new development pending the construction of permanent facilities.
- Purchase or lease of land for school facilities for such students.
- Acquisition of school facilities for such students, including:
  - Construction
  - Modernization/reconstruction
  - Architectural and engineering costs
  - Permits and plan checking
  - Testing and inspection
  - Furniture, Equipment and Technology for use in school facilities
- Legal and other administrative costs related to the provision of such new facilities
- Administration of the collection of, and justification for, such fees, and
- Any other purpose arising from the process of providing facilities for students generated by new development.

Following is an excerpt from the Education Code that states the valid uses of the Level 1 developer fees. It refers to construction and reconstruction. The term reconstruction was originally used in the Leroy Greene program. The term modernization is currently used in the 1998 State Building Program and represents the same scope of work used in the original reconstruction projects.

**Ed Code Section 17620.** (a) (1) The governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities, subject to any limitations set forth in Chapter 4.9 (commencing with Section 65995) of Division 1 of Title 7 of the Government Code. This fee, charge, dedication, or other requirement may be applied to construction only as follows: ...

The limitations referred to in this text describe the maximum amounts that can be charged for residential and commercial/industrial projects and any projects that qualify for exemptions. They do not limit the use of the funds received.

# SchoolWorks, Inc.

8700 Auburn Folsom Road, Suite 200  
Granite Bay, CA 95746

916.733.0402

Attachment A



## Determination of Average State allowed amounts for Site Development Costs

Elementary Schools			Original OPSC Site Development				2009 Adjusted		
<u>District</u>	<u>Project #</u>	<u>Acres</u>	<u>Development</u>	<u>Inflation Factor</u>	<u>Site Development</u>	<u>Project Year</u>	<u>Cost/Acre</u>	<u>2009</u>	
Davis Jt Unified	3	9.05	\$532,282	38.4%	\$1,473,469	2004	\$162,814		
Dry Creek Jt Elem	2	8.5	\$516,347	46.2%	\$1,509,322	2002	\$177,567		
Dry Creek Jt Elem	5	11.06	\$993,868	20.1%	\$2,387,568	2006	\$215,874		
Elk Grove Unified	5	12.17	\$556,011	48.2%	\$1,648,316	2001	\$135,441		
Elk Grove Unified	10	11	\$690,120	48.2%	\$2,045,888	2001	\$185,990		
Elk Grove Unified	11	10	\$702,127	48.2%	\$2,081,483	2001	\$208,148		
Elk Grove Unified	14	10	\$732,837	46.2%	\$2,142,139	2002	\$214,214		
Elk Grove Unified	16	9.86	\$570,198	46.2%	\$1,666,733	2002	\$169,040		
Elk Grove Unified	17	10	\$542,662	46.2%	\$1,586,243	2002	\$158,624		
Elk Grove Unified	20	10	\$710,730	43.2%	\$2,034,830	2003	\$203,483		
Elk Grove Unified	25	10	\$645,923	38.4%	\$1,788,052	2004	\$178,805		
Elk Grove Unified	28	10.03	\$856,468	24.4%	\$2,130,974	2005	\$212,460		
Elk Grove Unified	39	9.91	\$1,007,695	20.1%	\$2,420,785	2006	\$244,277		
Folsom-Cordova Unified	1	9.79	\$816,196	20.1%	\$1,960,747	2006	\$200,281		
Folsom-Cordova Unified	4	7.5	\$455,908	46.2%	\$1,332,654	2002	\$177,687		
Folsom-Cordova Unified	5	8	\$544,213	46.2%	\$1,590,776	2002	\$198,847		
Folsom-Cordova Unified	8	8.97	\$928,197	11.2%	\$2,063,757	2007	\$230,073		
Galt Jt Union Elem	2	10.1	\$1,033,044	38.4%	\$2,859,685	2004	\$283,137		
Lincoln Unified	1	9.39	\$433,498	46.2%	\$1,267,148	2002	\$134,947		
Lodi Unified	3	11.2	\$555,999	46.2%	\$1,625,228	2002	\$145,110		
Lodi Unified	10	11.42	\$1,245,492	46.2%	\$3,640,669	2002	\$318,798		
Lodi Unified	19	9.93	\$999,164	11.2%	\$2,221,545	2007	\$223,721		
Lodi Unified	22	10	\$1,416,212	7.7%	\$3,051,426	2008	\$305,143		
Natomas Unified	6	8.53	\$685,284	46.2%	\$2,003,138	2002	\$234,834		
Natomas Unified	10	9.83	\$618,251	43.2%	\$1,770,061	2003	\$180,067		
Natomas Unified	12	9.61	\$735,211	24.4%	\$1,829,275	2005	\$190,351		
Rocklin Unified	8	10.91	\$593,056	46.2%	\$1,733,548	2002	\$158,895		
Stockton Unified	1	12.66	\$1,462,232	7.7%	\$3,150,582	2008	\$248,861		
Stockton Unified	2	10.5	\$781,675	43.2%	\$2,237,946	2003	\$213,138		
Stockton Unified	6	12.48	\$1,136,704	20.1%	\$2,730,703	2006	\$218,806		
Tracy Jt Unified	4	10	\$618,254	46.2%	\$1,807,204	2002	\$180,720		
Tracy Jt Unified	10	10	\$573,006	38.4%	\$1,586,202	2004	\$158,620		
Washington Unified	1	8	\$446,161	46.2%	\$1,304,163	2002	\$163,020		
Washington Unified	4	10.76	\$979,085	7.7%	\$2,109,575	2008	\$196,057		
<b>Totals</b>		<b>341.16</b>			<b>\$68,791,833</b>	Average	<b>\$201,641</b>	<b>\$339,346</b>	
Middle and High Schools			Original OPSC Site Development				2009 Adjusted		
<u>District</u>	<u>Project #</u>	<u>Acres</u>	<u>Development</u>	<u>Inflation Factor</u>	<u>Site Development</u>	<u>Project Year</u>	<u>Cost/Acre</u>	<u>2009</u>	
Western Placer Unified	4	19.3	\$5,973,312	24.4%	\$7,431,085	2005	\$385,030		
Roseville City Elem	2	21.6	\$1,780,588	48.2%	\$2,639,311	2000	\$122,190		
Elk Grove Unified	4	66.2	\$8,659,494	48.2%	\$12,835,704	2000	\$193,893		
Elk Grove Unified	13	76.4	\$9,791,732	48.2%	\$14,513,986	2001	\$189,974		
Elk Grove Unified	18	84.3	\$13,274,562	43.2%	\$19,002,626	2003	\$225,417		
Grant Jt Union High	2	24	\$2,183,840	48.2%	\$3,237,039	2000	\$134,877		
Center Unified	1	21.2	\$1,944,310	46.2%	\$2,841,684	2002	\$134,042		
Lodi Unified	2	13.4	\$1,076,844	46.2%	\$1,573,849	2002	\$117,451		
Lodi Unified	6	13.4	\$2,002,164	46.2%	\$2,926,240	2002	\$218,376		
Galt Jt Union Elem	1	24.9	\$2,711,360	46.2%	\$3,962,757	2002	\$159,147		
Tahoe Truckee Unified	2	24	\$2,752,632	43.2%	\$3,940,412	2003	\$164,184		
Davis Unified	5	23.3	\$3,814,302	43.2%	\$5,460,199	2003	\$234,343		
Woodland Unified	3	50.2	\$8,664,700	46.2%	\$12,663,792	2002	\$252,267		
Sacramento City Unified	1	35.2	\$4,813,386	46.2%	\$7,034,949	2002	\$199,856		
Lodi Unified	4	47	\$7,652,176	46.2%	\$11,183,950	2002	\$237,956		
Stockton Unified	3	49.1	\$8,959,088	43.2%	\$12,824,996	2003	\$261,202		
Natomas Unified	11	38.7	\$3,017,002	38.4%	\$4,175,850	2004	\$107,903		
Rocklin Unified	11	47.1	\$11,101,088	24.4%	\$13,810,282	2005	\$293,212		
<b>Totals</b>		<b>679.3</b>			<b>\$142,058,711</b>	Average	<b>\$209,125</b>	<b>2024</b>	
Middle Schools:		260.7			\$49,447,897	Middle	\$189,704	Adjusted Value	
High Schools:		418.6			\$92,610,814	High	\$221,217	\$372,291	

**REPORT OF THE EXECUTIVE OFFICER  
State Allocation Board Meeting, January 24, 2024**

**INDEX ADJUSTMENT ON THE ASSESSMENT  
FOR DEVELOPMENT**

**PURPOSE OF REPORT**

To report the index adjustment on the assessment for development, which may be levied pursuant to Education Code Section 17620.

**DESCRIPTION**

The law requires the maximum assessment for development be adjusted every two years by the change in the Class B construction cost index, as determined by the State Allocation Board (Board) in each calendar year. This item requests that the Board make the adjustment based on the change reflected using the RS Means index.

**AUTHORITY**

Education Code Section 17620(a)(1) states the following: "The governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities, subject to any limitations set forth in Chapter 4.9 (commencing with Section 65995) of Division 1 of Title 7 of the Government Code."

Government Code Section 65995(b)(3) states the following: "The amount of the limits set forth in paragraphs (1) and (2) shall be increased in 2000, and every two years thereafter, according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting, which increase shall be effective as of the date of that meeting."

**BACKGROUND**

There are three levels that may be levied for developer's fees. The fees are levied on a per-square foot basis. The lowest fee, Level I, is assessed if the district conducts a Justification Study that establishes the connection between the development coming into the district and the assessment of fees to pay for the cost of the facilities needed to house future students. The Level II fee is assessed if a district makes a timely application to the Board for new construction funding, conducts a School Facility Needs Analysis pursuant to Government Code Section 65995.6, and satisfies at least two of the requirements listed in Government Code Section 65995.5(b)(3). The Level III fee is assessed when State bond funds are exhausted; the district may impose a developer's fee up to 100 percent of the School Facility Program new construction project cost.

**STAFF ANALYSIS/STATEMENTS**

A historical comparison of the assessment rates for development fees for 2020 and 2022 are shown below for information. According to the RS Means, the cost index for Class B construction increased by 7.84% percent, during the two-year period from January 2022 to January 2024, requiring the assessment for development fees to be adjusted as follows beginning January 2024:

**RS Means Index Maximum Level I Assessment Per Square Foot**

	<u>2020</u>	<u>2022</u>	<u>2024</u>
Residential	\$4.08	\$4.79	\$5.17
Commercial/Industrial	\$0.66	\$0.78	\$0.84

**RECOMMENDATION**

Increase the 2024 maximum Level I assessment for development in the amount of 7.84 percent using the RS Means Index to be effective immediately.

## ATTACHMENT B

**ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS**

State Allocation Board Meeting, January 24, 2024

Grant Amount Adjustments

New Construction	SFP Regulation Section	Adjusted Grant Per Pupil Effective 1-1-23	Adjusted Grant Per Pupil Effective 1-1-24
Elementary	1859.71	\$15,983	\$15,770
Middle	1859.71	\$16,904	\$16,679
High	1859.71	\$21,509	\$21,223
Special Day Class – Severe	1859.71.1	\$44,911	\$44,314
Special Day Class – Non-Severe	1859.71.1	\$30,036	\$29,637
Automatic Fire Detection/Alarm System – Elementary	1859.71.2	\$19	\$19
Automatic Fire Detection/Alarm System – Middle	1859.71.2	\$25	\$25
Automatic Fire Detection/Alarm System – High	1859.71.2	\$43	\$42
Automatic Fire Detection/Alarm System – Special Day Class – Severe	1859.71.2	\$80	\$79
Automatic Fire Detection/Alarm System – Special Day Class – Non-Severe	1859.71.2	\$57	\$56
Automatic Sprinkler System – Elementary	1859.71.2	\$268	\$264
Automatic Sprinkler System – Middle	1859.71.2	\$319	\$315
Automatic Sprinkler System – High	1859.71.2	\$331	\$327
Automatic Sprinkler System – Special Day Class – Severe	1859.71.2	\$846	\$835
Automatic Sprinkler System – Special Day Class – Non-Severe	1859.71.2	\$567	\$559

## ATTACHMENT B

**ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS**

State Allocation Board Meeting, January 24, 2024

Grant Amount Adjustments

Modernization	SFP Regulation Section	Adjusted Grant Per Pupil Effective 1-1-23	Adjusted Grant Per Pupil Effective 1-1-24
Elementary	1859.78	\$6,086	\$6,005
Middle	1859.78	\$6,436	\$6,350
High	1859.78	\$8,427	\$8,315
Special Day Class - Severe	1859.78.3	\$19,396	\$19,138
Special Day Class – Non-Severe	1859.78.3	\$12,977	\$12,804
State Special School – Severe	1859.78	\$32,330	\$31,900
Automatic Fire Detection/Alarm System – Elementary	1859.78.4	\$198	\$195
Automatic Fire Detection/Alarm System – Middle	1859.78.4	\$198	\$195
Automatic Fire Detection/Alarm System – High	1859.78.4	\$198	\$195
Automatic Fire Detection/Alarm System – Special Day Class – Severe	1859.78.4	\$544	\$537
Automatic Fire Detection/Alarm System – Special Day Class – Non-Severe	1859.78.4	\$365	\$360
Over 50 Years Old – Elementary	1859.78.6	\$8,454	\$8,342
Over 50 Years Old – Middle	1859.78.6	\$8,942	\$8,823
Over 50 Years Old – High	1859.78.6	\$11,705	\$11,549
Over 50 Years Old – Special Day Class – Severe	1859.78.6	\$26,948	\$26,590
Over 50 Years Old – Special Day Class – Non-Severe	1859.78.6	\$18,019	\$17,779
Over 50 Years Old – State Special Day School – Severe	1859.78.6	\$44,910	\$44,313

## ATTACHMENT B

**ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS**

State Allocation Board Meeting, January 24, 2024

Grant Amount Adjustments

New Construction / Modernization / Facility Hardship / Seismic Mitigation / Joint Use	SFP Regulation Section	Adjusted Grant Amount Effective 1-1-23	Adjusted Grant Amount Effective 1-1-24
Therapy/Multipurpose Room/Other (per square foot)	1859.72 1859.73.2 1859.77.3 1859.82.1 1859.82.2 1859.125 1859.125.1	\$262	\$259
Toilet Facilities (per square foot)	1859.72 1859.73.2 1859.82.1 1859.82.2 1859.125 1859.125.1	\$470	\$464
Portable Therapy/Multipurpose Room/Other (per square foot)	1859.72 1859.73.2 1859.77.3 1859.82.1 1859.125 1859.125.1	\$59	\$58
Portable Toilet Facilities (per square foot)	1859.72 1859.73.2 1859.82.1 1859.125 1859.125.1	\$152	\$150

New Construction Only	SFP Regulation Section	Adjusted Grant Amount Effective 1-1-23	Adjusted Grant Amount Effective 1-1-24
Parking Spaces (per stall)	1859.76	\$20,325	\$20,055
General Site Grant (per acre for additional acreage being acquired)	1859.76	\$26,016	\$25,670
Project Assistance (for school district with less than 2,500 pupils)	1859.73.1	\$9,775	\$9,645

## Appendix F

### Impacts of the Sunrise Tomorrow Specific Plan

This planned development would replace the current mall area with a variety of buildings with various uses.

The current development plans indicate the following maximum areas:

- Residential = 2,220 units
- Hotel = 480 rooms
- Retail = 320,000 square feet
- Office = 960,000 square feet
- Community/Institutional = 450,000 square feet

The net fee on the residential portion of the replacement development is calculated by providing a credit for the commercial development being replaced and subtracting that credit from the current residential rate for new development, resulting in a net fee that reflects the additional impact created by replacing commercial development with residential development. Residential development would be subject to a net fee of \$5.17 (residential rate) - 0.84 (commercial rate) = **\$4.33** per square foot for the area of the prior Sunrise Mall that is replaced with residential development. For any portion of the residential development that is identified as senior only and meets the requirements of a senior only development, the rate would only be \$0.84 per square foot as it qualifies for a discounted rate equal to the commercial fee. For any portion of the residential development that is in excess of the original building area of the existing buildings, the standard rates for new development would apply.

Hotel development is considered commercial development and generates an impact of \$0.94 per square foot (see “Lodging” in Table 13). However, the mall had an impact of \$1.28 per square foot (see “Community Shopping Center” in Table 13). Therefore, the hotel development areas would not generate an increased impacts on the school district and would not be subject to a development impact fee for the portion of the area of the project that is replacing the existing are of the mall. For any portions that are in excess of the current mall area, the standard fee of \$0.84 per square foot would apply.

Retail development would generate an impact of \$2.27 per square foot (see “Neighborhood Shopping Center” in Table 13). After subtracting the Mall’s impact of \$1.28 there is a net impact of \$0.99 per square foot. Since the maximum allowable rate is currently \$0.84 this category of development would be subject to a fee of \$0.84 per square foot.

Office spaces generate an impact that ranges from \$2.25 to \$4.01 per square foot. The net impact after deducting the current mall amount of \$1.28 per square foot results in a range of \$0.97 to \$2.73 per square foot. Therefore, Office spaces would be subject to the current maximum allowable rate of \$0.84 per square foot.

Community/Institutional spaces include child care centers, gyms and community centers based on the description in the specific plan. These types of spaces would have a similar impact to the retail development and therefore would have a net impact of \$0.84 per square foot.

The total planned development will likely exceed the existing mall area of 1,100,000 square feet.

In the event the specifications of this planned development and the proposed use of space is modified by the developer, the District reserves the right to adjust its imposition of fees accordingly in order to ensure the burden created on the District by the development is mitigated.

**RESOLUTION BEFORE THE GOVERNING BOARD OF THE  
SAN JUAN UNIFIED SCHOOL DISTRICT  
IN THE MATTER OF ADOPTION OF A FEE JUSTIFICATION STUDY AND THE  
INCREASE IN SCHOOL FACILITIES FEES AND ADOPTION OF CEQA NOTICE OF  
EXEMPTION**

**RESOLUTION NO. 4125**

WHEREAS, Education Code section 17620 authorizes school districts to levy a fee, charge or dedication against any new construction within its boundaries for the purpose of funding the construction or reconstruction of school facilities; and

WHEREAS, the governing board (“Board”) of the San Juan Unified (“District”) has caused a study to be prepared by SchoolWorks entitled 2024 Developer Fee Justification Study (incorporated herein by reference and hereinafter referred to as the “Study”), which identifies the purpose and use for the fee and sets forth a reasonable relationship between the fee to be imposed, the type of development project on which the fee is to be imposed, and the increased school facilities made necessary by virtue of the burden imposed by the development; and

WHEREAS, pursuant to the authority of Government Code section 65995, subdivision (b)(3), the fees authorized by Education Code section 17620 have presently been established by the State Allocation Board (“SAB”) in the amount of \$5.17 per square foot for residential development and \$0.84 per square foot for commercial/industrial development; and

WHEREAS, Education Code section 17621 specifically exempts the adoption, increase, or imposition of any fee, charge, dedication or other requirement pursuant to Education Code section 17620 from the provisions of the California Environmental Quality Act (“CEQA”)(Pub. Resources Code Section 21000 et seq.); and

WHEREAS, upon a determination that the imposition of school facilities fees under Education Code section 17620 is exempt from CEQA, the District is entitled to file a Notice of

Exemption with the County Clerk pursuant to California Code of Regulations, title 14, section 15062.

NOW, THEREFORE, BE IT RESOLVED, that the Board makes the following findings:

1. Prior to the adoption of this resolution (“Resolution”), the Board of the District conducted a public hearing at which oral and/or written presentations were made as part of the Board’s regularly scheduled meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered has been published twice in the newspaper in accordance with Government Code sections 66017 and 66018. Additionally, at least 10 days prior to the meeting, the District made all relevant information available to the public indicating the cost, or estimated cost, of the construction or reconstruction of school facilities made necessary by the residential and/or commercial/industrial development to which the fee shall apply.
2. The purpose of the fees is to provide adequate school facilities for the students of the District who will be generated by residential and commercial/industrial development in the District.
3. The fees are to be used to finance the construction and reconstruction of school facilities.
4. There is a reasonable relationship between the need for the imposition of the fee and the types of development projects upon which the fees shall be imposed for the purpose of the construction or reconstruction of school facilities, in that residential, commercial and industrial development will generate students who will attend District schools. These students cannot be housed by the District

without additional school facilities, or the reconstruction of existing school facilities. The fees will be used to fund all, or a portion of, new school facilities, or to reconstruct existing school facilities.

5. There is a reasonable relationship between the amount of the fee and the cost of the additional or reconstructed school facilities attributable to the development upon which the fee shall be imposed, in that the square footage of these developments has a direct relationship to the number of students that will be generated, and thus to the facilities the District must add and/or reconstruct in order to accommodate the additional students.
6. The District maintains a separate capital facilities account, or fund, as required by Government Code section 66006.
7. There are no other adequate sources of funds to meet the District's school facilities needs occasioned by, and resulting from, the construction of new residential and/or commercial/industrial development within the District.

AND BE IT FURTHER RESOLVED that the Board incorporates herein by reference, approves and adopts the Study entitled 2024 Developer Fee Justification Study, prepared by SchoolWorks which documents the need for the school facilities fees.

AND BE IT FURTHER RESOLVED that since the Study justifies fees at or in excess of the allowable limits, the District hereby increases fees on residential development to \$5.17 per square foot, and fees on commercial/industrial developments to \$0.84 per square foot, in accordance with Education Code sections 17620, et seq., and Government Code sections 65995, et seq., except for Rental Self Storage facilities in which a fee of \$0.05 per square foot is justified.

AND BE IT FURTHER RESOLVED that the increase in fees shall take effect sixty (60) days after the date of this Resolution.

AND BE IT FURTHER RESOLVED that the Superintendent of the District, or his or her designee, shall give notice of the Board's action herein to all cities and counties with jurisdiction over the territory of the District in accordance with the requirements of Education Code section 17620 and 17621, requesting that no building permits (or, for manufactured homes and mobile homes, certificates of occupancy) be issued on or after the date which is sixty (60) days after the date of this Resolution, without certification from the District that the fee specified herein have been paid. Said notice shall specify that collection of the fees is not subject to the restriction set forth in Government Code section 66007, subdivision (a) but, pursuant to subdivision (b) of that statute, the fees are to be collected prior to issuance of building permits.

