



Pacific Coast Academy

Special Board Meeting

Date and Time

Saturday October 3, 2020 at 9:00 AM PDT

Location

13915 Danielson Street Suite 103
Poway, CA 92064

Zoom Link: <https://zoom.us/j/92472318743>

Meeting ID: 924 7231 8743

Join by Phone: (669) 900-6833

Agenda

	Purpose	Presenter	Time
I. Opening Items			9:00 AM
A. Record Attendance			1 m
B. Call the Meeting to Order			
C. Approval of Agenda			
II. Governance			9:01 AM
A. Training: Legislative Updates	FYI	Greta Proctor	60 m
B. Training: Conflict of Interest and Consent Agenda	FYI	Jennifer McQuarrie	60 m
C. Closed Session: Conference with Legal Counsel - Potential Litigation § 54956.9	Discuss		30 m
D. Training: Use of Board on Track Platform	FYI	Jennifer Faber	20 m
III. Operations			11:51 AM

	Purpose	Presenter	Time
A. Expense Reimbursement Policy	Vote	Shari Erlendson	5 m
B. Commercial Property Lease Agreement	Vote	Shari Erlendson	5 m
C. Covid-19 Protocol- PCA Resource Center	Vote	Shari Erlendson	5 m

IV. Closing Items**12:06 PM**

A. Adjourn Meeting	Vote
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Public comment rules: Members of the public may address the Board on agenda or non-agenda items through the teleconference platform, zoom. Zoom does not require the members of the public to have an account or login. Please either utilize the chat option to communicate with the administrative team your desire to address the board or simply communicate orally your desire to address the board when the board asks for public comments. Speakers may be called in the order that requests are received. We ask that comments are limited to 2 minutes each, with no more than 15 minutes per single topic so that as many people as possible may be heard. If a member of the public utilizes a translator to address the board, those individuals are allotted 4 minutes each. If the board utilizes simultaneous translation equipment in a manner that allows the board to hear the translated public testimony simultaneously, those individuals are allotted 2 minutes each. By law, the Board is allowed to take action only on items on the agenda. The Board may, at its discretion, refer a matter to school staff or calendar the issue for future discussion.

Note: Pacific Coast Academy Governing Board encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Governing Board Office at 951-290-3013 at least 48 hours before the scheduled board meeting so that we may make every reasonable effort to accommodate you. (Government Code § 54954.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. § 12132)).

Coversheet

Training: Legislative Updates

Section:	II. Governance
Item:	A. Training: Legislative Updates
Purpose:	FYI
Submitted by:	
Related Material:	PCA__Legislative_Updates.pdf



PACIFIC COAST ACADEMY

Legislative Updates

October 3, 2020

Greta A. Proctor, Partner
Procopio, Cory, Hargreaves & Savitch, LLP

TOPICS WE WILL COVER

- What's new in:
 - Authorizing
 - Funding and Operations
 - Transparency
 - Special Education
- Other NCB hot topics

Authorizing

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AB 1505

- Major overhaul of charter schools act, particularly for petitioning, renewals, and appeals went into effect 7/1/2020
 - Renewal considerations?
- 2-year moratorium on new NCB schools as of January 1, 2020
- Changes credentialing requirements, e.g. eliminates flexibility for teachers in non-core subjects as of January 1, 2020, grace period for current teachers
- Regulations forthcoming
- AB 1505 authorizer policies

AB 1507

- Aimed at charter schools operating outside authorizer's boundaries
- Removes location flexibility in most cases for new schools and sites and requires a transition or local approval of existing sites upon renewal
 - For grandfathered schools, at next renewal need to get written approval from district where school located, or submit petition to that local district
 - Per 47605.1(f), jurisdictional limitations do not apply to a charter school that provides instruction exclusively in partnership with WIOA, Youth Build, federal job corps or Conservation Corps, juvenile court school

Funding and Operations

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SB 98: Deferrals

- Education budget trailer bill
- Signed by Governor on 6/29/20
- Avoided 10% cut to education funding that was proposed in Governor's May Revise, but at cost of deferrals
 - Deferrals begin in February 2021
 - Consider your local match
 - Borrowing options?
 - LEAs unable to meet cash flow obligations from February 2021 - June 2021 may apply for an exemption per Education Code section 14041.8
- No COLA for LCFF

SB 98: “Hold Harmless” ADA

- Freezes 2020-21 ADA for all LEAs at 2019-20 levels (as of February 29 cut-off)
 - Exception for brand new schools
 - Protects those LEAs that would otherwise experience a decline in ADA, but harms charter schools (and small districts) that grow in 2020-21
- Legal challenge

SB 98: Other Provisions

- Timing of expenditures and ban on “micro colleges”
- New Learning Loss Mitigation Funds
 - Some limited to classroom-based schools
- Increases primary state special education funding program base rates to at least \$625/ADA
- For charters heading into renewal, addresses lack of 2020 test data (use most recent 2 years)
- New notice requirement for “continuing schools”
- Some limited credentialing flexibility

