

## JURUPA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION REGULAR MEETING AGENDA

### MISSION STATEMENT

*The mission of the Jurupa Unified School District is to create for our students a dynamic learning environment that is safe, healthy, and based on mutual respect, cooperation, and support among students, staff, parents, and the broader community. Staff and parents serve as educators and positive role models for all students by helping them develop a sense of responsibility, character, creativity and the skills to become successful, productive citizens of our democracy.*

BOARD OF EDUCATION Carolyn Adams, President Mary Burns, Clerk John Chavez Sam Knight Mike Rodriguez  
SUPERINTENDENT Rollin Edmunds

**MONDAY, MAY 3, 2004**  
**EDUCATION CENTER BOARD ROOM**  
**4850 Pedley Road, Riverside, CA 5:00 P.M.**

### **OPEN PUBLIC SESSION 5:00 P.M.**

Call to Order in Public Session

(President Adams)

Roll Call: President Adams, Mrs. Burns, Mr. Chavez, Mr. Knight, Mr. Rodriguez

### **HEARING SESSION 5:00 P.M.**

### PUBLIC VERBAL COMMENTS

This communication opportunity is included on the agenda to allow members of the public to comment on matters listed on the Agenda for Closed Session. A second opportunity for public comments is included on the Public Session agenda as well. California law states that there shall be no action on items not shown on the published Board agenda.

### **CLOSED SESSION 5:00 P.M.**

The Board will adjourn to Closed Session in the Board Conference Room pursuant to Government/Education Codes listed below:

LABOR NEGOTIATIONS: Pursuant to Government Code Section 54957.6, the Board will be discussing its positions regarding any matter within the scope of representation and instructing its designated representatives for negotiations with employee groups. Name of Employee Groups: National Education Association-Jurupa and California School Employees' Association. Name of Agency Negotiator: Assistant Superintendent Personnel Services.

PUBLIC EMPLOYMENT: Pursuant to Government Code Section 54957, the Board will be discussing personnel matters as shown on the Personnel Report to include public employee discipline/ dismissal/ release/ non-renewal/ reassignment/ reclassification/ resignation/ retirement/ suspension, and appointment to the following position: Middle School Assistant Principal.

CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to Government Code Section 54957.6, to consider contract provisions of unrepresented employee. Name of Agency negotiator: Superintendent (Outgoing) or designee. Title of unrepresented employee: Superintendent (Duchon).

STUDENT DISCIPLINE: Pursuant to Education Code Sections 48900 and 48915, the Board will be discussing Discipline Cases #04-176, #04-181, #04-182, #04-172, #04-173, #04-177, #04-180.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to Government Code Section 54956.8, Glen Avon High School, District Negotiator: Mr. Elliott Duchon; Property and Negotiating Parties: APN 183-030-022, Virgilio L. La Madrid and Gloria C. La Madrid; Counter offer on 0.45 acre partial.

Speaker cards are available on the side table for citizens wishing to address the Board in the communications session. Speakers are requested to limit comments to five minutes.

Roll Call Board Members: President Adams, Mrs. Burns, Mr. Chavez, Mr. Knight, Mr. Rodriguez

Roll Call Student Board Members: Amber Espinoza, Joseph Rocha

Flag Salute

(President Adams)

Inspirational Comment

(Mr. Chavez)

## 1. Report of Student Board Members

### a. Welcome 2003-04 Student Board Members (Mr. Edmunds)

The Board welcomes Amber Espinoza, Jurupa Valley High Student Board Member, and Joseph Rocha, Rubidoux High Student Board Member. Student Board Members may wish to address the Board regarding student achievements, interests, or other matters.

### b. Welcome Granite Hill Elementary School Choir (Mr. Edmunds)

Ms. Michelle Johnson, Principal, will introduce the Granite Hill Elementary School ASTRO choir. Third-grade teacher, Ms. Brooke Thompson, Choir Director for students in grades 3-6, will be leading students in performing selections from their recent Young Authors' Showcase presentation, "Where is the Love?" Students in the ASTRO choir volunteer to participate and practice during their recesses.

## 2. Recognition

### a. Recognize Pedley Elementary School's Implementation of Professional Learning Community Program (Mr. Edmunds)

Professional Learning Communities are characterized by a commitment to continuous improvement that affects the daily operation of the school. Through shared vision, values, mission, and goals, professional learning communities transform a traditional school culture into an environment focused on a collaborative culture and student learning. Ms. Liz Sawley, Pedley Elementary School Principal, will be present to discuss how Pedley is implementing the professional learning communities model next fall. This year, the community of learners at Pedley Elementary School have implemented vision, values, and mission to transform its culture by 2004-2005. Information only.

### \* b. Recognize 2004 Inland Science & Engineering Fair Winners (Dr. Kinnear)

The 22nd Annual Inland Science & Engineering Fair was held at the National Orange Show Fair Grounds, San Bernardino during April 20 and 21, 2004. Twenty-two (22) students from grades 4-12 represented the District. Two students in the Senior Division, Azeem Ghoury and Jena Stucker, and two students in the Junior Division, John-Michael Jones and Tamara VanDorn, are eligible to participate in the 2004 California State Science Fair to be held at the California Science Center in Los Angeles on May 24-25, 2004. (One alternate from the Senior Division, Seydali Khan, may also be eligible for State competition.) A copy of the students who participated at the National Orange Show Fair Grounds is included in the supporting documents. Administration and the Board are pleased to recognize these science fair winners and support the efforts of those continuing on to represent the Jurupa Unified School District at the 2004 California State Science Fair. Information only.

## 2. Recognition (Continued)

### \* c. Recognize Cinco de Mayo Celebrations (Mr. Jensen)

Cinco de Mayo is an important holiday in Mexico and is also celebrated by Mexican-Americans here in the United States. On May 5, 1862 the small Mexican army with only 2,000 men, many without weapons, defeated the French soldiers, over six thousand strong, that had come to take over the tiny town of Puebla, Mexico. On every Cinco de Mayo, the Mexican people stop to remember how their fathers and grandfathers fought to save the tiny town of Puebla on that great day in 1862. Schools in the Jurupa Unified School District celebrate Cinco de Mayo in a variety of ways. The supporting documents contain a list of activities conducted at the schools. Information only.

### \* d. Adopt Resolutions for Employee Recognition Weeks (Mr. Edmunds)

Each year, various organizations set aside time for special recognition of specific employee groups. For the past several years, it has been customary to set aside two weeks in May for recognition of the major employee groups.

**May 9-15, 2004 has been declared as "Teacher Appreciation Week,"** when all public schools in California and educational institutions in California may suitably commemorate and give attention to teachers and their profession. The District will recognize and celebrate in many unique ways at each site the annual "Teacher Appreciation Week" to express its grateful appreciation to the teachers and other certificated employees including counselors, nurses, speech therapists, and psychologists employed by the District.

**May 16-22, 2004 has been set aside as "Classified School Employee Week."** During this week, the District will recognize classified employees for their support and care for Jurupa's children through a variety of jobs in the District. The Board and administrative staff wish to personally thank each of the full and part-time classified employees for their valuable contribution and commitment to supporting the education of students in the Jurupa Unified School District.

Two resolutions are included in the supporting documents to recognize both employee groups who are especially important in promoting the education of students.

Administration recommends that the Board adopt Resolution #2004/40, in recognition of "Teacher Appreciation Week, May 9-15, 2004," and Resolution #2004/41, in recognition of "Classified School Employee Week, May 16-22, 2004."

e. Accept Donations

(Mr. Duchon)

All donations are given to Jurupa Unified School District with the request that the money or item be used at the designated school.

Through a corporate school fundraising program whereby parents use a Target Guest Card for 1% of the purchase to go to a school, Target Stores raised funds to donate to the following schools for stated purchases.

\$319.32	Camino Real Elementary School	classroom supplies
\$167.58	Glen Avon Elementary School	classroom supplies
\$146.00	Peralta Elementary School	classroom supplies
\$168.60	Rustic Lane Elementary School	instructional materials
\$509.24	Sky Country Elementary School	instructional materials
\$236.19	Stone Avenue Elementary School	instructional materials
<u>\$189.02</u>	Jurupa Middle School	instructional materials
\$1,735.05	TOTAL	

Parents of fourth grade students at Camino Real Elementary School wish to donate \$1,295.50, with the request the funds pay expenses for a student field trip.

Parents of kindergarten students at Camino Real Elementary School wish to donate \$433.00, with the request the funds pay expenses for a student field trip.

Through a Washington Mutual Bank "Wamoola" Gift program, each time a debit card is used for a purchase, some funds go to a school designated by the customer. The bank wishes to donate \$2,838.00, with the request the funds be used to benefit students at Glen Avon Elementary School. The funds will be used to purchase classroom supplies.

Parents of sixth grade students at Glen Avon Elementary School wish to donate \$122.00, with the request the funds be used to pay expenses for sixth grade field trips.

Through a Wells Fargo Community Support Campaign, a donor wishes to give \$5.00, with the request the funds be used to benefit students at Glen Avon Elementary School. The funds will be used to help purchase classroom supplies.

Reading Is Fundamental, Inc. (RIF), of Washington, D.C., wishes to donate \$3,420.00, with the request the funds be used to purchase books to benefit the reading program at Peralta Elementary School.

Parents of kindergarten students at Peralta Elementary School wish to donate \$183.35, with the request the funds pay expenses for a student field trip.

Mrs. Lisa Reimer, resident, wishes to donate \$50.00, with the request the funds be used to purchase instructional materials for use at Peralta Elementary School.



The Sky Country Elementary School PTA wishes to donate \$9,000.00, with the request the funds be used to purchase a new marquee for the school (\$6,000.00) and to pay for assemblies (\$3,000.00).

The Sky Country Elementary School PTA wishes to donate a miniature Little Red Schoolhouse structure and contents valued at approximately \$500.00 for use at the school. The structure houses small gifts and is used for the student incentive program.

The Sunnyslope Elementary School PTA wishes to donate \$600.00, with the request the funds be used to pay expenses for various educational student field trips.

Parents of first grade students at Sunnyslope Elementary School wish to donate \$196.00, with the request the funds pay expenses for various student field trips and to purchase instructional supplies.

Mr. Paul Masucci, resident, wishes to donate \$100.00, with the request the funds be used to purchase classroom supplies for Mrs. Graham's first grade class at Troth Street Elementary School.

Mr. Carl Zitek, teacher at Sunnyslope Elementary School, wishes to donate \$100.00, with the request the funds be used to pay expenses for various fourth and fifth grade student field trips.

Mrs. Lisa Reimer, resident, wishes to donate \$50.00, with the request the funds be used to purchase instructional materials for use at Sunnyslope Elementary School.

The Jurupa Community Partnership of Jurupa Middle School wishes to donate one Gateway laptop computer, with the request it be used for the Healthy Children Connection Program.

Mr. John T. Ross, former choir director at Rubidoux High School (1962 to 1971), wishes to donate a George Steck baby grand piano, with the request the piano eventually be housed and used at Rubidoux High School. The approximate value is \$1,500.00.

Stars 'N Stripes, of Grand Terrace, wishes to donate \$200.00, with the request the funds be used for Renaissance, the student incentive program at Rubidoux High School.

Burrtec Waste Industries, Inc., of Riverside, wishes to donate \$300.00, with the request the funds be used toward "Teen Expo" to benefit students.

Administration recommends acceptance of these donations, with letters of appreciation to be sent.

3. Administrative Reports and Written Communications

(Mr. Edmunds)

#### 4. Public Verbal Comments

This communication opportunity is included on the Agenda of each regular Board meeting so citizens can make suggestions or identify concerns about matters affecting the School District or request an item to be placed on a future agenda. The Jurupa Unified School District Board of Education encourages and invites the public to comment on items listed on its agenda or on matters within its subject jurisdiction. To help conduct the business of the Board in an orderly fashion, we request as follows:

- (a) If you would like to address the Board, please fill out a speaker card located on the table at the back of the Board Room and when completed, hand your card to the Superintendent's Assistant. Please submit your card at the start of the meeting. You are not, however, required to provide the information requested in the speaker card. If you choose not to provide this information, please inform the Superintendent's Assistant of your desire to address the Board prior to the start of the meeting. In this case, the Superintendent's Assistant will write a number on your card so that the Board President may call on you at the appropriate time.
- (b) The Public Comment section of the Agenda is the time and place for members of the public to make comments or request that an item be placed on a future agenda, unless otherwise determined by the Board President.
- (c) Generally, individual speakers will be limited to five continuous minutes. Depending on the number of items on the Agenda and the number of speaker cards, the Board President may establish shorter time limits for speakers. Speakers may not yield their time to others. The Board may terminate public comments when such comments become repetitious or when time is required by the Board for other business.
- (d) Please wait until the Board President calls you to the microphone to speak. Unless recognized by the Board President, members of the public are requested to refrain from comment so as not to disrupt the Board's business.
- (e) Under the provisions of the Brown Act, the Board is prohibited from taking action on oral requests not listed on the Agenda but the Board may refer the matter to staff or to a subsequent meeting.

#### 5. Board Member Reports and Comments

Individual Board members may wish to share information about topics not on the agenda, report on committee activities, or request items on a future agenda.

### ACTION SESSION

#### A. Approve Routine Action Items by Consent

Administration recommends the Board approve/adopt Routine Action Items A 1-9 as printed.

- \* 1. Approve Minutes of April 19, 2004 Regular Meeting
- \* 2. Disbursement Orders (Mrs. Lauzon)
- \* 3. Purchase Orders (Mrs. Lauzon)
- \* 4. Agreements (Mr. Duchon)
- \*\* 5. Rejection of Claim (Mr. Duchon)

On April 9, 2004, Administration received a claim against Jurupa Unified School District on behalf of Gilbert Salgado, a minor; Nancy Salgado, a minor; and Maria Isabelle Jaimes. The claim alleges they sustained suffering and damages as the result of being hit by a car while walking to Rubidoux High School. Administration recommends rejection of the claim, with appropriate notice to the District insurance carrier. (A copy of the claim is available for Board review.)

- \* 6. Adopt Resolution #2004/37, Disposal of Obsolete Materials (Mr. Mercurius)  
 On April 9, 2004, the Board approved the adoption of K-6 language arts textbooks to replace the K-6 language arts textbooks currently being used in the classrooms. The current K-6 language arts textbooks at each of the 16 elementary schools are now classified as obsolete instructional materials. The Board must adopt a resolution stating its intent to dispose of obsolete instructional materials based on established procedures stipulated by Policy 6204. It is recommended that in order to ensure that obsolete instructional materials are not being used for basic instruction, the Board adopt Resolution #2004/37, Disposal of Obsolete Instructional Materials.
- \* 7. Resolution #2004/38, Expenditure of Excess Funds (Mrs. Lauzon)  
 Throughout the school year, the Business Office monitors and adjusts the District's various budgets with respect to both revenue and expenditures. Changes in revenue result from grant applications, increased funding, adjustments to ADA, apportionment reductions, etc.

The method by which the revenue side of the budget is adjusted is to adopt a Resolution for Expenditure for Excess Funds. In this action the Board approves adding revenue to the budget for various purposes. Since the budget was revised on April 5, 2004, the District has received revenue adjustments in the amount of \$325,444 as identified below. This funding is restricted in its use and offsetting expenditures are budgeted in these funds.

## **RESTRICTED**

### **General Fund Restricted – Fund 06**

School Readiness Facilities Grant	300,400
Pre-Intern Program	4,760
Instructional Materials Fund – Interest	<u>575</u>
	<b>305,735</b>

**Total Restricted General Fund** **305,735**

### **Adult Education Fund – Fund 11**

Adult Ed. Priority 1-3 ABE	27,586
Adult Ed. ESL/ESL Citizenship	(1,856)
Adult Ed. Cal Works	<u>(5,000)</u>
	<b>20,730</b>

**Total Adult Education Fund** **20,730**

### **Child Development Fund – Fund 12**

State Preschool – Prior Year Adjustment	(1,021)
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**Total Child Development Fund** **(1,021)**

**Grand Total** **325,444**

Administration recommends that the Board adopt Resolution #2004/38, Expenditure of Excess Funds.

- \* 8. Approve Non-Routine Student Field Trip Request from Jurupa Valley High (Mr. Jensen)

Mr. Donn Cushing, teacher at Jurupa Valley High School, is requesting approval to travel to Ontario with two (2) students on Thursday, May 6 through Friday, May 7. The purpose of the trip is to participate and compete in the Ford/AAA Student Auto Skills Contest. Students will travel to Ontario in a district vehicle, staff members will provide supervision, and **all costs are paid by the Ford Corporation**. Administration has been assured that no student will be denied an opportunity to participate in this activity due to the lack of funds. A copy of the Non-Routine Student Field Trip Request is included in the supporting documents.

It is recommended that the Board approve the Non-Routine Student Field Trip Request from Mr. Donn Cushing to travel to Ontario on Thursday, May 6 through Friday, May 7, 2004 with two (2) students to participate in the Ford/AAA Student Auto Skills Contest.