AND BE IT FURTHER RESOLVED that developers of commercial or industrial development be provided the opportunity for a hearing to appeal the imposition of the fee on their developments.

AND BE IT FURTHER RESOLVED that nothing contained or expressed in this Resolution shall be construed to affect the District's authority to increase fees, enter into agreements with developers, or otherwise adopt or impose, to the extent permitted by law, additional fees, to fully mitigate the impact of residential and/or commercial/industrial development upon the District's school facilities.

AND BE IT FURTHER RESOLVED that the District's administration is authorized to make expenditures and to incur obligations of the fees for the purposes authorized by law.

AND BE IT FURTHER RESOLVED that the Board hereby finds that the increase in fees hereunder is statutorily exempt from the requirements of CEQA pursuant to Education Code section 17621.

AND BE IT FURTHER RESOLVED that this Board hereby approves the CEQA Notice of Exemption regarding the increase in fees and directs the Superintendent, or his or her designee, to file the CEQA Notice of Exemption, together with a certified copy of this Resolution, with the County Clerk of each County in which the District shall collect fees pursuant to Education Code Section 17621.

AND BE IT FURTHER RESOLVED that this Board hereby adopts this Resolution and directs the Superintendent, or his or her designee, to file a certified copy of this Resolution, together with all relevant supporting documentation and a map clearly indicating the boundaries of the area subject to the fee, to each city and each county in which the District is situated, pursuant to Education Code section 17621.

This Resolution is adopted this 9<sup>th</sup> day of April 2024, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

---

**Pam Costa, President  
San Juan Unified School District  
Board of Education**

**Attest:**

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**Ben Avey, Clerk  
San Juan Unified School District  
Board of Education**



## San Juan Unified School District

### Developer Fee Justification Study Level 1 Fees

April 9, 2024

1

## PURPOSE OF DEVELOPER FEES

To pay for the construction or reconstruction of school facilities necessitated by student population increases resulting from development.

(See, Cresta Bella, L.P. v. Poway Unified School District (2013) 218 Cal.App.4th 438; Ed. Code, § 17620(a)(1).)

2

## JANUARY 24, 2024 SAB RAISES LEVEL 1 DEVELOPER FEES 7.84%

At the January 24, 2024, meeting of the State Allocation Board, the Board approved a 7.84% increase to the maximum Level 1 Developer Fees authorized to be collected by school districts pursuant to Education Code section 17620.

The new approved rates are:

\$5.17 per square foot for residential development (an increase of \$0.38)

\$0.84 per square foot for commercial/industrial development (an increase of \$0.06)

3

3

## RATIONALE REASONS FOR NEW STUDY

- Ed code section 17620
- Assess impacts to accommodate students generated new development projects
- High cost of construction
- Standard to update fees every two years as inflation adjustments are approved by the State Allocation Board

4

4



# 2024 DEVELOPER FEE STUDY

Requires justification study establishing:

- Purpose of the fee;
- Use to which the fee is to be put;
- Reasonable relationship between the fee's use and the type of development project, and;
- Reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed

(Gov. Code, § 66001)



5

5

## CURRENT STATUS OF SJUSD LEVEL 1 FEES

### Residential Projects

- Current Statutory Fee = \$4.79
- Increased Statutory Fee = \$5.17
- Net Increase in Fee = \$0.38

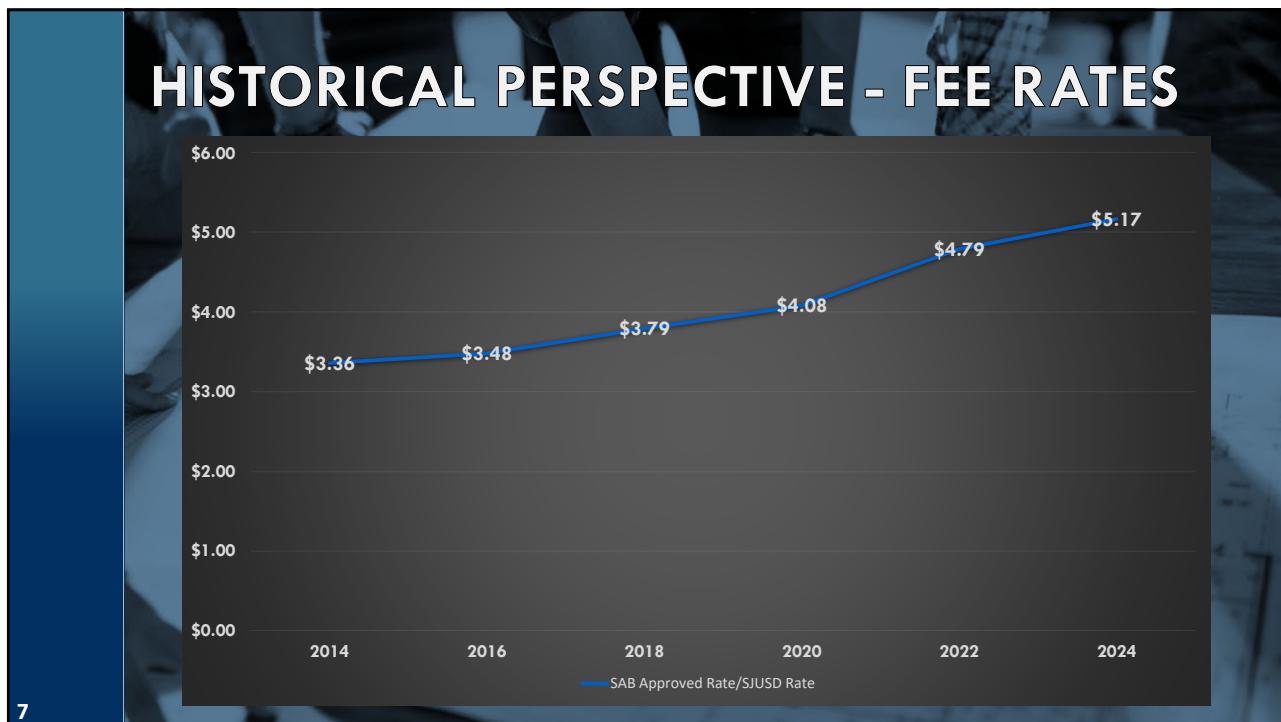
### Commercial Projects

- Current Statutory Fee = \$0.78
- Increased Statutory Fee = \$0.84
- Net Increase in Fee = \$0.06
- Rental Self Storage = \$0.05  
(no change from 2022)



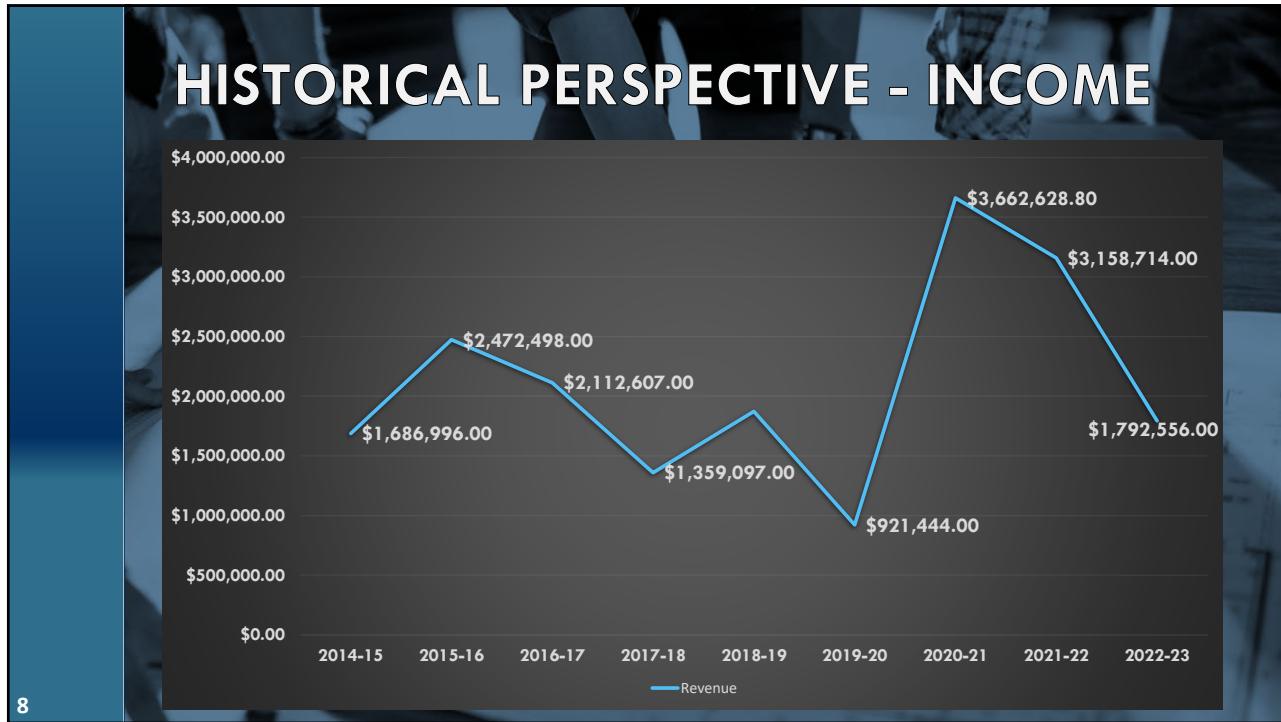
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8

8

## SAN JUAN USD STUDENT FORECAST 2023-2030 PLANNED RESIDENTIAL DEVELOPMENT LISTING

Map ID#	Project	Developer	Study Area	Total Units	Unit Type	*Units Remaining	Status	Estimate First Occupancies	Estimate Full Occupancy
<b>Carmichael ES</b>									
14	The Paseos at Carmichael	Homes by Towne		406	45	SFD	45	Active	2024
16	Weatherstone			406	22	SFD	22	Active	2024
<b>Carriage Drive ES</b>									
3	Bearpaw Village Apartments	Bearpaw Equities		137	42	APT	42	Planned	2025
<b>Edison K8</b>									
8	Hurley Apts	Rowin Acaso		577	18	APT	18	Planned	2026
<b>Howe ES</b>									
10	Summer Trace Apts	Mogavero Architects		508	47	APT	47	Planned	2025
11	Summer Trace II Apts	Mogavero Architects		509	49	APT	49	Planned	2025
<b>Kingswood K8</b>									
7	Heritage at Mitchell Village	KB Homes		162	72	SFD	8	Active	Currently occupying
18	Wyatt Ranch	CEC Homes		150	23	SFD	10	Active	Currently occupying
<b>Leggette ES</b>									
9	Olive Grove Town Homes	Mitch McAllister		312	12	MFA	12	Active	2024
<b>Mariemont ES</b>									
2	Arden Hills Estates	JTS Engineering		545	33	SFD	33	Planned	2025
<b>Northridge ES</b>									
6	Heritage at Gum Ranch	Elliott Homes		240	340	SFD	204	Active	Currently occupying
13	Sunrise Vista Apts			234	30	APT	30	Planned	2025
<b>Ottoman ES</b>									
4	Canyon Terrace Apts Expansion	Canyon Terrace Folsom, LLC		93	96	APT	96	Planned	2024
<b>Pasadena ES</b>									
5	Engle Rd Apts	Wang Bros LLC		421	20	APT	20	Planned	2025
<b>Whitney ES</b>									
1	Annadale Luxury Estates	Hausman Architecture		363	21	MFA	21	Planned	2025
17	Whitney Place	CNA Engineering		423	18	SFD	18	Planned	2025
<b>Woodside K8</b>									
12	Sunrise Pointe	Jamboree Housing		163	47	APT	47	Active	2024

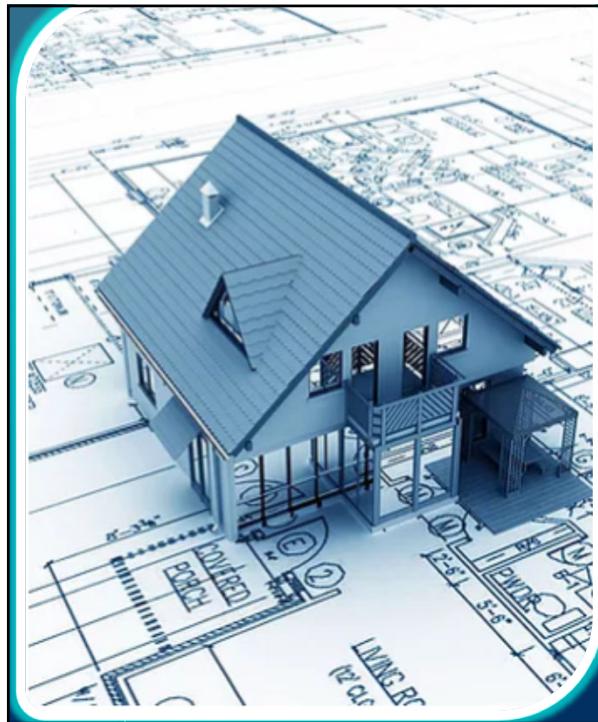
9

## PERMISSIBLE USES OF DEVELOPER FEES

**Developer fees may be used for the following purposes:**

- Construction or reconstruction of school facilities. (Ed. Code, § 17620(a).)
- Costs associated with conducting the meeting(s) required for levying a new fee or increasing an existing fee. (Gov. Code, § 66016(c).)
- Costs attributable to the increased demand for public facilities reasonably related to the development in order to: (1) refurbish existing facilities to maintain the existing level of service or (2) achieve an adopted level of service that is consistent with a general plan. (Gov. Code, § 66001(g).)

10



Thank you.

Questions?

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** I-4

**MEETING DATE:** 04/09/2024

**SUBJECT:** Public Hearing on Adoption of Increase  
In District Developer Fees

CHECK ONE:  
For Discussion:   
For Action:   
Report:   
Workshop:   
Recognition:   
Emergency Action:

**DEPARTMENT:** Facilities

**ACTION REQUESTED:**

The superintendent is recommending that the board hold a public hearing for comment and adopt Resolution No. 4126, updating the district's statutory developer fees pursuant to Education Code section 17620 and declaring the change in fees as exempt from the provisions of California Environmental Quality Act (CEQA).

**RATIONALE/BACKGROUND:**

Education Code section 17620 (AB 2926, Chapter 887/Statutes 1986) provides that "the Governing Board of any school district is authorized to levy a fee, charge, dedication, or other forms of requirement against any development project for the construction or reconstruction of school facilities." To levy and collect developer fees, a school district must show the correlation (or "nexus") between new residential, commercial and industrial development and the need for new or reconstructed school facilities.

SchoolWorks was retained by the district to prepare a developer fee justification study to identify if the district could meet the nexus tests necessary to levy the current state maximum developer fee rates. Upon completion of the study, SchoolWorks found the district met the nexus tests to collect the maximum fees. A summary of these findings is provided below:

**Establishment of a Cost Nexus**

The district will collect fees on new residential and commercial/industrial development to fund the construction and/or reconstruction of school facilities to serve students generated by such projects. The district has undertaken significant reconstruction and modernization projects to serve development and improve existing facilities. Additionally, the cost for providing these facilities exceeds the amount of developer fees to be collected. It is clear when educational facilities are provided for students generated by new residential, commercial and industrial development, the cost of new facilities exceeds developer fee generation, thereby establishing a cost nexus. The developer fee justification study found each square foot of residential construction creates a school facilities cost of \$5.17 (current state maximum fee is \$4.79), each square foot of non-rental self-storage commercial/industrial creates a school facilities cost exceeding the maximum fee of \$0.84 per square foot, and rental self-storage creates a school facilities cost of \$0.05 per square foot.

**Establishment of a Benefit Nexus**

Students generated by new residential, commercial and industrial development will be attending the district's schools. Housing district students in new and/or reconstructed facilities will directly benefit those students from the new development projects upon which the fee is imposed; therefore, a benefit nexus exists.

**Establishment of a Burden Nexus**

The generation of students by new development will create a need for additional and/or reconstructed school facilities. The district must carry the burden of constructing new facilities required by the students generated by future development, and the need for facilities will be, in part, satisfied by the

levying of developer fees; therefore, a burden nexus exists.

**California Environmental Quality Act (CEQA)**

Education Code section 17621 specifically exempts fees pursuant to Education Code section 17620 (statutory developer fees) from the provisions of the CEQA. Therefore, the district is not required to conduct any environmental review for this action. If the board adopts the proposed fee, staff will file the attached Notice of Exemption (NOE) with the county for a 30-day public posting, which will trigger a 35-day statute of limitations for any litigation under CEQA challenging the fee adoption. If no NOE is filed, the statute of limitations would be 180 days from the date of approval.

**ATTACHMENT(S):**

A: Resolution No.4126

B: CEQA Exemption Notice

**BOARD COMMITTEE ACTION/COMMENT:**

Facilities Committee Meeting: 04/02/2024

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

**FISCAL IMPACT:**

Current Budget: N/A

Additional Budget: N/A

Funding Source: N/A

(Unrestricted Base, Supplemental, other restricted, etc.)

Current Year Only  Ongoing:

**LCAP/STRATEGIC PLAN:**

Goal: N/A Focus: N/A

Action: N/A

Strategic Plan: N/A

**PREPARED BY:** Frank Camarda, Chief Operations Officer 

**APPROVED BY:** Melissa Bassanelli, Superintendent of Schools 

**RESOLUTION BEFORE THE SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION APPROVING THE  
ADOPTION OF INCREASE IN DISTRICT 2024 DEVELOPER FEES**

**RESOLUTION NO. 4126**

WHEREAS, Education Code section 17620 authorizes school districts to levy a fee, charge or dedication against any new construction within its boundaries for the purpose of funding the construction or reconstruction of school facilities; and

WHEREAS, pursuant to the authority of Government Code section 65995, subdivision (b)(3), the fees authorized by Education Code section 17620 have presently been established by the State Allocation Board (“SAB”) in the amount of \$5.17 per square foot for residential development and \$0.84 per square foot for commercial/industrial development; and

WHEREAS, the governing board (“Board”) of the San Juan Unified School District (“District”) has caused a study to be prepared by SchoolWorks, Inc. entitled 2024 Developer Fee Justification Study (incorporated herein by reference and hereinafter referred to as the “Study”), which identifies the purpose and use for the fee and sets forth a reasonable relationship between the fee to be imposed, the type of development project on which the fee is to be imposed, and the increased school facilities made necessary by virtue of the burden imposed by the development; and

WHEREAS, pursuant to Resolution No. 4125 adopted by the Board on 9<sup>th</sup> day of April 2024, the Board adopted the Study documenting the need for School Facilities Fees; and

WHEREAS, Education Code section 17621 specifically exempts the adoption, increase, or imposition of any fee, charge, dedication or other requirement pursuant to Education Code

section 17620 from the provisions of the California Environmental Quality Act (“CEQA”)(Pub. Resources Code Section 21000 et seq.); and

WHEREAS, upon a determination that the imposition of school facilities fees under Education Code section 17620 is exempt from CEQA, the District is entitled to file a Notice of Exemption with the County Clerk pursuant to California Code of Regulations, title 14, section 15062.

NOW, THEREFORE, BE IT RESOLVED, that the Board makes the following findings:

1. Prior to the adoption of this resolution (“Resolution”), the Board of the District conducted a public hearing at which oral and/or written presentations were made as part of the Board’s regularly scheduled April 9, 2024, meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered has been published in the Sacramento Bee newspaper in accordance with Government Code sections 66017 and 66018. Additionally, at least 10 days prior to the meeting, the District made all relevant information available to the public indicating the cost, or estimated cost, of the construction or reconstruction of school facilities made necessary by the residential and/or commercial/industrial development to which the fee shall apply.

2. The purpose of the fees is to provide adequate school facilities for the students of the District who will be generated by residential and commercial/industrial development in the District.

3. The fees are to be used to finance the construction and reconstruction of school facilities. If possible, add: The Facilities to be constructed or reconstructed are identified in the District’s proposed construction plan, included in the 2024 Developer Fee Justification Study; Identified in the District Facilities Master Plan.

4. There is a reasonable relationship between the need for the imposition of the fee and the types of development projects upon which the fees shall be imposed for the purpose of the construction or reconstruction of school facilities, in that residential, commercial and industrial development will generate students who will attend District schools. These students cannot be housed by the District without additional school facilities, or the reconstruction of existing school facilities. The fees will be used to fund all, or a portion of, new school facilities, or to reconstruct existing school facilities.

5. There is a reasonable relationship between the amount of the fee and the cost of the additional or reconstructed school facilities attributable to the development upon which the fee shall be imposed, in that the square footage of these developments has a direct relationship to the number of students that will be generated, and thus to the facilities the District must add and/or reconstruct in order to accommodate the additional students.

6. The District maintains a separate capital facilities account, or fund, as required by Government Code section 66006.

7. There are no other adequate sources of funds to meet the District's school facilities needs occasioned by, and resulting from, the construction of new residential and/or commercial/industrial development within the District.

AND BE IT FURTHER RESOLVED that since the Study justifies fees at limits, the District hereby increases fees on residential development to \$5.17 per square foot, and fees on commercial/industrial developments to \$0.84 per square foot, in accordance with Education Code sections 17620, et seq., and Government Code sections 65995, et seq. except for Rental Self Storage facilities in which a fee of \$0.05 per square foot is justified.

AND BE IT FURTHER RESOLVED that the imposition of and increase in fees shall take effect sixty (60) days after the date of this Resolution.