SB 98: Learning Continuity Plan, LCAP, and Distance Learning

- LCP: required for all schools
 - Replaces LCAP for 2020-21
 - Lots of procedural requirements
 - Due by September 30, 2020
 - Must send to District and County within five days of approval, and post on homepage of school website
- LCAP Budget Overview for Parents still required
 - New template
 - Due December 15, 2020, at same time as 1st interim
- New distance learning requirements for classroom-based schools
 - Legal challenges to distance learning mandate

SB 820: Clean-up, but No Growth Funding for NCBs

- Signed by Governor on 9/19/20
- Education budget trailer clean-up bill (follow-on to SB 98)
- Contains a targeted partial fix for classroom-based schools, but excludes NCB schools
- Takeaway: NCB schools are not eligible for growth funding this year. NCBs will be funded for 2020-21 based on their 2019-20 second principal apportionment (fixed as of February 29)
- Legal challenges

SB 820: Other Notable Parts

- If a NCB school's funding determination expires on 6/30/21 or 6/30/22, school will receive its current funding level for 2 years but must still submit funding determination by 6/30 due date
- Apportionment deferral waivers: deferral exemption requests due 12/15/20
 - How to qualify? See EC 14041.8

SB 820: Other Notable Parts

- New Budget Overview for Parents template by 9/15/20 (reminder this is due 12/15/20)
- New LCAP template for next year is due from CDE by 1/1/21, to include LCP
- Some credentialing flexibility
- PE test suspended for 2020-21
- ELPAC initial assessment deadline extended by 45 days
 - Must still screen pupils at time of enrollment to informally determine EL status to ensure pupils receive language development support

SB 75 (reminder)

- Last year's education budget trailer bill, effective July 1, 2019
- Charter schools may not discourage enrollment, or encourage disenrollment, for any reason
 - Must post “Complaint Notice and Form” (see CDE template) on the charter school’s website, and provide copies at 3 points in time:
 - (1) when a parent, guardian, or pupil asks about enrollment;
 - (2) before conducting an enrollment lottery; and
 - (3) before disenrollment of a pupil.
 - May not require or request a pupil’s records prior to enrollment
- Board-approved LCAP must be posted prominently on homepage; public hearing
- Extends translation requirements

Other Required Website Postings?

- New requirements as of 2020-21 school year

Transparency

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SB 126

- Beginning January 1, 2020, California charter schools and CMOs considered to “manage” charters must comply with government agency transparency rules:
 - Brown Act
 - Public Records Act
 - Conflict of interest rules including Government Code section 1090, the Political Reform Act, and prohibition on holding “incompatible” offices
- New teleconferencing procedures for board meetings
- Need County-approved (or FPPC) conflict of interest code

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Board Meetings: What's New?

- COVID-19 special rules
- AB 992 amends Brown Act
 - Approved by Governor on 9/18/20
 - New limits on Board members' use of social media/online forums, for school-related subject matter

Special Education

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SB 98: amendment to Education Code 56345

- New required component for all initial IEPs developed after 6/29/20
 - Existing IEPs need to include as of their next regular review (annual/triennial).
- Description of how the IEP will be implemented under “emergency conditions” when instruction or services cannot be provided to a student either at the school or in person for more than 10 school days. The description must include all of the following:
 - Special education and related services;
 - Supplementary aids and services;
 - Post-secondary transition services; and
 - Extended school year services.
- Must take into account public health orders

AB 1172

- Effective as of 2020-21 school year
- Imposes new monitoring/reporting requirements on LEAs as it relates to NPS/NPA placements.
 - Conduct One Onsite Visit For First Time Placements: If school places a student at an NPS that it does not currently have any students enrolled in, it must conduct one onsite visit before the student is placed at the NPS.
 - Conduct One Onsite Visit Per Year with Reporting to CDE: Once a student has been enrolled at the NPS, school must conduct a minimum of one onsite visit during the school year.
 - The monitoring must include, at minimum: (1) reviewing the services provided to the student and the student's progress toward IEP and behavior plan goals; (2) observing the student during instruction; and (3) conducting a walkthrough of the facility. School must report its findings to CDE within 60 calendar days of the onsite visit. CDE has created a form template, which can be accessed here: <https://www.cde.ca.gov/sp/se/ds/documents/leasonsitemonitoring.pdf>
 - Verify Use of Evidence-Based Behavior Interventions: School must verify that the NPS has trained its staff to use evidence-based behavior practices and interventions by an appropriately licensed and certified individual consistent with California's laws governing restraint and seclusion.

COVID-19 Challenges

- Early strategies
- Current strategies
- OAH
- CDE
- Legal challenges

Other

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School Re-opening and Cohorting/1:1s

- Layers of guidance
- CDC
- State level
 - Color-coded Tiers
 - School Reopening Framework
 - Guidance for Small Cohorts
- Local level
 - Elementary school waivers
 - San Diego County Public Health and San Diego County Office of Education joint guidance
 - San Diego County

SB 1383 – extends paid family leave entitlement

- Effective January 1, 2021
- Amends California Family Rights Act
- Current law requires employers with 50+ employees to offer protected leaves for eligible employees; now expanded to small employers with 5+ employees
- Employees still need to meet eligibility requirements, but types and lengths of available leave are expanded in various ways

AB 1350 – retroactive diplomas

- Signed by the Governor on 9/11/20
- Authorizes the governing body of a charter school to retroactively grant a high school diploma to a student who:
 - was in their senior year of high school during the 2019–20 school year;
 - in good academic standing and on track to graduate at the end of the 2019–20 school year, as of March 1, 2020;
 - and unable to complete the statewide graduation requirements as a result of the COVID-19 crisis.