- \* 9. Approve Non-Routine Student Field Trip Request from Jurupa Middle, Jurupa Valley High, and Rubidoux High (Dr. Kinneear)

Mr. Vince Rosse, Rubidoux High School teacher, is requesting approval to travel to Los Angeles, California with five (5) students on Monday, May 24 through Tuesday, May 25, 2004. The purpose of the trip is to transport and chaperone the five students who will compete at the 2004 California State Science Fair. A district vehicle will provide transportation, lodging will be at the Radisson Hotel in Los Angeles, and **costs will be paid by district funds**. Copies of the Non-Routine Student Field Trip Requests are included in the supporting documents.

It is recommended that the Board approve the Non-Routine Student Field Trip Request from Mr. Vince Rosse to travel to Los Angeles, California with five students May 24 and 25, 2004 to compete at the 2004 California State Science Fair.

- \* B. Adopt Resolution #2004/39, Adopting Local Guidelines for Implementing California Environmental Quality Act (CEQA) (Mr. Duchon)

During the 2003 Legislative Session, the Governor signed into law several changes to CEQA. There were also changes in case law. These changes are reflected in the provisions in the District's Guidelines for Implementing CEQA. The District's counsel, Best, Best & Krieger LLP, prepared the 2004 Local Guidelines for Implementing CEQA that are provided in the supporting documents for Board members. The Guidelines are available for public review in the Director of Centralized Support Services' Office.

Administration recommends that the Board adopt Resolution #2004/39, Local Guidelines for Implementing the California Environmental Quality Act (CEQA).

**\*\* C. Present Options for Design of Middle School #4**

(Mr. Duchon)

At the April 19, 2004 meeting, the Board requested Administration to provide additional information and building layouts of the Higginson & Cartozian Middle School #4 proto-type project. The information is included in the supporting documents for Board members. The request for approval of the Middle School #4 proto-type project is outlined below.

In December 2000, the district contracted with Perkins & Will to develop plans and specifications for the construction of Middle School #4, which was to be located on Limonite Avenue. Subsequent problems with the site forced the District to select another site on which to construct Middle School #4. The plans as designed by the architect intended for the District to take advantage of the Use of Grants policy contained in the State School Building/School Facility Program regulations. Even after value engineering of the plans as designed, the project is over budget.

Significant redrawing of the plans will be required in order to realign the project with the budget and to adapt the project to the new site. The significant amount of redesign required provided a good opportunity for the Board to look at a prototype school at a lesser price. Staff contacted two architects and requested proposals for a prototype middle school. Construction costs and fees associated with a prototype school and redesign of Middle School #4 are outlined below.

The options available to the Board are as follows:

- (1) Utilize the existing plans as provided by Perkins & Will and adapt the plans to the new site or;
- (2) Utilize a prototype design from other architect and adapt the plans to the new site.

The costs associated with both options are outlined below.

Architect	Square ft	Architect Fee	Redesign Fee	Fee Paid	Remaining Fee	Total Project Cost less architect Fee/Site
Perkins & Will	83,725.00	1,154,886.68	\$328,100.00	\$492,915.69	\$990,071.00	\$23,140,754.72
WLC Architects	90,000.00	\$870,000.00	Fixed fee	Fixed Fee	\$870,000.00	\$20,892,216.25
Higginson, Cartozian	101,000.00	839,812.50	Fixed fee	Fixed fee	\$839,812.50	\$18,099,135.00

Administration recommends that the Board direct Staff to utilize a prototype school and retain Higginson, Cartozian for the design of Middle School #4.

**D. Approve 2004 Mandated, Core Academic, and Special Education Summer School Program Grades 8-12** (Mr. Jensen)

The State of California provides funding which allows school districts to provide summer school instruction for students in Grades 2-9 in specific core areas or who have been retained or who are at-risk of retention, as well as students in Grades 7-12 who are not making sufficient progress towards meeting the High School Exit Exam.

The following chart displays summer school courses proposed for both comprehensive high schools:

	<u>Jurupa Valley High</u>	<u>Rubidoux High</u>
Algebra A	X	X
Algebra I	X	X
Algebra II	X	X
Geometry	X	X
English 9	X	X
English 9 (sheltered)	X	X
English 10	X	X
English 10 (sheltered)	X	X
English 11	X	X
English 11 (sheltered)	X	X
English Language Development I	X	X
English Language Development II	X	X
English Language Development III	X	X
Economics	X	X
Government		X
U. S. History	X	X
World History	X	X
ROTC Aerospace Science	X	X
Biology	X	X
Biology Honors	X	
Consumer Economics		X
Chemistry	X	
Geophysical Science	X	X
Physical Education	X	X
AVID		X
Marching Band	X	X
Video Production	X	X
Healthy Living	X	X
Calculus AB	X	
CA High School Exit Exam – Math	X	X
CA High School Exit Exam – English	X	X

## PROPOSED SUMMER SCHOOL SCHEDULE

<b>Jurupa Valley High School</b> <b>June 21 – July 29, 2004</b> (No school on July 5)	Hours: 7:30 a.m. – 12:10 p.m. Transportation is <b><u>not</u></b> provided
<b>Rubidoux High School</b> <b>June 21 – July 29, 2004</b> (No school on July 5)	Hours: 7:30 a.m. – 12:10 p.m. Transportation is <b><u>not</u></b> provided
<b>Nueva Vista High School</b> <b>June 21 – July 9, 2004</b> (No school on July 5)	Hours: Session I – 7:30 a.m. – 9:30 a.m. Session II – 9:45 a.m. – 11:45 a.m. Transportation is <b><u>not</u></b> provided
<b>Special Education (secondary)</b> <b>June 21 – July 29, 2004</b> (No school on July 5)	Hours: 7:30 a.m. – 12:10 p.m. Transportation <b><u>is</u></b> provided

It is recommended that the Board approve the 2004 summer school offerings as presented.

**E. Approve Submittal of Comprehensive School Reform (CSR) Program Grant for Rustic Lane Elementary School** (Ms. Moreno)

The Comprehensive School Reform (CSR) Program is a federally funded school reform initiative that offers schools and districts the opportunity to implement school-wide research-based reform strategies to increase student achievement. Rustic Lane Elementary School was the only school eligible to apply for the CSR grant. Schools that are eligible to apply for funding are in Decile 2 according to their rank on the 2002 API, Title 1 schools entering their first year of Program Improvement (PI) in 2003/04, and do not receive Immediate Intervention for Underperforming Schools (II/USP) funding. Grants are awarded to successful local educational agencies in an amount up to \$200.00 per student in each funded school. The approximate funding amount that Rustic Lane would receive is \$156,000 with a district entitlement of \$15,660 equaling a total grant amount of \$172,260. Grants are renewable for two additional years, contingent on federal funding and substantial progress toward meeting the school's goals and benchmarks.

The District, along with external evaluator ETS/Pulliam, has been working with Rustic Lane to develop their CSR Program Grant. District-level Title I funds were used to support the external evaluator contract that includes the collection and analysis of data, comprehensive needs assessment, collection of research-based achievement solutions, and drafting and writing of the application. The grant outlines eleven required components that address specific elements that are important in the daily life of schools: strong academic content and research-based strategies; measurable goals; support by and for staff; professional development; parental involvement; technical assistance; evaluation; and the allocation of resources, brought together in an integrated, comprehensive design. Administration recommends that the Board approve the submission of the Comprehensive School Reform (CSR) Program Grant for Rustic Lane Elementary.

\* **F. Approve CIF Representatives for Comprehensive High Schools**

(Mr. Jensen)

As per legal requirement of Education Code 33353 (a)(1), the Board is requested to approve representatives to the California Interscholastic Federation (CIF) League. The representative from Jurupa Valley and Rubidoux High Schools are listed below:

**Jurupa Valley High School:**

**Mr. Todd Moerer**

**Rubidoux High School:**

**Mr. Ray Marisnick**

It is recommended that the Board ratify Mr. Todd Moerer, Jurupa Valley High School, and Mr. Ray Marisnick, Rubidoux High School, as representatives to the California Interscholastic Federation (CIF) League.

**G. Approve Purchase of Audio-Visual Equipment for Mission Middle School**

(Mr. Duchon)

Mission Middle School wishes to purchase 20 each of the following audio-visual equipment items: projectors, theatre speaker systems, and miscellaneous audio-visual accessories.

PC & MacExchange	<b>\$ 39,346.42</b>
Troxell Communication	<b>\$ 41,052.75</b>
CDW-G	<b>\$ 42,611.04</b>

The equipment will help insure student mastery of the standards and promote parent/teacher/student communication. **The projectors, theatre speaker systems, and miscellaneous audio-visual accessories will be purchased using Title I funds.** Board policy requires that purchases in excess of \$12,000.00 be presented to the Board for approval.

Administration recommends the Board authorize the purchase of Audio-Visual Equipment from PC & MacExchange, in the amount of \$39,346.42 (tax included) for Mission Middle School.

**H. Approve Purchase of Dell Computers for Troth Street Elementary School**

(Mr. Duchon)

Troth Street Elementary School wishes to purchase 24 Dell Optiplex GX 270 and 10 Inspiron Laptop computers to upgrade the computer lab. The computers will be purchased from Dell using the California Education WSCA (DGS State Contract 70004/WSCA Contract #92-00151). The purchase will total \$40,147.99 (tax included). **The computers will be purchased using Title I and SIP funds.** Board policy requires that purchases in excess of \$12,000.00 be presented to the Board for approval. Administration recommends the Board authorize the purchase of 24 Dell Optiplex GX 270 and 10 Inspiron laptop computers from Dell, in the amount of \$40,147.99 (tax included) for Troth Street Elementary School.

**I. Approve Purchase of Dell Computers for West Riverside Elementary School**

(Mr. Duchon)

West Riverside Elementary School wishes to purchase 36 Dell Optiplex GX 270 computers. The computers will be purchased from Dell, using the California Education WSCA (DGS State Contract 70004/WSCA Contract #92-00151). The purchase will total \$35,848.94 (tax included). **The computers will be purchased using II/USP funds** (Immediate Intervention/Underperforming Schools Program). Board policy requires that purchases in excess of \$12,000.00 be presented to the Board for approval. Administration recommends the Board authorize the purchase of 36 Dell Optiplex GX 270 computers from Dell, in the amount of \$35,848.94 (tax included) for West Riverside Elementary School.



**\*\* J. Act on Student Discipline Cases**

(Mr. Edmunds)

The Board of Education hereby accepts and adopts as its own the Findings of Fact and the Conclusions of Law submitted by the Administrative Hearing Panel in the following discipline cases and these cases will be referred to the *Student Assistance Program* and (SCORE) the *School and Community OutREach Team* for follow-up:

**EXPULSION / SUSPENDED EXPULSION CASES:**

1. The Administrative Hearing Panel recommends the expulsion of the pupil in Discipline Case #04-176 for violation of Education Code Sections 48900 (a1) and 48915 (b) for the Spring Semester 2004 and Fall Semester 2004. However, the Board of Education may wish to consider that the enforcement of the expulsion be suspended for the Fall Semester and the student be placed on school probation. The pupil shall be assigned to Community Day School, operated at the District Learning Center and this case will be reviewed in August, for educational placement for the Fall Semester 2004 and reviewed for possible reinstatement to the Jurupa Unified School District on or before January 18, 2005.
2. The Administrative Hearing Panel recommends the expulsion of the pupil in Discipline Case #04-181 for violation of Education Code Sections 48900 (c), (k) and 48915 (b), (e) for the Spring Semester 2004 and Fall Semester 2004. However, the Board of Education may wish to consider that the enforcement of the expulsion be suspended for the Fall Semester and the student be placed on school probation. The pupil shall be assigned to Community Day School, operated at the District Learning Center and this case will be reviewed in August, for educational placement for the Fall Semester 2004 and reviewed for possible reinstatement to the Jurupa Unified School District on or before January 18, 2005.
3. The Administrative Hearing Panel recommends the expulsion of the pupil in Discipline Case #04-182 for violation of Education Code Sections 48900 (a1), (k) and 48915 (b), (e) for the Spring Semester 2004 and Fall Semester 2004. However, the Board of Education may wish to consider that the enforcement of the expulsion be suspended for the Fall Semester and the student be placed on school probation. The pupil shall be assigned to Community Day School, operated at the District Learning Center and this case will be reviewed in August, for educational placement for the Fall Semester 2004 and reviewed for possible reinstatement to the Jurupa Unified School District on or before January 18, 2005.

**EXPULSION CASES:**

1. The Administrative Hearing Panel recommends the expulsion of the pupil in discipline Case #04-172 for violation of Education Code Sections 48900 (c), (k) and 48915 (b), (e) for the Spring Semester 2004 and Fall Semester 2004. The pupil shall be assigned to the Community Day School, operated at the District Learning Center, for the period of this expulsion. This case shall be reviewed for possible readmission to the Jurupa Unified School District on or before January 18, 2005.

**\*\* J. Act on Student Discipline Cases (Continued)**

(Mr. Edmunds)

2. The Administrative Hearing Panel recommends the expulsion of the pupil in Discipline Case #04-173 for violation of Education Code Sections 48900 (c), (j), (k) and 48915 (b), (e) for the Spring Semester 2004 and Fall Semester 2004. The pupil shall be assigned to the Community Day School, operated at the District Learning Center, for the period of this expulsion. This case shall be reviewed for possible readmission to the Jurupa Unified School District on or before January 18, 2005.
3. The Administrative Hearing Panel recommends the expulsion of the pupil in Discipline Case #04-177 for violation of Education Code Sections 48900 (c) and 48915 (b), (c3) for the Spring Semester 2004 and Fall Semester 2004. The pupil shall be assigned to the Community Day School, operated at the District Learning Center, for the period of this expulsion. This case shall be reviewed for possible readmission to the Jurupa Unified School District on or before January 18, 2005.
4. The Administrative Hearing Panel recommends the expulsion of the pupil in Discipline Case #04-180 for violation of Education Code Sections 48900 (a1), (k) and 48915 (b), (e) for the Spring Semester 2004 and Fall Semester 2004. The pupil shall be assigned to the Community Day School, operated at the District Learning Center, for the period of this expulsion. This case shall be reviewed for possible readmission to the Jurupa Unified School District on or before January 18, 2005.

Administration recommends the discipline actions as described and listed above subject to corrections and changes resulting from review in Closed Session.

**K. Approve Personnel Matters**

- \* 1. Approve Personnel Report #19

(Mrs. Nash)

Administration recommends approval of Personnel Report #19 as printed subject to corrections and changes resulting from review in Closed Session.

2. Consider Approval of Superintendent's Contract and Salary

(Mrs. Nash)

This item is for the Board to consider and possibly approve a contract with Mr. Elliott Duchon as Superintendent of the Jurupa Unified School District commencing on July 1, 2004. The contract will set forth the Superintendent's salary and other terms of employment.

## K. Approve Personnel Matters (Continued)

### \* 3. Publicize Tentative Agreement with NEA-J

(Mrs. Nash)

A tentative agreement has been reached with NEA-J on items subject to reopen negotiations for the 2003-2004 school year. Specifically, it has been agreed to increase the District's annual maximum contribution for Health and Welfare benefits by \$500 for the 2003-2004 school year only. Additionally, modifications have been agreed to for the 2004-2005 school year subject to conditions outlined in the tentative agreement. A copy of the tentative agreement is included in the supporting documents with changes.

We have been informed that NEA-J has scheduled its ratification meetings for the week of April 26, 2004, and it is anticipated that ratification would occur prior to tonight's Board meeting.

Current law (Government Code Section 3547.5) requires that the District disclose major provisions of a collective bargaining agreement at a public meeting prior to final approval by the governing board. A copy should also be made available for public inspection. Additionally, the Riverside County Office of Education requires receipt of disclosure information ten days prior to the Board action on the proposed agreement. These requirements are being met at this time. A completed copy of the "Disclosure of Collective Bargaining Agreement" form is included with the supporting documents.

Assuming that NEA-J has ratified, the Board will be asked to ratify at its regular meeting, May 17, 2004.

### 4. Approve Variable Term Waiver Request

(Mrs. Nash)

State credentialing laws require that prior to hiring an individual to teach under the authorization of a Variable Term Waiver (Title V, Section 80122), specific individual approval must be granted by the governing board. Usually, this type of waiver is necessary for hard-to-fill positions in shortage areas (examples: Special Education, Bilingual Education, Mathematics or Science) or when an unexpected vacancy occurs in the middle of a school year. In this case, the recommendation is to fill a vacancy for a Language, Speech & Hearing Specialist and a temporary vacancy for a Resource Specialist. The people being recommended are Ms. Elsa Gonzalez and Ms. Christina Stamper. Ms. Gonzalez earned her Bachelor's Degree in Psychology at the University of California, Riverside in 2002 and is currently enrolled in a Masters in Education program at Azusa Pacific University; she plans on completing her Credential by September 2005. Ms. Stamper earned her Bachelor's Degree in Communicative Disorders from the University of Redlands and will be fully credentialed at the end of May 2004. Recruitment efforts have not identified stronger candidates.