AND BE IT FURTHER RESOLVED that the Superintendent of the District, or his or her designee, shall give notice of the Board's action herein to all cities and counties with jurisdiction over the territory of the District in accordance with the requirements of Education Code section 17620 and 17621, requesting that no building permits (or, for manufactured homes and mobile homes, certificates of occupancy) be issued on or after the date which is sixty (60) days after the date of this Resolution, without certification from the District that the fee specified herein have been paid. Said notice shall specify that collection of the fees is not subject to the restriction set forth in Government Code section 66007, subdivision (a) but, pursuant to subdivision (b) of that statute, the fees are to be collected prior to issuance of building permits.

AND BE IT FURTHER RESOLVED that developers of commercial or industrial development be provided the opportunity for a hearing to appeal the imposition of the fee on their developments.

AND BE IT FURTHER RESOLVED that nothing contained or expressed in this Resolution shall be construed to affect the District's authority to increase fees, enter into agreements with developers, or otherwise adopt or impose, to the extent permitted by law, additional fees, to fully mitigate the impact of residential and/or commercial/industrial development upon the District's school facilities.

AND BE IT FURTHER RESOLVED that, in the event that the Board takes action in the future to adopt an alternative fee pursuant to Government Code section 65995.5 or 65995.7, commonly known as "Level 2" or "Level 3" fees, respectively, in an amount greater than that authorized by this Resolution, this Resolution shall be held in abeyance during the time in which

the greater Level 2 or Level 3 fee is authorized. If, for any reason, any future Board action to adopt a greater Level 2 or Level 3 fee ceases to be effective, this Resolution shall then immediately return into effect unless otherwise specified by the Board.

AND BE IT FURTHER RESOLVED that the District's administration is authorized to make expenditures and to incur obligations of the fees for the purposes authorized by law.

AND BE IT FURTHER RESOLVED that the Board hereby finds that the adoption of fees hereunder is statutorily exempt from the requirements of CEQA pursuant to Education Code section 17621.

AND BE IT FURTHER RESOLVED that this Board hereby adopts this Resolution and directs the Superintendent, or his or her designee, to file a certified copy of this Resolution, together with all relevant supporting documentation and a map clearly indicating the boundaries of the area subject to the fee, to each city and each county in which the District is situated, pursuant to Education Code section 17621.

**PASSED AND ADOPTED** by the San Juan Unified School District Board of Trustees at its meeting held on April 9, 2024, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

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**Pam Costa, President  
San Juan Unified School District  
Board of Education**

**Attest:**

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**Ben Avey, Clerk  
San Juan Unified School District  
Board of Education**

**SAN JUAN UNIFIED SCHOOL DISTRICT  
NOTICE OF EXEMPTION, CALIFORNIA  
ENVIRONMENTAL QUALITY ACT**

**To:** Office of Planning and Research  
1400 Tenth Street, Room 100  
Sacramento, CA 95814      Sacramento County Clerk/Recorder  
600 8th Street  
Sacramento, CA 95814

## **Project Title:** 2024 Increase of Statutory Developer Fees

**Project Address:** 5320 Hemlock Street, Sac CA 95841

**Project Location:** Sacramento, CA      **County of:** Sacramento

**Project Description:** Increase of a fee on construction within the boundaries of the District for the purpose of funding the construction and reconstruction of school facilities pursuant to Education Code section 17620.

**Name of Person or Agency Carrying Out Project:** San Juan Unified School District

**Name of Public Agency Approving Project:** San Juan Unified School District

**Exempt Status: (check one)**

- Ministerial Project (Section 21080[b][1]; 15268)

Categorically Exempt (Section 15314)

Declared Emergency (Section 21080[b][3]; 15269[a])

Emergency Project (Section 21080[b][4]; 15269[b][c])

Statutory Exemption (Public Resources Code Section 21080.35)

The project clearly will not have a significant effect on the environment (15061[b][3])

#### **Reasons why project is exempt: Education Code section 17621 (a)**

Adoption or increase in school facilities fees are exempt from CEQA under applicable statutory law.

**Project Applicant:** San Juan Unified School District

**Lead Agency:** San Juan Unified School District

**Contact Person:** Frank Camarda      **Telephone:** (916) 971-5470

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**Address:** 6135 Sutter Ave., Carmichael, CA 95608

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**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**Title:** Chief Operations Officer

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**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** I-5

**MEETING DATE:** 04/09/2024

**SUBJECT:** Non-Permitted Use of Facilities Discussion

CHECK ONE:  
For Discussion:   
For Action:   
Report:   
Workshop:   
Recognition:   
Emergency Action:

**DEPARTMENT:** Facilities

**ACTION REQUESTED:**

The superintendent is recommending that the board receive a report from staff on non-permitted use of facilities and have a discussion on the topic.

**RATIONALE/BACKGROUND:**

At the February 14, 2023, Board of Education Meeting, Board Member Avey requested the Facilities Committee explore the topic of non-permitted public use of facilities during non-school hours; the board reached consensus to have the Facilities Committee research the topic and provide the board a future recommendation. At its March 5, 2023, meeting, the Facilities Committee held a discussion and decided to form an ad hoc committee to explore the topic further. The ad hoc committee members provided updates to the Facilities Committee monthly, and during the February 6, 2024, Facilities Committee meeting, members voted unanimously to present a recommendation to the board during the February 13, 2024, board meeting.

Tonight, staff will present the board with a presentation on non-permitted use of facilities to provide the board with context to aid in the discussion.

**ATTACHMENT(S):**

- A: Non-Permitted Facilities Use Presentation
- B: Use of Facilities Handbook
- C: Board Policy 1330
- D: Lozano Smith Memorandum – Opening District Facilities to the Public
- E: Synopsis of Ad Hoc Committee Work by Facilities Committee Chair, Melinda Avey

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

Facilities Committee Meeting: 03/07/2023, 04/04/2023, 05/02/2023, 06/06/2023, 09/05/2023, 10/03/2023, 11/07/2023, 12/05/2023, 02/06/2024

**FISCAL IMPACT:**

Current Budget: \$ N/A

Additional Budget: \$ N/A

Funding Source: N/A

(Unrestricted Base, Supplemental, other restricted, etc.)

Current Year Only  On-going

**LCAP/STRATEGIC PLAN:**

Goal: N/A Focus: N/A

Action: N/A

Strategic Plan: N/A

**PREPARED BY:**

Frank Camarda, Chief Operations Officer   
Fhanysha Clark Gaddis, J.D., MPP, General Counsel 

**APPROVED BY:**

Melissa Bassanelli, Superintendent of Schools 



# Non-Permitted Facilities Use

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Board of Trustees Discussion

April 9, 2024

1

## Tonight's Agenda

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- Decentralized to centralized historical facility use management
- Previous facilities committee work
- Previous board discussions and actions
- Implementation
- Revenue and expenditures
- Surrounding Sacramento County districts and non-permitted use
- Legal and claim exposure

2

2

## Decentralized to Centralized Facility Use Management

- Conflicts of interest
- Non-Permitted Use of Facilities
- Non-compliance w/handbook & fee schedule
- Inconsistent application
- Civic center act violations
- Legal and claim exposure
- Low revenue generation (red)
- Sinking fund



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## Facilities Committee Work



- September 05, 2017 - Use of Facilities Overview
- October 03, 2017 - Approval of Use Categories
- November 07, 2017 - Define Fee Schedule
- December 05, 2017 - Approval of Fee Schedule
- January 16, 2018 - Review Proposed Handbook
- February 06, 2018 - Approve Revisions to Handbook
- March 06, 2018 - Civic Permit Software Review
- April 03, 2018 - Review and Approve Updates to Handbook
- **Revisions to handbook taken to the board:**  
01/08/2019, 05/28/2019, 10/13/2020, 01/11/2022, 02/06/2023

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# Board Discussions and Actions

## April 24, 2018 - Board Discussion

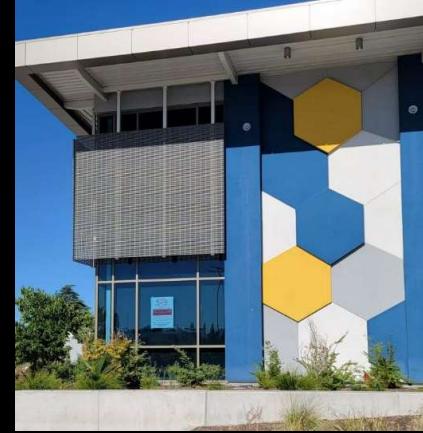
- Board Policy 1330, Use of Facilities and Grounds
- Proposed Updates to Use of Facilities Handbook

## May 8, 2018 – Board Action

- Board Policy 1330, Use of Facilities and Grounds
- Approval of Use of Facilities Handbook

## February 14, 2023 – Board Action

- Revisions to Use of Facilities Handbook



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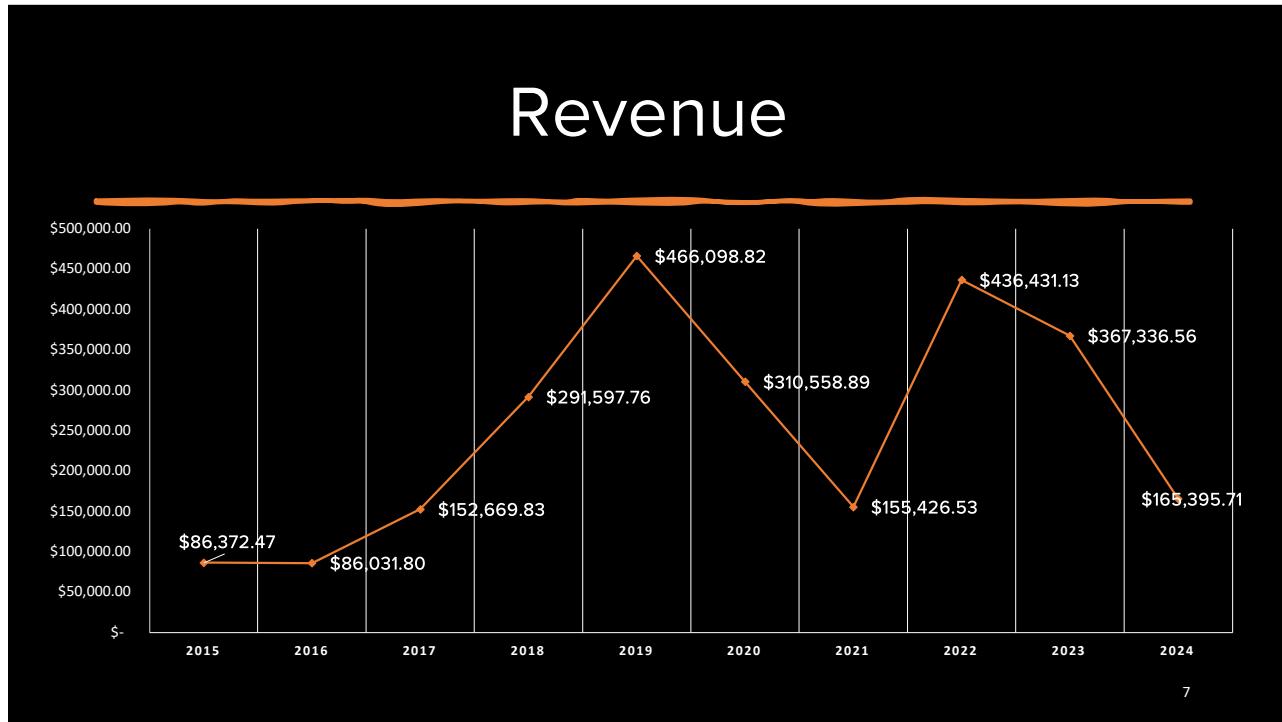
# Implementation of Centralized Facility Use Program

- Transition Paper Permitting to Software
- Hiring of Dedicated Facility Use Technician
- Handbook and Fees
- Risk Management Insurance Requirements
- Notifications to User Groups
- User Group Meetings
- Website Updates
- Launch
- Present Status



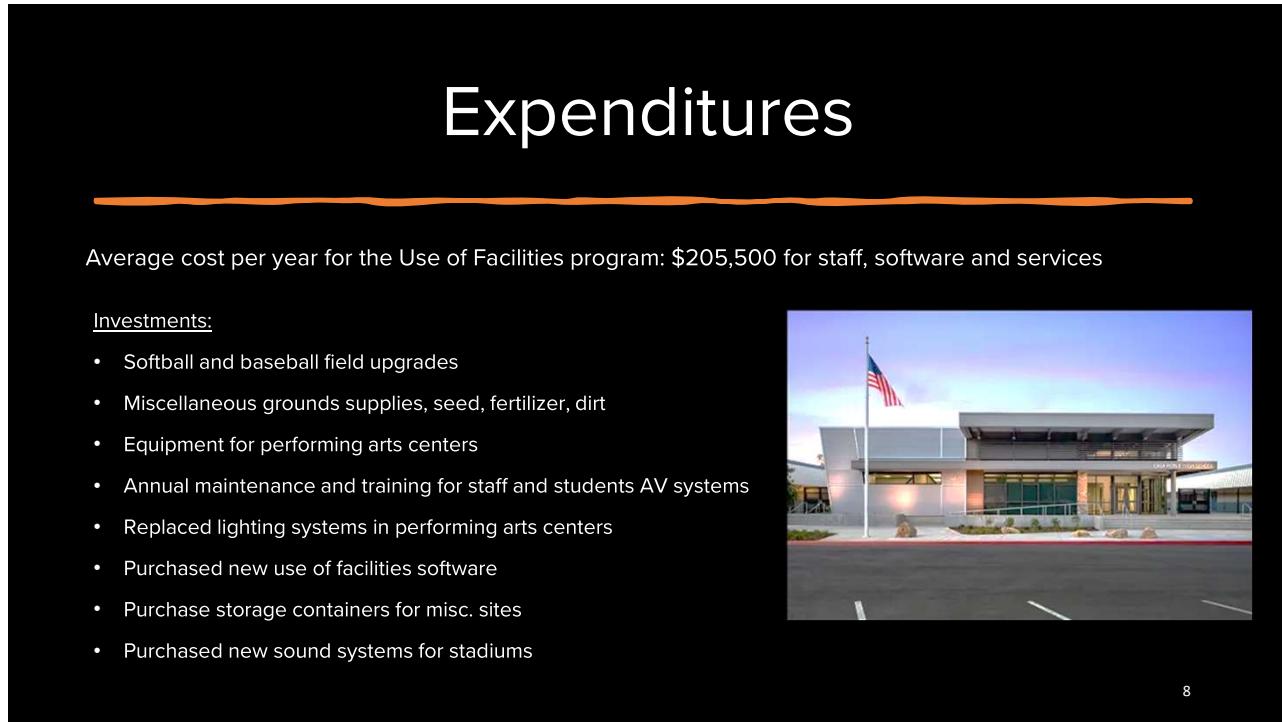
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## Board Bond Allocation & Fencing/Access Initiative

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### Why the fencing and access initiative?

- Public, parents, guardians, students and staff safety concerns
- Property protection
- Insurance claims



### Disruption of the school day, facility use and staff time:

- Graffiti
- Drug paraphernalia, needles, pipes, drugs, alcohol
- Unhoused campsites
- Bodily fluids, feces, urine, condoms, animal waste
- Vandalism interior and exterior
- Burglary, theft and loss
- Unwanted campus intrusions during school hours
- Potentially aggressive loose animals

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## Track and Field Vandalism Incidents

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12/16/2016	Del Campo	Tennis court nets cut	\$350.00
12/2/2018	Del Campo	Snack bar roll up door damaged	\$216.00
8/18/2019	Mira Loma	Tennis court damage	\$1,238.28
8/30/2020	Mira Loma	Construction crew left gates open and vandals gained access to the baseball container and stole items	\$2,500.00
7/4/2023	Encina	Fireworks set off on track/football field	\$35,000.00
7/4/2023	Rio Americano	Fireworks set off on track/football field	\$4,999.00
7/5/2023	Rio Americano	Cut lock on gate and used a blowtorch to melt lock on CTE container, items stolen	\$7,177.27
8/10/2023	Del Campo	Soccer goal posts vandalized beyond repair	\$6,505.68

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## Track and Field Vandalism Example



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## Sacramento County Unified School Districts Permits Required for Tracks and Fields

Sacramento City  
Unified School  
District

Natomas Unified  
School District

Elk Grove  
Unified School  
District

Folsom Cordova  
Unified School  
District

Twin Rivers  
Unified School  
District

Center Joint  
Unified School  
District

Galt Union High  
School District

River Delta  
Unified School  
District

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## Legal Exposure A/C Memorandum Executive Summary & Conclusion

### Executive Summary

The Civic Center Act provides a statutory framework for the public's use of District facilities and how they may be regulated. The District's Facility Use Handbook and adopted Board Policies enact the regulations included in the Civic Center Act and provide a robust set of procedures and fees for the use of District facilities. Allowing the public to use District facilities outside of these formal avenues exposes the District to the risk of non-compliance with the law, District policies and procedures, and liability for injury and damage.

### Conclusion

Modifying District policy to provide for an open campus model increases the risks and liabilities to the District. One way to mitigate these risks is to create and implement policies and procedures that control access and use of facilities. Such policies and procedures already exist in the form of the Handbook and the District's permitting system. District facilities are currently accessible to members of the public, such use is simply managed to ensure the facilities are properly maintained, and that public use does not endanger District staff or students. The District's approach in this regard is standard practice amongst many large school districts in the state. Generally, school districts do not allow unrestricted access to facilities due to the potential risk to District students and the District itself.

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# Thank you

# Questions & Board Discussion

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**San Juan**  
Unified School District

# **Use of School Facilities Handbook**

**916-971-5790 | FacilitiesUse@sanjuan.edu**

## Contents

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### Use of School Facilities

Thank you for your interest in using San Juan Unified School District ("SJUSD") facilities. SJUSD works with hundreds of community organizations to make available school buildings/grounds for public, literary, scientific, recreational, or educational meetings, or for the discussion of matters of general or public interest.

The handbook is designed to help users of SJUSD facilities to determine if their event/program qualifies to use school facilities, how to submit a permit request, an overview of the fee structure, review of the insurance requirements and other important information. We encourage you to read the entire handbook before submitting your permit request.

We hope you find this information helpful in processing your permit request. If you have any suggestions for improvement, please email us at [FacilitiesUse@sanjuan.edu](mailto:FacilitiesUse@sanjuan.edu).

*This facilities handbook follows the applicable law as defined in the California Education Code sections 10900 through 10914.5 and sections 38130 through 38138, referred to as the "Civic Center Act".*

## Types of Facility and Grounds Use

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School facilities, subject to SJUSD policies and regulations, may be made available to citizens and community groups as a civic center for the following purposes (Education Code § 38131.):

1. Public, literary, scientific, recreational, educational or public agency meetings.
2. The discussion of matters of general or public interest.
3. The conduct of religious services for temporary periods, on a one-time basis or renewal basis, by any church or religious organization.
4. Childcare programs to provide supervision and activities for children of preschool and elementary school age.
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies.
6. Supervised recreational activities including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youths may participate regardless of religious belief or denomination.
7. A community youth center.
8. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization.
9. Other purposes deemed appropriate by the governing board.
10. State laws prohibit the use of school facilities and grounds for subversive, immoral, offensive, or harmful purposes. State laws also limit the use of the school facilities and grounds for denominational or sectarian activities. The use of the school facilities and grounds shall not be granted to persons, forums, corporations, groups, clubs, or associations which:
  - (a) May, by use, be reasonably expected to expose the property of SJUSD to damage through riot, mob action, or violence of any kind.
  - (b) Use the property in a manner which will be adverse to the best interest of SJUSD.
  - (c) Use of facilities and grounds for a purpose not consistent with the Civic Center Act and/or adopted Board Policies.
11. Groups or persons using school facilities and grounds under the provisions of this policy shall be liable for any property damages caused by the activity. The Board shall charge the amount necessary to repair the damages and may deny the group further use of the school facilities and grounds (Education Code § 38134).

## User Group Classification

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The priorities for renting facilities and grounds will be determined by SJUSD for any Facilities Use requests other than SJUSD instructional and related activities based on the following classifications. Additional fees beyond rental fees may be required for all users. (See "Schedule of Fees," p. 7.)

Understanding the meaning of recreation programs:

- Youth programs.
- Primary purpose is participation and having fun.
- All youth can play, it is not based on ability.
- Costs can be waived if the player cannot afford it.
- The program is within the district boundaries and has boundaries to participate.
- The sport is during the season (park and recreation sport season).
- The sport is not all year around.

Recreational seasons by sport:

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Baseball/Softball February - May</li> <li>• Basketball November - March</li> <li>• Cheer August - November</li> <li>• Football August - November</li> </ul> | <ul style="list-style-type: none"> <li>• Lacrosse February - May</li> <li>• Rugby February - June</li> <li>• Soccer August - November</li> <li>• Volleyball August - October</li> <li>• Wrestling November - March</li> </ul> |
|--|---|

## **Category 1: Civic and Program Partner Events**

Events that are Monday through Friday (excluding holidays, for weekend and holiday use see category 2) will generally have no charge. These events support a direct relationship to SJUSD programs for youth; and have no gate fee, event admission, or fundraising component. Category 1 includes:

- Activities and programs of SJUSD directly related to SJUSD's instructional and educational program.
- Activities or events designed to serve the youth and citizens of SJUSD, which are planned and directed by school-related programs, including parent clubs.
- Events that do not require payment of membership fees, event fees, or gate fees.
- Public meetings/hearings or elections.
- Student based charitable fund-raising events (funds must be run through student body).
- Community advisory councils.
- Events by Boy Scouts, Girl Scouts, or community colleges and their related organizations.
- Recreational activities including, but not limited to, local youth sports known as recreational, supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination (such as little league, softball league, football league, and other league sports).
- Events by service organizations park district with Joint use agreements.