Vaccinations - SB 276 and SB 714

- Under current California law, there are a few exemptions to the immunization requirements. Relevant exemptions: (1) medical reasons, and (2) students who are in a “home-based private school or a pupil who is enrolled in an independent study program ... and does not receive classroom-based instruction”.
- New law tightens up medical exemption:
 - **After January 1, 2021:** must use the State medical exemption form and submit through State database
 - Audits
- Recent amendments to Audit Guide regulations

Notable Bills that Did Not Pass the Legislature:

- AB 1384: School Liability Protection for COVID-19
 - Would have provided COVID-19 liability protections for K-12 schools that establish/implement health and safety protocols
- AB 2990: Educational Enrichment Activities
 - Would have placed strict requirements and prohibitions on NCB schools' use of vendors, and vendor contracting
 - Know and follow your school's vendor policies and procedures

Notable Bills that Were Vetoed:

- AB 331 – Ethnic Studies Graduation Requirement
 - If signed, would have added the completion of a one-semester course in ethnic studies to the high school graduation requirements beginning with pupils graduating in the 2029–30 school year. Would have required schools to offer an ethnic studies course beginning with the 2025–26 school year.
 - Vetoed due to concerns that the draft curriculum was biased; directed to return.
- AB 1835 – Unspent LCFF Supplemental and Concentration Funds
 - Would have required schools to identify unspent LCFF supplemental and concentration grant funds by annually reconciling and reporting estimated to actual spending to CDE
 - Would require schools to identify in LCAP how these unspent funds would be expended for unduplicated pupils
 - Expect to see in next year's budget instead

Thank you!

Questions? Please feel free to contact us any time for guidance.



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Coversheet

Training: Conflict of Interest and Consent Agenda

Section:	II. Governance
Item:	B. Training: Conflict of Interest and Consent Agenda
Purpose:	FYI
Submitted by:	
Related Material:	Conflict of Interest and Consent Agenda Training 2020.ppt

Conflict of Interest and Consent Agenda Training

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PRESENTED BY: JENNIFER MCQUARRIE
THE LAW OFFICES OF JENNIFER MCQUARRIE
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Conflict Codes Generally

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- ✧ ***Until passage of SB 126 in 2019, application of laws to charter schools remained contested***
 - ***Government Code section 1090 and the Political Reform Act apply***
- ✧ ***Conflict Codes generally***
 - ***Restrict an entity from entering into a transaction where a board member or employee has a financial interest; or***
 - ***Articulate rules about how an entity may enter into a transaction where a board member or employee has a financial interest***

Government Code section 1090

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- ❧ ***An officer/employee may not make a contract in which s/he is financially interested***
 - ***If no contract is signed, no violation***
- ❧ ***Board members are conclusively presumed to have made any contract approved by the board even if recusal and no participation in making the contract***
- ❧ ***Employee of charter school may be a board member, but must abstain from voting on, or influencing or attempting to influence another member of the board regarding all matters uniquely affecting that member's employment – make sure employee counts on the board are not a majority***
- ❧ ***Employees can recuse themselves so long as they do not participate in the decision***
- ❧ ***Applies to independent contractors and consultants***

Government Code section 1090

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- ❧ ***Applies to indirect and direct financial interests***
 - ***Whether it has potential to divide official's loyalties and compromise undivided representation of public interests that the official is charged with protecting***
- ❧ ***Certainty of financial gain is not required, may be a mere possibility***
- ❧ ***No reach-back when looking at interests***
- ❧ ***Applies to community and separate property income of spouse***

Government Code section 1090

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Remote Interests – section 1091

- Disclose the interest to the board
- Have it noted in the official records of the body
- Board may take action on the remote interest if it acts in good faith
- Cannot count the vote(s) of the those with remote interests

Non-Interests – section 1091.5

- Board may enter transaction without recusal, but in some instances disclosure is required

Government Code section 1090

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Non-exhaustive List of Remote Interests

- *Officer or employee of a nonprofit corporation – does not identify board members that are not officers*
- *Parent has a remote interest in income of his/her minor child for personal services*
- *Landlord/tenant of contracting party has a remote interest in the contracts of that party*
- *Attorney to contracting party when 10%+ interest in the law practice and receives no \$ as a result of the contract (less than 10% is a noninterest)*
- *Owner, officer, employee or agent of a firm rendering service to the contracting party in the capacity of stockbroker, insurance agent/broker or real estate agent/broker to contracting party when person has a 10%+ interest in the firm and will receive no \$ as a result of the contract (less than 10% is a noninterest)*
- *Supplier of goods and services to a contractor so long as the member had provided goods and services to the contractor for at least 5 years prior to the appointment to the board*
- *Director who holds 10%+ ownership interest in a bank or savings and loan has a remote interest in the contracts of parties who are depositors or borrowers at the institution (less than 10% is a noninterest)*
- *When member receives a salary, per diem or reimbursement for expenses from another government entity, the member has a remote interest in the contracts of that other government entity.*