With these considerations in mind, it is recommended that Ms. Elsa Gonzalez and Ms. Christina Stamper be approved for employment through the end of this school year as a Resource Specialist and a Language, Speech, & Hearing Specialist under the authorization of a Variable Term Waiver.

## **L. Review Routine Information Reports**

- \* 1. 2004 Graduation and Promotion Exercises (Mr. Edmunds)  
The supporting documents include the 2004 Graduation and Promotion Exercises chart. Information only.
- 2. Announce Date for Board Study Session (Mr. Edmunds)  
Friday, May 21, 2004 from 9:00 to 11:00 a.m. is the date and time selected for a Board Study Session on *NCLB* requirements. The Study Session will be held in the Education Center Board Room. Information only.
- \* 3. Review Approval of 2003/2004 Second Interim Report (Mr. Duchon)  
  
The Riverside County Office of Education has notified the District that the 2003/2004 Second Interim Financial Report has received positive certification and that they have notified the California Department of Education accordingly. The County Office also recommends that the Board continue to review updated multi-year financial projections to assist in providing for the long-range stability of the District. Information only.

## **ADJOURNMENT**

# 2004 RIMS District Participants

Awards	State	SBCSS#	Lname	Fname	SchoolName	District
Bronze		40319	Clawson	T.J.	Indian Hills Elem.	Jurupa USD
Bronze		40604	Hook	Kristen	Camino Real Elem.	Jurupa USD
Bronze		40608	Parker	Noelle	Camino Real Elem.	Jurupa USD
Silver		50507	Bedley	Chad	Sky Country Elem.	Jurupa USD
Bronze		50413	Leavitt	Kyle	Indian Hills Elem.	Jurupa USD
Bronze		50108	Schager	Nicole	Indian Hills Elem.	Jurupa USD
Bronze		J0914	Aviles	Kelsey	Jurupa MS	Jurupa USD
Silver		J0311	Hollingsworth	Margaret	Jurupa MS	Jurupa USD
Silver		J0711	Kislingbury	Nicholas	Jurupa MS	Jurupa USD
Bronze		J1516	Richards	Stephen	Jurupa MS	Jurupa USD
Gold	State	J0528	Van Don	Tamara	Jurupa MS	Jurupa USD
Silver*	State	J1907	Jones	John-Michael	Jurupa MS	Jurupa USD
Gold	State	S0308	Ghouly	Azeem	Rubidoux HS	Jurupa USD
Gold	State	S0601	Stucker	Jena	Rubidoux HS	Jurupa USD
Bronze		J1117	Stone	Brent	Van Buren Elem.	Jurupa USD
Bronze		J1609	Mahos	Brandon	Jurupa MS	Jurupa USD
Bronze		J1306	Wielenga	Cameron	Camino Real Elem.	Jurupa USD
Silver*	Alt#2	S0512	Khan	Syedali	Jurupa Valley HS	Jurupa USD
Bronze		S1605	Bradshaw	Matt	Jurupa Valley HS	Jurupa USD
Bronze		S1605	Rendall	William	Jurupa Valley HS	Jurupa USD
Bronze		S0508	Roberts	Jamie	Jurupa Valley HS	Jurupa USD
Silver		S1905	Veloria	Don Diego	Rubidoux HS	Jurupa USD

Jurupa Unified School District  
Education Services

**Cinco de Mayo Activities**

- Camino Real: There will be an assembly at 2:00 p.m. on May 5<sup>th</sup> to showcase student performances related to the Mexican culture.
- Glen Avon: Glen Avon PTA will sponsor an assembly of Mexican dancers on May 5<sup>th</sup> for all students.
- Granite Hill: At Granite Hill, teachers will conduct individual classroom activities
- Ina Arbuckle: At Ina Arbuckle, some classes will take a field trip to Olvera Street in Los Angeles, students will do artwork, decorations, and singing.
- Indian Hills: Indian Hills conducted a Cultural Heritage Celebration in April.
- Mission Bell: Mission Bell has a variety of activities planned which include classroom lessons in Mexico's history, reading stories, art projects, and learning about the contributions of Mexicans and Mexican-Americans. The week's activities will conclude with performances by the Mission Bell Folklorico Dancers under the direction of Mr. Stevan Flores on Thursday, May 6<sup>th</sup> at 6:00 p.m. in the multi-purpose room.
- Pedley: Kindergarten students will perform traditional songs and dances for parents on May 5<sup>th</sup>. A professional baile folklorico group will perform on May 7<sup>th</sup>.
- Peralta: On May 5<sup>th</sup> from 5:30 p.m. to 7:00 p.m., Peralta will have folklorico dancers, the staff will serve dinner to the community, and conduct family activities.
- Rustic Lane: An assembly presented by the 2<sup>nd</sup> and 5<sup>th</sup> grade classes will be held at Rustic Lane.
- Sky Country: Sky Country teachers will conduct individual classroom activities, stories, and art projects.

Sunnyslope: There are two programs planned at Sunnyslope. One program on April 22<sup>nd</sup> at 6:15 p.m. will be a PTA program and student performances. Another on April 30<sup>th</sup> at 8:30 a.m. will feature student performances and professional Aztec Dancers.

Troth Street: Teachers will conduct classroom activities that include discussion about what Cinco de Mayo represents.

Van Buren: Teachers will have classroom activities and lessons and afternoon refreshments to commemorate the occasion.

West Riverside: Students will celebrate Cinco de Mayo on May 20<sup>th</sup> at the conclusion of testing.

Jurupa Middle School: Jurupa Middle School will have morning announcements and recognition of Cinco de Mayo. The Social studies classes will review what Cinco de Mayo represents. Activities will be kept to a minimum due to the testing schedule.

Mission Middle School: Teachers at Mission Middle School will conduct individual classroom activities to commemorate Cinco de Mayo.

Jurupa Valley High School: Due to the testing schedule, Jurupa Valley High School will conduct a belated cultural potluck and dance on June 4<sup>th</sup>.

Rubidoux High School: Plans at Rubidoux High School include folkloric dancers and music in the lunch quad area from 11:30 a.m. to 12:10 p.m. on May 7<sup>th</sup>. An after-school dance with a DJ and band, snack bar serving authentic Mexican food, decorations, and banners will be conducted from 2:30 p.m. to 7:00 p.m. in the gym.

Nueva Vista High School: Students and staff members will enjoy a picnic lunch to commemorate this event.



# JURUPA UNIFIED SCHOOL DISTRICT

EDUCATION CENTER 4850 Pedley Road Riverside, CA 92509 (909) 360-4100

BOARD OF EDUCATION Carolyn A. Adams, President Mary L. Burns, Clerk John J. Chavez Sam D. Knight, Sr. Michael A. Rodriguez  
SUPERINTENDENT Rollin Edmunds

## **Resolution #2004/40 In Recognition of "Teacher Appreciation Week" May 9-15, 2004**

WHEREAS, certificated employees have the utmost respect and admiration for dedicating their lives and talents to the education of children—California's most precious and important resource; and

WHEREAS, certificated employees are recognized for their truly vital role in realizing the vision for California public education; and

WHEREAS, the Jurupa Unified School District acknowledges the limitless and lasting ways in which outstanding certificated employees contribute to their students' lives; and

WHEREAS, the Jurupa Unified School District recognizes that the quality of all students' educational experiences depends significantly and vitally upon the quality of their certificated employees;

NOW, THEREFORE, BE IT RESOLVED that the Jurupa Unified School District Board of Education expresses their grateful appreciation to all certificated employees for their contributions to the education of youth in the Jurupa Unified School District and hereby declares May 9-15, 2004 as "TEACHER APPRECIATION WEEK" in the Jurupa Unified School District.

Passed and adopted by the Governing Board of Education at a regular meeting held on May 3, 2004.

### **BOARD OF EDUCATION**

\_\_\_\_\_  
Carolyn A. Adams, President

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Sam D. Knight, Sr., Member

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Mary L. Burns, Clerk

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Michael Rodriguez, Member

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John J. Chavez, Member

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Rollin Edmunds, Superintendent

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# JURUPA UNIFIED SCHOOL DISTRICT

EDUCATION CENTER 4850 Pedley Road Riverside, CA 92509 (909) 360-4100

BOARD OF EDUCATION Carolyn A. Adams, President Mary L. Burns, Clerk John J. Chavez Sam D. Knight, Sr. Michael A. Rodriguez  
SUPERINTENDENT Rollin Edmunds

## Resolution #2004/41 In Recognition of Classified School Employee Week May 16-22, 2004

WHEREAS, Classified Employees provide essential services to the students of Jurupa -- our most precious resource -- and vital services to maintain the schools, facilities, technology, student assessment, and business operations of the Jurupa Unified School District; and

WHEREAS, Classified Employees serve in an important role providing for the welfare, education, and safety of Jurupa's students; and Classified Employees serve as role models making a positive difference in the lives of Jurupa's students; and

WHEREAS, the Jurupa Unified School District recognizes the importance and contribution of Classified Employees whose efforts and consistent quality service builds a strong foundation supporting the goals and mission statement of the Jurupa Unified School District on behalf of Jurupa's students;

NOW, THEREFORE, BE IT RESOLVED that the Jurupa Unified School District Board of Trustees expresses their grateful appreciation to the over 880 Classified Employees for their contribution to Jurupa's students and to the community at large, and hereby declares the week of May 16-22, 2004 as "Classified School Employee Week" in the Jurupa Unified School District.

Passed and adopted by the Governing Board of Education at a regular meeting held on May 3, 2004.

### BOARD OF EDUCATION

\_\_\_\_\_  
Carolyn A. Adams, President

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Sam D. Knight, Sr., Member

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Mary L. Burns, Clerk

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Michael Rodriguez, Member

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John J. Chavez, Member

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Rollin Edmunds, Superintendent

JURUPA UNIFIED SCHOOL DISTRICT  
RIVERSIDE, CALIFORNIA

**MINUTES OF THE REGULAR MEETING  
MONDAY, APRIL 19, 2004**

**OPEN PUBLIC SESSION**

CALL TO ORDER	President Adams called the Regular Meeting of the Jurupa Unified School District Board of Education to order at 4:30 p.m. on Monday, April 19, 2004, in the Multi-Purpose Room at Mira Loma Middle School, 5051 Steve Street, Riverside, California.
ROLL CALL	Members of the Board present were:  <b>Mrs. Carolyn Adams, President</b> <b>Mrs. Mary Burns, Clerk</b> <b>Mr. John Chavez, Member</b> <b>Mr. Michael Rodriguez, Member</b> <b>Mr. Sam Knight, Member</b>
STAFF PRESENT	Staff Advisers present were:  <b>Mr. Rollin Edmunds, Superintendent</b> <b>Mr. Elliott Duchon, Deputy Superintendent</b> <b>Ms. Lois Nash, Assistant Superintendent Personnel Services</b> <b>Mr. Paul Jensen, Director of Secondary Education</b> <b>Dr. Ellen Kinnear, Director of Elementary Education</b> <b>Ms. Pam Lauzon, Director of Business Services</b> <b>Ms. Terri Moreno, Director of Categorical Projects</b> <b>Mr. Neil Mercurius, Administrator of Educational Technology &amp; Assessment</b> <b>Ms. Lucinda Sheppy, Administrator Student Services/Standards/Accountability</b>
<b>HEARING SESSION</b>	
PUBLIC VERBAL COMMENTS	President Adams opened the Public Verbal Comments session for members of the public to address the Board concerning matters on the Agenda for an Administrative Report and Closed Session. There were no comments from the public.
	Newly appointed Superintendent (effective July 1, 2004), Mr. Elliott Duchon, provided a report on his areas of focus: (1) Provide A District wide Laser-Like Focus On Student Achievement; (2) Focus District Support on Services to Schools that Promote Student Achievement; (3) Expand Programs and Opportunities For Students At Risk; (4) Provide A Broader Range of Services For English Language Learners; (5) Promote and Improve Community Relations; (6) Develop A Long Range Facility Plan That Goes Beyond Measure C; (7) Assure the Smooth Running of Day-to-Day Operations of the District; (8) Assure That Staff Address Student Achievement and District Goals. Board members thanked Mr. Duchon for his presentation; they provided input and feedback, and questioned him on how he planned to carry out his focus and goals for the coming school year.

ADJOURN TO CLOSED SESSION	PRESIDENT ADAMS ADJOURNED THE BOARD TO CLOSED SESSION IN THE BOARD CONFERENCE ROOM FOR THE FOLLOWING PURPOSES: TO DISCUSS ITS POSITIONS REGARDING ANY MATTER WITHIN THE SCOPE OF REPRESENTATION AND INSTRUCTING ITS DESIGNATED REPRESENTATIVES FOR NEGOTIATIONS WITH EMPLOYEE GROUPS; PUBLIC EMPLOYEE DISCIPLINE/ DISMISSAL / REASSIGNMENT / RECLASSIFICATION/ RELEASE/ NONRENEWAL / RESIGNATION / RETIREMENT / SUSPENSION, AND CONSIDER CONTRACT PROVISIONS OF UNREPRESENTED EMPLOYEE. NAME OF AGENCY NEGOTIATOR: SUPERINTENDENT (OUTGOING) OR DESIGNEE. TITLE OF UNREPRESENTED EMPLOYEE: SUPERINTENDENT (DUCHON), AND STUDENT DISCIPLINE CASES. #04-112, #04-158, #04-161, #04-163, #04-165, #04-166, #04-174, #04-051, #04-159, #04-160, #04-167.
RECESS TO CLOSED SESSION	At 5:29 p.m., the Board recessed to Closed Session in the Board Conference Room.
ADJOURN FROM CLOSED SESSION	At 7:05 p.m., the Board adjourned from Closed Session.
CALL TO ORDER	At 7:13 p.m., President Adams called the meeting to order in Public Session.
ROLL CALL BOARD	President Adams, Mrs. Burns, Mr. Knight, Mr. Rodriguez, Mr. Chavez
ROLL CALL STUDENTS	Amber Espinoza, present; Joseph Rocha, absent
	<b>COMMUNICATIONS SESSION</b>
FLAG SALUTE	President Adams led the audience in the Pledge of Allegiance.
INSPIRATIONAL COMMENT	Mr. Rodriguez provided an Inspirational Comment.
HEAR REPORT FROM JURUPA VALLEY HIGH STUDENT BOARD MEMBER	Amber Espinoza, Jurupa Valley High Student Board member, reported that the Annual Blood Drive will be held on April 20 <sup>th</sup> ; a Pep Rally will be held on April 21 <sup>st</sup> to feature Spring Sports and Prom candidates. Ms. Espinoza presented Board member Mr. Rodriguez with a Walk-a-Thon T-Shirt to thank him for his generous donation to this fundraiser.
RECOGNIZE "BEST OF THE BEST" FOR MARCH 2004 – EMPLOYEE RECOGNITION PROGRAM	Ms. Tammy Elzig, Director of Classified Personnel, recognized the honorable mention Best of the Best employees for the month of March: Kathy Grogan, Secretary, Stone Avenue; Polly Heverly, ASB Bookkeeper/Secretary, Rubidoux; Mark McFerren, Teacher, Rubidoux; Roberta Pace, Teacher, Rubidoux; Denise Squires, Guidance Coordinator, Rubidoux; Sherri Stoddard, Activity Supervisor, Glen Avon; Dan Weatherford, Teacher, Rubidoux. Ms. Elzig announced that winners for the month of March are Mr. John McGaugh, Head Custodian at Indian Hills Elementary, and Mr. John Taylor, Teacher at Glen Avon Elementary. Ms. Elzig presented a recognition certificate to Mr. McGaugh, and stated that he was selected by his peers for taking great pride in making Indian Hills shine both inside and out. He is appreciated for his efforts to keep the school looking good and for always completing his work with a smile. Although Mr. John Taylor could not be present, Ms. Elzig indicated that Mr. Taylor has worked for the District since March of 2000. He is a dedicated team member, and he assisted Glen Avon with their Coordinated Compliance Review. In addition, he participates in sports activities with students during lunch and recess, and he is always willing to help other teachers. Mr. Taylor and Mr. McGaugh were congratulated for their selection as Best of the Best employees for the month of March.