### **SJUSD FEES:**

Application fee

Nutrition Service fee (if applicable)

Custodial Service fee (if applicable)

Site Supervisor fee (if applicable)

## **Category 2: Community Event**

Activities under this category will be charged a fee based on the direct cost to SJUSD. Please note, Category 1 events that are held on Saturday, Sunday or holidays will be charged a direct cost fee. Category 2 includes:

- Charitable fund-raising activities run through the Associated Student Body (“ASB”), which are beneficial to SJUSD programs and require net receipts of admission fees or gate fees to be expended for the welfare of SJUSD students only \*
- Events with no direct ties to SJUSD program that serve youth groups, run by organizations, agencies, associations, clubs, or groups that use school facilities or grounds and whose primary purpose is to provide programs and/or services without serving as a funding source for the organization, agency, association, club, or group.
- Local recreational youth programs on Saturday or Sunday (where tryouts are not required).
- Athletic events, competitions, or performances for youth (not known as recreational-type programs where tryouts are not required).
- Community events, church events, theater/music /dance practices and programs that don’t charge participation or admission fees and are within our district boundaries.
- Events by service organizations park districts with joint use agreements \*\*
- PTA, boosters and other affiliation group events on Saturday, Sunday, or holidays \*\*

SJUSD FEES: (See page 7 Category 2 & Utility)

Application fee

HVAC fee

Nutrition Service fee

Custodial fee

Site Supervisor fee

Stadium: lighting

Performing Arts Center: sound system, lighting

\* No direct use fees

\*\* No direct use fee except pools, performing arts centers, stadiums, and turf fields/tracks.

## **Category 3: Fair Market Event**

Organizations, agencies, associations, clubs, persons, or groups that use SJUSD facilities or grounds for business purposes or revenue generation. *These events are not necessarily youth focused and provide no direct support to SJUSD programs.*

- Events requiring payment of membership fees, event participation fees, or gate fees.
- Fundraising events where the funding is not run through the ASB.
- 3<sup>rd</sup> party athletic events, competitions, performances, and tournaments not run through the ASB, elementary school parent teacher organizations, or any organization with direct ties to SJUSD where all funds benefit SJUSD only.
- Adult-focused programs
- For profit events or personal finance-generating events
- Activities by organizations, agencies, associations, clubs, persons, or groups selling any product or service, or conducting any other type of commercial business or function.
- Events by organizations, agencies, associations, clubs, persons, or groups where admission fees are charged, or contributions are solicited, and the net receipts are not expended for the welfare of SJUSD students or for charitable purposes.
- Community events, church events, theater/music/dance practices and programs that charge participation and/or admission fees.
- Programs that are not within our district boundaries

SJUSD FEES: (See page 7 Category 3 & Utility)

Application fee

HVAC fee

Nutrition Service fee

Custodial fee

Site Supervisor

Stadium: lighting

Performance Art Center: sound system, lighting

## Schedule of Fees

A **non-refundable** application fee of \$20.00, per permit, is required. Certain rental fees do not apply to Category 1 events.

Facility	Category 2 Direct Cost per hour	Category 3 Fair Market Cost per hour	Utility Lights/HVAC Cost per hour
Aquatic Center (March-October)	\$65.00	\$130.00	n/a
Aquatic Center (November-February)	\$90.00	\$180.00	n/a
Athletic Field – (Elementary or Middle School) Recreational ONLY on Weekends, Holidays, or NOT in your season		\$6.00	
Athletic Field (Elementary or Middle School)	\$12.00	\$24.00	n/a
Athletic Field (Jr. Varsity High School)	\$17.00	\$33.00	n/a
Athletic Field (Varsity High School)	\$22.00	\$44.00	n/a
Cafeteria (High School)	\$29.00	\$60.00	\$10.00
Classrooms	\$13.00	\$31.00	\$5.00
Concession Stands/Snack Shack	\$20.00	\$40.00	n/a
Flex Room (Small)	\$20.00	\$40.00	\$10.00
Flex Room (Large)	\$25.00	\$50.00	\$15.00
Gym (Small)	\$33.00	\$66.00	\$20.00
Gym (Large)	\$55.00	\$110.00	\$25.00
Gym (Middle School)	\$33.00	\$66.00	\$20.00
Kitchens	\$15.00	\$30.00	n/a
Library/Music Room/Dance Room	\$17.00	\$39.00	\$5.00
Locker Rooms	\$15.00	\$30.00	n/a
Multipurpose Room (Elementary School) Recreational ONLY on Weekends, Holidays, NOT in your season		\$14.50	
Multipurpose Room (Elementary School)	\$29.00	\$58.00	\$10.00
Multipurpose Room (Middle School) Recreational ONLY on Weekends, Holidays, NOT in your season		\$16.50	
Multipurpose Room (Middle School)	\$33.00	\$66.00	\$10.00
Outdoor Flex Space (Small)	\$17.00	\$33.00	n/a
Outdoor Flex Space (Large)	\$22.00	\$44.00	n/a
Parking Lot (when only using parking lot)	\$17.00	\$33.00	n/a
Restrooms (when only using restroom)	\$10.00	\$20.00	n/a
Stadiums (Bella Vista, Casa Roble, Del Campo, El Camino, Mesa Verde, and San Juan)	\$80.00	\$160.00	\$25.00
Tennis/Pickle Ball Court Complex	\$17.00	\$33.00	n/a
Turf Fields/ Track (Encina, Mira Loma and Rio Americano)	\$50.00	\$100.00	n/a

### Additional Fees (three-hour minimum):

Site Supervisor \$57.00 per hour

Custodian: \$50.00 per hour

Nutrition Services: \$36.50 per hour

Tech Services Audio Visual Oversite: \$75.00 per hour (supervision only)

Utility cost (if applicable)

### Accepted Payment Types:

Cash is only accepted for the application fee; all other payments must be made in check form to San Juan Unified School District

## Insurance Requirements

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SJUSD requires a certificate of insurance showing the policy is written on a per occurrence basis without aggregate limits. San Juan Unified School District must be listed as the certificate holder and as the additional insured with a copy of the endorsement attached. A copy of the certificate and endorsement must be uploaded into our Use of Facilities online system before a permit is approved. **All Food Truck require insurance uploaded too.** User shall indemnify, defend, and hold harmless the District, its officers, employees, agents and volunteers, from and against any and all causes of action, claims, liabilities, obligations, judgments, or damages, including reasonable legal counsels' fees and costs of litigation ("claims"), arising out of the User's performance of its obligations under this agreement or out of the operations conducted by User, except for such loss or damage arising from the sole negligence or willful misconduct of the District. In the event the district is made a party to any action, lawsuit, or other adversarial proceeding arising from User's performance of this agreement, the User shall provide a defense to the District, or at the District's option, reimburse the District for its costs of defense, including reasonable legal counsels' fees, incurred in defense of such claims.

Each Occurrence	\$1,000,000
Damage to Rented Premises/Fire Damage	minimum \$100,000
Medical Expenses	Any coverage
Personal & Adv. Injury	Any coverage
General Aggregate	\$2,000,000
Products Comp/Op Aggregate	\$1,000,000

## Food Handling Requirements in Concession Stands/Snack Bar

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All Concession Stands/Snack bar use will require a Manager Certification and each person working in the concession stand/snack bar will need a food handling certificate to be uploaded into the Use of Facilities online system prior to use. Each person working in the snack bar will be required to have their food handling certificate on them. Any violations and/or fines assessed to the school district will be charged to the user group and may affect future use of the facilities.

Pursuant to SB 602 enacted into law in 2010 and SB 303 in 2011, Health and Safety Code 113790 et seq., ("California Food Handler Card Law"), food handlers, as defined, will be required to obtain a food handler card after taking a food safety training course and passing an assessment. This document was compiled by a stakeholder working group comprised of members of the California Retail Food Safety Coalition (CRFSC), the California Conference of Directors of Environmental Health (CCDEH), the California Restaurant Association (CRA) and the American National Standards Institute (ANSI). To view the Food Handler Card Law, visit: Senate Bill 303 or go to [http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb\\_0301-0350/sb\\_303\\_bill\\_20110906\\_chaptered](http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0301-0350/sb_303_bill_20110906_chaptered). If you are looking to take the Manager Certification and Food Handling Certificate below is a link. <https://www.servsafe.com/ServSafe-Food-Handler>

## Use of Facilities Permit Request Process

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To request the use of a SJUSD facility or grounds, an authorized representative of the requesting organization, agency, association, club, or group must create an account in our Use of Facilities online system that SJUSD partners with to facilitate the permitting process. (<https://www.sanjuan.edu/use-of-facilities>). Once an account is created, an authorized representative must submit all dates, times and locations of use requested and upload the required insurance documents, written authorization from group (if applicable), statement indicating that the group will uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts, and lifeguard certificate(s) (if renting a pool). If applicable, all fees must be paid **10 days BEFORE** the usage of our facilities is permitted. An **APPROVED use permit must be present at all times during the event.**

The Facilities Business Department is responsible for processing the permits, scheduling site supervisor, custodial and

nutrition service workers, calculating fees, and creating an invoice in our Use of Facilities online system

When fees have been paid and the proper required documentation is received, the Facilities Business Department will approve the permit in our Use of Facilities online system. The user must print out the permit and have the permit on-hand during the event.

A potential user must submit its permit request through our Use of Facilities online system at least twenty-one (21) working days prior to event. If requests are turned in less than 21 working days prior, there is no guarantee rental will be approved. Permit requests can only be made 6 months in advance. If the event duration falls under 2 different categories, the group must fill out a permit per category. True-up programs must be paid on the 10<sup>th</sup> of the following month. All true-up events must be put on a separate permit.

## **Approval or Denial of a Use of Facilities Permit**

### **Approval of Permit**

Once a permit request is submitted, it is sent to the site's Use of Facilities administrator for review. All Middle Schools and Elementary Schools go directly to the Facilities Business Department. High Schools permits are reviewed as shown below.

- If athletic space is needed, the permit request is passed on to the site's Athletic director for space availability.
- If Site Supervisor is needed, the permit requested is passed on to supervisor for approval.

Once all site staff have reviewed the permit request, it is processed through the Facilities Business Department for final approval.

- Insurance is checked
- Event eligibility is determined
- Invoice is created
- Approval is granted

### **Denial of Permit**

The Facilities Business Department cannot approve any requests if:

- The request is incomplete or has not met the conditions outlined in "Use of Facilities Permit Request Process" section of the manual
- The request to reserve space contains a material misrepresentation or materially false statement;
- The request is not received sufficiently in advance of the proposed event or activity to permit necessary evaluation and to determine the appropriate location. In general, if the request is received at least twenty-one (21) business days prior to the proposed event, timing should not be a factor;
- Payment must be complete 10 days prior to event
- Insurance must be submitted at the time of request
- The use or activity intended by the request is prohibited by law or proposes behaviors or conduct proscribed as prohibited in this policy
- The applicant has previously damaged facilities or grounds and has not paid for repair
- The applicant has a previously committed significant or repeated violation of these policies
- The use or activity would present an unreasonable health or safety danger; or
- The request to use facilities or grounds conflicts with a preexisting reservation and no reasonable alternative time or place is available.
- If the request is to hold birthdays, weddings, or funerals.

## **Important Facility and Grounds Use Information**

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### **Access**

Entry for the rental group on the day and time of scheduled use requires the presence of the user group or a designated and approved representative.

- A representative of the user group, approved by both the user group and the Facilities Business Department, must be present throughout the user group's entire use of the facility or grounds.

- The user group may not enter the facility or grounds before the rental is scheduled to begin. This includes but is not limited to the following purposes: catering, set-up, loading equipment or scenery, dressing room and restroom use.
- If the user group must have equipment delivered or picked-up at times other than their scheduled use, arrangements must be made in advance with the Facilities Business Department. The user group will be billed for the time involved in the delivery/pick-up. Delivery vehicles should make deliveries to the loading dock area.

#### **Advertising (non-school affiliated organizations)**

No signage, posters, flyers or advertisements for any event may be posted in or on the facilities or grounds without the prior approval of the Facilities Business Department. If permission is granted, the user group is responsible for installing and removing the promotional materials.

#### **Animals**

Animals of all types and kinds are prohibited on all District facilities and grounds except as provided below:

- Service animals accompanying a disabled person (or service animals in training) are uniformly and automatically exempted from this policy in accordance with the Americans with Disabilities Act, 28 CFR Part 35 et seq., and applicable state law.
- It is the express intention of SJUSD that this policy meets requirements of the California Vehicle Code § 21113.

#### **Appeals Process**

This process will allow the user to request a change in event category. An appeal may be submitted to the Facilities Business Department for review. The request must be in writing and state why you feel your category should be changed. You will be notified within ten (10) business days of SJUSD's decision.

#### **Availability**

Facilities not available for public use or rental use include computer labs and weight rooms. SJUSD does not rent facilities or grounds on school holidays.

#### **AV Oversight**

The oversight person is badged by SJUSD and is trained on the do's and don'ts with district equipment. The AV Oversight is required if the user group wants to use the AV equipment. The AV oversight is not an AV technician and may not know how to work the equipment.

#### **Cafeteria Use**

Use of school kitchens may be granted to eligible groups when such use will not interfere with the regular school nutrition services program. **When the kitchen area is used, a nutrition services employee must be assigned to ensure sanitation, safety, and proper operation of equipment.** This employee will act in a supervisory capacity only. The user group is responsible for preparation and cleanup. (See "Schedule of Fees," p. 7.)

#### **Cancellations**

Please notify the Facilities Business Department of an event cancelation one week prior to the event. Failure to notify may result in forfeit of fees associated with the event/use.

#### **Complaints**

Any complaints regarding a permitted user's event that are directly in violation of any of the articles of the Use of School Facilities Handbook, Board Policy 1330, or Administrative Regulation 1330, may result in suspension revocation of use.

#### **Compliments/Comments**

Any compliments, comments, or concerns regarding your event may be submitted via email or telephonically to our Facilities Business Department.

#### **Concession Stands**

Prior to use and after use, the site supervisor/custodian with the permit holder, will inspect all equipment and cleanliness. All damage and extra cleaning required after use is at the expense of the permit holder. For the Concession Stand Check In Form, please see Page 15. Everybody in the concession stand must have a food handling certificate and have it on site while working.

**Custodial**

See "Schedule of Fees," p. 7.

**Damages**

Applicant will be financially liable for any damage or loss of equipment during facilities or grounds usage. All labor needed to fix or reverse damage will be charged to the user group at cost plus 15%.

**Decorations**

Any decorating, covering up, or changes to the facility or grounds shall be approved prior to the event. Installation and removal of decorations shall be the sole responsibility of the user.

- All decorations must be flameproof or fire retardant and may not be hung from light fixtures, ceilings, heat detectors, emergency lights, exit signs, acoustical ceiling tiles or applied to the floor.
- The use of cellophane, all tapes, nails, staples, screws, and similar materials is not allowed on walls, ceilings, theater seats, furniture, or floors. Insufficient removal of any items will result in additional cleaning charges.
- All plants, trees, and shrubs must be in waterproof containers and must be carefully placed so as not to damage floors, tables, or block fire exits.
- Rice, birdseed, confetti, hay bales, and similar items are not permitted on any SJUSD facilities or grounds, or surrounding sidewalks and parking lots.

**SJUSD Representative**

SJUSD personnel shall be assigned to a user group commensurate with the type of permit category, hours of operation and use of District facilities and grounds.

**Emergency (district 24-hour phone number)**

During your event if you can't find staff or staff didn't show up for your event call 916 971-7000, this is a 24-hour phone number. Make sure to give them your location and permit number.

**Employees**

Individuals not working in their capacity as a SJUSD employee who wish to rent SJUSD facilities must go through the normal use permit process. The schedule of fees is applicable to the potential user requesting the facility.

**Equipment**

No structures may be erected (including tents) or assembled on school premises, nor may any extraordinary electrical, mechanical, or other equipment be brought thereon.

**Field Use**

User groups who use outside facilities or grounds shall have the option of using SJUSD restroom facilities or renting Porta-Potties.

- If rental is for a period in excess of four hours, the user group will be required to pay for the use of restroom facilities or Porta-Potties.
- If choosing to use SJUSD restroom facilities, a SJUSD representative must be present during the entire event and the appropriate fees for this service must be paid prior to the event.
- If the user group chooses to rent Porta-Potties, the user group assumes full responsibility for them.
- The user group must show proof of Porta-Potties rental to the site administrator at least one working day prior to the event.
- The user group must also inform custodial of the delivery and removal dates for the Porta-Potties.
- The user group must secure the Porta-Potties to the greatest extent possible. This includes adding a padlock and chaining to the fence to avoid tipping.
- For the Varsity High School Field Maintenance form, please see page 16.

**Fireworks**

Fireworks sales, displays or use are strictly prohibited on school grounds.

**Fire Safety**

At no time may the maximum occupancy be exceeded. The use of smoke machines, fog, haze, etc. is not allowed on any facility since the use of such items interferes with the building's fire detection system. All scenery, props and draperies must be flame-proofed before installation. The use of any pyrotechnics or open flame at any time is strictly prohibited on SJUSD properties. All grills or similar items must be at least 20 feet away from any structure.

### **Gambling**

Gambling on the premises is prohibited. Gambling shall be defined as any game of skill, chance or raffle, played with cards or any other device for money or any other representative item of value.

### **Key Control**

Key control is mandatory. Under no circumstances is a non-SJUSD individual or a student authorized to be in **possession** of keys to SJUSD facilities or grounds unless authorized. Control of keys shall remain in sole care, custody and control of approved individuals. Grand master keys must be secured to the greatest extent possible and never loaned to students or non-SJUSD individuals. If keys on loan are lost, it is the user group's responsibility to pay to re-key the entire facility.

### **Permit Must Be On-Hand During Event**

If approved, the user must print out its permit in our Use of Facilities online system and have the permit on-hand during the event.

### **Pool Use**

Lifeguard certificate is required and must be added to our Use of Facilities online permit system prior to usage.

### **Priority**

SJUSD reserves the right to change requested dates/times at any time when that use will interfere with regular school programs/activities.

### **Repairs**

For repairs, email what isn't working or needs repair to [facilitiesuse@sanjuan.edu](mailto:facilitiesuse@sanjuan.edu), in the message include site, location, and pictures if you have them.

### **Revocation of Permit**

Any violations of law, SJUSD policy and/or procedure will result in the immediate revocation of the use permit and removal of the user group from SJUSD property.

- Applications will also be denied if history of use by an organization has resulted in: Violation of Board Policy, consistent lack of supervision, Inconvenience for school use, adverse behavior, damage to property, non-payment of fees.
- The user group shall be responsible for the orderly conduct of all persons using the facility or grounds during the event. SJUSD reserves the right to remove, or have removed, any person behaving in an unlawful, disrespectful, or objectionable manner. Fights, vandalism, or destructive behavior on the part of any member of a user group or its audience will be grounds for immediate cancellation of the event and all future events by the user group. In this case, all fees will be forfeited.
- Smoking/tobacco products, consumption of alcoholic beverages and use of weapons, including knives, firearms, or explosives are not permitted on District property.

### **School Equipment**

A use permit does not authorize the use of certain SJUSD, or student body equipment. Arrangements for supervision and operation of any equipment shall be made by the applicant with the school administrator. SJUSD recommends "checking in and out" equipment with the site representative to ensure equipment is in working order before and after the event.

### **Self-Help/Partnerships**

SJUSD has a self-help program, for people that would like to do things on sites. All work has to be approved through our maintenance and operations department. You can email your request to [facilitiesuse@sanjuan.edu](mailto:facilitiesuse@sanjuan.edu) and we will submit this for you.

**Waiver of Rental Fees**

Rental Fees can only be waived by the Facilities Business Department. Site Supervisor, Custodial, Nutrition Service, and utilities fees still apply.

# The Performing Arts Rental Policies and Procedures

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## Theater Rental Rates:

El Camino, Mesa Verde, Rio and San Juan	Category 2 Direct Cost per hour	Category 3 Fair Market Cost per hour	Utility Lights/HVAC Cost per hour
Facility Rental Fee	\$125.00	\$250.00	\$25.00
Black Box Theatre	\$29.00	\$60.00	\$10.00
Audio Visual Oversight (Mandatory) *	\$75.00	\$75.00	n/a
Site Supervisor *	\$57.00	\$57.00	n/a
Custodial/Supplies *	\$50.00	\$50.00	n/a
Nutrition Services *	36.50	36.50	n/a

## IMPORTANT NOTE:

The AV Oversight is not allowed to touch/alter equipment or assist the renting group with any technical issues except in the case of an emergency. This role requires minimal technical expertise, which allows for anyone in our district to be appointed to AV Oversight. These staff members are required to go to trainings where they learn basic AV Oversight information, such as how to properly turn equipment on/off and ensure that everything is running smoothly. This position exists to protect our equipment from being mishandled- not as a technician who operates equipment at a high level.

\* **3-Hour Minimum Required, Per Day**

## Equipment Rental:

	Category 2 Direct Cost	Category 3 Fair Market Cost
Grand Piano – Per Day	\$200.00	\$200.00
Chairs – Per Item, Per Day	\$1.00	\$1.00
Music Stands – Per Item, Per Day	\$1.00	\$1.00

# Theater Rules

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## Important Information

It is the responsibility of the user to ensure a safe environment by following and enforcing SJUSD theater rules. These facilities are used as learning centers, equipment is used as a tool for learning and the theater is used throughout the year for student education.

### **General Safety**

- No running is permitted in the theater or the theater lobby.
- No feet are permitted on the theater chairs.
- No sitting on tables or counters.
- No leaning against or standing on handrails.

### **Fire Safety**

- At no time may the maximum seating occupancy in the theater auditorium be exceeded. Seating occupancy is as follows:

- El Camino Fundamental High School– 605
- Mesa Verde High School– 665
- Rio Americano High School– 356
- San Juan High School – 759
- The user group will not obstruct or restrict the use of any doors, exits, hallways or aisles in the facility.

#### **Facility Use**

- Food and beverages are permitted in the lobby and the green room only. No food or beverage is permitted in the audience seating area or on the stage. Bottled water is the only exception to this rule.
- Receptions involving the serving of food and drink prior to or following events require approval from the Facilities Business Department and must be arranged in advance. Additional charges will apply if additional cleaning is required.
- The SJUSD retains the right to all concessions within its facilities and grounds. If a user group is granted permission to sell concessions or merchandise the following rules and restrictions will apply:
  - Advance notice of intent to sell concessions must be given to the Facilities Business Department no less than Twenty-one (21) days prior to the event.
  - All items for sale must be approved by the Facilities Business Department in advance.
  - All items for sale must be related to the event. No merchandising or retail sales of items unrelated to an event or performance is allowed.
  - The SJUSD reserves the right to restrict or not permit the sale of any items at the sole discretion of the Facilities Business Department.