Government Code section 1090

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Non-Exhaustive List of Noninterests

- ***Noninterest in business corporation when:***
 - ✧ ***Owens less than 3% of its shares***
 - ✧ ***Total annual income from dividends/stock dividends amounts to less than 5% of total income***
 - ✧ ***Other income received from the corporation amounts to less than 5% of total income***
- ***Noninterest in reimbursement for necessary expenses in performance of official duties (does not include expenses of a board member's spouse)***
- ***Landlord/tenant of the local, state or federal government have noninterest in the government entities contracts***
- ***Noninterest in spouse's employment if both are public officials. One spouse has a noninterest in the other's office if it has existed for at least one year prior to his/her appointment to the board***
 - ✧ ***Ex: one spouse can retain employment even though the other was on the board that participated in the employment contract so long as the terms of the employment do not change – no promotion or change in status***
 - ✧ ***Ex: spouse of a member of a board member may not be hired by the school***
- ***Nonsalaried member of a nonprofit corporation -- AG believes this is limited to members in a membership organization***
- ***Nonsalaried officer of a nonprofit, tax exempt corporation, which as its primary purpose, supports the functions of a public body or board***

Government Code section 1090

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- ❧ ***Contracts made in violation of section 1090 are void and cannot be enforced***
- ❧ ***Criminal, civil and administrative sanctions***
- ❧ ***Disgorgement of public funds under the contract***

Political Reform Act

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- ✧ ***Enacted in 1974***
- ✧ ***Fair Political Practices Commission is the enforcing body***
- ✧ ***Government Code sections 81000, et seq conflicts of interest begin at section 87100***

Political Reform Act

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- ❧ *Requires charter school to adopt a Conflict of Interest Code*
- ❧ *Code is submitted to the entity's code reviewing body*
- ❧ *The Code tells the charter school directors and employees what financial interests they must disclose on Form 700*
- ❧ *Charter schools are required to review their Codes at least every even-numbered year*
- ❧ *The County Board of Supervisors is the code reviewing body for county agencies and the FPPC is the code reviewing body for a multi-county agency*
- ❧ *Fill out Form 700*
- ❧ *Follow recusal process for interested decisions (employee-directors and employees only, non-employee-directors cannot have interested decisions under Government Code section 1090)*
- ❧ *Prevented from making, participating in making or influencing or attempting to influence a decision involving a direct or indirect material financial interest*

Political Reform Act

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Participation in Decision Making

- ***Official provides information, an opinion or a recommendation without significant intervening substantive review***
- ***Solely ministerial, secretarial, manual or clerical not included***
- ***Actions regarding compensation or employment contracts not included***
 - ✧ ***Official may not make employment decisions against self or family members or set those salaries, unless part of the overall job classification***

Political Reform Act

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Qualifying Interests

- ***Investments in business entities (\$2000+ interest)***
- ***Interests in real estate (\$2000+ interest)***
- ***Sources of income (\$500+ in prior 12 months)***
- ***Sources of gifts and their agents/intermediaries (\$500+ in prior 12 months)***
- ***Positions with business organizations (director/officer/employee/management)***
- ***Personal finances of the official and immediate family (spouse or dependent child)***

Political Reform Act

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❧ ***Personal Financial Effect***

- ***If it is reasonably foreseeable that a decision will have a material financial effect on the official or family member, disqualification is required if the impact is different than the effect on the public generally***
- ***Regulations define what is “reasonably foreseeable,” a “material financial effect” and when the impact is different than the “effect on the public generally”***

❧ ***Foreseeability that the conflict exists at the time of the decision***

Form 700

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- ❧ Review your Conflict Code to see if your position is required to file a Form 700 and which disclosure categories you must report*
- ❧ Interests look backward 12 months*
- ❧ File each April 1 (extended 2020 to June 1)*
- ❧ Public documents*
- ❧ Keep on file with the charter school, granting agency may want a copy*
- ❧ Initial, annual, assuming office, candidate and leaving office required*

Corporations Code

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- ❧ *Applies to all nonprofit corporations*
- ❧ *No more than 49% interested directors may be seated on the board (look back 1 year)*
- ❧ *Only currently financially interested directors allowed under section 1090 are employees*
- ❧ *1090 extends to spouses; PRA extends to spouses and dependent children*
- ❧ *Corporations Code extends more broadly: brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law*
 - *Could have 49% Corporations Code interested directors without violating Government Code 1090*
 - *Examples: 2 members of a 5-member board worked for the charter school as consultants 8 months prior, but are not currently working as consultants. 2 members of a 5-member board are siblings of two employees at the school.*
 - *Recusal required for the interested directors.*