<p>ACCEPT DONATIONS -MOTION #223</p>	<p>Mr. Elliott Duchon, Deputy Superintendent, requested acceptance of the donations listed.</p> <p>MR. KNIGHT MOVED THE BOARD ACCEPT THE DONATIONS LISTED WITH LETTERS OF APPRECIATION SENT TO THE FOLLOWING INDIVIDUALS/ COMPANIES: MRS. SUSAN BOESS, RESIDENT, FOR THE DONATION OF A SELMER CLARINET AND FLUTE VALUED AT \$200.00 RESPECTIVELY, TO BE USED IN THE INSTRUMENTAL MUSIC PROGRAM AT CAMINO REAL ELEMENTARY SCHOOL; MRS. JUDIE KACZOROSKI, RESIDENT, FOR THE DONATION OF A FELLOWES PAPER SHREDDER VALUED AT \$30.00 TO BE USED AT CAMINO REAL ELEMENTARY SCHOOL; INDIAN HILLS THIRD GRADE PARENTS, FOR A \$1,091.00 DONATION TO PAY EXPENSES FOR VARIOUS STUDENT FIELD TRIPS; TARGET STORES, THROUGH THEIR CORPORATE SCHOOL FUNDRAISING PROGRAM, FOR A \$234.28 DONATION TO PAY EXPENSES FOR VARIOUS STUDENT FIELD TRIPS AT INDIAN HILLS ELEMENTARY SCHOOL; TARGET STORES, THROUGH THEIR CORPORATE SCHOOL FUNDRAISING PROGRAM, FOR A \$96.80 DONATION TO PURCHASE INSTRUCTIONAL MATERIALS AND SUPPLIES FOR MISSION BELL ELEMENTARY SCHOOL; MRS. LISA REIMER, RESIDENT, FOR A \$50.00 DONATION TO PURCHASE INSTRUCTIONAL MATERIALS AND SUPPLIES FOR USE AT MISSION BELL ELEMENTARY SCHOOL; TARGET STORES, THROUGH THEIR CORPORATE SCHOOL FUNDRAISING PROGRAM, FOR A DONATION OF \$89.51, TO PURCHASE INSTRUCTIONAL MATERIALS FOR PACIFIC AVENUE ELEMENTARY SCHOOL; SECOND GRADE VAN BUREN ELEMENTARY SCHOOL PARENTS, FOR A \$699.00 DONATION, TO PAY EXPENSES FOR STUDENT FIELD TRIPS TO THE RUBIDOUX NATURE CENTER AND A PLAY, "MISS NELSON IS MISSING", AT RIVERSIDE CITY COLLEGE; VAN BUREN ELEMENTARY SCHOOL FIRST GRADE PARENTS FOR A \$664.00 DONATION, FOR A STUDENT FIELD TRIP TO A CHARLOTTE DIAMOND CONCERT AT CITRUS COLLEGE IN GLENDORA; VAN BUREN ELEMENTARY SCHOOL THIRD GRADE PARENTS FOR A \$58.00 DONATION, TO PAY EXPENSES FOR VARIOUS STUDENT FIELD TRIPS; RALPHS/FOOD 4 LESS FOUNDATION FOR A \$1,000.00 DONATION, TO BENEFIT THE GIRLS' SOCCER PROGRAM AT RUBIDOUX HIGH SCHOOL; TARGET STORES, THROUGH THEIR CORPORATE SCHOOL FUNDRAISING PROGRAM, FOR A \$576.66 DONATION TO HELP PAY FOR STUDENT INCENTIVES AT RUBIDOUX HIGH SCHOOL; WELLS FARGO COMMUNITY SUPPORT CAMPAIGN, FOR A \$10.00 DONATION FOR STUDENT INCENTIVES AT RUBIDOUX HIGH SCHOOL. MR. CHAVEZ SECONDED THE MOTION. THE STUDENT BOARD MEMBER OFFERED A PREFERENTIAL VOTE, AYE, AMBER ESPINOZA. A VOTE WAS TAKEN FOR BOARD OF EDUCATION MEMBERS, WHICH CARRIED UNANIMOUSLY.</p>
<p>RECOGNIZE SITE "TEACHERS OF THE YEAR"</p>	<p>The Assistant Superintendent Personnel Services and Superintendent alternately reviewed the outstanding qualities of each site's 2004 "Teacher of the Year" nominee and presented the following nominees with a plaque to thank them for their outstanding service to students: JOAN BAIN, CAMINO REAL ELEMENTARY; HEATHER BRODA, GLEN AVON ELEMENTARY; MARIA MCCOLLUM, GRANITE HILL ELEMENTARY; ELIZABETH VANDEN RAADT, INA ARBUCKLE ELEMENTARY; TERRY NORING, INDIAN HILLS ELEMENTARY; MICHELLE CASTANEDA, MISSION BELL ELEMENTARY; BRUCE HEBERT, PACIFIC AVENUE ELEMENTARY; ROBYN ANDERSON, PEDLEY ELEMENTARY; LANAE MAALONA, PERALTA ELEMENTARY; PATRICIA BICE, RUSTIC LANE ELEMENTARY; TRACI MCCracken, SKY COUNTRY ELEMENTARY; DAN OLGUIN, STONE AVENUE ELEMENTARY; BARBARA MARTIN, SUNNYSLOPE ELEMENTARY; BONNIE WERNER, TROTH STREET ELEMENTARY; EVELYN HARMAN, VAN BUREN ELEMENTARY; ARLENE STEVENS, WEST RIVERSIDE ELEMENTARY; JAY HAKOMAKI, JURUPA MIDDLE; CAROL VENEMAN, MIRA LOMA MIDDLE; SAM GEE, MISSION MIDDLE; ILSA GARZA-GONZALES, JURUPA VALLEY HIGH; ROBERTA PACE, RUBIDOUX HIGH; DIANE PEARSON, LEARNING CENTER; SUSAN GURROLA, NUEVA VISTA HIGH.</p>

RECOGNIZE DISTRICT "TEACHERS OF THE YEAR"	Following the site "Teacher of the Year" presentations, the Assistant Superintendent Personnel Services announced the District "Teacher of the Year" winners at each level: Ms. Elizabeth vanden Raadt, Ina Arbuckle Elementary; Mr. Sam Gee, Mission Middle; Ms. Ilsa Garza-Gonzales, Jurupa Valley High. The Superintendent and Assistant Superintendent Personnel Services presented plaques and congratulated the three teachers that will represent the District in the Riverside County competition and County "Celebration of Education" to be held next spring.
	At 7:48 p.m., President Adams called for a recess to congratulate "Teacher of the Year" recipients. Refreshments were served, and President Adams reconvened the meeting at 8:09 p.m.
PUBLIC VERBAL COMMENTS	President Adams opened the Public Verbal Comments session.
	Ms. Betty Anderson, Mira Loma resident, and Ms. Diana Fox spoke in support of Agenda Item D, Proposal for Internal Waste Management Services, and they supported the District purchasing a CNG trash truck to service the program. Ms. Anderson suggested that the District look into the possibility of applying for a grant through the South Coast Air Quality Management District to help fund the purchase of a CNG vehicle. Ms. Fox stated that the reason she supports a CNG trash truck vs. a diesel truck is because diesel emissions are responsible for killing lung tissue. She provided a copy of information to be distributed to Board members regarding, "The Health Effects of Air Pollution on Children;" "Study: Diesel Exhausts Cause Cancer," and other related materials.
RECOGNITION OF BOY SCOUT	Student, Zachary Harris, from Boy Scout Troop 386, was asked to stand and be recognized for his presence at the Board meeting.
BOARD MEMBER COMMENTS	Mr. Chavez congratulated Best of the Best employee winners for the month of March; site Teacher of the Year winners, and the three District Teacher of the Year nominees. In addition, he congratulated Mr. Michael Rodriguez for being recognized with a T-Shirt for his donation to Jurupa Valley High School.
	Mr. Rodriguez congratulated Teacher of the Year winners, and he stated that they are well deserving of these awards.
	Mr. Knight agreed with previous statements and words of congratulations offered by staff member to recognize Teacher of the Year winners. He highlighted student statements that were posted in the Mira Loma Middle School Multi-Purpose Room on "Respect." Mr. Knight stated that this theme is reflective of the leadership of Ms. Cindy Freeman, Principal at Mira Loma Middle School. He commended Ms. Freeman for her efforts to combat "bullying." Mr. Knight recognized the English Language Learner Advisory Committee for their efforts to assist by offering a parenting workshop, "Warning Signs of Troubled Teenagers." He commended them for getting parents involved, and he hoped to see more efforts in this area.
	Mrs. Burns agreed with Mr. Knight's words of thanks and appreciation.
	President Adams thanked Ms. Cindy Freeman, Principal, for welcoming the Board to her campus. She expressed her appreciation for the recognition ceremony to congratulate Teacher of the Year winners and Best of the Best employees. President Adams provided a copy of the California School Boards Association Golden Bell Application for the District to apply for.
HOLD PUBLIC HEARING ON INTENT TO ADOPT INCREASED STATUTORY SCHOOL FEES (LEVEL I FEES) IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL DEVELOPMENT	<p style="text-align: center;"><b>HEARING SESSION</b></p> <p>The Deputy Superintendent stated that the purpose of the public hearing is to allow for public comments on levying Level I Fees. President Adams formally opened the Public Hearing on the District's Intent to Adopt Increased Statutory School Fees (Level 1 Fees) Imposed on New Residential and Commercial/Industrial Development. There were no comments from the public, and the hearing was formally closed.</p>

HOLD PUBLIC HEARING &  
ADOPT RESOLUTION OF  
NECESSITY TO ACQUIRE A  
FEE INTEREST IN CERTAIN  
REAL PROPERTY LOCATED  
IN RIVERSIDE COUNTY,  
CALIFORNIA, MORE  
PARTICULARLY DESCRIBED  
AS APN 183-030-022, BY  
EMINENT DOMAIN, FOR THE  
CONSTRUCTION OF A  
PARKING LOT AS A PART OF  
A HIGH SCHOOL FACILITY  
-MOTION #224

The Deputy Superintendent stated that in 1990 the Jurupa Unified School District acquired a 50-acre site to build what is now Glen Avon High School. Of this property, only one parcel has not been acquired through negotiated purchase to be used for parking lot purposes. The 0.45-acre parcel, at the northerly terminus of Camino Real, north of Jurupa Road, south of Mission Boulevard, is required in order to allow for vehicular access to the parking lots by students, staff, and the general public. No other parcels are available in the vicinity that could be used to access the parking lots. The District is acquiring only what is needed for construction and access of the parking lot. California eminent domain law provides that a public entity may not commence an eminent domain proceeding until its governing body has adopted a Resolution of Necessity. Although it is the hope of the District that it will not be necessary to acquire the property through this process, it is still necessary to follow eminent domain requirements in the event that this is the only option.

President Adams opened the Public Hearing regarding the adoption of Resolution #2004/35, Resolution of Necessity, for the acquisition of fee interests in certain properties as identified within the agenda and resolution is hereby formally opened. She invited District Counsel to come up to the podium to discuss and explain the nature and scope of the hearing. Mr. Kendall MacVey, Best Best & Krieger LLP, stated that the purpose of the hearing is to consider adoption of the Resolution of Necessity and authorize the eminent domain proceedings with four findings: (1) The public interest and necessity require the proposed project. (2) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury. (3) The real property to be acquired is necessary for the project. (4) The offers of just compensation have been made to the property owners.

President Adams asked Ms. Munds, Executive Assistant to the Superintendent, if she had proof of mailing of the Notice of the Hearing. Ms. Munds responded that she did, and stated that by virtue of the formal notices in her possession, she testified that the property owners were properly noticed as prescribed by law. The amended notice was to advise the property owners of the change in the location of the hearing. President Adams asked the Deputy Superintendent, Mr. Elliott Duchon, to provide a report on how the property to be acquired relates to the District's purpose. Mr. Duchon stated that the .45 acre parcel would provide access to Glen Avon High School as part of the parking lot, which will be the main entrance; thus, this piece of property is necessary for the completion of the high school project.

President Adams asked Ms. Munds if she had received any written objections, protests, and requests to be heard which have been filed, received, read, and considered. Ms. Munds responded that there were no documents received. President Adams invited any persons with an interest in the property to come forward and give testimony. Ms. Gloria La Madrid, owner of the property, stated that the property was purchased in May 2003 for a family nursery business; however, they have now learned that .45 acres is needed for the school site and they have a letter to Mr. Kendall MacVey that contains an offer for how much they would like to receive for the purchase of the property. President Adams invited any other person who wished to be heard on the matter. There were no other requests to speak. President Adams stated that the hearing was formally closed.

MRS. BURNS MOVED THE BOARD MAKE THE NECESSARY FINDINGS AS LISTED ON THE AGENDA AND ADOPT RESOLUTION #2004/35, RESOLUTION OF NECESSITY. MR. KNIGHT SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

	ACTION SESSION
APPROVE ROUTINE ACTION ITEMS A 1-9 -MOTION #225	<p>MR. KNIGHT MOVED THE BOARD APPROVE ROUTINE ACTION ITEMS A 1-9 AS PRINTED. MRS. BURNS SECONDED THE MOTION. Mr. Chavez stated that he had a concern regarding Routine Action Item A-3, Page 8. Since this item involves money to the Jurupa Mountains Cultural Center, it should be voted on separately. MR. KNIGHT REMOVED HIS MOTION; MRS. BURNS REMOVED HER SECOND. MR. KNIGHT MOVED THE BOARD APPROVE ROUTINE ACTION ITEMS A 1-9, EXCLUDING ROUTINE ACTION ITEM A-3, PAGE 8, AS PRINTED: (1) APPROVE MINUTES OF APRIL 5, 2004 REGULAR MEETING; (2) DISBURSEMENT ORDERS; (3) PURCHASE ORDERS (EXCLUDING A-3, PAGE 8); (4) PAYROLL REPORT; (5) AGREEMENTS); (6) APPROPRIATION TRANSFERS; (7) RESOLUTION 2004/36, AUTHORIZATION TO ENCUMBER FUNDS FOR THE 2004/05 FISCAL YEAR; (8) NON-ROUTINE FIELD TRIP REQUEST BY MS. CATHE GILES TO TRAVEL TO GARNER VALLEY WITH NINETY (90) 6<sup>TH</sup> GRADE STUDENTS TO ATTEND THE PATHFINDER OUTDOOR SCIENCE SCHOOL ON MONDAY, MAY 17 THROUGH WEDNESDAY, MAY 19, 2004; (9) OUT-OF-STATE TRAVEL REQUEST FOR ROBIN COUTU TO ATTEND THE HORIZON PROJECT MANAGER CERTIFICATION TRAINING MAY 23-28, 2004; MRS. BURNS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY. Mrs. Burns excused herself from the meeting and exited the Multi-Purpose Room. Mr. Chavez stated that it is his duty to point out that since the item on A-3, Page 8, involves money to the Cultural Center, which is run by a Board member, it is unethical and should not be on the Agenda. Having it on the Agenda is a Conflict of Interest for the Board member, with a payment from the School Board made out to an organization that this Board member runs. He stated that it is illegal, unethical, and should not be done. The Deputy Superintendent stated that the PTA has been asked to make their payments directly to the Jurupa Mountains Cultural Center; this item must have been overlooked, he apologized for this oversight, and he would direct the PTA donation back to the Cultural Center. Concerning the Conflict of Interest issue, Mr. Duchon stated that this issue was addressed by the District's attorney previously, and it was determined that this would not be a Conflict of Interest for such a small amount. However, in response to the Board's questions, he offered to provide a copy of the written legal opinion. Mr. Rodriguez asked what the amount would be that would constitute a Conflict of Interest? Mr. Duchon responded that it would be thousands of dollars. He apologized and stated that he would take care of this item. Mrs. Burns returned to the Multi-Purpose Room and joined the meeting.</p>
DEFER ACTION ON DESIGN OF MIDDLE SCHOOL #4	<p>The Deputy Superintendent stated that in December 2000, the District contracted with Perkins &amp; Will to develop plans and specifications for the construction of Middle School #4, which was to be located on Limonite Avenue. Subsequent problems with the site forced the District to select another site on which to construct Middle School #4. Since a significant amount of redesign is required for the new site, this provided an opportunity for the Board to look at a prototype school at a lesser price. Staff requested proposals for a prototype middle school for the Board to consider, with the low bid coming from architects, Higginson, Cartozian. The Deputy Superintendent explained that this architectural firm has designed a prototype school that is being used successfully in the Etiwanda School District. At the request of Mr. Chavez, the Board agreed by a consensus decision to defer action until the next meeting on the decision to utilize a prototype school and retain Higginson, Cartozian for the design of Middle School #4. This would allow time for Board members to visit a prototype school site that has been designed by Higginson, Cartozian or view the design plans for Middle School #4 in the Deputy Superintendent's Office. Mrs. Burns requested that Perkins &amp; Will plans for the elementary school, planned near the location of Middle School #4, be available for Board member review as well to ensure that the two school designs are compatible.</p>