#### **Coordination**

- The user group or its designated representative must coordinate the needs of all aspects of the user group's event with the Facilities Business Department.
- To ensure protection of all in-house equipment and the professional presentation of events, all user groups are required to utilize the theater technical staff for their events, at the rates outlined in the Theater Rental Rates.
- No changes or modifications to the fixed equipment or facilities may be made, nor may any equipment be removed from the theater or altered. Any structural or electrical changes may be made only by theater staff with the Facilities Business Department's approval and only by qualified staff or licensed contractors. All labor needed to make such changes and reverse them will be charged to the user group at the technical staff rate or, in the case of an outside contractor, cost plus 15%.
- All scenic units, props, and electrical equipment, etc. provided by the user group are subject to a safety inspection by the Facilities Business Department or its designated representative. The SJUSD reserves the right to prohibit the use of any scenery, property, or equipment that is deemed to be unsafe. Equipment judged to be unsafe must be brought up to minimum standards or be removed from the premises.
- No tripods, cable, or equipment of any kind will be allowed in the audience seating area without the prior approval of the Facilities Business Department. Under no circumstances shall the view of the audience be obstructed.
- The theater facility will not be used for long-term storage of sets, props or costumes. Run-of-event storage will be provided as available and by prior arrangement with the Facilities Business Department. Items left in the facility after the rental becomes the property of the SJUSD unless previous arrangements have been made with the Facilities Business Department. The SJUSD assumes no responsibility for stored or abandoned property or materials at any time. The user group will be responsible for any costs associated with the removal and/or disposal of abandoned property or materials.
- All sound checks on performance days must be conducted at least sixty (60) minutes before the show. No exceptions to this rule will be permitted.
- No user group or member is permitted in the theater control booth without the permission of theater staff.
- For reasons of safety, no one with the user group under the age of 18 years may be onstage without adult supervision. User groups with large numbers of children must maintain a minimum ratio of one adult for every ten children on the stage. If a minor's presence is not immediately required on the stage for rehearsal or performance, they should be waiting in the green room or dressing rooms and not on the stage.

## Concession Stand Check In and Out

Directions: This form must be signed by the User Group and SJUSD staff before use and after. Prior to unlocking the Snack Shack, the SJUSD employee and User Group go through each item listed. Clean prior to use is initialed by User group, Cleaning after use is initialed after use. Make sure to fill out each line item, if items are stored in the snack shack, they must be listed on the form prior to use and check after use CUSTODIAL MUST SEND PICTURE TO UOF, AFTER COMPLETED

Site Name:

Date:



# Of Units Before \_\_\_\_\_

Number of Units After \_\_\_\_\_

Clean Prior to Use \_\_\_\_\_

Clean After Use \_\_\_\_\_



Clean Prior to Use \_\_\_\_\_

Clean After Use \_\_\_\_\_

Notes: \_\_\_\_\_

Items in Fridge prior to use &amp; after use



Clean Prior to Use \_\_\_\_\_

Clean After Use \_\_\_\_\_



Clean Prior to Use \_\_\_\_\_

Clean After Use \_\_\_\_\_

Notes: \_\_\_\_\_

Sink

Clean Prior to Use \_\_\_\_\_

Clean After Use \_\_\_\_\_

Counter

Clean Prior to Use \_\_\_\_\_

Clean After Use \_\_\_\_\_

Floors

Clean Prior to Use \_\_\_\_\_

Clean After Use \_\_\_\_\_

Storage

Items in Storage Prior \_\_\_\_\_

Items after in Storage \_\_\_\_\_

User group and SJUSD employee must print name, sign and date prior to use and after

## Varsity Field Maintenance Form

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### Field Clean-Up

Dugouts- Swept Up, No Trash, Hose Out Every Other Week

1. Baselines – Dirt Swept and Blown off Infield Grass, Holes Filled in with Rake, roll w/ Roller, Finishing Rake Over Top of Baseline

2. Infield – Bases Removed, Dirt Swept off Infield Grass, Field Dragged (best done in circles), Finishing Rake Next to Infield Grass, Field Watered (Note: Field will probably need to be spike dragged at least once during the summer. Done with car.) Also, might need to roll parts of the infield that get the most wear (ex. rounding first and sliding area at second).

3. Home plate – Wet Dirt, Rake Dirt in Towards Plate, Use Tamp in Batter’s Boxes and Catcher’s Holes, Finishing Rake, Roll Entire Area Every Other Week

4. Pitcher’s Mound – Sweep All Dirt Off Grass Back onto Mound, Wet Dirt, Rake Dirt Up Towards Rubber, Move Dirt Over Holes (Pivot and Landing Area), Tamp Dirt, Finishing Rake

5. Infield Grass – Water, Mow once a week, Mow in Different Directions each time you mow (Home to 1<sup>st</sup>, then Home to 3<sup>rd</sup>), Field will need to be fertilized at least once, if not twice this summer.

### Field Clean-Up Assignment Sheet

1<sup>st</sup> Baseline –

3<sup>rd</sup> Baseline –

Home Plate –

Mound –

Bullpens-

Dugouts –

Drag –

Water-

Cages-

### **Important Reminders**

It is the responsibility of the facility or grounds user to be familiar with board policy and administrative regulation for facility use and the articles of this handbook.

SJUSD sites **may not** allow use of their facilities or grounds without an APPROVED permit.

User groups are not authorized to use the facilities or grounds without an APPROVED permit.

All use requests must be processed through our Use of Facilities online system on the San Juan Unified School District Website. Facilities cannot be reserved at school site.

If you have any questions or need clarification, please contact the Facilities Business Department at 916-971-5790 or email @ [FacilitiesUse@sanjuan.edu](mailto:FacilitiesUse@sanjuan.edu)

### **Annual Review of the Use of Facilities Policy**

The Use of School Facilities and Grounds handbook is reviewed annually by SJUSD staff and the SJUSD's Facilities Committee.

**Policy 1330: Use Of School Facilities****Status:** ADOPTED**Original Adopted Date:** 05/08/2018 | **Last Reviewed Date:** 05/08/2018

The Governing Board recognizes that district facilities and grounds are a community resource to be used primarily for school programs and activities. The board authorizes the use of school facilities and grounds by community groups for purposes provided for in the Civic Center Act (Education code section 38130 et seq.) when such use does not interfere with school activities.

The board hereby authorizes the superintendent or designee to approve or deny requests for the use of district facilities and grounds according to regulations consistent with law and this policy. The superintendent or designee is further authorized to develop and maintain all necessary regulations, rules, and procedures regarding the use of district-owned facilities and grounds in order to:

1. Aid, encourage and assist groups desiring to use school facilities and grounds for approved activities.
2. Preserve order in school buildings and on school grounds, and protect school facilities and grounds.

(cf. 3517 - Emergencies and Disaster Preparedness Plan)

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

4. If necessary, a district employee may be designated by the superintendent to supervise these tasks.

**Permitted Uses of District Facilities**

The board directs the superintendent or designee to make district facilities and grounds under its jurisdiction available as a civic center to citizens and community groups for the following purposes, subject to district policies and regulations:

- 1 Public, literary, scientific, recreational, educational, or public agency meetings.
2. The discussion of matters of general or public interest.
3. The conduct of religious services.
4. Child care programs to provide supervision and activities for children of preschool and elementary school age.
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies.
6. Supervised recreational activities, including but not limited to, sports league activities that are arranged for and supervised by entities including religious organizations or churches, and in which youths may participate regardless of religious belief or denomination.
7. A community youth center.
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.
9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization.
10. Other purposes deemed appropriate by the board.

In accordance with Education Code sections 38131(b)(3), and 38134(d), the district must charge at least direct costs for "the conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization that has no suitable meeting place for the conduct of the services."

The superintendent or designee may exclude certain school facilities and grounds from non-school use for safety or security reasons.

**Restrictions**

District facilities and grounds shall not be used for any of the following activities:

1. Any use for the commission of any crime or any act prohibited by any federal, state, or local laws, including those laws prohibiting discrimination.
2. Any use which is inconsistent with their use for school purposes or which interferes with the regular conduct of school or school work.
3. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances on district property.

#### Priority for District or School Programs

All district and school-related activities (clubs, cocurricular, extracurricular, and class events, etc.) shall be given first priority in the use of district facilities and grounds. Thereafter, the use of facilities and grounds shall be in the order of priority as set forth in Administrative Regulation ("AR") 1330.

#### Fees

The board authorizes the use of district facilities or grounds for events on Monday through Friday (excluding holidays) without charge to school-related or District-related organizations, associations, clubs, or other groups whose activities are directly related to, or for the benefit of, district schools or students, and to certain other groups as described in AR 1330.

Other organizations or groups requesting the use of school facilities under the Civic Center Act or district-related groups seeking use of facilities or grounds on Saturday, Sunday or holidays shall be charged at least direct costs.

In determining the direct costs to be charged to a group or organization for use of each, or each type of district school facility or grounds, the superintendent or designee shall calculate, in accordance with California Code of Regulations, Title 5 (5 C.C.R.), sections 14037-14041, the user's proportionate share of the following costs:

1. Capital direct costs, including the estimated costs of maintenance, repair, restoration, and refurbishment of school facilities or grounds. For the purposes of determining a group or organization's proportional share of the costs for maintenance, repair, restoration and refurbishment, "a school facility" is limited to non-classroom space, such as multi-purpose rooms and indoor basketball courts, and "school grounds" include, but are not limited to, playing fields, athletic fields, track and field venues, tennis courts and outdoor basketball courts.

Capital direct costs shall not be charged to organizations retained by the district or school to provide instruction or instructional activities to students during school hours or for classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and child care programs.

2. Operational direct costs, including the estimated costs of supplies, utilities, janitorial services, other services of district employees and/or contracted workers, and salaries and benefits paid to district employees directly associated with the administration of the Civic Center Act to operate and maintain school facilities and grounds.

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

"Fair rental value" means direct costs, as defined above, plus the amortized costs of the school facilities and grounds used for the activity or event.

In accordance with the provisions of 5 C.C.R. 14037-14041, the board shall adopt a comprehensive schedule of fees to be charged to groups and organizations for the use of school facilities and grounds, including, but not limited to non-classroom space, multipurpose rooms, playing or athletic fields, track and field venues, tennis courts, and basketball courts.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

#### Description

5 CCR 14037-14042	Proportionate direct costs for use of school facilities and grounds
Bus. Code 25608	Alcohol on school property; use in connection with instruction - <a href="https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIURgAkw==">https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIURgAkw==</a>
Ed. Code 10900-10914.5	Community recreation programs - <a href="https://simbli.eboardsolutions.com/SU/2plusoOINP9plus8k2xekeluvFw==">https://simbli.eboardsolutions.com/SU/2plusoOINP9plus8k2xekeluvFw==</a>
Ed. Code 32280-32289.5	School safety plans - <a href="https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==">https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==</a>
Ed. Code 37220	School holidays - <a href="https://simbli.eboardsolutions.com/SU/plusB5QsDGvKOO1slshAvenu11TQ==">https://simbli.eboardsolutions.com/SU/plusB5QsDGvKOO1slshAvenu11TQ==</a>
Ed. Code 38130-38138	Civic Center Act; use of school property for public purposes - <a href="https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplusm4w==">https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplusm4w==</a>
Ed. Code 51860	Time and facilities for bicycle and scooter safety instruction - <a href="https://simbli.eboardsolutions.com/SU/iZlvtDgz8RsMNJogh8kslshHw==">https://simbli.eboardsolutions.com/SU/iZlvtDgz8RsMNJogh8kslshHw==</a>
Elec. Code 12283	Polling places: schools - <a href="https://simbli.eboardsolutions.com/SU/7mGanslshLrPOn4XjMrQjswg==">https://simbli.eboardsolutions.com/SU/7mGanslshLrPOn4XjMrQjswg==</a>
Gov. Code 54950-54963	The Ralph M. Brown Act - <a href="https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==">https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==</a>
M&V Code 1800	Definitions - <a href="https://simbli.eboardsolutions.com/SU/8cMAXVI6plusIXqzoklcrAUTw==">https://simbli.eboardsolutions.com/SU/8cMAXVI6plusIXqzoklcrAUTw==</a>

**Federal References**

20 USC 7905	Equal access to public school facilities
40 CFR 141.1-141.723	Drinking water standards

**Management Resources References**

	<b>Description</b>
Attorney General Opinion	79 Ops.Cal.Atty.Gen. 248 (1996)
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 90 (1999)
Court Decision	Ellis v. Board of Education, (1945) 27 Cal.2d 322
Court Decision	Good News Club v. Milford Central School, (2001) 533 U.S. 98
Court Decision	Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384
Court Decision	ACLU v. Board of Education of Los Angeles (1961) 55 Cal .2d 167
Court Decision	Cole v. Richardson, (1972) 405 U.S. 676
Court Decision	Connell v. Higgenbotham, (1971) 403 U.S. 207
CSBA Publication	Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009 - <a href="https://simbli.eboardsolutions.com/SU/XdN3WVUUFlcdWXIPIQ118A==">https://simbli.eboardsolutions.com/SU/XdN3WVUUFlcdWXIPIQ118A==</a>
CSBA Publication	Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010 - <a href="https://simbli.eboardsolutions.com/SU/yKK9jYHSkM7slshWodVvurslshCQ==">https://simbli.eboardsolutions.com/SU/yKK9jYHSkM7slshWodVvurslshCQ==</a>
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Cross References****Description**

0410	Nondiscrimination In District Programs And Activities - <a href="https://simbli.eboardsolutions.com/SU/WopdHqREXljjXLNplusPg3Q0Q==">https://simbli.eboardsolutions.com/SU/WopdHqREXljjXLNplusPg3Q0Q==</a>
1000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/sM6KnLxuUtpE38cwT46Gqw==">https://simbli.eboardsolutions.com/SU/sM6KnLxuUtpE38cwT46Gqw==</a>
1230	School-Connected Organizations - <a href="https://simbli.eboardsolutions.com/SU/SprGvT4JLyiomaplusmxivSSQ==">https://simbli.eboardsolutions.com/SU/SprGvT4JLyiomaplusmxivSSQ==</a>
1325	Advertising And Promotion - <a href="https://simbli.eboardsolutions.com/SU/777nLbwnCsIsh4cZrHhxgplus6AA==">https://simbli.eboardsolutions.com/SU/777nLbwnCsIsh4cZrHhxgplus6AA==</a>
1325	Advertising And Promotion - <a href="https://simbli.eboardsolutions.com/SU/p9W4Cyl9p331nSKjslhAb8fA==">https://simbli.eboardsolutions.com/SU/p9W4Cyl9p331nSKjslhAb8fA==</a>
1400	Relations Between Other Governmental Agencies And The Schools - <a href="https://simbli.eboardsolutions.com/SU/fGVkBWqAW5f7R0efuJsIshE8Q==">https://simbli.eboardsolutions.com/SU/fGVkBWqAW5f7R0efuJsIshE8Q==</a>
3280	Sale Or Lease Of District-Owned Real Property - <a href="https://simbli.eboardsolutions.com/SU/kaFls0kgFrbfX7WXmvYRaw==">https://simbli.eboardsolutions.com/SU/kaFls0kgFrbfX7WXmvYRaw==</a>
3513.3	Tobacco-Free Schools - <a href="https://simbli.eboardsolutions.com/SU/CMyFXHzQzoEDywtplusIN746w==">https://simbli.eboardsolutions.com/SU/CMyFXHzQzoEDywtplusIN746w==</a>
3513.3	Tobacco-Free Schools - <a href="https://simbli.eboardsolutions.com/SU/FkXQu1Q7KNsCfG9RTPcQTg==">https://simbli.eboardsolutions.com/SU/FkXQu1Q7KNsCfG9RTPcQTg==</a>
3516	Emergencies And Disaster Preparedness Plan - <a href="https://simbli.eboardsolutions.com/SU/fOVClamfA08xmzsqHOrXMQ==">https://simbli.eboardsolutions.com/SU/fOVClamfA08xmzsqHOrXMQ==</a>
3516	Emergencies And Disaster Preparedness Plan - <a href="https://simbli.eboardsolutions.com/SU/hUArQtBqD6kUkvb59alpDA==">https://simbli.eboardsolutions.com/SU/hUArQtBqD6kUkvb59alpDA==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/OcbCAtdHLCkRKFtdhZfJw==">https://simbli.eboardsolutions.com/SU/OcbCAtdHLCkRKFtdhZfJw==</a>
4119.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/FCihrWB8AZX9mPfd8FYDiA==">https://simbli.eboardsolutions.com/SU/FCihrWB8AZX9mPfd8FYDiA==</a>
4119.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/jHII7w8ToNTtTvEbmWS8ig==">https://simbli.eboardsolutions.com/SU/jHII7w8ToNTtTvEbmWS8ig==</a>
4219.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/LaOxUJN1oqPmeXkOV7bl4A==">https://simbli.eboardsolutions.com/SU/LaOxUJN1oqPmeXkOV7bl4A==</a>
4219.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/oYGgUdi0DUuJQIEFV4ZOw==">https://simbli.eboardsolutions.com/SU/oYGgUdi0DUuJQIEFV4ZOw==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/hYfXe6eP5oV7v8nDRjs29Q==">https://simbli.eboardsolutions.com/SU/hYfXe6eP5oV7v8nDRjs29Q==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/KJZhsWVwXn96tGqKggCXw==">https://simbli.eboardsolutions.com/SU/KJZhsWVwXn96tGqKggCXw==</a>
5148	Child Care And Development - <a href="https://simbli.eboardsolutions.com/SU/pDJcnHJlkfyjqkj0Sf3A==">https://simbli.eboardsolutions.com/SU/pDJcnHJlkfyjqkj0Sf3A==</a>
6115	Ceremonies And Observances - <a href="https://simbli.eboardsolutions.com/SU/BcBSGC1FM0zPjB9NnrV6wg==">https://simbli.eboardsolutions.com/SU/BcBSGC1FM0zPjB9NnrV6wg==</a>
6115	Ceremonies And Observances - <a href="https://simbli.eboardsolutions.com/SU/pmevuODU8P8RggP6XEyoQ==">https://simbli.eboardsolutions.com/SU/pmevuODU8P8RggP6XEyoQ==</a>
6141.2	Recognition Of Religious Beliefs And Customs - <a href="https://simbli.eboardsolutions.com/SU/H8VhzzWcSsMql7Kltl3pvw==">https://simbli.eboardsolutions.com/SU/H8VhzzWcSsMql7Kltl3pvw==</a>
6145	Extracurricular And Cocurricular Activities - <a href="https://simbli.eboardsolutions.com/SU/nLrOUFeKneG8YVZ3hrxhMA==">https://simbli.eboardsolutions.com/SU/nLrOUFeKneG8YVZ3hrxhMA==</a>
6145	Extracurricular And Cocurricular Activities - <a href="https://simbli.eboardsolutions.com/SU/eYMFVhUjB3CkdplplusXhbwdQ==">https://simbli.eboardsolutions.com/SU/eYMFVhUjB3CkdplplusXhbwdQ==</a>
7160	Charter School Facilities - <a href="https://simbli.eboardsolutions.com/SU/1BmOwv87IGnsU7vx6mhTLg==">https://simbli.eboardsolutions.com/SU/1BmOwv87IGnsU7vx6mhTLg==</a>

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Meetings And Notices -  
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<https://simbli.eboardsolutions.com/SU/HciJGWibHsIshdxo379sPpHtw==>



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## MEMORANDUM

By E-Mail: frank.camarda@sanjuan.edu

<b>DATE:</b>	January 25, 2024	<b>CLIENT/MATTER:</b>
		511/602
<b>TO:</b>	Frank Camarda Chief Operations Officer San Juan Unified School District	
<b>FROM:</b>	Megan Macy Junaid Halani	
<b>RE:</b>	Opening District Facilities to the Public	

This memorandum evaluates the risks to the San Juan Unified School District (“District”) in opening all District tracks, fields, and play spaces to the general public. A part of that evaluation is an examination of the Civic Center Act, Board policies, District processes, and insurance requirements, all of which provide the framework for the public’s use of District facilities. Below is a summary of the risks involved and an overview of the various legal and policy considerations in enacting such a District-wide program.

### Executive Summary

The Civic Center Act provides a statutory framework for the public’s use of District facilities and how they may be regulated. The District’s Facility Use Handbook and adopted Board Policies enact the regulations included in the Civic Center Act and provide a robust set of procedures and fees for the use of District facilities. Allowing the public to use District facilities outside of these formal avenues exposes the District to the risk of non-compliance with the law, District policies and procedures, and liability for injury and damage. Some of these risks are as follows:

- The Civic Center Act requires the District to charge certain entities for use of District facilities and opening all facilities up to all members of the public would make enforcing this requirement extremely difficult.
- The logistics of an “open campus” model may lead to scenarios where entities that should be paying to use District facilities are not doing so, which would further expose the District to risk.

- The open campus model is likely to create an intense demand on District staff and resources to manage those facilities' use, maintenance, and safety without offsetting means to pay for the wear and tear. Specifically, such use may result in property damage, depreciation of District assets, and increased costs to account for the increased staff need to oversee the use of District facilities.
- Allowing all members of the public to use all District facilities without oversight does not alleviate the District's legal duty of care to individuals on District property. Therefore, the District would remain liable for any damages, injuries, and unforeseen conditions present on District property. This is a large source of undefined risk that may or may not be covered by the District's insurance policies. Even if covered by insurance, it only takes a few litigious members of the public to create a significant cost burden for the District to defend itself against complaints and lawsuits stemming from the public use of District facilities.
- Uncontrolled use of District facilities creates a potential risk to District students, to the extent students are on District premises for school related events after school hours.