Disqualification Requirements

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- ❧ ***No board member may be interested in a contract – section 1090 – except for employees on the board***
- ❧ ***For those employees on the board:***
 - ***Before discussion or vote, official must make an oral or written disclosure of the financial interest***
 - ***May remain on the dais or designated seat***
 - ***May not be counted toward a quorum***
 - ***May not be present in closed session if decision is made in that closed session***
 - ***School may adopt rules requiring a disqualified official to step down from the dais or leave the room during discussion***
 - ***This disqualification must be identified in the minutes***

Disqualification

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If a non-board member employee

- ***Provide written notice of conflict to supervisor or to the governing board***

If an employee-board member conflict exists, an employee-level conflict exists or a Corporations Code conflict (extending to family members) exists

- ***The board must affirmatively find for each interested transaction that it:***
 - ✧ ***Benefits the school***
 - ✧ ***Is fair and reasonable at the time***
 - ✧ ***School could not have obtained a more advantageous arrangement with reasonable effort***
- ***This must be reflected in the minutes***

Consent Agenda

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- ❧ *Groups routine meeting discussion points into a single agenda item, approving in one action rather than multiple motions*
- ❧ *Typically do not require debate or discussion*
- ❧ *Documentation surrounding the item must be provided to the board in advance*
- ❧ *Members must be given an opportunity to ask associated simple questions, clarifications, etc., before the vote*
- ❧ *If more extensive discussion, take item off the consent agenda and discuss individually*
- ❧ *Items must be removed from the consent if any board member wishes to vote against it*

Consent Agenda

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Types of Items

- ***Topics of a routine/recurring nature***
- ***Procedural decisions***
- ***Non-controversial issues that do not require debate or deliberation***
- ***Items previously discussed for which the team has come to a consensus, but that still need an official vote***
- ***Examples: past meeting minutes, approve personnel transactions if applicable, approve resolutions, approve recommendations for expulsion, approve attendance calendar, approve field trips***

Coversheet

Expense Reimbursement Policy

Section:	III. Operations
Item:	A. Expense Reimbursement Policy
Purpose:	Vote
Submitted by:	
Related Material:	PCA_Expense Reimbursement Policy.pdf



EXPENSE REIMBURSEMENT POLICY

The School's policy is to reimburse its employees for all reasonable and necessary expenditures or losses incurred in direct consequence of the discharge of their duties.

Travel

With current COVID-19 related restrictions and the virtual instruction platforms in place, most employees are not expected or required to travel in order to discharge any duties on behalf of the School. Accordingly, such employees are not eligible for travel reimbursements at this time (including, but not limited to, in-person attendance at conferences, mileage, etc.).

If the School requires an employee to drive their personal vehicles in the course and scope of their employment, the employee will be reimbursed for the reasonable and necessary expense of using their personal vehicle on behalf of the School. Such employees will receive a monthly reimbursement payment from the School for mileage expenses incurred. For those employees that are assigned to a worksite, the employee will receive a monthly reimbursement payment for mileage expenses incurred beyond the employee's normal commute to their assigned worksite. For certain employees, if an assigned worksite is not available and the employee needs to travel to a different location, the employee will be paid for mileage in excess of the normal commute to the employee's assigned work site.

Employees will be paid for mileage reimbursement at the per mile rate amount designated by the Federal Internal Revenue Service at the time the miles are driven on behalf of the School. Employees are required to accurately submit a report of miles driven on behalf of the School within ____ days of incurring the mileage.

If any employee believes that the mileage reimbursement that he or she receives from the School is insufficient to reimburse the employee for all reasonable expenses necessarily incurred by the employee in using his or her personal vehicle on behalf of the School, the employee must immediately report this expense issue to the School's Accounting Department. Employees will be required to submit documentation to support any request for additional mileage reimbursement.

Personal Cell Phones

Employees who are required to use their personal cell phones to perform work on behalf of the School will be provided a stipend to reimburse them for use of their personal cell phones. The School has reviewed objective data regarding the range of costs for unlimited calls and data plans for personal cell phones and established a \$_____ monthly stipend amount based on its

good faith belief that the stipend will more than fully reimburse employees for any reasonable and necessary expense incurred by employees in using their personal cell phones on behalf of the School.

If any employee believes that the stipend that he or she receives from the School is insufficient to reimburse the employee for all reasonable expenses necessarily incurred by the employee in using his or her personal cell phone on behalf of the School, the employee must immediately report this expense issue to the School's Accounting Department. Employees will be required to submit documentation to support any request for additional cell phone reimbursement.

Internet Expenses

Employees who are required to use their personal internet access (WiFi) to perform work on behalf of the School will be provided a stipend to reimburse them for use of their personal internet access. The School has reviewed objective data regarding the range of costs of internet plans and established a \$_____ monthly stipend amount based on its good faith belief that the stipend will more than fully reimburse employees for any reasonable and necessary expense incurred by employees in using their personal internet access on behalf of the School.