ADOPT RESOLUTION #2004/34, INCREASING STATUTORY SCHOOL FEES IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL DEVELOPMENT -MOTION #226	The Deputy Superintendent stated that since a Public Hearing was held this evening on increasing Statutory School Fees, to complete the process the Board must adopt a resolution, with a copy of the Resolution included in the supporting documents. MR. KNIGHT MOVED THE BOARD ADOPT RESOLUTION #2004/34, INCREASING STATUTORY SCHOOL FEES IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL DEVELOPMENT. MR. CHAVEZ SECONDED THE MOTION. The Deputy Superintendent noted for Mr. Chavez that fees would go into effect as soon as the resolution is adopted, and they would not be retroactive. A VOTE WAS TAKEN, WHICH CARRIED UNANIMOUSLY.
APPROVE PROPOSAL FOR INTERNAL WASTE MANAGEMENT SERVICES -MOTION #227	The Deputy Superintendent requested approval to move forward on a process for implementing an Internal Waste Management Service. He reviewed the benefits of moving toward such a service; he noted that the Alvord Unified School District experienced a substantial savings by using an Internal Waste Management Service, and he also noted that a CNG fueled vehicle would be a better choice for a trash truck, since the District currently has trained mechanics and a fueling station for the District's CNG bus fleet. He stated that although this item is for approval to proceed with implementing an Internal Waste Management Service, two to three separate actions will follow, a proposal to purchase the trash bins, a proposal for personnel action as a negotiated position, and a proposal for a trash truck. At the time proposals are presented, costs would be included as well, and the District would work on determining whether grants are available to cover the cost of the truck. Mr. Duchon thanked Ms. JoAnne Cisneros for her extensive research on the proposal for Internal Waste Management Services that is included in the supporting documents. MR. KNIGHT MOVED THE BOARD APPROVE THE PROPOSAL FOR INTERNAL WASTE MANAGEMENT SERVICES. MRS. BURNS SECONDED THE MOTION. Board members participated in a question and answer session regarding an Internal Waste Management Program. The Deputy Superintendent explained that a dump truck would be purchased outright by possibly using COP funds or lease-purchased over a period of years. The operator of the dump truck would be a negotiated position. As per Mrs. Burns' request, he would check with the County Supervisor to determine if the District could apply for Redevelopment funds to assist with implementing this program. A VOTE WAS TAKEN, WHICH CARRIED UNANIMOUSLY.
APPROVE SUBMITTAL OF COMMUNITY-BASED ENGLISH TUTORING (CBET) PROGRAM APPLICATION FORM FOR FISCAL YEAR 2004-2005 -MOTION #228	Mr. Paul Jensen, Director of Secondary Education, stated that over the last seven years, the District provided a Community-Based English Tutoring (CBET) program throughout the District at a variety of school sites. The District is required to turn in an application for funding in the amount of \$30.00 per English Language Learner student, for a total of \$160,000 to provide activities. MR. KNIGHT MOVED THE BOARD APPROVE SUBMITTAL OF COMMUNITY-BASED ENGLISH TUTORING (CBET) PROGRAM APPLICATION FORM FOR FISCAL YEAR 2004-2005. MR. CHAVEZ SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.
APPROVE PURCHASE OF AUDIO VISUAL EQUIPMENT FOR GRANITE HILL -MOTION #229	The Deputy Superintendent stated that he has a memorandum from the Principal of Granite Hill Elementary School, Ms. Michelle Johnson, to address any questions regarding the visual equipment purchase. The equipment is being purchased with II/USP funds; Education Services staff reviewed the school's plan to ensure that this purchase meets the requirements of the plan. MR. KNIGHT MOVED THE BOARD AUTHORIZE THE PURCHASE OF AUDIO VISUAL EQUIPMENT FROM TROXELL COMMUNICATION, IN THE AMOUNT OF \$54,155.15 (TAX INCLUDED) FOR GRANITE HILL ELEMENTARY. MRS. BURNS SECONDED THE MOTION. The Deputy Superintendent explained to Mr. Chavez that the equipment being purchased is digital. A VOTE WAS TAKEN, WHICH CARRIED UNANIMOUSLY.
APPROVE PURCHASE OF DELL COMPUTERS FOR MIRA LOMA MIDDLE SCHOOL -MOTION #230	MR. CHAVEZ MOVED THE BOARD AUTHORIZE THE PURCHASE OF 20 DELL OPTIPLEX GX 270 COMPUTERS FROM DELL, IN THE AMOUNT OF \$21,060.38 (TAX INCLUDED). MR. KNIGHT SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.



ACT ON 7 DISCIPLINE CASES  
#04-112, #04-158, #04-161, #04-  
163, #04-165, #04-166, #04-174  
-MOTION #231

The Superintendent recommended the Board accept the recommendations for the discipline cases listed. MR. KNIGHT MOVED THE BOARD EXPEL THE PUPIL IN DISCIPLINE CASE #04-112 FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (A2), (K) AND 48915 (B), (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. HOWEVER, THE ENFORCEMENT OF THE EXPULSION IS SUSPENDED FOR THE FALL SEMESTER AND THE STUDENT IS PLACED ON SCHOOL PROBATION. THE PUPIL SHALL BE ASSIGNED TO COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER AND THIS CASE WILL BE REVIEWED IN AUGUST, FOR EDUCATIONAL PLACEMENT FOR THE FALL SEMESTER 2004 AND REVIEWED FOR POSSIBLE REINSTATEMENT TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005; EXPEL THE PUPIL IN DISCIPLINE CASE #04-158 FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (A1), (K) AND 48915 (B), (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. HOWEVER, THE ENFORCEMENT OF THE EXPULSION IS SUSPENDED FOR THE FALL SEMESTER AND THE STUDENT IS PLACED ON SCHOOL PROBATION. THE PUPIL SHALL BE ASSIGNED TO COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER AND THIS CASE WILL BE REVIEWED IN AUGUST, FOR EDUCATIONAL PLACEMENT FOR THE FALL SEMESTER 2004 AND REVIEWED FOR POSSIBLE REINSTATEMENT TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005; EXPEL THE PUPIL IN DISCIPLINE CASE #04-161 FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (A2), (K), (.4) AND 48915 (B), (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. HOWEVER, THE ENFORCEMENT OF THE EXPULSION IS SUSPENDED FOR THE FALL SEMESTER AND THE STUDENT IS PLACED ON SCHOOL PROBATION. THE PUPIL SHALL BE ASSIGNED TO COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER AND THIS CASE WILL BE REVIEWED IN AUGUST, FOR EDUCATIONAL PLACEMENT FOR THE FALL SEMESTER 2004 AND REVIEWED FOR POSSIBLE REINSTATEMENT TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005; EXPEL THE PUPIL IN DISCIPLINE CASE #04-163 FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (K), (.4) AND 48915 (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. HOWEVER, THE ENFORCEMENT OF THE EXPULSION IS SUSPENDED FOR THE FALL SEMESTER AND THE STUDENT IS PLACED ON SCHOOL PROBATION. THE PUPIL SHALL BE ASSIGNED TO COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER AND THIS CASE WILL BE REVIEWED IN AUGUST, FOR EDUCATIONAL PLACEMENT FOR THE FALL SEMESTER 2004 AND REVIEWED FOR POSSIBLE REINSTATEMENT TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005; EXPEL THE PUPIL IN DISCIPLINE CASE #04-165 FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (K) AND 48915 (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. HOWEVER, THE ENFORCEMENT OF THE EXPULSION IS SUSPENDED FOR THE FALL SEMESTER AND THE STUDENT IS PLACED ON SCHOOL PROBATION. THE PUPIL SHALL BE ASSIGNED TO COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER AND THIS CASE WILL BE REVIEWED IN AUGUST, FOR EDUCATIONAL PLACEMENT FOR THE FALL SEMESTER 2004 AND REVIEWED FOR POSSIBLE REINSTATEMENT TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005; EXPEL THE PUPIL IN DISCIPLINE CASE #04-166 FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (K), (.4) AND 48915 (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. HOWEVER, THE ENFORCEMENT OF THE EXPULSION IS SUSPENDED FOR THE FALL SEMESTER AND THE STUDENT IS PLACED ON SCHOOL PROBATION. THE PUPIL SHALL BE ASSIGNED TO COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER AND THIS CASE WILL BE REVIEWED IN AUGUST, FOR EDUCATIONAL PLACEMENT FOR THE FALL SEMESTER 2004 AND REVIEWED FOR POSSIBLE REINSTATEMENT TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005;

<p>ACT ON 7 DISCIPLINE CASES #04-112, #04-158, #04-161, #04-163, #04-165, #04-166, #04-174 -MOTION #231 (CONTINUED)</p>	<p>EXPEL THE PUPIL IN DISCIPLINE CASE <u>#04-174</u> FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (K), (M) AND 48915 (B), (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. HOWEVER, THE ENFORCEMENT OF THE EXPULSION IS SUSPENDED FOR THE FALL SEMESTER AND THE STUDENT IS PLACED ON SCHOOL PROBATION. THE PUPIL SHALL BE ASSIGNED TO COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER AND THIS CASE WILL BE REVIEWED IN AUGUST, FOR EDUCATIONAL PLACEMENT FOR THE FALL SEMESTER 2004 AND REVIEWED FOR POSSIBLE REINSTATEMENT TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005. MR. RODRIGUEZ SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.</p>
<p>ACT ON 4 DISCIPLINE CASES #04-051, #04-159, #04-160, #04-167 -MOTION #232</p>	<p>MR. KNIGHT MOVED THE BOARD EXPEL THE PUPIL IN DISCIPLINE CASE <u>#04-051</u> FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (I), (K) AND 48915 (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. THE PUPIL SHALL BE ASSIGNED TO THE COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER, FOR THE PERIOD OF THIS EXPULSION. THIS CASE SHALL BE REVIEWED FOR POSSIBLE READMISSION TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005; EXPEL THE PUPIL IN DISCIPLINE CASE <u>#04-159</u> FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (A1), (K) AND 48915 (B), (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. THE PUPIL SHALL BE ASSIGNED TO THE COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER, FOR THE PERIOD OF THIS EXPULSION. THIS CASE SHALL BE REVIEWED FOR POSSIBLE READMISSION TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005; EXPEL PUPIL IN DISCIPLINE CASE <u>#04-160</u> FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (A1), (K) AND 48915 (B), (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. THE PUPIL SHALL BE ASSIGNED TO THE COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER, FOR THE PERIOD OF THIS EXPULSION. THIS CASE SHALL BE REVIEWED FOR POSSIBLE READMISSION TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005; EXPEL THE PUPIL IN DISCIPLINE CASE <u>#04-167</u> FOR VIOLATION OF EDUCATION CODE SECTIONS 48900 (A1), (K) AND 48915 (B), (E) FOR THE SPRING SEMESTER 2004 AND FALL SEMESTER 2004. THE PUPIL SHALL BE ASSIGNED TO THE COMMUNITY DAY SCHOOL, OPERATED AT THE DISTRICT LEARNING CENTER, FOR THE PERIOD OF THIS EXPULSION. THIS CASE SHALL BE REVIEWED FOR POSSIBLE READMISSION TO THE JURUPA UNIFIED SCHOOL DISTRICT ON OR BEFORE JANUARY 18, 2005. MR. RODRIGUEZ SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.</p>
<p>APPROVE PERSONNEL REPORT #18 -MOTION #233</p>	<p>The Assistant Superintendent Personnel Services requested approval of Personnel Report #18. MR. CHAVEZ MOVED THE BOARD APPROVE PERSONNEL REPORT #18. MR. KNIGHT SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.</p>
<p>APPROVE STRS EXEMPTION FOR EMPLOYMENT IN AN EMERGENCY SITUATION -MOTION #234</p>	<p>Mrs. Burns excused herself and left the Multi-Purpose Room prior to the vote on this item due to a conflict of interest. The individual that is being considered for approval also serves on the Board of the Jurupa Mountains Cultural Center. The Assistant Superintendent Personnel Services requested that the Board approve a STRS exemption, which would allow retiree, Mrs. Benita Roberts, to work as Interim Principal of Mission Middle School until the end of the year. MR. CHAVEZ MOVED THE BOARD APPROVE MS. BENITA ROBERTS FOR TEMPORARY EMPLOYMENT THROUGH THE END OF THIS SCHOOL YEAR AS PRINCIPAL AT MISSION MIDDLE SCHOOL UNDER THE AUTHORIZATION OF EDUCATION CODE SECTION 24216. MR. KNIGHT SECONDED THE MOTION. The Assistant Superintendent Personnel Services stated that Mrs. Roberts would serve in this position until the end of the 2003-04 school year. A VOTE WAS TAKEN, WHICH CARRIED 4-0.</p>

NO ACTION ON SUPT'S CONTRACT & SALARY	The Assistant Superintendent Personnel Services stated that there was no action taken.
2004 GRADUATION AND PROMOTION EXERCISES	The Superintendent stated that the dates and locations for the graduation and promotion exercises are listed in the Agenda for Board members to determine which school ceremonies they would like to attend. Mr. Chavez selected Jurupa Valley High School; President Adams stated that she would like to receive the class at Rubidoux High; Mr. Rodriguez selected Rubidoux High; Mr. Knight stated that he would serve wherever he was needed; President Adams assigned him to Nueva Vista Continuation High School to receive the class; President Adams indicated that she would attend the Nueva Vista Continuation High School ceremony as well; Mrs. Burns stated that she would like to be on stage at Jurupa Valley High, since next year she would like to receive the class. Mr. Knight will attend the Mission Middle School promotion; Mr. Rodriguez will attend the Mira Loma Middle School promotion; and Mrs. Burns will attend the Jurupa Middle School promotion.
REVIEW DATE FOR BOARD STUDY SESSION	The Superintendent stated that Friday, May 21, 2004, is a Study Session for the Board of Education on the <i>No Child Left Behind</i> Act from 9:00 to 11:00 a.m.
ADJOURNMENT	<p><b>ADJOURNMENT</b></p> <p>There being no further business, President Adams adjourned the Regular Meeting from Public Session at 9:15 p.m.</p> <p><b>MINUTES OF THE REGULAR MEETING OF APRIL 19, 2004 ARE APPROVED AS</b></p> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <hr/> <b>President</b> </div> <div style="text-align: center;"> <hr/> <b>Clerk</b> </div> </div> <hr/> <div style="text-align: center;"> <hr/> <b>Date</b> </div>

Purchase Over \$1  
4-5-04 thru 4-16-04

Fund	Schl	Resource	Vendor	Description	Amount
03	105	DONATIONS	COSME R. PEREZ	TEXTBOOK REFUND	14.00
03	105	STATE LOTTERY	THE GAS COMPANY	GAS MARCH	112.58
03	110	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	96.38
03	115	DISCRETIONARY	NEXTEL	PHONE MARCH	78.27
03	115	UNRESTRICTED RESOURCE	RUBIDOUX COMMUNITY SERVICES	WATER MARCH	606.33
03	115	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	223.18
03	120	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	33.41
03	125	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	108.78
03	130	DISCRETIONARY	NEXTEL	PHONE MARCH	91.16
03	130	UNRESTRICTED RESOURCE	RUBIDOUX COMMUNITY SERVICES	WATER MARCH	599.05
03	130	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	96.29
03	135	UNRESTRICTED RESOURCE	JURUPA COMMUNITY SERVICES	WATER MARCH	910.00
03	135	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	136.89
03	140	UNRESTRICTED RESOURCE	RUBIDOUX COMMUNITY SERVICES	WATER MAR	969.03
03	140	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	166.43
03	145	UNRESTRICTED RESOURCE	RUBIDOUX COMMUNITY SERVICES	WATER MARCH	628.86
03	145	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	132.58
03	150	DISCRETIONARY	NEXTEL	PHONE MARCH	265.32
03	150	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	142.16
03	155	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	104.47
03	155	DISCRETIONARY	WENDY DOWDY	TEXTBOOK REFUND	7.96
03	160	DISCRETIONARY	CASTILLO BEATRICE	REIMB MILEAGE	22.05
03	160	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	137.75
03	165	DISCRETIONARY	NEXTEL	PHONE MARCH	16.86
03	165	UNRESTRICTED RESOURCE	SANTA ANA RIVER WATER	WATER FEB MARCH	875.50
03	165	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	195.14
03	170	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	72.02
03	175	UNRESTRICTED RESOURCE	RUBIDOUX COMMUNITY SERVICES	WATER MARCH	759.93
03	175	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	169.20
03	200	DISCRETIONARY	JAY OR CHERYL LOSSING	TEXTBOOK REFUND	20.00
03	200	DISCRETIONARY	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	194.80
03	200	DISCRETIONARY	SBC	PHONE FEB	68.14
03	200	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	929.70
03	205	UNRESTRICTED RESOURCE	JURUPA COMMUNITY SERVICES	WATER MARCH	2,438.23
03	205	DISCRETIONARY	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	244.71