For these reasons, the risks of an open campus approach are significant, while the added benefit to the community at large is minimal, the public can already use District facilities under the Civic Center Act. The District currently has a comprehensive facility use policy that strikes a balance between allowing members of the public to use District facilities while also mitigating the risk of such use to the District and ensuring the safety of District students. We recommend continuing this practice. Below we provide our analysis of the statutes and regulations at play.

## **Legal Background**

### **A. Purpose of the Civic Center Act**

Public schools are funded through taxpayer monies. Thus, in California, the facilities of a public school are considered a part of the community, and since 1917, state law has required that schools make facilities available for public use. The purpose of the Civic Center Act ("Act") (Ed. Code § 38130, *et seq.*) is to allow community groups to use public school facilities when those facilities are not utilized for school activities (e.g., after school and on weekends). The Act also permits school districts to charge fees to those community groups requesting the use of public-school facilities.

### **B. Use of School Facilities or Grounds under the Act**

The Act states that there is a civic center at each and every public-school facility and public school grounds where citizens, parents, and other groups may engage in recreational activities and may meet in order to discuss "any subjects and questions that in their judgment pertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside." (Ed. Code, § 38131, subd. (a).) These "other groups" include "parent teacher associations, Camp Fire girls, Boy Scout troops, veterans, organizations, farmers' organizations, school-community advisory councils, senior citizens' organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral activities of the public-school districts." (Ed. Code § 38131, subd. (a).)

The Act further provides specific instances in which the use of school facilities and grounds are discretionary (a school district may allow the requested use) and mandatory (a school district must allow the requested use). A school district may authorize the use of school facilities when used for:

- public, literary, scientific, recreational, educational, or public agency meetings;
- the discussion of matters of general or public interest;
- the conduct of religious services for temporary periods on a one-time or renewable basis, by any church or religious organization that has no suitable meeting place for the conduct of such services;
- the administration of exams for personnel selection or instruction of precinct board members by public agencies;
- child care of day care programs;
- supervised recreational activities (e.g., youth sports);
- a community youth center;
- ceremonies and patriotic celebrations; and
- any other purpose deemed appropriate by the district's governing board.

(Ed. Code, § 38131, subd. (b).) A school district must authorize the use of any school facilities to “nonprofit organizations” or to a “club or an association organized to promote youth and school activities.” (Ed. Code, § 38134, subd. (a)(1).) These groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire USA, the YMCA, parent-teacher associations, and school-community advisory councils. (Ed. Code, § 38134, subd. (a)(1).) However, a school district is not required to allow the use of public-school facilities if the district’s governing board determines that the use is for fundraising activities that are not beneficial to youth or public-school activities of the district. (Ed. Code, § 38134, subd. (a)(2).)

Education Code section 38133(b) says: “The management, direction, and control of school facilities under this article are vested in the governing board of the school district, which shall promulgate all rules and regulations necessary to provide, at a minimum, for the following: ... (b) Preservation of order in school facilities and on school grounds, and protection of school facilities and school grounds ...” Furthermore, the Supreme Court has said, in *Hazelwood School District v. Kuhlmeier* (1987) 484 U.S. 260, 267, that “... The public schools do not possess all of the attributes of streets, parks, and other traditional public forums that ‘time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions.’ [Citations.] ... [S]chool facilities may be deemed to be public forums ... if school authorities have ‘by policy or by practice’ opened those facilities for indiscriminate use by the general public ...” The courts have also said that clearly a school can impose “[r]easonable time, place, and manner regulations”; however, any “content-based prohibition must be narrowly drawn to effectuate a compelling state interest.” (79 Cal. Op. Att'y Gen. 248 (1996).) So, any restriction of facility use based on content or viewpoint would be troublesome. It is common for schools to close facilities to public use during certain hours, or to close certain facilities, such as playgrounds, to the public. The general rule is one of fairness: once a forum is open to the public, such use must be allowed consistently and fairly.

Therefore, the schools have wide discretion to determine which hours people can use their facilities, under what conditions, and for what uses. There is nothing in the law that says members of the public must be allowed to walk dogs, play ball, or otherwise use school facilities

and grounds outside of the Act's requirements. In fact, many schools use fencing to prohibit public access to playing fields and other recreational areas except during specified hours.

### **C. Assessing Fees for Use of School Facilities or Grounds**

In addition to establishing when public school facilities and grounds may be used, the Civic Center Act (Ed. Code, § 38130 et seq.) also provides when a school district may, or must, assess fees for the use of the school facilities or grounds. These fees and the types that may be assessed are dependent on the purpose for which the facilities or grounds are used, and by whom they are used.

There are two types of fees that may be imposed on users of District facilities under the Civic Center Act: direct costs and fair rental value.

Districts may charge "direct costs" for the use of school facilities by nonprofit organizations and clubs, or associations organized to promote youth and school activities, including, but not limited to, Girl Scouts, Boy Scouts, Camp Fire, Inc., parent-teachers' associations, school-community advisory councils, and religious organizations or churches that arrange for and supervise sports league activities for youths. (Ed. Code, § 38134(b)-(c).) Essentially, a school district has the discretion to assess fees for uses that are beneficial to youth or public-school activities of the district.

It is important to note, however, that the school district may not charge a fee that exceeds the district's own direct costs and, before the school district may impose such fees, the district must adopt a policy specifying which activities will be assessed fees. In addition, when electing to charge fees pursuant to the Civic Center Act, a school district governing board must adopt a fee schedule that includes the hourly fee for each specific facility and grounds (or "like" facilities and grounds, such as all classrooms or all multipurpose rooms.) (5 CCR §14041.)

A school district must assess fees in an amount at least equal to the district's direct costs if a church or religious denomination uses the facility to conduct religious services for a temporary period on a one-time or renewable basis. (Ed. Code, § 38134(d).)

With regard to for-profit use of school facilities under the Civic Center Act, Education Code section 38134(e) states that "in the case of entertainment or a meeting where an admission fee is charged, or contributions are solicited, and the net receipts are not expended for the welfare of the pupils of the school district or for charitable purposes, a charge equal to fair rental value shall be levied for the use of the school facilities or grounds." (Emphasis added.) Fair rental value is defined as "the direct costs to the school district plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized." (Ed. Code §38134(g)(2).)

Thus, there is a difference in language with regard to the two types of charges. Direct costs "may" be charged, while fair rental value "shall be" levied in certain circumstances.

### **Legal Analysis**

#### **A. The District's Facility Use Handbook**

To comply with the Act, the District's Board has adopted Board Policy ("BP") 1330 (Use of District Facilities and Grounds). A key provision in BP 1330 provides that "All district and school-related activities...shall be given first priority in the use of district facilities and grounds." The Board also annually adopts a Facility Use Handbook ("Handbook") that incorporates the Act's requirements and sets forth a comprehensive fee schedule and framework for outside entities that want to use District facilities.

The Handbook provides a comprehensive breakdown of the type of facilities available for public use, the process by which the public may request the use of the facilities, insurance requirements, guidelines for the use of facilities, a complaint process, maintenance forms, a process to check out equipment, and a schedule of fees. (Handbook p 8-17.) This allows District staff to keep track of who is using the facilities to ensure that they are paying the appropriate fees and that their use of the facilities does not conflict with District events and use of the facilities (Handbook p 7-9.) Managing and maintaining the smooth operation of District facilities is an exercise in logistics, and the ability to control access to and use of facilities is key in ensuring that facilities are not overrun, that public use does not conflict with District use, and that members of the public that damage District facilities are held responsible and restricted from endangering District property.

In a way, District facilities are already open to the public for use, with the caveat that access is controlled so that such use is managed responsibly for the benefit of all. Expanding public use so that members of the public may use District facilities without any process would significantly increase the workload on District staff and resources to ensure that District facilities remain suitable and safe for use. Staff would need to invent a whole new set of policies and procedures to ensure the safety of the public and District students under this new regime. For instance, if public facilities are open to the general public, homeless and transient members may take advantage of the space and insist on camping out on District property. District staff would then need to spend time and resources to resolve the situation in a safe manner. Under current policies, the probability of such situations arising is limited by the limited nature of access to District facilities. In addition, if members of the public were to damage District property, it would take some time for the District to identify the issue, and there would be no way for the District to track down who may be responsible for the damage. All the while, the damaged property would present a further source of injury to the public and in turn liability to the District.

The Handbook also sets out a complex fee structure that is broken down by the type of entity requesting access to District property and the reason for the access. For example, theater rentals and aquatic center rentals are priced differently, and those prices are further modified by whether the event is considered a "Community Event" or a "Fair Market Event." (Handbook p. 5-7 and 14.) These price differences are based on complex cost calculations mandated in part by the Act. As explained above, there are instances where the District may charge fees and instances where the District must charge fees. If the District were to open all facilities to the public without any access control, then it becomes increasingly difficult for staff to appropriately charge for the use of District facilities. In particular, in scenarios where the District must charge for facilities, not doing so would put the District in a state of non-compliance with statute and at risk of challenge by an aggrieved member of the public.

For example, an entity that currently enjoys consistent use of District facilities but can no longer do so because of the high demand and easy access under the new policy may decide that it is

worth challenging the District's policy on the grounds that the District is not complying with the Act. The District would then incur further costs in defending itself against such a challenge. From a policy perspective, the open campus model creates a significant amount of undefined risk that the District will need to manage. Because of the Handbook and current policy, the District does not face those same risks and challenges.

## **B. Insurance and Liability for Injury**

### **1. Liability Under the Civic Center Act**

The Act allocates the risk of injury between a school district and certain groups using school facilities. A school district authorizing the use of school facilities by nonprofit organizations and groups promoting youth and school activities is liable for an injury resulting from the negligence of the school district in the ownership and maintenance of the school facilities or grounds. (Ed. Code, § 38134, subd. (i).) A group using school facilities or grounds under the Act is liable for an injury resulting from the negligence of that group during the use of the school facilities or grounds. (*Id.*) Moreover, the school district and the group using the school facilities or grounds under this section shall each bear the cost of insuring against its respective risks and shall each bear the costs of defending itself against claims arising from those risks. (*Id.*)

### **2. Liability During After Hours Use**

The District may be subject to general tort liability unrelated to the use of its facilities under the Act. (Gov. Code, §§ 815.2, subd. (a), 815.6.) As you may know, tort law describes the non-criminal rules against one person (or entity) engaging in harmful acts toward another person. For example, the law of negligence establishes a minimum set of expectations (called a "standard of care") for each person with others. (Civil Code § 1714(a).) The ordinary standard of care describes what a "reasonable person" would do in the defendant's shoes, but a higher standard of care is applied when there is a special relationship between the parties (e.g., teacher/ student, counselor/patient). (*Guerrero v. South Bay Union Sch. Dist.* (2003) 114 Cal.App.4th 264, 268, citations omitted.) A defendant's intentions are not relevant to prove a negligence claim. A plaintiff can prevail if he / she proves that the defendant acted below the standard of care and that the acts caused the plaintiff damages. Generally, schools may be subject to claims of negligent supervision, negligent hiring, and/or negligent maintenance of school grounds. (Gov. Code, § 835.)

For a negligence claim, including premises liability (e.g., slip and fall cases), the plaintiff must prove the defendant had a duty of care that was breached, and the breach caused plaintiff to suffer damages. For schools, the duty of care to maintain school grounds may be similar to the standard it maintains for its students during normal school hours.

For example, a school may be liable if it has a practice of illuminating the basketball courts at night to allow community use, then inadvertently sets the timers to turn off the lights at night while the community uses the courts. Of note, each liability analysis is fact-determinative, and the aforementioned example is only intended to illustrate possible exposure.

Because the Act only addresses potential liability for use by particular organizations and illustrates the fact that a school district still remains potentially liable for injury from community

use, we defer to the District's insurance provider to evaluate the liability and insurance coverage issues associated with use of school facilities or grounds by any group. We understand that SIA is in the process of putting this together.

### **Conclusion**

Modifying District policy to provide for an open campus model increases the risks and liabilities to the District. One way to mitigate these risks is to create and implement policies and procedures that control access and use of facilities. Such policies and procedures already exist in the form of the Handbook and the District's permitting system. That is to say, District facilities are currently accessible to members of the public, such use is simply managed to ensure the facilities are properly maintained, and that public use does not endanger District staff or students. The District's approach in this regard is standard practice amongst many large school districts in the state. Generally, school districts do not allow unrestricted access to facilities due to the potential risk to District students and the District itself. Please let us know if you have any questions on any of the items in this memorandum.

**Ad Hoc Committee Update/Discussion  
Non-Permitted Community Use of High School Track and Fields During Non-School Hours  
Facilities Committee Meeting  
2-6-2024**

**April 2020**

Historically, the San Juan Unified School District (SJUSD) allowed non-permitted community use of its campuses, specifically the high school fields, for various activities such as running, walking, informal soccer games, and football. However, concerns about student safety prompted the school district to install fences around the school grounds to protect students during school hours. Although the fields were reserved only for school activities and permitted events, many people in the community continued to use them as before, unaware of the new policy.

On April 7, 2020, in response to Sacramento County's updated Covid 19 Stay-at-Home order that closed outdoor public recreational spaces, SJUSD closed their campuses, including high school track and fields, for recreation, group activities and team practices until the Stay-at-Home Order was lifted. A sign was posted on school campuses notifying the community of the new order.

**February 2023**

On February 14, 2023, the SJUSD Board of Trustees reached a consensus to instruct the Facilities Committee to research and provide policy recommendations on the reopening of outdoor school recreational facilities for non-permitted use by the community during non-school hours and present their findings and recommendations to the School Board.

**March 2023**

During the March Facilities Committee meeting, Saul Hernandez, who serves as the Board liaison to the Facilities Committee, presented the School Board's request to the committee. As a result, an ad hoc committee was established to research and provide recommendations on reopening outdoor school recreational resources for non-permitted community use outside of school hours. However, following a request from Frank Camarda, the Chief Operations Officer of SJUSD, the committee agreed to narrow its focus to reopening only the high school track and fields.

**April 2023**

At the April ad hoc committee meeting, Cherie Chenoweth, SJUSD Facilities Coordinator, was asked to provide answers to the following questions:

1. **How far away are other public parks/sports fields from SJUSD high schools within a 1-mile radius?** *I am not sure if we have a map of this, we do have a list of what schools fall in what park district.*
2. **Do we have current park/district partnerships?** – *Yes we have Joint Use Agreements with all park districts within our district boundaries.*
3. **What is the incident data within the past 5 years at SJUSD high schools? If you have data on the types of incidents (e.g. vandalism, assault) that occur outside school hours by non-students, that would be especially helpful. *This information would be with Risk Management and M&O through the work order system. Some of this might also come from Safe Schools too.***

4. **What is the facility budget to repair damage?** *M&O gets 3% of the overall general fund expenses in the fiscal year, this pays for all employees and maintenance around the district. Damage claims go through Risk Management.*
5. **Additionally, how much has it cost to repair criminal damage to high schools that occur outside school hours?** *This would not be information I would have but if there was a claim Risk Management and M&O's workorder system would have this.*
6. **What would the estimated cost be to hire someone to open and close campus gates on weekends?** *This would depend on who the person is. I believe this would fall under a custodian; they have a contract that if they are required to come in they are paid a minimum of 3 hours. The average cost would be \$174.00.*

#### Risk Management

On April 19, 2023, Lupita Alcala, an ad hoc committee member, spoke with Michelle Fischer, Manager of Risk Management at SJUSD, about the potential liability and risk of opening high school track and fields to the community during non-school hours. Ms. Fischer provided the following comments:

Risks: Vandalism, cleanliness (dogs), altercations, potential field closure and loss of revenue due to vandalism, lack of oversight, cost for custodian, risk of being sued if something happened, community members having a false sense of security, community members unwilling to leave fields if asked, and athletic directors being accustomed to full access to fields. Although risk contributions would not automatically go up, they could go up if there was an incident where negligence was a factor.

Following the meeting, Ms. Fischer checked with both Folsom-Cordova and Sac City and neither district allows non-permitted community use of their HS track and fields. She stated that continuing to lock HS track and fields was strongly suggested by their liability pool as losses could have the potential of impacting the JPA as well as the district's budget since each loss has a deductible of \$5K.

Benefits: Acknowledged that the community pays for the track and fields through various voter-approved bond measures and that open fields would allow the community to get more exercise

#### Potential Impact on SJUSD Insurance Pool Member Contribution Rates:

- There has been one claim filed for vandalism: \$3000 for damage to the tennis courts (cost for repair fell under the \$5000 deductible). Incident occurred in 2019 during the early morning hours.
- In answer to the question regarding any increase to the District's insurance pool member contribution rates should the HS tracks be kept open for community use, our contribution would only increase if there are submitted claims. There are two categories of claims that could potentially increase as a result of opening up HS tracks: (1) Property claims (damage to our property) and (2) Liability claims (damage to individuals or their property).
- Property claims that fall under the \$5K deductible would not hit the pool, and would not impact our annual property contribution to the pool. Nevertheless, the fiscal impact on the

District's budget remains as the District would be paying for the claim up to the first \$5K. **If the claim exceeds the deductible, the District is required to pay a higher property contribution as a result of that experience.**

- Liability claims, like property claims, can impact our experience resulting in higher contributions for our liability insurance. **Starting this year, a \$5K deductible has been applied to submitted liability claims.** If a liability claim is accepted that resulted in a loss for the pool, the District is billed \$5K for that event (over and above the annual contribution) - if that claim was due to the gross negligence of the District.
- In summary, the District will be fiscally liable for property and liability claims where (1) the insurance pool does not believe the existing policy holds coverage for the allegation and/or (2) where the deductible exceeds.

#### **May 2023**

During the meeting in May, the ad hoc committee worked on creating two surveys - an Athletic Director Survey and a Community Survey for distribution throughout the summer and fall.

#### **June 2023**

Throughout the summer, the ad hoc committee fine-tuned surveys and monitored non-permitted community use of the track and fields in their neighborhoods.

#### **July/August 2023**

July 26, 2023 - August 28, 2023: A survey was distributed online to assess community support for non-permitted use of high school track and fields during non-school hours. The survey was shared on various platforms including parent pages, community outreach, and word-of-mouth advertising to engage parents, school staff, students, and community members from all corners of the district.

#### Community Survey Results

##### **Questions:**

1. Do you support keeping high school track and fields open for community use during non-school hours?
2. Please share the reason for your answer? (optional)
3. What is your closest high school?;
4. What is your zip code?
5. What is your e-mail? (optional)

**Responses received from the following schools\***: Bella Vista (90 yes 4 no), Rio Americano (84 yes, 10 no), Del Campo (54 yes), El Camino (32 yes, 2 no), Miral Loma (8 yes), Casa Robles (25 yes, 1 no) Mesa (8 yes), San Juan (6 yes, 1 no), Encina (2 yes).

\*Several respondents listed 2 schools.

**300 responses**

**282 YES – 94%**

**18 NO – 6%**

**280 written responses (optional) - 94%**

**111 e-mails provided (optional) - 37%**

**NO** - Reasons cited: vandalism, increased cost to maintain fields, and potential damage to sports equipment.

**YES** - Reasons cited:

- Safety – Schools are perceived as safe and welcoming. A community presence during non-school hours increases safety, fosters a sense of belonging, and reduces vandalism.
- Exercise/Socialization – Physical activities such as running, walking, and soccer are beneficial for both physical and mental health, and the safe environment of the school is an important factor that encourages families and friends to come out and exercise when they otherwise would not.
- Bond Measures – Fields are paid for by the community and they should be able to use them when schools are not in session. Fields were open until 2020, closed due to Covid, and never reopened.

### **September 2023**

September 13, 2023: Melinda Avey, ad hoc committee chair, met with Mr. Camarda, to review progress and arrange for meetings with school administrators and athletic directors. Mr. Camarda shared a checklist he had developed for the committee to ensure due diligence.

### **October 2023**

October 30, 2023: Ms. Avey held a meeting via Zoom with principals and athletic directors from Rio Americano, Bella Vista, El Camino, and Del Campo High Schools. The meeting was organized by Mr. Camarda to give principals and athletic directors an opportunity to share their opinions and concerns regarding reopening the track and fields for non-permitted community use during non-school hours.

- The group did not support the idea of opening the fields for non-permitted community use. They were mostly concerned about vandalism, turf damage, shortened lifespan of the fields, trash, liability, and the workload of the custodial staff. There were complaints that people were accessing the fields by climbing over fences and propping open the gates.
- It was not clear whether locking the fields had reduced damage or decreased unauthorized use.
- Additionally, it was unclear whether the damage cited was being caused solely by people using the track and fields during daylight hours in the evening or on weekends, or by people coming onto campus at night – or both.
- There were no complaints from coaches that community members have interrupted practices or other organized activities.

### **November 2023**

November 1, 2023: A survey was distributed to SJUSD High School Principals and Athletic Directors. Casa Robles, Encina, Mira Loma, and El Camino responded to the survey. Mesa Verde and San Juan did not participate in the Zoom call or respond to survey.

#### Principal/Athletic Director Survey Results

**How often have you observed unauthorized use of the track and fields at your school by the local community?**

Casa - We have had very minimal unauthorized use the past couple of years.

Encina - Pretty much every day.

Mira Loma - Several times a week.

El Camino - Occasionally on Sundays or on school breaks

**What changes to unauthorized use have you observed after the track and fields became secured by locked fencing?**

Casa - This has definitely been a deterrent from unauthorized use.

Encina - No change, they find a way onto our facilities. It is easy to jump a fence.

Mira Loma - People either climb over the fence or there is a small gap in the fence between our baseball field and all weather track and people are able to get in through the gap in the fence.

El Camino - People would jump the fence

**What changes in wear and tear and/or vandalism have you observed since the track and fields became secured by locked fencing?**

Casa - Fortunately we have had minimal wear and tear or vandalism to our stadium field and track. Occasionally we have wear and tear on our baseball and softball fields due to unauthorized use however those facilities are not able to be locked.

Encina - No change.