If any employee believes that the stipend that he or she receives from the School is insufficient to reimburse the employee for all reasonable expenses necessarily incurred by the employee in using his or her personal internet access on behalf of the School, the employee must immediately report this expense issue to the school's Accounting Department. Employees will be required to submit documentation to support any request for additional personal internet access reimbursement.

Utilities

Employees who are required to use some of their personal utilities (e.g. electricity) while performing remote work on behalf of the School may receive a stipend for reimbursement of the employee's use of their personal utilities. The School has reviewed objective data regarding the range of costs for utilities and established a \$_____ utilities stipend per month based on its good faith belief that the stipend will more than fully reimburse employees for any reasonable and necessary expense incurred in using some of their personal utilities while performing work on behalf of the School.

If an employee believes that the stipend provided by School is insufficient to reimburse the employee for all reasonable expenses necessarily incurred in using their personal utilities on behalf of School, the employee must immediately report this expense issue to the School's Accounting Department.. Employees will be required to submit documentation to support any request for additional utilities reimbursement.

****Please note that the School may establish varying stipends based on multiple factors such as the workload, part-time or full-time status of the employee and other relevant factors.**

Other Expenses

With the exception of those certain employees who are required to use their personal vehicles, cell phones, internet access and utilities during the course and scope of their

employment for the School, it is the School's policy to provide its employees with all necessary equipment and supplies to perform their duties on behalf of the School. The School does not require employees to purchase any additional equipment in order to perform work for the School. If any employee believes that additional equipment is reasonable and necessary to perform his or her duties on behalf of the School, the employee must immediately notify the School's Human Resources Department.

Office Supplies

The School will issue employees gift cards to an office supply vendor on a per semester basis for the purchase of ink (if applicable), paper, miscellaneous desk supplies (e.g. staplers, paper clips, writing utensils and file folders) and/or stamps/ mailing charges for School related correspondence. Any other items outside these categories must be pre-approved by the employee's supervisor before an employee purchases any other item using the School issued gift card. Employees must submit receipts for all purchases used with the gift card directly to Human Resources at the end of each semester. To the extent an employee believes additional funds in excess of the gift card are reasonable and necessary to perform his or her job during the applicable semester and/or an employee incurs reasonable and necessary expenses, the employee must immediately notify the Human Resources Department.

If employees choose to purchase additional equipment or supplies without written authorization from the School, such expenses would not be reasonable or necessarily incurred in connection with work for the School. Those expenses would be optional expenses that employees voluntarily elect to incur and not reasonably necessary expenditures incurred by employees in direct consequence of the discharge of their duties for the School.

If, however, an employee believes that he or she has been required to incur any unexpected necessary and reasonable expense in order to perform his or her duties on behalf of the School, the employee should immediately report that expense to his or her supervisor and the School's Human Resources Department. Employees will be required to submit documentation to support any request for reimbursement of such expenses.

Reporting

If any employee believes that he or she has not been fully reimbursed for all reasonable and necessary expenses he or she has been required to incur while working for the School, the employee should immediately inform his or her direct supervisor and the School's Human Resources Department. All reports of possible inadequate reimbursement will be promptly reviewed, including a review of all of the employee's expense related records and receipts. If, as a result of the review, it is determined that the employee has been inadequately reimbursed for actual and necessary business expenses, the School will promptly reimburse the employee, in full, for all actual, reasonable, and necessary business-related expenses incurred. It is every employee's responsibility to keep accurate records and receipts of all business related expenses for the purpose of requesting reimbursement.

There will be no retaliation against any employee who reports an expense reimbursement issue in good faith or who honestly assists in reviewing such an issue, even if the review produces insufficient evidence that there has been a violation.

Coversheet

Commercial Property Lease Agreement

Section:	III. Operations
Item:	B. Commercial Property Lease Agreement
Purpose:	Vote
Submitted by:	
Related Material:	Commercial Property_Lease Agreement_214_92.pdf

Commercial Property Sublease Agreement

This Commercial Property Sublease Agreement ("Lease") is made and effective on **09/28/2020** by and between Michael David Wolfsdorf ("Landlord") and _____ ("Tenant").

Landlord is the Lessee of land and improvements commonly known and numbered as **2667 Camino Del Rio South #214-92, San Diego, Ca 92108**. Landlord currently leases the above address location from owner, **2667 Partners, LLC**.

Landlord desires to sublease the Leased Premises to Tenant, and Tenant desires to lease the Leased Premises from Landlord for the term, at the rental and upon the covenants, conditions and provisions herein set forth.

THEREFORE, in consideration of the mutual promises herein, contained and other good and valuable consideration, it is agreed:

1. **Term.** The Lease will start on ____/____/____ and will continue as a month-to-month tenancy. To terminate tenancy the Landlord or Tenant must give the other party a written 30 day notice of Lease non-renewal. The Tenant may only terminate their Lease on the last day of any month and the Landlord must receive a written notification of non-renewal at least 30 days prior to the last day of that month. If the Tenant plans to leave on or after the first of any month, they are responsible for that month's full rent. If the Tenant does not provide the Landlord with a written 30 day notice, they shall forfeit their full deposit amount.