A-2  
Pg. 1

Purchase Over \$1  
4-5-04 thru 4-16-04

Fund	Schl	Resource	Vendor	Description	Amount
03	205	DISCRETIONARY	SBC	PHONE FEB	68.14
03	205	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	156.91
03	210	GOVERNOR'S PERFORMANCE AWARD (SB1X)	ANNA HURTADO	CONF REIMB	56.24
03	210	DISCRETIONARY	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	75.49
03	210	GOVERNOR'S PERFORMANCE AWARD (SB1X)	RIDDER SUSAN	REIMB MILEAGE	73.30
03	210	UNRESTRICTED RESOURCE	RUBIDOUX COMMUNITY SERVICES	WATER MARCH	1,660.29
03	210	DISCRETIONARY	SBC	PHONE FEB	68.14
03	210	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	198.30
03	300	DISCRETIONARY	AVID CENTER	CONF FEES	1,000.00
03	300	DISCRETIONARY	MELVA MORRISON	CONF REIMB	1,037.27
03	300	UNRESTRICTED RESOURCE	MOBIL BUSINESS	GASOLINE	130.70
03	300	DISCRETIONARY	NEXTEL	PHONE MARCH	63.46
03	300	DISCRETIONARY	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	470.73
03	300	UNRESTRICTED RESOURCE	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	48.49
03	300	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	3,713.02
03	300	DISCRETIONARY	TOWN & COUNTRY HOTEL	CONF LODGING	2,404.56
03	305	UNRESTRICTED RESOURCE	AVID CENTER	CONF FEES	1,500.00
03	305	UNRESTRICTED RESOURCE	AVID CENTER	CONF FEES	500.00
03	305	DISCRETIONARY	NEXTEL	PHONE MARCH	98.08
03	305	DISCRETIONARY	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	1,267.09
03	305	UNRESTRICTED RESOURCE	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	35.01
03	305	UNRESTRICTED RESOURCE	RUBIDOUX COMMUNITY SERVICES	WATER MARCH	3,480.99
03	305	UNRESTRICTED RESOURCE	SO CALIFORNIA EDISON	ELECT. FEB	36.35
03	305	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	3,075.36
03	405	UNRESTRICTED RESOURCE	NEXTEL	PHONE MARCH	21.48
03	405	UNRESTRICTED RESOURCE	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	84.25
03	405	UNRESTRICTED RESOURCE	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	105.23
03	410	DISCRETIONARY	THE GAS COMPANY	GAS MARCH	180.64
03	410	UNRESTRICTED RESOURCE	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	25.67
03	415	DISCRETIONARY	ACCENT ON TRAVEL	CONF FEES	222.70
03	500	UNRESTRICTED RESOURCE	ALLEN, IRENE	REIMB MILEAGE	108.94
03	500	UNRESTRICTED RESOURCE	BANKCARD SERVICES	SUPPLIES	174.99
03	500	UNRESTRICTED RESOURCE	C.A.S.H. (COALITION ADEQ.SCH.)	CONF FEES	185.00
03	500	UNRESTRICTED RESOURCE	C.A.S.H. (COALITION ADEQ.SCH.)	CONF LODGING	340.00
03	500	UNRESTRICTED RESOURCE	CONDIT, IRWIN	REIMB MILEAGE	47.90
03	500	UNRESTRICTED RESOURCE	COTTRELL, JEANNA	REIMB MILEAGE	24.26

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Purchase Over \$1  
4-5-04 thru 4-16-04

Fund	Schl	Resource	Vendor	Description	Amount
03	500	STAFF DEV. BUY OUT	DOUBRAVSKY DAVE	REIMB SUPPLIES	48.87
03	500	UNRESTRICTED RESOURCE	ELLIOTT DUCHON	CONF REIMB	81.90
03	500	UNRESTRICTED RESOURCE	ESTRADA, MARY	REIMB MILEAGE	29.48
03	500	UNRESTRICTED RESOURCE	FORTIN, JEANIE	REIMB SUPPLIES	80.96
03	500	UNRESTRICTED RESOURCE	FORTIN, JEANIE	REIMB SUPPLIES	11.91
03	500	UNRESTRICTED RESOURCE	FRANCHISE TAX BOARD	FILING FEE	184.65
03	500	UNRESTRICTED RESOURCE	HEIDI HAYES	REIMB MILEAGE	36.90
03	500	UNRESTRICTED RESOURCE	INTERNAL REVENUE SERVICE	FILING FEES SCH FAC	11,820.00
03	500	UNRESTRICTED RESOURCE	JONES, TIMOTHY	REIMB MILEAGE	189.00
03	500	UNRESTRICTED RESOURCE	KATHLEEN HUBER	REIMB MILEAGE	50.80
03	500	UNRESTRICTED RESOURCE	MENDOZA JONATHAN	REIMB MILEAGE	95.25
03	500	UNRESTRICTED RESOURCE	MURRAY, MICHELLE	REIMB MILEAGE	46.36
03	500	UNRESTRICTED RESOURCE	NEXTEL	PHONE MARCH	4,654.57
03	500	UNRESTRICTED RESOURCE	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	82.95
03	500	UNRESTRICTED RESOURCE	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	8,046.22
03	500	UNRESTRICTED RESOURCE	RIVERSIDE CO. OFFICE OF EDUC.	CONF FEES	400.00
03	500	UNRESTRICTED RESOURCE	RUBIDOUX COMMUNITY SERVICES	WATER MARCH	544.82
03	500	UNRESTRICTED RESOURCE	SBC	PHONE FEB	126.84
03	500	UNRESTRICTED RESOURCE	THE GAS COMPANY	GAS MARCH	240.75
03	500	UNRESTRICTED RESOURCE	TOTEN, DEBORAH	REIMB MILEAGE	32.34
03	500	UNRESTRICTED RESOURCE	TUNDIDOR, MADELIN	REIMB MILEAGE	55.43
03	500	UNRESTRICTED RESOURCE	WESTIN HOTEL AT HORTON PLAZA	CONF LODGING	197.89
03	500	UNRESTRICTED RESOURCE		<b>TOTAL FUND 03</b>	<b>\$61,464.03</b>
06	115	SCHOOL IMPROVEMENT PROGRAM (SIP)	BRIGHT SOLUTIONS FOR DYSLEXIA	CONF FEES	1,690.00
06	115	NCLB: TITLE I, PART A, BASIC GRANTS	MENDEZ, LUZ	REIMB SUPPLIES	13.98
06	115	NCLB: TITLE I, PART A, BASIC GRANTS	U.C. REGENTS	CONF FEES	290.00
06	125	NCLB: TITLE I, PART A, BASIC GRANTS	CEEA	CONF FEES	477.00
06	140	NCLB: TITLE I, PART A, BASIC GRANTS	U.C. REGENTS	CONF FEES	80.00
06	165	IMMEDIATE INTERVENTION/UNDERPERFORM	JOSIE JAVENS	CONF FEES	450.00
06	175	NCLB: TITLE I, PART A, BASIC GRANTS	LAURITZEN, JOAN	REIMB SUPPLIES	109.99
06	210	IMMEDIATE INTERVENTION/UNDERPERFORM	RIDDER SUSAN	REIMB SUPPLIES	96.98
06	300	INSTRUCTIONAL MATERIALS: GRADES 9-1	ALFONSO BOLANOS	TEXTBOOK REFUND	10.00
06	300	INSTRUCTIONAL MATERIALS: GRADES 9-1	BETH VANDENRAADT	TEXTBOOK REFUND	67.95
06	300	INSTRUCTIONAL MATERIALS: GRADES 9-1	BRYAN SPENCER	TEXTBOOK REFUND	74.74
06	300	INSTRUCTIONAL MATERIALS: GRADES 9-1	CINDY MARCHBANKS	TEXTBOOK REFUND	67.95

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Purchase Over \$1  
4-5-04 thru 4-16-04

Fund	Schl	Resource	Vendor	Description	Amount
06	300	INSTRUCTIONAL MATERIALS: GRADES 9-1	ERIC FRISBEE	TEXTBOOK REFUND	67.71
06	300	AIAA GRANT (RUSD)	HILTON JUNE	CONF REIMB	1,089.68
06	300	PARTNERSHIP ACADEMIES PROGRAM	LAURETTA WILSON-CORTEZ	CONF REIMB	103.56
06	300	INSTRUCTIONAL MATERIALS: GRADES 9-1	NESTER CONTRERAS	TEXTBOOK REFUND	54.00
06	300	PARTNERSHIP ACADEMIES PROGRAM	NORWOOD ROBERT	CONF REIMB	107.48
06	300	PARTNERSHIP ACADEMIES PROGRAM	NORWOOD ROBERT	CONF REIMB	107.48
06	300	PARTNERSHIP ACADEMIES PROGRAM	PARKER JOEL	CONF REIMB	1,411.91
06	305	VOCATIONAL PROGRAMS: VOC & APPL TEC	CONSTANCE HALLOWAY	CONF REIMB	240.01
06	305	INSTRUCTIONAL MATERIALS: GRADES 9-1	MATTHEW MAIER	TEXTBOOK REFUND	15.00
06	305	HEALTHY START: PLANNING GRANTS AND	NEXTTEL	PHONE MARCH	155.25
06	305	VOCATIONAL PROGRAMS: VOC & APPL TEC	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	14.90
06	405	COMMUNITY DAY SCHOOLS	CAROL KING	CONF REIMB	241.36
06	405	COMMUNITY DAY SCHOOLS	TIM TITUS	CONF REIMB	276.31
06	425	SPECIAL EDUCATION	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	70.33
06	500	NCLB: TITLE III, LIMITED ENGLISH PR	2-WAY CABE	CONF FEES	325.00
06	500	ECONOMIC IMPACT AID: LIMITED ENGLIS	ALICE CORNEJO	REIMB MILEAGE	34.65
06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	C.A.S.H. (COALITION ADEQ.SCH.)	CONF FEES	185.00
06	500	HEAD START	CEJA, MARIA	REIMB CHILD CARE	135.00
06	500	NCLB: TITLE I, PART A, BASIC GRANTS	CEJA, MARIA	REIMB CHILD CARE	30.00
06	500	SPECIAL EDUCATION	CLAUDER, LANA	REIMB MILEAGE	135.93
06	500	SPECIAL EDUCATION	DROST, KATHY	REIMB MILEAGE	48.78
06	500	HEAD START	ELIZABETH DOMINGUEZ	REIMB CHILD CARE	135.00
06	500	NCLB: TITLE I, PART A, BASIC GRANTS	ELIZABETH DOMINGUEZ	REIMB CHILD CARE	30.00
06	500	NCLB: TITLE II, PART D, ENHANCING E	FORD PAULA	CONF REIMB	129.64
06	500	NCLB: TITLE III, LIMITED ENGLISH PR	FVSD/PROJECT GLAD	CONF FEES	2,355.00
06	500	ECONOMIC IMPACT AID: LIMITED ENGLIS	GARAVITO, NORIE	REIMB MILEAGE	107.70
06	500	NCLB: TITLE III, LIMITED ENGLISH PR	GARAVITO, NORIE	REIMB CONF	86.97
06	500	ECONOMIC IMPACT AID: LIMITED ENGLIS	JESSICA SEVEY	REIMB MILEAGE	40.67
06	500	ECONOMIC IMPACT AID: LIMITED ENGLIS	LAURA CIESLA	REIMB CLAD FEES	55.00
06	500	ECONOMIC IMPACT AID: LIMITED ENGLIS	LUZ MARIA SALAZAR	REIMB MILEAGE	33.51
06	500	SPECIAL EDUCATION	MARGARET MENDOZA	REIMB MILEAGE	10.02
06	500	COMMUNITY-BASED TUTORING GRANTS	NEXTTEL	PHONE MARCH	21.89
06	500	HEALTHY CHILDREN CONNECTION PROGRAM	NEXTTEL	PHONE MARCH	110.62
06	500	NCLB: TITLE I, PART A, BASIC GRANTS	NEXTTEL	PHONE MARCH	609.27
06	500	SCHOOL READINESS PROGRAM	NEXTTEL	PHONE MARCH	21.87
06	500	SCHOOL SAFETY & VIOLENCE PREVENTION	NEXTTEL	PHONE MARCH	589.78

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Report of Disbursement of Other Purchases

Purchase Over \$1  
4-5-04 thru 4-16-04

Fund	Schl	Resource	Vendor	Description	Amount
06	500	TRANSPORTATION: HOME TO SCHOOL	NEXTEL	PHONE MARCH	62.81
06	500	WORKFORCE INVESTMENT ACT (WIA)	NEXTEL	PHONE MARCH	56.68
06	500	HEALTHY CHILDREN CONNECTION PROGRAM	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	44.67
06	500	ECONOMIC IMPACT AID: LIMITED ENGLIS	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	34.38
06	500	HEAD START	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	84.69
06	500	WORKFORCE INVESTMENT ACT (WIA)	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	273.77
06	500	MEDI-CAL BILLING OPTION	SAN BERNARDINO COUNTY SCHOOLS	CONF FEES	45.00
06	500	MEDI-CAL BILLING OPTION	SAN BERNARDINO COUNTY SCHOOLS	CONF FEES	385.00
06	500	MEDI-CAL BILLING OPTION	SCHOOL SERVICES OF CALIFORNIA	CONF FEES	140.00
06	500	BILINGUAL EDUCATION: DISCRETIONARY	SHERATON SAN DIEGO	CONF LODGING	470.97
06	500	CALIFORNIA PEER ASSISTANCE & REVIEW	STEVENS, TERRI	REIMB MILEAGE	44.63
06	500	SPECIAL EDUCATION	TOMEKA K. DRAIN	REIMB MILEAGE	126.80
06	500	GIFTED & TALENTED EDUCATION (GATE)	TUNDIDOR, MADELIN	REIMB MILEAGE	43.79
06	501	SPECIAL EDUCATION	DEMOR, JOHN	REIMB MILEAGE	118.01
TOTAL FUND 06					\$14,546.07
11	500	ROC/P OR ADULT ED: CALWORKS PARTICI	CALIF STATE DEPT OF EDUCATION	RETURN UNEARNED GRANT	5,000.00
TOTAL FUND 11					\$5,000.00
12	500	CHILD DEVELOPMENT: STATE PRESCHOOL	CEJA, MARIA	REIMB CHILD CARE	135.00
12	500	CHILD DEVELOPMENT: STATE PRESCHOOL	ELIZABETH DOMINGUEZ	REIMB CHILD CARE	135.00
TOTAL FUND 12					\$270.00
13	500	CHILD NUTRITION: SCHOOL PROGRAMS (E	DEVEREAUX CHARITA	REIMB MILEAGE	145.27
13	500	CHILD NUTRITION: SCHOOL PROGRAMS (E	GASPAR PENIA	REFUND LUNCH ACCT	13.25
13	500	CHILD NUTRITION: SCHOOL PROGRAMS (E	NEXTEL	PHONE MARCH	213.31
13	500	CHILD NUTRITION: SCHOOL PROGRAMS (E	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	72.66
13	500	CHILD NUTRITION: SCHOOL PROGRAMS (E	PACIFIC TELEPHONE/WORLDCOM	PHONE FEB	141.67
13	500	CHILD NUTRITION: SCHOOL PROGRAMS (E	TEXACO	GAS MARCH	26.94
13	500	CHILD NUTRITION: SCHOOL PROGRAMS (E	WENDY ORCAJO	REFUND LUNCH ACCT	51.50
TOTAL FUND 13					\$664.60
25	500	UNRESTRICTED RESOURCE	RIVERSIDE COUNTY CLERK	NOTICE OF EXEMP. FEE	64.00
25	500	UNRESTRICTED RESOURCE	SHAW INVESTMENT COMPANY	REIMB BLDG PERMIT	149.60
TOTAL FUND 25					\$213.60

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Purchase Over \$1  
4-5-04 thru 4-16-04

Fund	Schl	Resource	Vendor	Description	Amount
35	310	UNRESTRICTED RESOURCE	SO CALIFORNIA EDISON	ELECT FEB	215.48
				<b>TOTAL FUND 35</b>	<b>\$215.48</b>
67	500	SELF INSURANCE	MATERIAL DAMAGE APPRAISAL	INSP. & APPRAISAL	116.00
67	500	SELF INSURANCE	YVETTE OJEDA & JESUS OJEDA	REIMB PERSONAL LOSS	3,492.99
				<b>TOTAL FUND 67</b>	<b>\$3,608.99</b>

99 DISBURSEMENT ORDERS FOR A TOTAL OF \$85,982.77

APPROVED BY:

  
DIRECTOR OF BUSINESS SERVICES

P.O. #	Fund	School	Resource	Vendor	Description	Amount
P47375	06	500	TRANSPORTATION: HOME TO SCHOOL	G.W. MAINTENANCE	TRANS-REPAIRS	\$ 225.00
P47716	06	105	NCLB: TITLE I, PART A, BASIC GRANTS	MINOLTA BUSINESS SYSTEMS, INC.	GA-COPIER SERVICE AGREEMENT	1,000.00
P48130	03	500	SAFETY CREDIT	COM SER CO	EC-OPEN PO FOR PARTS/SERVICES	1,100.00
P48421	06	115	NCLB: TITLE I, PART A, BASIC GRANTS	STATER BROTHERS	IA-OPEN PO FOR INCENTIVES & REWARDS	750.00
P48608	03	305	UNRESTRICTED RESOURCE	COSTCO WHOLESALE	RHS-OPEN PO-SUPPLIES	3,500.00
P48678	13	500	CHILD NUTRITION: SCHOOL PROGRAMS (E	DOMINOS PIZZA	FOODSERV-OPEN PO-PIZZA DELIVERED	125,000.00
P48870	06	500	COMMUNITY-BASED TUTORING GRANTS	STATER BROTHERS	LC-OPEN PO-SUPPLIES	300.00
P48902	06	105	SCHOOL IMPROVEMENT PROGRAM (SIP)	COSTCO WHOLESALE	GA-OPEN PO-SUPPLIES	500.00
P49398	06	500	NCLB: TITLE II, PART A, TEACHER QUA	STATER BROTHERS	EC-STUDENT SERVICES-ASSESSMENT COMMITTEE	500.00
P49809	06	115	NCLB: TITLE I, PART A, BASIC GRANTS	OFFICE MAX	IA-OPEN PO-INSTRUCTIONAL SUPPLIES	500.00
P50584	03	500	UNRESTRICTED RESOURCE	SCHOOL SPECIALTY	CSR-STOCK	881.40
P50814	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	ROTO-ROOTER SERVICE/PLUMBING	MAINT-IH-LC-PED-CLEAR SEWER LINES	1,151.19
P50870	14	500	UNRESTRICTED RESOURCE	FOURTH STREET ROCK CRUSHER	MAINT-CONCRETE WORK	1,429.15
P50882	14	500	UNRESTRICTED RESOURCE	REFRIGERATION SUPPLIES DIST	MAINT-SUPPLIES	402.70
P50883	03	500	UNRESTRICTED RESOURCE	LEROY'S LANDSCAPE SERVICE	GROUNDS-WR-HYDRO SEED	2,268.00
P50939	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	MOST DEPENDABLE FOUNTAINS	MAINT-SUPPLIES	279.38
P50940	03	500	UNRESTRICTED RESOURCE	UNITED GREEN MARK, INC.	MAINT-SUPPLIES	1,357.11
P50942	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	RIVERSIDE ELECTRIC MOTORS	MAINT-GROUNDS SUPPLIES	422.38
P50947	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	CONSOLIDATED ELECTRICAL DIST.	MAINT-ELECTRICAL SUPPLIES	1,613.02
P50968	03	300	DISCRETIONARY	ENTERPRISE CAR RENTAL	JVH-VAN RENTALS	738.93
P50989	03	175	SCHOOL SITE EMPLOYEE BONUS (SB1667)	JENSEN ALVARADO RANCH	WR-FIELD TRIP ADMISSIONS	650.00
P51000	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	CYROTECH	MAINT-JVH-POOL MAINT	404.12
P51002	14	500	UNRESTRICTED RESOURCE	LUKE'S AIR CONDITIONING	MAINT-INSTALL A/C UNIT	6,300.00
P51008	14	500	UNRESTRICTED RESOURCE	WHEELER PAVING, INC.	MAINT-REPAIRS IN PARKING LOT AT RHS	6,009.00
P51009	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	FOURTH STREET ROCK CRUSHER	MAINT-CONCRETE	286.15
P51016	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	AXCES	MAINT-SUPPLIES	264.64
P51052	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	ELROD FENCING CO.	MAINT-RHS-NEW SLIDE GATE	2,696.00
P51053	14	500	UNRESTRICTED RESOURCE	LUKE'S AIR CONDITIONING	MAINT-MB-A/C UNIT REPLACEMENT	5,900.00
P51055	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	SIERRA WHOLESALE HARDWARE	MAINT-DOORS	673.44
P51056	03	500	UNRESTRICTED RESOURCE	UNITED GREEN MARK, INC.	GROUNDS-IRRIGATION SUPPLIES	241.29
P51061	06	210	IMMEDIATE INTERVENTION/UNDERPERFORM	BALLARD AND TIGHE PUBLISHERS	MM-TEXTBOOKS	6,823.81
P51088	14	500	UNRESTRICTED RESOURCE	BRICKLEY CONSTRUCTION	MAINT-CR-CONTAMINATION REMOVAL	4,450.00
P51130	06	500	GIFTED & TALENTED EDUCATION (GATE)	FLINN CHEMICAL CATALOG	RHS-CHEMISTRY SUPPLIES	475.31
P51131	06	500	GIFTED & TALENTED EDUCATION (GATE)	FLINN CHEMICAL CATALOG	JVH-CHEMISTRY SUPPLIES	582.44
P51134	06	500	GIFTED & TALENTED EDUCATION (GATE)	SCIENCE KIT & BOREAL LABS	RHS-SCIENCE SUPPLIES	361.46
P51140	03	000	UNRESTRICTED RESOURCE	PARTS NOW	EC-PRINTER REPAIRS	323.00

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P.O. #	Fund	School	Resource	Vendor	Description	Amount
P51145	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	ELROD FENCING CO.	MAINT-RHS-FENCING	2,081.00
P51146	06	115	NCLB: TITLE I, PART A, BASIC GRANTS	BARCO PRODUCTS	IA-SAFETY VESTS	218.26
P51147	06	115	NCLB: TITLE I, PART A, BASIC GRANTS	HIGHSMITH CO., INC., THE	IA-SUPPLIES	451.68
P51148	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	CONSOLIDATED ELECTRICAL DIST.	MAINT-SA-JVH-LIGHT BULBS	495.01
P51149	03	500	UNRESTRICTED RESOURCE	SOUTHWEST SCHOOL SUPPLY	CSR-STOCK	4,178.01
P51150	03	500	UNRESTRICTED RESOURCE	OFFICE DEPOT	CSR-STOCK	5,415.52
P51173	06	500	GIFTED & TALENTED EDUCATION (GATE)	SUNBURST	VB-INSTRUCTONAL MATERIALS	517.86
P51200	06	210	SCHOOL IMPROVEMENT PROGRAM (SIP)	HIGHSMITH CO., INC., THE	MM-STEEL ORGANIZER	395.84
P51203	06	300	VOCATIONAL PROGRAMS: VOC & APPL TEC	I.M.P.A.C. GOVERNMENT SERVICES	JVH-MICROPHONES	366.15
P51204	03	130	GOVERNOR'S PERFORMANCE AWARD (SB1X)	MEDCO	PA-UTILITY CART	275.00
P51205	06	120	NCLB: TITLE I, PART A, BASIC GRANTS	DELL	IH-DELL SERVER	2,293.92
P51210	06	155	SCHOOL IMPROVEMENT PROGRAM (SIP)	I.M.P.A.C. GOVERNMENT SERVICES	SA-SUPPLIES	291.67
P51211	06	500	NCLB: TITLE III, LIMITED ENGLISH PR	CORPORATE EXPRESS	LANG SERVICES-SUPPLIES	506.58
P51215	03	500	UNRESTRICTED RESOURCE	PIONEER CHEMICAL COMPANY	MOT-VACUUM PARTS	1,278.77
P51217	06	300	AGRICULTURAL VOCATIONAL INCENTIVE G	PAPER DIRECT	JVH-INCENTIVES	281.83
P51220	03	500	UNRESTRICTED RESOURCE	CORPORATE EXPRESS	EC-TONER CARTRIDGES	370.64
P51224	03	500	UNRESTRICTED RESOURCE	U.S. POSTAL SERVICE	CSR-STOCK	1,850.00
P51225	03	500	EDUCATION CENTER PROJECT	SAM'S CLUB	EC-MEMORY CHIPS FOR NEW COMPUTERS	1,454.63
P51236	03	500	UNRESTRICTED RESOURCE	I.M.P.A.C. GOVERNMENT SERVICES	EC-SYSTEM MEMORY	244.58
P51253	06	200	SCHOOL IMPROVEMENT PROGRAM (SIP)	STATER BROTHERS	JMS-OPEN PO-STAFF APPRECIATION	275.00
P51254	06	145	NCLB: TITLE I, PART A, BASIC GRANTS	GLENCOE - MCGRAW HILL	RL-TEXTBOOKS	53,928.51
P51255	03	305	STATE LOTTERY	STEVE WEIS MUSIC	RHS-BAND SUPPLIES	499.34
P51256	06	130	NCLB: TITLE I, PART A, BASIC GRANTS	CM SCHOOL SUPPLY CO.	PA-OPEN PO-INSTRUCT MATERIALS & SUPPLIES	250.00
P51257	06	160	SCHOOL IMPROVEMENT PROGRAM (SIP)	CORPORATE EXPRESS	SS-OPEN PO-INSTRUCT MATERIALS & SUPPLIES	500.00
P51258	03	120	DISCRETIONARY	STATER BROTHERS	IH-OPEN PO-STAFF DEVELOPMENT	300.00
P51259	06	175	NCLB: TITLE I, PART A, BASIC GRANTS	CM SCHOOL SUPPLY CO.	WR-OPEN PO-INSTRUCT MATERIALS & SUPPLIES	300.00
P51262	06	105	COMMUNITY-BASED TUTORING GRANTS	CM SCHOOL SUPPLY CO.	GA-OPEN PO-INSTRUCT MATERIALS & SUPPLIES	622.08
P51263	06	175	NCLB: TITLE I, PART A, BASIC GRANTS	CM SCHOOL SUPPLY CO.	WR-OPEN PO-INSTRUCT MATERIALS & SUPPLIES	400.00
P51264	06	175	NCLB: TITLE I, PART A, BASIC GRANTS	CM SCHOOL SUPPLY CO.	WR-OPEN PO-INSTRUCT MATERIALS & SUPPLIES	400.00
P51265	06	175	NCLB: TITLE I, PART A, BASIC GRANTS	CM SCHOOL SUPPLY CO.	WR-OPEN PO-INSTRUCT MATERIALS & SUPPLIES	400.00
P51268	06	110	NCLB: TITLE I, PART A, BASIC GRANTS	RENAISSANCE LEARNING	GH-ACCELERATED READING	1,667.97
P51269	06	199	INSTRUCTIONAL MATERIALS REALIGNMENT	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	357,456.32
P51270	03	125	GOVERNOR'S PERFORMANCE AWARD (SB1X)	CULVER-NEWLIN INC	MB-CHAIRS	1,419.28
P51271	06	199	INSTRUCTIONAL MATERIALS REALIGNMENT	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	55,330.39
P51271	06	399	INSTRUCTIONAL MATERIALS REALIGNMENT	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	181,086.90
P51272	03	500	UNRESTRICTED RESOURCE	MYINFOONLINE.NET	EC-OPEN PO-MIRCOFILM AND SERVICES	500.00

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P.O. #	Fund	School	Resource	Vendor	Description	Amount
P51273	06	199	INSTRUCTIONAL MATERIALS REALIGNMENT	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	9,111.32
P51273	06	500	LOTTERY: INSTRUCTIONAL MATERIALS	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	238,829.45
P51274	06	500	LOTTERY: INSTRUCTIONAL MATERIALS	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	176,885.69
P51275	06	399	INSTRUCTIONAL MATERIALS REALIGNMENT	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	94,229.08
P51275	06	500	LOTTERY: INSTRUCTIONAL MATERIALS	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	89,661.98
P51276	06	199	INSTRUCTIONAL MATERIALS REALIGNMENT	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	181,801.39
P51277	06	199	INSTRUCTIONAL MATERIALS REALIGNMENT	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	155,865.16
P51277	06	500	INSTRUCTIONAL MATERIALS: GRADES K-8	HOUGHTON MIFFLIN CO	TW-TEXTBOOKS	8,838.49
P51279	03	500	UNRESTRICTED RESOURCE	I.M.P.A.C. GOVERNMENT SERVICES	EC-MEMORY	234.77
P51280	03	500	EDUCATION CENTER PROJECT	DELL	EC-DESKTOP COMPUTERS	2,701.46
P51281	03	500	UNRESTRICTED RESOURCE	DELL	EC-COMPUTER	2,435.00
P51283	03	210	GOVERNOR'S PERFORMANCE AWARD (SB1X)	I.M.P.A.C. GOVERNMENT SERVICES	MM-INSTRUCTIONAL MATERIALS	326.78
P51293	06	210	IMMEDIATE INTERVENTION/UNDERPERFORM	KIDS DISCOVER MAGAZINE	MM-INSTRUCTIONAL MATERIALS	803.64
P51294	03	500	UNRESTRICTED RESOURCE	I.M.P.A.C. GOVERNMENT SERVICES	EC-LICENSES	537.67
P51295	06	110	IMMEDIATE INTERVENTION/UNDERPERFORM	TONER WAREHOUSE	GH-INK CARTRIDGES	915.88
P51296	06	135	NCLB: TITLE I, PART A, BASIC GRANTS	TONER WAREHOUSE	PED-INK CARTRIDGES	420.23
P51308	03	150	DONATIONS	BOUND TO STAY BOUND BOOKS INC.	SC-LIBRARY BOOKS	203.22
P51311	03	500	UNRESTRICTED RESOURCE	SHRED-IT	EC-OPEN PO-SHREDDING	1,000.00
P51314	06	500	ECONOMIC IMPACT AID: LIMITED ENGLISH	EDUCATION PEOPLE, INC.	EC-INCENTIVES FOR BILINGUAL LANG. TUTORS	424.06
P51316	06	115	NCLB: TITLE I, PART A, BASIC GRANTS	FOLLETT LIBRARY BOOK CO.	IA-INSTRUCTIONAL MATERIALS & SUPPLIES	11,656.44
P51317	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	HOWARD INDUSTRIES	MAINT-OPEN PO-HVAC SUPPLIES	2,000.00
P51319	03	500	UNRESTRICTED RESOURCE	AMERICAN RED CROSS	PERSONNEL-OPEN PO-FIRST AID TRAINING	1,200.00
P51321	03	105	DONATIONS	SAN BERNARDINO COUNTY MUSEUM	GA-FIELD TRIP ADMISSIONS	320.00
P51324	03	105	DONATIONS	PERFORMANCE/RIVERSIDE	GA-FIELD TRIP ADMISSIONS	250.00
P51326	03	115	GOVERNOR'S PERFORMANCE AWARD (SB1X)	LONG BEACH AQUARIUM OF THE	IA-FIELD TRIP ADMISSIONS	780.00
P51327	06	500	HEAD START	RUBIDOUX NATURE CENTER	EC-FIELD TRIP ADMISSIONS	280.00
P51328	06	500	NCLB: TITLE III, LIMITED ENGLISH PR	DOLORES CROWELL	PER-FEES FOR DANCE PERFORMANCE	375.00
P51330	06	500	GIFTED & TALENTED EDUCATION (GATE)	SCHOLASTIC, INC.	JVHS-SUBSCRIPTION	219.42
P51333	21	500	WIRING/COMMUNICATIONS	CLEAR COMMUNICATIONS	EC-REPLACEMENT INTERCOM AT VB	2,664.66
P51335	06	405	COMMUNITY DAY SCHOOLS	CORPORATE EXPRESS	LC-VERTICAL FILE	258.58
P51342	06	205	IMMEDIATE INTERVENTION/UNDERPERFORM	PC & MACEXCHANGE	MLMS-24-PORT CISCO SWITCH	658.69
P51342	06	205	SCHOOL IMPROVEMENT PROGRAM (SIP)	PC & MACEXCHANGE	MLMS-24-PORT CISCO SWITCH	658.68
P51343	06	210	NCLB: TITLE I, PART A, BASIC GRANTS	PC & MACEXCHANGE	MM-HARD DRIVE & SERVER	715.07
P51344	03	305	DISCRETIONARY	FREESTYLE PHOTOGRAPHIC SUPPLIES	RHS-PHOTO SUPPLIES	666.25
P51345	06	175	NCLB: TITLE I, PART A, BASIC GRANTS	PC & MACEXCHANGE	WR-DESKJET PRINTERS	2,539.67
P51346	06	205	IMMEDIATE INTERVENTION/UNDERPERFORM	PC & MACEXCHANGE	MLMS-TECHNOLOGY SUPPLIES	2,135.28