Mira Loma - We find dog poop, gum, and trash on the track and all weather field from community use.

El Camino - Lots of wear and tear on the turf. Spots that need to be replaced. Some trash left over the weekend, and damage to our soccer goal nets.

**If track and fields were to remain open for non-permitted community use during non-school daylight hours when other activities are not scheduled, what conditions would you want in place to ensure the safe use of the track and fields?**

Casa - I would prefer our facilities were not open during non school hours or after daylight. I believe this will open up our facilities for vandalism and unauthorized use which in return will put unwanted staff hours on cleaning or repairs.

Encina - Trash cans and posting signs. Signs should detail what the expectations are, No smoking, clean up after yourselves, do not mess with locks (we have found that people jam the lock so that others can get in without jumping the fences).

Mira Loma - I would want groups to have to sign up to use the facilities so they were responsible for the safe use of the track and fields.

El Camino - I would like to see replacement of damaged equipment by the district.

**Please share any other comments you may have?**

Casa - Please keep our facilities secured. Thank you

Encina - We have had to clean up after the community, damage to the field, cigarette butts, damaged locks and fences.

Mira Loma - I am concerned about potential vandalism and property damage if the facilities are left open to the public.

El Camino – No response.

**January 2024**

January 10, 2024: Ms. Avey and Ms. Alcala had a meeting with Mr. Camarda to discuss the progress of the ad hoc committee and gather information about the damage caused to the high school tracks and fields due to non-permitted community use outside of school hours.

- Mr. Camarda reported that no incidents had been reported to M&O.
- Mr. Camarda shared that school buildings are more likely to be targeted for vandalism and other criminal activities than the high school tracks and fields.

- Fields reflect normal wear and tear, and regular maintenance and replacement are on schedule.
- In rare cases, an outside athletic storage facility might be broken into or vandalized.
- If policy were to be changed, the Facilities Use Handbook would need to be revised.

January 15, 2024: Ms. Avey met with the American River Futbol Club (ARFC), a youth soccer club. The club's President, Troy Topping, informed her that they do not face any problems with community members disrupting their permitted activities. Any issues that arise are usually with other teams. Mr. Topping also felt that the community should have access to the fields during non-school hours when they are not being used for sanctioned activities.

### **February 2024**

February 2, 2024: Site visit to Del Campo, El Camino, and Bella Vista with Ms. Avey, Mr. Camarda, Mr. Walker M&O, and school custodians to discuss impact of non-permitted community use of HS tracks and fields during non-school hours. Findings include:

- All three custodians opposed opening track and fields, generally citing concerns about increased traffic on the fields, increased damage to the fields and increased staff workload.
- It is not documented by staff when, how many and how frequently community members use the track and fields.
- Damage and incidents of vandalism are not documented by custodians or M&O.
- When asked to give examples of vandalism to the track and fields, most of their responses pertained to vandalism to the school buildings and other areas on the campus. However, there was a recent incident at Bella Vista High School where a group of individuals damaged the press box by jumping on the roof until it collapsed. All cited fireworks (July 4<sup>th</sup>, New Years Eve) but it was not clear if those incidents happened on the track and fields or in other parts of the school campuses. Occasionally, there are needles or broken glass found on the fields or in the stands. There is no evidence to indicate that the vandalism is caused by community members using the fields. These events likely happen at night or when no one else is around.
- Due to the amount of trash present. However, it is unclear whether the increase in trash is a result of the weekend's high school athletic events and other permitted activities, or if it is due to community members who typically use the fields on Sundays when there are no other events.
- Gates are routinely left open during non-school hours, including overnight – sometimes custodians forget to lock the gates, sometimes coaches leave them open, and sometimes people climb the fence and prop the gates open.
- There is no noticeable difference in the number of people using the fields or the amount of cleanup required whether the gates are left open or closed.
- There have been a handful of divots requiring repair over the past 5 years. It is not known who caused the divots and is felt that they are likely the result of normal wear and tear.
- A limited number of incidents related to homelessness were resolved without incident.
- Dogs are a problem at all the schools regardless of whether gates are left open or not.
- Staff oppose opening fields to the community during non-school hours.

### **Other Outreach and Findings**

During the year, members of the ad hoc committee visited several fields and spoke with people present there. We learned that sometimes the gates had been left open, but if the gates were locked, someone would climb the fence and open the gate for others to enter.

Many of those we met were small groups of high school and middle school students or young adults playing pick-up soccer or flag football. They preferred the turf field, liked getting together with friends, and felt safer there than at adjacent parks where there were issues with drug use and crime. When asked what they would be doing if they weren't out on the field with their friends, they answered that they would likely be home alone gaming on their computers.

Additionally, there were many adults walking or running on the track as well as parents with young children who were doing the same. They preferred the high school setting over other options and felt comfortable there. They appreciated the absence of traffic and felt safe with others on the track.

We talked to neighbors and other community members and found widespread support for opening track and fields for non-permitted community use during non-school hours. Their reasons mirrored the responses given by those who responded to the community survey.

#### **Folsom-Cordova Unified School District (FCUSD)**

Although SJUSD Risk Management was correct in that Folsom-Cordova USD does not permit community access to high school stadiums, they do allow and even encourage non-permitted community use of their other outdoor recreational resources. The gates to these areas are unlocked during non-school hours to allow public access. A sign is posted stating that the outdoor recreational areas at the facility are accessible to the public during non-school hours. However, FCUSD reserves the right to lock the gates without prior notice in accordance with Board Policy 1000.

#### **American River College (ARC)**

The ARC college track and fields are open to the community from early morning until dusk. Committee chair (Ms. Avey) spoke with a coach who confirmed that the ARC fields are not vandalized or otherwise abused by the community. In fact, he thinks that non-permitted community use is a protective factor since there is usually someone on the field, which probably deters vandalism. Although ARC is located next to a creek known to house homeless encampments, they have no issues with homeless individuals except for occasional use of Port-A-Potties.

The coach was surprised to learn that Bella Vista was closed during non-school hours because he remembers that the community was promised that they would never lose access to the fields if they agreed to permit lights on the fields.

Further research by the ad hoc committee revealed that during the late 1990s, Bella Vista High School initiated a significant undertaking to upgrade its outdoor facilities, which became known as the "Field of Dreams". The project, which was featured in the December 2001 edition of "Athletic Business", was a collaborative effort between parents, private businesses, local non-profits, and government entities to construct an outdoor sports and recreational area that could be utilized by the entire community.

One of the top priorities was to install lights at Bronco Stadium. To achieve this, a deal was made with a local cellular-communications equipment provider who agreed to pay \$600,000 for four new light poles for the BV football field, on the condition that they could use the light poles for their cell towers.

"In return, the tower company was given full community support for the project, which doesn't always happen when you want to build a cell tower in someone's neighborhood," said Larry Masuoka who was the chair of the Fair Oaks Park and Recreation District at the time.

**RECOMMENDATION – Approved by SJUSD Facilities Committee 02/06/2024**

SJUSD high school track and fields shall be available to the public for non-permitted use during non-school hours, except when the track and fields are being used for high school activities or other permitted events. The track and fields may be closed without notice if the High School Principal and Deputy Superintendent of Schools determine that there are documented incidents of vandalism that necessitate locking the gates during non-school hours.

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** I-6

**MEETING DATE:** 04/09/2024

**SUBJECT:** Board Governance Handbook

CHECK ONE:

For Discussion:

For Action:

Report:

Workshop:

Recognition:

Emergency Action:

**DEPARTMENT:** Administration

**ACTION REQUESTED:**

The superintendent is recommending that the board review and discuss proposed edits to the Board Governance Handbook.

**RATIONALE/BACKGROUND:**

The district's Board Governance Handbook was developed by board members and is required to be reviewed annually. The handbook establishes the norms under which members of the board agree to engage in their responsibilities and provides clarity around practices and procedures.

Proposed edits clarify language and incorporate suggestions including meeting norms as discussed at the Good Beginnings Workshop facilitated by California School Boards Association (CSBA) on January 20, 2024.

**ATTACHMENT(S):**

A: Board Governance Handbook with draft changes

**BOARD COMMITTEE ACTION/COMMENT:**

N/A

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

**FISCAL IMPACT:**

Current Budget: \$ N/A

Additional Budget: \$ N/A

Funding Source: N/A

(Unrestricted Base, Supplemental, other restricted, etc.)

Current Year Only  On-going

**PREPARED BY:** Trent Allen, APR, Chief of Staff 

**APPROVED BY:** Melissa Bassanelli, Superintendent of Schools 



**San Juan Unified**  
SCHOOL DISTRICT

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**Board of Education**

**DRAFT Governance Handbook**

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## **San Juan Unified School District Mission**

We empower all in our inclusive learning community to contribute and thrive in a radically evolving world.

### **Shared Values**

#### **We value:**

- **Inclusivity**

We commit to cultivating an inclusive community of belonging with genuine respect for diverse cultures, identities and abilities.

- **Real World Knowledge**

We commit to creating environments and providing experiences that build and apply relevant skills and knowledge for the real world.

- **Voice**

We commit to hearing all voices, acknowledging, validating, and responding as we continuously grow together as a community.

- **Social and Emotional Intelligence**

We commit to creating a culture that embraces, teaches, models and applies social and emotional intelligence in all interactions with all stakeholders.

- **Perseverance**

We commit to creating a learning atmosphere that models and instills perseverance through adversity and encourages risk taking.

### **Equity Lens**

Through policies, practices, programs and decisions, San Juan Unified will reduce the predictability of which students fail by utilizing an equity lens to eliminate barriers for our specific populations.

## **Academic Focus Areas**

While each school is unique, we are committed to providing a high-quality education for every student that includes:

- A challenging, standards-based academic program at every school
- Additional supports for students who require extra assistance
- Enrichment opportunities and programs

Welcoming schools that support the social and emotional needs of our students form the foundation for academic excellence. We recognize this is built through continuous improvement of intentional collaborative efforts that are focused on the following:

1. Connected School Communities: Caring staff actively build community relationships, identify assets and needs and connect students and families with resources to help them access the best opportunities our schools have to offer.
2. Healthy Environments for Social-Emotional Growth: Staff will cultivate inclusive, safe, equitable, culturally responsive and healthy environments by integration of social and emotional learning to ensure essential student development.
3. Engaging Academic Programs: Staff educators will engage and support each student in a challenging and broad course of study that builds skills, knowledge and experiences preparing all to be critical thinkers who communicate effectively, collaborate and are civic-minded.
4. Clear Pathways to Bright Futures: Our whole school community engages each student in discovering their limitless potential, and through coordinated efforts, prepares them for college, career and bright futures filled with opportunities.

## **District Overview**

Created in 1960 with the merger of six school districts, San Juan Unified School District has a rich tradition in providing all students with the opportunity for academic success and achievement.

The district serves a 75-square-mile area covering the communities of Arden-Arcade, Carmichael, Citrus Heights, Fair Oaks, Gold River and Orangevale.

Today, San Juan Unified is the 10th largest school district in California with an expenditure budget of more than \$500 million used to employ more than 5,000 individuals and to educate more than 45,000 students in our early learning, TK-12 and adult programs. More than 10,000 additional K-12 students are served in independent charter schools within the district.

The district consists of 33 elementary schools, eight K-8 schools, nine middle schools, nine comprehensive high schools, three special-education centers, three alternative schools, one adult-education center, two Early Childhood Education centers and one dependent charter.

The student population is diverse. During the [20212022-20222023](#) school year, the district's ethnic/racial makeup was: 0.5-6 percent American Indian or Alaskan Native, 25.9-7 percent Hispanic/Latino, 7.16.9 percent African American, 47.647 percent White, 9.810.6 percent Asian/Asian American, 0.7 percent Pacific Islander, .9 percent Filipino and 7.46 percent multi-race.

## **Roles and responsibilities of board members and the superintendent**

### **Board Roles**

**The role of the board is to provide each student with an education of the highest possible quality within the limits of financial support provided by the State of California.** To accomplish this, board members are responsible for five roles identified by the California School Boards Association (CSBA):

- **Setting the direction** for the district by involving parents/guardians, community, students and staff, while focusing on student learning and achievement.
- **Establishing an effective and efficient structure** by employing the superintendent, developing and adopting policies, establishing academic expectations and adopting curriculum and instructional materials, establishing budget priorities and adopting the budget, providing safe and adequate facilities to support student learning, and setting parameters for negotiations with employee organizations and ratifying collective bargaining agreements.
- **Providing support to the superintendent and staff** by following standards of responsible governance, making decisions and providing resources that support district priorities and goals, upholding board policies and being effective spokespersons by being knowledgeable about district programs and goals.
- **Ensuring accountability** through evaluation of the superintendent; monitoring and evaluating policies; serving as a judicial and appeals body; monitoring student achievement and program effectiveness; approving, monitoring and adjusting district budgets; and monitoring the collective bargaining process.
- **Providing community leadership and advocacy** on behalf of students, the district's educational program, and public education in order to build support within the local school community and at the state and national levels.

### **Superintendent Roles**

CSBA identifies the following standards and roles for superintendents working with the Board of Education:

- Promotes the success of all students and supports the efforts of the board to focus on student learning and achievement.
- Values, advocates and supports public education and all stakeholders.
- Recognizes and respects the different perspectives and styles of board members, staff, students, parents and community, ensuring the diverse range of views inform board decisions.
- Acts with dignity, treats everyone with civility and respect, and understands the implications of demeanor and behavior.
- Serves as a model for the value of lifelong learning and supports the board's continuous professional development.
- Works with the board as a "governance team" and assures collective responsibility for building a unity of purpose, common vision and positive organizational culture.
- Recognizes that the board/superintendent governance relationship is supported by the district's management team.
- Understands the distinctions between board and staff roles,<sup>7</sup> and respects the roles of the board as the representative of the community.

- Understands that the authority rests with the board as a whole, provides guidance to the board to assist in decision making, and provides leadership based on the direction of the board as a whole.
- Communicates openly with trust and integrity, including providing all board members with equal access to information, and recognizes the importance of both responsive and anticipatory communications.
- Accepts leadership responsibility and accountability for implementing the vision, goals and policies of the district.

## **Board Norms**

The governance team commits to accomplishing these standards and roles through:

- Focusing on all students
- Demonstrating respect
- Creating transparency
- Communicating openly
- Listening actively
- Keeping commitments
- Being collaborative
- Taking the time needed to govern effectively
- Encouraging everyone's ideas and points of view
- Balancing trustee area representation vs. districtwide responsibility
- Adherence to the Brown Act

## **Trustee Areas and Representation**

Board members are elected by the voters within their trustee area but serve the students, families and residents throughout the district's 75 square mile area. As such, board members should consider the impacts of decisions on all constituents when deliberating and take action in the best interest of the district as a whole rather than their specific trustee area. Unless specific to the election or trustee boundary designation processes, information prepared by staff will not delineate data specifically by trustee areas.

To facilitate strong community connections, board members are encouraged to build relationships with the organizations and residents within their trustee area in the manner they deem most appropriate and effective. As a courtesy, board members engaged in district business with organizations in another trustee area are encouraged to inform the board secretary and the board member representing the area.

## **Welcoming new members**

The board president meets with each newly elected member individually to provide a copy of the Governance Handbook, the schedule of meetings, the format for meetings and governance team operations.

The superintendent meets with each newly elected member to provide an overview of the district and to introduce cabinet members and other staff who will be communicating with the board.

District legal counsel will give newly elected members a copy of the Brown Act and inform them they must conform to its requirements immediately upon assuming office and/or at any time when ~~re the newly elected is acting on behalf of the district. as if they had already assumed office.~~

The governance team attends the swearing-in ceremony and reception for the newly elected members.

## **Annual Organizational Meeting**

The annual organizational meeting will be held within the required 15-day period commencing on the second Friday in December.

At this meeting, the board shall

- Elect a clerk, vice president and president from its members.
- Establish the regular school board meeting dates and starting/ending times for the year.

- Appoint representatives to specific organizations and committees and
- Determine locations of board meetings (Board Bylaws 9320, 9140).

## **Speaking with a common voice**

All public statements in the name of the board are made by the board president or, if appropriate, by the superintendent or superintendent's designee.

When speaking to community groups, the media or to the public, individual board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the board.

When a board decision ~~has been is~~ reached, all board members shall support that decision until it is amended or rescinded by board action. Any board member who may wish to criticize or oppose any specific board action should do so in an open board meeting.

## **Assigning work to staff**

No individual member of the board, by virtue of holding office, shall exercise any administrative responsibility with respect to the schools; nor as an individual, command the services of any employee. Board members are to channel their requests and/or concerns directly to the superintendent (~~or, if necessary, through the board president~~).

## **Addressing conflict among board members**

~~Because T~~he governance team norms are designed to create an open, respectful, collaborative culture.~~T~~  
~~M~~embers will engage in dialogue while welcoming an open discussion with different points of view. Members will demonstrate an ability to disagree on issues without taking the disagreements personally~~T~~,  
~~nor using social media or public platforms to showcase disagreements.~~ Members will endeavor to maintain neutral body language and tone during deliberations.

## **School visitations/Extracurricular events**

School visitations are encouraged to build understanding of the district's instructional programs, curriculum and communities. Board members should make appointments with the school principal prior to visiting a campus. The board member should also email the board administrative assistant, so the visit can be placed on the board calendar alerting other members to the visit,~~— as well as~~ the superintendent~~and the board members who represents that trustee area~~. This may prevent one school from having numerous visits from different board members during a short period of time. During visits, members should be cautious of interrupting the learning environment.

## **Graduations**

Graduation ceremonies honor the accomplishments of students and the contributions of their families, teachers and staff and other supporters. Each board member participates in the ceremony of the comprehensive high school(s) within their trustee area by certifying the class. Board members participate in the ceremonies of non-comprehensive high schools on a rotating basis.

## **Board Meetings**

### **Board meeting materials**

Board members will be provided with agendas and copies of all related backup materials for regular meetings at least 72 hours in advance and for special meetings at least 24 hours in advance. Members are responsible to review for reviewing all materials prior to the meeting to assist with an efficient and effective deliberative process.

To provide greater access and transparency to materials, the district is adopting a digital materials management platform. Upon request to the board assistant, members will be provided with devices, training, and/or assistance to access materials.

### **Placing items on board agendas**

Board members may request that matters be added to meeting agendas during the future agenda discussion which occurs during each regularly scheduled meeting. If a majority of majority of board members share an interest in the matter, the board president and superintendent shall determine if the topic is within jurisdiction of the board and schedule the item if so. Items that are not within the jurisdiction of the board cannot be agendized. The board president and superintendent may determine if a request is primarily for informational purposes and may fulfill such a request by providing the desired information as appropriate.

### **The role of board members during board meetings**

The authority to direct action rests solely with the full board during public board meetings. A majority vote provides direction to the superintendent. By carefully reviewing the board packet prior to the board meeting, board members can contact the superintendent for questions about an item. All members share a common responsibility to ensure the Brown Act is followed.

### **Individual board member's request for information, materials or action**

It is important for trustees to be well informed, as oversight of the district is one of the main functions of the board. Trustees recognize that they have no power as individuals to direct staff actions, and that compiling information in response to trustee requests can take staff away from their day-to-day operations of schools and the district. An individual board member will – insofar as possible – let the superintendent and staff know ahead of time when a request for information will be made in a public meeting, so the staff can be prepared to provide a thorough response. Staff will make every effort to ensure that board agenda items include thorough background and information. Requests for information not on the board agenda should be made to the superintendent who will ensure the appropriate staff person responds. All information provided by the administration in response to a request by a trustee shall be provided to all other trustees at the same time. Trustees should self-regulate the number of requests for information regarding issues not on the board agenda.

### **Board meeting guidelines**

It is important to recognize that a board meeting is the time for the board to do their work in public view. We agree to keep our focus on the best interest of our students at all times. After staff input and public comment, board members are encouraged to ask questions and explain their thinking related to the topic at hand. The board president recognizes members who desire to speak, alternating , so that all members have the opportunity to speak. There is not a time limit or limit to the number of questions or comments that a board member may make, but each board member should be respectful of giving other members the

opportunity to speak. Nothing in this section will preclude members from speaking multiple times until all discussion is concluded.

Unless a point is important to further understanding of the immediate discussion, the board president will allow all other members to speak first and then add their comments or questions.

The rules contained in Appendix A, "San Juan Unified Rules of Order," shall govern operations of board meetings unless they are in conflict with this handbook, board bylaws, ~~or~~ state or federal law. [Where there is a conflict of the same, state then federal law supersedes existing regulations and policies.](#)

## **Public comments**

Members of the public shall have an opportunity to address the board on any item of interest that is within the subject matter jurisdiction of the board (Education Code section 35145.4, Government Code section 54954.3). If the public comments on items not appearing on the posted board agenda, the board cannot take action or discuss the comments (Government Code section 54954.2), other than to briefly acknowledge the comments and, if desired, to ask staff for follow-up information.

## **Voting**

A majority vote of all members of the board is necessary for the election of officers or for any other action by the board unless otherwise specified by law. Voting shall be by voice and the board administrative assistant records the votes by member, which is placed into the minutes of the meeting. [Where a board member cannot participate, audibly in the vote, they may submit their vote in writing during the public meeting.](#)

Unless otherwise provided by law, affirmative votes by a majority of the board's membership are required to approve any action under consideration [as allowable by quorum,](#) ~~regardless of the number of members present.~~

The board shall take no action outside of a public meeting except on those matters and under those conditions authorized for closed sessions (Government Code sections 54957, 54957.7; Board Bylaw 9323.2).

## **Voting no or abstaining**

Each trustee respects the right of other trustees to vote "no" on an issue. Everyone agrees it is a courtesy to the governance team to explain the reasons for the "no" vote, either during deliberation or before casting the vote.

A member may abstain from voting for any reason by announcing their abstention when a vote is called. Similar to a no vote, it is a courtesy to the governance team to explain the reason(s) for abstaining from a vote. If a member was absent at the previous meeting, it is customary to abstain from voting on the approval of that meeting's minutes.