2. **Rent.** Tenant shall pay to Landlord a monthly rent during the initial term and during the renewal period lease of \$ **475** per month. If any or all of the rent is not received by the 4th of the month, \$10 per day will be charged as late fees until full rental payment is received. If rent is not received by the 10th of the month, Tenant will be considered in breach of the Lease Agreement and eviction proceedings will be initiated.

3. **Deposit.** At the signing of this Lease, Tenant shall deposit with Landlord, in trust, a security deposit of \$**475** as security for the performance by Tenant of the terms under this Lease and for any damages caused by Tenant, Tenant's family, agents and visitors to the Premises during the term of this Lease. Landlord may use part or all of the security deposit to repair any damage to the Premises caused by Tenant, Tenant's family, agents and visitors to the Premises. However, Landlord is not just limited to the security deposit amount and Tenant remains liable for any balance. Tenant shall not apply or deduct any portion of any security deposit from the last or any month's rent. Tenant shall not use or apply any such security deposit at any time in lieu of payment of rent. If Tenant breaches any terms or conditions of this Lease, Tenant shall forfeit any deposit, as permitted by law.

4. **Use.** Notwithstanding the forgoing, Tenant shall not use the Leased Premises for the purposes of storing, manufacturing or selling any explosives, flammables or other inherently dangerous substance, chemical, thing or device.

5. **Insurance.** If the Leased Premises or any other part of the Building is damaged by fire or other casualty resulting from any act or negligence of Tenant or any of Tenant's agents, employees or invitees, rent shall not be diminished or abated while such damages are under repair, and Tenant shall be responsible for the costs of repair not covered by insurance.

6. **Utilities.** Landlord shall pay all charges for sewer, electricity and internet services used by Tenant on the Leased Premises during the term of this Lease unless otherwise expressly agreed in writing by Landlord. Tenant shall be provided password to connect to internet services via WIFI connection.

7. **Entry.** Landlord shall have the right to enter upon the Leased Premises at reasonable hours to inspect the same, provided Landlord shall not thereby unreasonably interfere with Tenant's business on the Leased Premises.

8. **Parking.** During the term of this Lease, Tenant shall have the non-exclusive use in common with Landlord, other tenants of the Building, their guests and invitees, of the non-reserved common automobile parking areas, driveways, and footways, subject to rules and regulations for the use thereof as prescribed from time to time by Landlord.

IN WITNESS WHEREOF, the parties have executed this Lease on _____.

Landlord, 2667 Camino Del Rio South #214, San Diego, Ca 92108

Tenant

Coversheet

Covid-19 Protocol- PCA Resource Center

Section:	III. Operations
Item:	C. Covid-19 Protocol- PCA Resource Center
Purpose:	Vote
Submitted by:	
Related Material:	Covid-19 Protocol- PCA Resource Center.pdf



COVID-19 PREVENTION PLAN

To promote the health, safety, well-being, and academic success of students and staff members during the COVID-19 pandemic, the following protocols and procedures have been developed.

PCA worked with the California Department of Public Health, Orange County Health Department, and the Orange County office of Education to establish guidelines and protocols to protect the health and safety of your child and our staff.

To decrease the risk of exposure, PCA has the following COVID protocol for the Resource Center:

Arrival Procedures

- Parents should have students wash their hands at home before they arrive at school. Hand sanitizer will be provided on arrival.
- Parents and students must wear facial coverings on arrival. (see below for exemptions)
- Before departing the home, parents are asked to do a symptoms check of their student. All students with positive symptoms on the checklist must be kept home and the school should be notified.
 - **fever over 100.4**
 - **new loss of taste/smell**
 - **dry cough/shortness of breath/chest tightness**
 - **onset of excessive fatigue/exhaustion**
 - **flu-like symptoms (chills, achy, sore throat, headache)**
 - **and/or diarrhea, vomiting, nausea, abdominal pain**

ALL Resource Center staff will be doing their own symptom screening check each morning. Staff members will also have their own temperatures checked each morning.

During student drop off, parents/guardians must stay in their car while students are checked in. A temperature check will be done. If the temperature is above 100.4 the student will not be allowed to stay at the center.

- After the screening, students will proceed directly to their classrooms while maintaining social distancing.

When to Seek Emergency Medical Attention

If someone is showing any of these signs, seek emergency medical care immediately:

- **Trouble breathing**

- **Persistent pain or pressure in the chest**
- **New confusion**
- **Inability to wake or stay awake**
- **Bluish lips or face**
- **Severe abdominal pain**

Procedure for Sending Children Home with Positive Symptoms

- Students who exhibit positive symptoms will be asked to secure their facial coverings and use good hand hygiene and respiratory etiquette.
- Parents/guardians will be contacted immediately. Students will need to be picked up and parents/guardians will be made aware of next steps.
- Students with positive symptoms will be isolated in a designated area. Students will be accompanied by a staff member at all times while waiting for pick up.

How COVID-19 is Spread

- **COVID-19** is thought to spread mainly through close contact from person-to-person, through respiratory droplets produced when an infected person coughs, sneezes, or talks.
- The virus may also be spread by touching a surface or object that has the virus on it and then touching their own mouth, nose, or eyes.
- Some people without symptoms may be able to spread the virus.

Hand Hygiene and Respiratory Etiquette

- Reinforce healthy habits and monitor proper handwashing.
- Model and practice regular handwashing, including when entering the school or classroom, before and after eating, after coughing or sneezing, after playing outside, after using the restroom, and if their hands are visibly soiled.
- Wash hands with soap and water for at least 20 seconds. (Have students sing the birthday song while washing their hands)
- If soap and water are not readily available, hand sanitizer that contains at least 60% alcohol may be used. Hand sanitizer will be readily available on site.
- Teach children to avoid contact with one's eyes, nose and mouth.
- Teach children to cover coughs and sneezes with a tissue. Used tissues should be thrown in the trash and hands washed immediately with soap and water for at least 20 seconds, or hand sanitizer should be used.

Healthy, Clean Environment

- Staff will regularly disinfect high-touch surfaces, such as door handles, light switches, and faucets.
- Deep cleaning will be completed by night custodial staff as directed by the site supervisor.
- Staff will have access to anti-bacterial hand sanitizers and disposable gloves and use them as needed.
- Surfaces will be disinfected using EPA-approved products.
<https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2-covid-19>
- Outdoor space will be utilized as practicable. Windows and doors will be kept open to provide outdoor ventilation as much as possible.

- Student supplies and belongings should be labeled and kept in a separate bag/bin for individual use. Belongings, including masks, should be taken home and washed daily.

Clean and Sanitize Toys

- Toys that cannot be cleaned and sanitized should not be used.
- Toys that children have placed in their mouths or that are otherwise contaminated by body secretions or excretions should be set aside until they are cleaned by hand by a person wearing gloves. Clean with water and detergent, rinse, sanitize with an EPA-registered disinfectant, rinse again, and air-dry. You may also clean in a mechanical dishwasher. Be mindful of items more likely to be placed in a child's mouth, like play food, dishes, and utensils.
- Do not share toys with other groups of infants or toddlers, unless they are washed and sanitized before being moved from one group to the other.
- Washing with soapy water is the ideal method for cleaning. Try to have enough toys so that the toys can be rotated through cleanings.
- Children's books, like other paper-based materials such as mail or envelopes, are not considered a high risk for transmission and do not need additional cleaning or disinfection procedures.
- Use of playground equipment will be discouraged. Physical activities that require less contact with surfaces will be encouraged.

Face Coverings

The Centers for Disease Control (CDC), the California Department of Public Health and the Orange County Health Agency have issued directives regarding the use of face coverings in an effort to slow the spread of COVID-19 and to help people who may have the virus and do not know it from transmitting it to others. In order to comply with the federal, State and County directives to slow the spread of COVID-19 and to better protect our workforce from exposure to COVID-19, PCA has implemented a face covering policy.

All staff and students must wear an approved face covering, unless age, a medical or mental health condition, or disability warrants otherwise. People who should not wear masks include children under the age of two; persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance; or persons who are hearing impaired, or communicating with a person who is hearing impaired.

When face coverings are removed for meals and outdoor recreation students should handle the mask by the ear loops or ties and place their mask in a clean paper bag (marked with the student's name and date) until it needs to be put on again. Workers or other persons handling or serving food must use gloves in addition to face coverings.

STUDENTS

Age	Face Covering Requirement
Under 2 years old	No
2 years old – 2 nd grade	Strongly encouraged**
3 rd grade – High School	Yes, unless exempt

Face coverings are strongly encouraged for young children between two years old and second grade, if they can be worn properly.

Physical Distancing

- We will maintain a campus environment that supports physical distancing to reduce the spread of potential illness to the greatest extent practicable.
- Non-essential visitors will be asked to avoid coming onto campus.
- Within classrooms, tables will be spaced apart and positioned in a way that limits students facing each other.
- Physical distancing boundaries within classrooms will be marked, as well as areas on campus where students and staff are likely to gather, so that they are more readily aware of and can more easily abide by the distancing requirements.
- Restroom stalls and sinks will be utilized in a manner that allows for physical distancing, such as limiting the number of students and/or staff who may use the restroom at a time, blocking off every other stall or sink from use, and/or marking six-foot boundaries.
- Class cohorts will remain together and the mixing of students from different classrooms will be minimized to the greatest extent practicable.

Considerations for a COVID-19 Positive Case

- If a student or staff member tests positive for COVID-19 and has exposed others at the school we will work in consultation with our local health department to determine next steps.
- A local public health officer will determine the current risk level for our community and will provide appropriate guidance.
- We will provide timely and appropriate notification to all staff and families while protecting confidentiality.

Following a Confirmed COVID-19 Case

- Per current CDPH guidelines, following a confirmed case of a student or staff

member who was at school during his/her infectious period the classroom cohort will be quarantined for 14 days and can operate via distance learning.

- The entire school will revert to distance learning when multiple cohorts have cases or 5 percent of students and staff test positive within a 14-day period.
- Closure decisions will be made in consultation with the local public health officer.