A member must recuse themselves from a vote if any one of the following ~~are-is~~ true: 1) the matter directly involves a close relative of the board member (Education Code section 35707); 2) the vote is to replace the board member's position on the board (Education Code section 35178); or 3) the matter involves a "remote interest(s)" as listed in Government Code section 1091. When any one of these conditions ~~are-is~~ met, a board member must recuse themselves by announcing their recusal when the topic is first announced for discussion and leaving the dais during the duration of discussion or action on that item.

## **Quorum**

A quorum is the minimum number of voting members who must be present at a properly called board meeting in order to conduct business in the name of the board,<sup>7</sup> and is established when a majority of the board members (at least four of the filled positions) are in attendance (Education Code section 35164, Board Bylaw 9323).

## **Additional Board Information**

### **Board-appointed/board-approved committees**

Board members appoint community members to committees as determined in committee bylaws. Newly elected board members will be given the option to appoint their own committee members or continue with the current appointments.

Board members serve as the conduit between a board-appointed/board-approved committee and the board as a whole.<sup>-</sup> Board members are not voting members of board-appointed/board-approved committees.

If a board member wants to attend a board-appointed/board-approved committee meeting of which they are not the board liaison, the board member should contact the board administrative assistant. This will eliminate the possibility of four or more board members being in attendance at the meeting.

### **Electronic media**

The Board of Trustees will use electronic media (e.g., email and texting) carefully to ensure that there is no violation of the Brown Act (Government Code sections 54950-54962). The Brown Act prohibits a majority of board members from exchanging information outside of a board meeting, or using a series of communications of any kind, directly or through intermediaries, to:

- discuss, deliberate, or take action on an item of business within the subject matter jurisdiction of the board,
- advance or clarify an issue,
- facilitate agreement or compromise or
- advance an ultimate resolution.

The board recognizes that by using "Reply All" in email responses, the email:

- becomes part of the deliberative process,
- creates a public record and
- inhibits opportunity for any other four board members to have a conversation on a topic.

Board members will be aware of, and follow, district policy as it pertains to electronic communication. The district is subject to requests for public documents as provided by the California Public Records Act (Government Code section 6250 et seq.). Public documents include emails, text messages and other correspondence from, and between, board members as well as from, and between, employees and board members, regardless of whether sent or received on district provided or personal devices or accounts.

Board members who engage constituents via social media are responsible for ensuring that opinions expressed are presented as their own and not those of the board and for following all applicable board policies and state and federal laws.

### **Complaints from community/staff**

When an issue is brought to a board member, the board member will use active listening to hear what the complaint or issue is. Board members need to remain cognizant of their responsibility for judicial review, staff and student confidentiality and due process when talking with the complainant.

Restate what the complainant has said to ensure that you have heard the information correctly. Ask the person what they would like the board member to do with the information and what the individual would like to see as a possible solution. Explain that you will be sharing the information with the superintendent.

Redirect the complainant to communicate with appropriate personnel and utilize the appropriate complaint procedure. Ask the individual to follow up if the problem isn't resolved. Notify the superintendent as soon as possible with details of the complaint.

In order to support a positive working relationship among the San Juan Unified School District Board of Education, the staff, students and the community, we have reviewed and agreed to the norms and protocols outlined in the 2023 Governance Handbook. We shall renew these agreements annually.

Affirmed on this 11th day of April, 20232024.

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Ben Avey, Member  
San Juan Unified School District  
Board of Education

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Pam Costa, Member  
San Juan Unified School District  
Board of Education

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Zima Creason, Member  
San Juan Unified School District  
Board of Education

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Saul Hernandez, Member  
San Juan Unified School District  
Board of Education

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Tanya Kravchuk, Member  
San Juan Unified School District  
Board of Education

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Manuel Perez, Member  
San Juan Unified School District  
Board of Education

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Paula Villescaz, Member  
San Juan Unified School District  
Board of Education

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Melissa Bassanelli, Secretary  
San Juan Unified School District  
Board of Education

## **San Juan Unified Rules of Order**

San Juan Unified's Board of Education and committees that operate under the Brown Act or Greene Acts utilize the following rules to govern operations during meetings of their bodies. District policy including administrative regulations and board policy as well as state and federal laws shall take precedence if in conflict with these rules.

### **Amendments and Updates**

These rules are based on [Rosenberg's Rules of Order](#) (as published by the League of California Cities) designed for municipalities and civic organizations with modifications to meet the specific needs, practices and interests of the district. In connection with updates to the district's Board Governance Handbook, district staff shall review any updates to Rosenberg's Rules of Order to consider for adoption.

The Board of Education shall approve all proposed changes to these rules before they become effective.

### **The Role of the Chair**

It is the responsibility of all members to understand the rules of parliamentary procedure, but it is the role of the chair to apply the rules to the operations of the meeting. The chair is supported in this function by staff as appropriate for the meeting body.

As the chair has a larger role in the operation of the meeting, it is a courtesy that they offer comment on a matter before the body after other members and should refrain from making or seconding a motion unless convinced other members will not do so at that point in time.

#### **The Basic Format for an Agenda Item Discussion**

A meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

- 1) The chair should announce the agenda item number and subject and then invite the appropriate person(s) to report on the item, including any recommendations they may have.
- 2) Following the presentation, the chair should open public comment following the body's public comment procedure. Speaking times for public comment are limited to 2 minutes per speaker. Total time for public speaking on a public item is determined by each body's bylaws. If the item is a public hearing, the chair must open the public hearing before beginning public comment and close the public hearing upon conclusion of speakers.
- 3) The chair should ask members of the body if they have questions or comments regarding the item. Members may ask questions of the presenters and other members or offer comments for consideration. The chair should offer questions or comments after other members have had an opportunity. At the discretion of the chair, members may have additional opportunities to offer questions or comments.
- 4) Upon conclusion of discussion and questions by members, or as appropriate, the chair should invite a motion. The chair should announce the name of the member who makes the motion.
- 5) The chair should ask for a second to the motion. The chair should announce the name of the member who seconds a motion. All motions require a second.
- 6) The chair should check to make sure everyone understands the motion. This can be done by:
  - a. The chair asking the maker of the motion to repeat it;
  - b. The chair can repeat the motion; or
  - c. The chair can ask the individual taking minutes to repeat the motion.
- 7) The chair should then invite discussion on the motion before the body. If no discussion is offered, or after discussion has ended, the chair should announce the body will vote on the motion.
- 8) The chair takes a vote by asking for the "ayes" and then asking for the "nays." If members have not yet voted, then the chair should ask for "abstentions."
- 9) The chair should announce the result of the vote and the action the body has taken.

## Motions

Motions are the vehicles for decision-making by a body. A member makes a motion by preceding the member's desired approach with the words, "I move..." The chair usually calls for a motion by inviting members of the body to make a motion, by suggesting a motion that another member then moves or by making the motion themselves. (Note: Chairs should refrain from making motions or seconding motions unless other members of the body do not offer.)

### Types of Motions

**Basic Motion** – The basic motion is one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a five-member committee to plan our event." A motion must have a second to be considered by the body.

**Motion to Amend** – If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee."

**Substitute Motion** – If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the event this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accept the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

A "motion to reconsider" is a special and unique motion. Once a vote is taken by a body it is considered final and can only be reopened if a motion to reconsider is made and passed. A motion to reconsider requires a majority vote to pass like other basic motions, but there are two special rules that apply only to motions to reconsider. First, a motion to reconsider must be made at the meeting where the item was first voted upon. (This requirement can be suspended if motioned to do so and approved by a two-thirds majority.) Second, the motion to reconsider may only be made by certain members of the body.

Accordingly, a motion to reconsider may only be made by a member who voted in the majority on the original motion. Any member may second the motion including those who voted in the minority. If the motion to reconsider passes, the original matter is back before the body and the new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

### Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them to avoid confusion. All

motions must have been moved and seconded to be valid for consideration by the body, this includes basic motions, motions to amend and substitute motions.

When there are two or more motions on the floor (which have all been moved and seconded) the vote should proceed *first* on the *last* motion that is made. For example, consider that 1) a basic motion is made followed by 2) a motion to amend and then 3) a substitute motion. The chair would first call for discussion and vote on the third motion, the substitute motion. If the substitute motion is approved, it replaces the basic motion and renders the motion to amend invalid and voting is over. If the substitute motion fails, the chair would then call for discussion and vote on the motion to amend. If approved, the amended motion would be considered for vote. If the amendment fails the original motion is then considered.

### **Debate on Motions**

Most motions are subject to discussion and debate by the body as long as members wish to discuss the item. Discussion remains open until such time that the chair determines it is time to move on and take action. There are exceptions when a motion is *not debatable*, and a chair must take an immediate vote if the motion is made and receives a second:

**Motion to adjourn** – This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

**Motion to recess** - This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or several hours. It requires a simple majority vote.

**Motion to fix the time to adjourn** - This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. It requires a simple majority vote.

**Motion to table** – This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body, or the motion can contain no specific time for the return of the item. If no specific time is included in the motion, those individuals responsible for setting the body’s agenda shall identify when the item returns for consideration by the body. Motions to table require a simple majority vote.

**Motion to limit debate** – The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question.” As a practical matter, when a member uses one of these phrases, the chair can expedite matters by treating it as a request rather than as a formal motion. The chair can simply inquire of the body “any further discussion?” If no one wishes to have further discussion, the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion and proceed to it. Motions to limit debate require a two-thirds vote.

### **Majority and Super Majority Votes**

All motions require at least a simple majority vote. A tie vote means the motion fails. For example, in a seven-member body, a vote of 4-3 passes a motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3 the motion still fails.

There are exceptions when a motion requires a super majority vote:

**Motion to limit debate** - This motion ends debate on a motion before the body and requires a two-thirds vote to be approved.

**Motion to close nominations** – A motion to close nominations for officers (such as the chair) effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

**Motion to object to the consideration of a question** - Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

### **Counting Votes**

Quorum is determined by the body’s bylaws or other governance documents.

All motions must receive a second and an “aye” vote by a majority of the body to be adopted. Abstentions votes can be used to meet quorum requirements but are not calculated in determining the outcome of the vote.

## Courtesy and Decorum

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body. A member cannot generally interrupt a speaker however there are a few exceptions:

**Privilege** – A member can call for a “point of privilege.” The chair should then interrupt to ask the interrupter to state their point. Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

**Order** – A member can call for a “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal** – If the chair makes a ruling that a member of the body disagrees with, the member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day** – This is simply another way of saying “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

**Withdraw a motion** – During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion and any other member may make the motion if properly recognized.

## **Meeting Norms:**

- We will keep our focus on the best interest of our students.
- We will stay focused on our goals.
- We will respect differences and show respect.
- All team members are encouraged to offer their ideas and resources.
- We will wait to speak until a team member has finished talking.
- We will listen actively to all ideas in order to enhance understanding.
- We will model inclusivity and be inclusive of each other.
- We will respect team meeting times: start on time, return from breaks promptly, avoid unnecessary interruptions.

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** I-7

**MEETING DATE:** 04/09/2024

**SUBJECT:** Williams Complaint Report

CHECK ONE:

For Discussion:

For Action:

Report:

Workshop:

Recognition:

Emergency Action:

**DEPARTMENT:** Legal Services

**ACTION REQUESTED:**

The superintendent is recommending the board receive a report regarding Williams-type complaints filed with the district during the time period from January 1, 2024, to March 31, 2024.

**RATIONALE/BACKGROUND:**

The Williams legislation embodied in Education Code section 35186(d) requires each school district to publicly report, on a quarterly basis, summarized data on the nature and resolution of all Williams-type complaints filed with the district.

**ATTACHMENT(S):**

A: Williams Act 3rd Quarterly Report

**BOARD COMMITTEE ACTION/COMMENT:**

N/A

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

**FISCAL IMPACT:**

Current Budget: \$ N/A

Additional Budget: \$ N/A

Funding Source: N/A

(Unrestricted Base, Supplemental, other restricted, etc.)

Current Year Only  On-going

**LCAP/STRATEGIC PLAN:**

Goal: N/A Focus: N/A

Action: N/A

Strategic Plan: N/A

**PREPARED BY:** Fhanysha C. Gaddis, General Counsel, J.D., MPP *FCG*

**APPROVED BY:** Melissa Bassanelli, Superintendent of Schools *MB*



**San Juan Unified**  
SCHOOL DISTRICT

**Legal Services**

**Melissa Bassanelli**  
*Superintendent of Schools*

**Fhanysha Clark Gaddis,**  
**J.D., MPP**  
*General Counsel*

## WILLIAMS UNIFORM COMPLAINT PROCESS (UCP)

### Quarterly Report

*Year covered by this report:* 2024

*Quarter covered by this report:* Quarter 3 (January - March)

#### *Sufficiency of textbooks*

Number of complaints:	0
Number resolved:	0
Number unresolved:	0

#### *School facilities issues*

Number of complaints:	0
Number resolved:	n/a
Number unresolved:	n/a

#### *Vacancy or misassignment of teachers*

Number of complaints:	0
Number resolved:	n/a
Number unresolved:	n/a

Respectfully submitted:

Fhanysha C. Gaddis, J.D., MPP  
General Counsel

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**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** I-8

**MEETING DATE:** 04/09/2024

**SUBJECT:** Employment Contract Amendment

CHECK ONE:

For Discussion:

For Action:

Report:

Workshop:

Recognition:

Emergency Action:

**DEPARTMENT:** Human Resources

**ACTION REQUESTED:**

The superintendent is recommending that the board approve the attached amendment to the employment contract for the Interim Deputy Superintendent, Schools and Student Support.

**RATIONALE/BACKGROUND:**

Per current legislation, the amendment to employment contract for the Interim Deputy Superintendent, Schools and Student Support, for Amy Slavensky must be brought to the board for approval.

**ATTACHMENT(S):**

A: Amendment to Employment Contract

**BOARD COMMITTEE ACTION/COMMENT:**

N/A

**PREVIOUS STAFF/BOARD ACTION:**

Board of Education: 03/19/2024

Superintendent's Cabinet: 04/01/2024

**PREPARED BY:** Rebecca Toto, Ed.D., Assistant Superintendent, Human Resources

*RT*

**APPROVED BY:** Melissa Bassanelli, Superintendent of Schools

*MB*

**SAN JUAN UNIFIED SCHOOL DISTRICT**  
**AMENDMENT TO EMPLOYMENT CONTRACT**

**Amy Slavensky, Interim Deputy Superintendent, Schools and Student Support**

The following shall amend the original contract of employment, effective April 11, 2023 and the amendment to employment contract, effective April 9, 2024, between the Governing Board of the San Juan Unified School District ("Board" or "District") and Amy Slavensky, Interim Deputy Superintendent, Schools and Student Support ("Slavensky").

**1. TERM OF EMPLOYMENT CONTRACT**

The District hereby continues to employ Slavensky as Interim Deputy Superintendent, Schools and Student Support, continuing up through and ending on June 30, 2025 (termination date), subject to the terms and conditions of the original employment contract, and all requirements of law.

**Except as modified above,** all other terms of the employment contract and contract amendment previously agreed to and identified above between Slavensky and the Board shall remain in effect.

Date: 3/20/2024

Date: 3/20/2024



Amy Slavensky



Melissa Bassanelli

Superintendent  
San Juan Unified School District

Ratified by the Board of Education:

Date: \_\_\_\_\_

**SAN JUAN UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

**AGENDA ITEM:** I-9

**MEETING DATE:** 04/09/2024

**SUBJECT:** Board Meeting Dates 2024-2025

**CHECK ONE:**

- |                   |                                     |
|-------------------|-------------------------------------|
| For Discussion:   | <input type="checkbox"/>            |
| For Action:       | <input checked="" type="checkbox"/> |
| Report:           | <input type="checkbox"/>            |
| Workshop:         | <input type="checkbox"/>            |
| Recognition:      | <input type="checkbox"/>            |
| Emergency Action: | <input type="checkbox"/>            |

**DEPARTMENT:** Administration

**ACTION REQUESTED:**

The superintendent is recommending that the board approve the proposed board meeting dates for the 2024-2025 school year.

**RATIONALE/BACKGROUND:**

Regular board meetings are held on the second and fourth Tuesday of each month, unless noted otherwise. There are no regular board meetings held in July. Due to the holiday and winter break, the superintendent is proposing that one (regular) meeting be held during the months of November and December. The December meeting must take place after the second Friday in December in order to comply with Education Code 35143.

August 13, 2024	February 11, 2025
August 27, 2024	February 25, 2025
September 10, 2024	March 11, 2025
September 24, 2024	March 25, 2025
October 8, 2024	April 8, 2025
October 22, 2024	April 22, 2025
November 19, 2024 ( <i>3<sup>rd</sup> Tuesday</i> )	May 13, 2025
December 17, 2024 ( <i>3<sup>rd</sup> Tuesday</i> )	May 27, 2025
January 14, 2025	June 10, 2025
January 28, 2025	June 24, 2025

**BOARD COMMITTEE ACTION/COMMENT:**

N/A

**PREVIOUS STAFF/BOARD ACTION:**

Superintendent's Cabinet: 04/01/2024

**FISCAL IMPACT:**

Current Budget: \$ N/A

Additional Budget: \$ N/A

Funding Source: N/A

(unrestricted base, supplemental, other restricted, etc.)

Current Year Only:  On-going:

**LCAP/STRATEGIC PLAN:**

Goal: N/A

Focus: N/A

Action: N/A

Strategic Plan: N/A

**APPROVED BY:** Melissa Bassanelli, Superintendent of Schools *M.B.*

:sc

**SAN JUAN UNIFIED SCHOOL DISTRICT  
TENTATIVE BOARD AGENDA ITEMS  
2023-2024**

**APRIL 23**

- |  |           |
|--|-----------|
| Recognition: California Day of the Teacher (May 8) – A                                 | Toto      |
| Recognition: National Nurses Week and National School Nurse Day (May 6-12 & May 8) – A | Calvin    |
| Elevating Youth Voice – R  | Calvin    |
| Instructional Materials Adoptions – D  | Slavensky |
| New High School Courses – D  | Slavensky |
| 2022-2023 Audit Report – A   | Ryan      |
| Choices Charter School Salary Schedule Adjustment – A [Discussed 04/09/24]             | Ginter    |
| Teamsters Initial Proposal for Successor Contract 2024-2027 – D                        | Thigpen   |
| *Governance Handbook – A [Discussed 04/09/24]  | Allen     |

**MAY 14**

- |   |                 |
|---|-----------------|
| Recognition: National Speech Pathologist Day (May 18) – A                             | Calvin          |
| Recognition: Classified School Employee Week (May 19-25) – A                          | Toto            |
| Strategic Plan – D  | Allen           |
| English Learner Update – R  | Calvin          |
| Teamsters Initial Proposal for Successor Contract 2024-2027 – PC [Discussed 04/23/24] | Thigpen         |
| *Instructional Materials Adoptions – A [Discussed 04/23/24]                           | Slavensky       |
| *New High School Courses – A [Discussed 04/23/24]                                     | Slavensky       |
| *Approval of CTE 2024 Advisory Committee Roster – A                                   | Schnepp         |
| *Head Start/Early Head Start COLA Funding Allocation 2024-2025 – A                    | Townsend-Snider |
| *Resolution: CSPP Continued Funding Application Designated Personnel 2024-2025 – A    | Townsend-Snider |
| *Audit Report for Measures J, N, P and S – A  | Ryan            |

**MAY 28**

- |   |                 |
|---|-----------------|
| Recognition: National Science Bowl (if applicable) – A                                | Schnepp         |
| Recognition: Science Olympiad (if applicable) – A                                     | Schnepp         |
| Recognition: Academic Decathlon (if applicable) – A                                   | Schnepp         |
| District K-12 Mathematics Update – R  | Slavensky       |
| Expanded Learning Opportunities Program (ELO-P) Update – R                            | Calvin          |
| Middle School Boundary Adjustments – D  | Camarda         |
| Strategic Plan – A [Discussed 05/14/24]   | Allen           |
| Intent to Convey Easements at Garfield/Schweitzer ES to Carmichael Water District – A | Camarda         |
| *Head Start/Early Head Start Contract Resolution FY 2024-2025 – A                     | Townsend-Snider |

**JUNE 11**

- |   |                 |
|---|-----------------|
| Public Hearing: LCAP – D  | Slavensky       |
| Public Hearing: LCAP Choices Charter School – D   | Ginter          |
| Public Hearing: Adoption of the 2024-2025 Budget – D  | Ryan            |
| Temporary Interfund Borrowing of Cash – A   | Ryan            |
| Alder Teacher Residency Update – R  | Slavensky       |
| Dress Code Policy/BP 5132 Dress and Grooming – D  | Schnepp         |
| Bond Tracking Poll Results – D  | Camarda         |
| Public Hearing: Conveyance of Easements at Garfield/Schweitzer to Carmichael Water District – A | Camarda         |
| *Middle School Boundary Adjustments – A [Discussed 05/28/24]                                    | Camarda         |
| *CIF Superintendent Designation of Representatives 2024-2025 – A                                | Schnepp         |
| *ECE Program Self-Evaluation for CDE – A  | Townsend-Snider |

**JUNE 25**

- |  |           |
|--|-----------|
| California School Dashboard Local Indicators – R | Slavensky |
| LCAP – A [Public Hearing 06/11/24]               | Slavensky |

Choices Charter School California School Dashboard Local Indicators – R  
LCAP Choices Charter School – A [Public Hearing 06/11/24]  
Safety and Safe Schools Update – R  
Adoption of the 2024-2025 Budget – A [Public Hearing 06/11/24]  
\*2023-2024 Actuarial Report (OPEB) – A  
\*Charter School 2022-2023 Audit Reports (AAT, CMP, GIS, GV, OFY, VIE) – A  
\*2024-2025 School Plan for Student Achievement (SPSAs) – A  
\*Dress Code Policy/BP 5132 Dress and Grooming – A [Discussed 06/11/24]

Ginter  
Ginter  
Allen  
Ryan  
Ryan  
Ryan  
Calvin  
Schnepp

D=discussion; A=action; \*=consent; R=report; PC=public comment