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P.O.#	Fund	School	Resource	Vendor	Description	Amount
P51347	03	500	UNRESTRICTED RESOURCE	JUSD PRINT SHOP	CSR-STORES	1,080.00
P51348	03	500	UNRESTRICTED RESOURCE	PC & MACEXCHANGE	EC-COMPUTER CABLES	830.45
P51350	06	155	SCHOOL IMPROVEMENT PROGRAM (SIP)	PC & MACEXCHANGE	SA-LASERJET PRINTER	207.99
P51351	06	155	SCHOOL IMPROVEMENT PROGRAM (SIP)	DELL	SA-COMPUTER	1,004.53
P51352	06	300	IMMEDIATE INTERVENTION/UNDERPERFORM	PC & MACEXCHANGE	JVH-DESKJET PRINTERS	1,030.95
P51358	06	210	NCLB: TITLE I, PART A, BASIC GRANTS	CORPORATE EXPRESS	MM-SUPPLIES	420.66
P51360	03	500	EDUCATION CENTER PROJECT	PC & MACEXCHANGE	EC-WIRELESS CONNECTION	1,434.86
P51361	03	170	DISCRETIONARY	I.M.P.A.C. GOVERNMENT SERVICES	VB-SUPPLIES	1,539.06
P51362	03	500	UNRESTRICTED RESOURCE	ZONES	CSR-STOCK	3,361.80
P51363	06	500	GIFTED & TALENTED EDUCATION (GATE)	I.M.P.A.C. GOVERNMENT SERVICES	RHS-SCIENCE MATERIALS	230.49
P51370	06	160	NCLB: TITLE I, PART A, BASIC GRANTS	CURRICULUM ASSOCIATES, INC.	SS-INSTRUCTIONAL MATERIALS	449.22
P51372	06	115	COMMUNITY-BASED TUTORING GRANTS	PERFORMANCE/RIVERSIDE	IA-FIELD TRIP	290.78
P51372	06	500	GIFTED & TALENTED EDUCATION (GATE)	PERFORMANCE/RIVERSIDE	IA-FIELD TRIP	178.22
P51375	06	300	PARTNERSHIP ACADEMIES PROGRAM	WESTERN TROPHY MFG	RHS-FFA AWARDS	600.00
P51376	03	500	STAFF DEV. BUY OUT	JOSE'S TACO SHOP	MB-OPEN PO-STAFF DEVELOPMENT	238.50
P51376	06	125	SCHOOL IMPROVEMENT PROGRAM (SIP)	JOSE'S TACO SHOP	MB-OPEN PO-STAFF DEVELOPMENT	211.50
P51378	06	210	SCHOOL IMPROVEMENT PROGRAM (SIP)	NATIONAL BUSINESS FURNITURE	MM-CHAIRS	743.19
P51379	06	300	AGRICULTURAL VOCATIONAL INCENTIVE G	OFFICE DEPOT	JVHS-OPEN PO-SUPPLIES	250.00
P51380	06	500	NCLB: TITLE I, PART A, BASIC GRANTS	INDIAN HILLS COUNTRY CLUB	EC-OPEN PO-PROGRAM IMPROVEMENT MEETING	375.00
P51381	03	300	DISCRETIONARY	STATER BROTHERS	JVH-OPEN P.O.-SUPPLIES	500.00
P51383	06	300	VOCATIONAL PROGRAMS: VOC & APPL TEC	NASCO WEST INC	JVH-KITCHENAID HAND MIXER	317.37
P51384	06	115	NCLB: TITLE I, PART A, BASIC GRANTS	GUMDROP BOOKS	IA-LIBRARY BOOKS	900.00
P51385	06	175	NCLB: TITLE I, PART A, BASIC GRANTS	PEERY PRODUCTS CO. INC.	WR-RISERS AND SAFETY RAILING	5,101.03
P51386	03	175	GOVERNOR'S PERFORMANCE AWARD (SB1X)	TROXELL COMMUNICATIONS INC.	WR-TV/CR	11,361.16
P51388	06	200	IMMEDIATE INTERVENTION/UNDERPERFORM	SADDLEBACK EDUCATIONAL, INC.	JMS-BOOKS	1,788.15
P51389	06	300	VOCATIONAL PROGRAMS: VOC & APPL TEC	ZONES	JVH-DVD/VCR	3,030.48
P51390	06	200	IMMEDIATE INTERVENTION/UNDERPERFORM	SUNDANCE	JMS-BOOKS	2,239.06
P51392	06	210	IMMEDIATE INTERVENTION/UNDERPERFORM	SCHOOL SPECIALTY	MM-U.S. HISTORY MAPS	505.02
P51393	06	200	IMMEDIATE INTERVENTION/UNDERPERFORM	SUNBURST	JMS-SOFTWARE LICENSES	1,285.01
P51397	06	300	VOCATIONAL PROGRAMS: VOC & APPL TEC	CAMERON WELDING SUPPLY	JVH-WELDING EQUIPMENT	1,644.25
P51399	06	500	HEAD START	PARENTS MAKE THE DIFFERENCE	EC-SUBSCRIPTION RENEWAL	166.05
P51399	06	500	NCLB: TITLE I, PART A, BASIC GRANTS	PARENTS MAKE THE DIFFERENCE	EC-SUBSCRIPTION RENEWAL	36.90
P51399	12	500	CHILD DEVELOPMENT: STATE PRESCHOOL	PARENTS MAKE THE DIFFERENCE	EC-SUBSCRIPTION RENEWAL	166.05
P51402	06	500	ONGOING & MAJOR MAINTENANCE ACCOUNT	FERGUSON ENTERPRISES	MAINT-PLUMBING SUPPLIES	3,000.00
P51403	03	125	DONATIONS	FOLLETT LIBRARY BOOK CO.	MB-LIBRARY BOOKS	500.00
P51404	06	170	IMMEDIATE INTERVENTION/UNDERPERFORM	SPINITAR	VB-POSTER PAPER	2,067.94

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Purchases Over \$200  
4/03/04 thru 4/16/04

P.O. #	Fund	School	Resource	Vendor	Description	Amount
P51405	03	500	SAFETY CREDIT	TROXELL COMMUNICATIONS INC.	EC-TV/VCR CART	203.65
P51406	03	155	DISCRETIONARY	IMAGE SHOP PRESENTATION PROD.	SA-LETTERHEAD AND ENVELOPES	290.85
P51408	03	140	DONATIONS	SCHOLASTIC, INC.	PER-RIF BOOKS	1,624.33
P51409	03	300	DISCRETIONARY	MBM MICRO BIO MEDICS, INC.	JVH-FIRST AID AND TRAINING SUPPLIES	1,687.81
P51413	03	205	DISCRETIONARY	J.W. PEPPER & SON, INC.	MLMS-BAND MUSIC	567.36
P51414	03	500	UNRESTRICTED RESOURCE	WESTERN TROPHY MFG	EC-PRINCIPAL FOR A DAY PLAQUES	538.75
P51415	06	305	IMMEDIATE INTERVENTION/UNDERPERFORM	WARDS	RHS-SCIENCE SUPPLIES	1,446.39
P51424	03	300	DISCRETIONARY	SCANTRON	JVH-FORMS	541.33
P51425	06	110	NCLB: TITLE I, PART A, BASIC GRANTS	CORPORATE EXPRESS	GH-SUPPLIES	557.07
P51438	06	500	COMMUNITY-BASED TUTORING GRANTS	SMART & FINAL IRIS CO	EC-OPEN PO-SUPPLIES-PARENT INVOLVEMENT	375.00
P51438	06	500	NCLB: TITLE I, PART A, BASIC GRANTS	SMART & FINAL IRIS CO	EC-OPEN PO-SUPPLIES-PARENT INVOLVEMENT	125.00
P51442	06	175	NCLB: TITLE I, PART A, BASIC GRANTS	LAKESHORE LEARNING	WR-OPEN PO-INSTRUCTIONAL MATERIALS	1,200.00
P51443	21	125	MODERNIZATION PROJECTS	CALIFORNIA DEPARTMENT OF EDUCATION	EC-MODERNIZATION PROJECTS	665.03
P51443	21	130	MODERNIZATION PROJECTS	CALIFORNIA DEPARTMENT OF EDUCATION	EC-MODERNIZATION PROJECTS	1,023.12
P51443	21	135	MODERNIZATION PROJECTS	CALIFORNIA DEPARTMENT OF EDUCATION	EC-MODERNIZATION PROJECTS	953.55
P51443	21	165	MODERNIZATION PROJECTS	CALIFORNIA DEPARTMENT OF EDUCATION	EC-MODERNIZATION PROJECTS	562.72
P51443	21	210	MODERNIZATION PROJECTS	CALIFORNIA DEPARTMENT OF EDUCATION	EC-MODERNIZATION PROJECTS	1,714.43
P51444	06	155	SCHOOL IMPROVEMENT PROGRAM (SIP)	WESTERN TROPHY MFG	SA-SKILLS DAY RIBBONS	391.94
P51471	06	205	IMMEDIATE INTERVENTION/UNDERPERFORM	INPATH DEVICES	MLMS-SCANNER	429.84
P51472	06	205	IMMEDIATE INTERVENTION/UNDERPERFORM	ZONES	MLMS-LASER PRINTER	1,558.04
152 P.O.'s over \$200						\$ 1,916,806.55
102 P.O.'s NOT over \$200						\$ 7,502.73
254 TOTAL PURCHASE ORDERS						\$ 1,924,309.28

RECOMMEND APPROVAL:

*Shelia E. Carpenter*  
Director of Centralized Support Services

# JURUPA UNIFIED SCHOOL DISTRICT

## 2003/2004 AGREEMENTS

Agreement Number	Contractor	Amount	Fund/Program To Be Charged	Purpose
<i>04-1 Consultant or Personal Service Agreements</i>				
04-1-MMM	Patrick Duvall; aka DJ Pat Dee	NTE \$300.00	IASA - Title I	Present a "Boogie Buffet" Assembly for students at Ina Arbuckle Elementary School, as an incentive for high STAR scores. 4/8/2004.
04-1-NNN	Maria Huizar	NTE \$500.00	Community Based English Tutoring and IASA - Title I	Keynote speaker at the Family Involvement Conference for Student Services, Standards & Accountability program. 5/15/2004.
04-1-OOO	Larson Communications	NTE \$1,500.00 PLUS mileage \$84.00	IASA - Title I	Present two 1/2-day sessions of "Step Up to Writing" to staff of Mission Bell Elementary School. 3/11/04 and 4/22/2004.
04-1-PPP	Julie Mammano	NTE \$900.00	IASA - Title I	Present a 1/2-day session about process of writing and illustrating children's books, to students of Mission Bell Elementary School. Topic, surfing. 4/23/2004.
04-1-QQQ	Pathfinder Ranch, Inc.	NTE \$5,000.00	SIP Grades K-6	Consultant to provide outdoor education for Sixth Grade Science Camp for approx. 130 students from Ina Arbuckle Elementary School. May 17, 18 & 19, 2004.

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A-1

Agreement Number	Contractor	Amount	Fund/Program To Be Charged	Purpose
<b>04-1</b>	<b>Consultant or Personal Service Agreements (continued)</b>			
04-1-RRR	Ray Ramirez	NTE \$400.00	SIP Grades K-6	Present a performance of "Aztec Dancers" for students at Sunnyslope Elementary School. 4/30/2004.
04-1-SSS	Jane Schaeffer	NTE \$4,000.00	Academic Improvement & Achievement Award	Provide workshop to faculty and instructional aides at Jurupa Valley High School to improve student writing skills. 3/13/2004.
04-1-TTT	Youn-Tzib Software Solutions (JAS-00-0925)	NTE \$2,000.00	Adult Education: ESL/ESL Citizenship	Provide yearly update and reconfigure JAE/YSS Attendance Program, for Learning Center, to be in compliance with AB231 CASAS/TOPSprou reporting requirements. 7/1/03 to 6/30/2004.
<b>04-4</b>	<b>Lease Agreements</b>			
04-4-I	County of Riverside, Dept. of Public Social Services (CP1572-03)	N/A	N/A	License to use Family Resource Center at 5473 Mission Blvd., Riverside, CA 92509. To provide counseling & outreach services and instruction for teens and adults. 4/1/04 thru 6/30/2005.



Agreement Number	Contractor	Amount	Fund/Program To Be Charged	Purpose
04-8	<i>Other Agreements</i>			
02-8-HHHH-M2	County of Riverside (DPH02K.082)	NTE \$86,140.00	Healthy Children Connection	Modification reduces funds in Third Amendment to the Agreement. Promotes early prenatal care and timely childhood immunizations; provides volunteer counselors with education and training. July 1, 2003 to June 30, 2004.

The Deputy Superintendent Business Services & Governmental Relations will have copies of agreements available for review by the Board.

ED/et

05/03/04

29.3 A4

Jurupa Unified School District  
4850 Pedley Road  
Riverside, CA 92509

**Resolution 2004/37**

**RESOLUTION OF THE BOARD OF EDUCATION  
OF THE JURUPA UNIFIED SCHOOL DISTRICT**

**WHEREAS**, the Board of Education recognizes the need to maintain up-to-date and suitable materials to support the educational process for students in the district; and

**WHEREAS**, the Board recognizes its responsibility to ensure that students' instructional needs are met with appropriate materials; and

**WHEREAS**, quantities of instructional materials currently classified as obsolete are stored in the schools; and

**WHEREAS**, these materials have been designated as obsolete for one of the following reasons: (1) they are not on the state-adopted list and waiver for continued use is not on file, (2) the terminal date of Board approval has expired, (3) the materials are inaccurate, inconsistent, or out-of-date, or (4) the materials are no longer suitable for students use because of deterioration such as missing, torn, or dirty pages;

**NOW, THEREFORE**, the Board declares its intent to dispose of obsolete instructional materials in the sequence described in its adopted Policy 6204.

Adopted the 3rd day of May 2004.

\_\_\_\_\_  
Carolyn Adams, President

\_\_\_\_\_  
Mary Burns, Clerk

\_\_\_\_\_  
John Chavez, Member

\_\_\_\_\_  
Sam D. Knight, Sr., Member

\_\_\_\_\_  
Mike Rodriguez, Member

**RIVERSIDE COUNTY OFFICE OF EDUCATION**

**RESOLUTION NO. 2004/38  
RESOLUTION FOR EXPENDITURE OF EXCESS FUNDS**

WHEREAS, the governing board of the Jurupa Unified School District has determined that income in the amount of \$325,444 is assured to said district in excess of amounts previously budgeted, as is reflected on the attached page (Part I), and

WHEREAS, the governing board of the Jurupa Unified School District can show just cause for the expenditure of such excess funds.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 42602 of the Education Code of California, such excess funds to be appropriated according to the schedule on the attached page (Part II).

Approved:

DAVID LONG  
Superintendent  
Riverside County Office of Education

This is an exact copy of resolution  
adopted by the governing board at  
a regular meeting on  
May 3, 2004

By: \_\_\_\_\_

\_\_\_\_\_  
Clerk or Authorized Agent

## NON-ROUTINE STUDENT FIELD TRIP/EXCURSION - REQUEST FOR APPROVAL

DATE(S): May 6th and 7thLOCATION: OntarioTYPE OF ACTIVITY: Ford/AAA Student Auto Skills ContestPURPOSE/OBJECTIVE: To allow auto students to compete

NAMES OF ADULT SUPERVISORS (Note job title: principal, volunteer, etc.) \_\_\_\_\_

Donn CushingEXPENSES: Transportation \$ 0 Number of Students 2Lodging \$ 0Meals \$ 0All Other \$ 0TOTAL EXPENSE \$ 0Cost Per Student 0  
(Total Cost ÷ # of Students)INCOME: List All Income By Source and Indicate Amount Now on Hand:

Source	Expected Income	Income Now On Hand
<u>Ford pays all costs</u>	_____	_____
_____	_____	_____
_____	_____	_____
TOTAL:	\$ _____	_____

Arrangements for Transportation: School VanArrangements for Accommodations and Meals: Ford pays all costsPlanned Disposition of Unexpended Funds: N/A

I hereby certify that all other requirements of District regulations will be complete and on file in the District Office ten days prior to departure.

Signature: [Signature] Date: 4/19/04 School: J.V.H.S.  
(Instructor)

All persons making the field trip shall be determined to have waived all claims against the District, the teachers, and the Board of Education for injury, accident, illness, or death occurring during or by reason of the field trip. All adult volunteers taking out-of-state field trips shall sign a statement waiving such claims. All student participants must submit a parental consent for medical and dental care and waiver of liability form.

Approvals: Principal: [Signature] Date: 4/21/04  
Date approved by the Board of Education Date: \_\_\_\_\_

Distribution: White copy to Assistant Superintendent Education Services  
Yellow copy to Originator  
Pink copy to Principal

## Jurupa Unified School District

## NON-ROUTINE STUDENT FIELD TRIP/EXCURSION - REQUEST FOR APPROVAL

DATE(S): May 24 - 25, 2004

LOCATION: California Science Center, Los Angeles

TYPE OF ACTIVITY: State Science Fair

PURPOSE/OBJECTIVE: Jurupa Unified students will be competing at the California State Science Fair.

NAMES OF ADULT SUPERVISORS (Note job title: principal, volunteer, etc.) \_\_\_\_\_

Mr. Vince Rosse, Facilitator/Teacher, RHS

Ms. Michele Hampton, Science Teacher, RHS (pending)

EXPENSES:	Transportation	\$ -0-	Number of Students	<u>5</u>
	Lodging	\$ 524.00		
	Meals	\$ 319.00		
	All Other	\$ 100.00		
	<b>TOTAL EXPENSE</b>	<b>\$ 943.00</b>	<b>Cost Per Student</b>	<b>\$188.60</b>
			<b>(Total Cost ÷ # of Students)</b>	

INCOME: List All Income By Source and Indicate Amount Now on Hand:

Source	Expected Income	Income Now On Hand
<u>Student/Parent funds</u>	<u>\$100.00</u>	<u>100.00</u>
<u>District Science Fair funds</u>	<u>\$843.00</u>	<u>843.00</u>
<b>TOTAL:</b>	<b>\$ 943.00</b>	<b>\$943.00</b>

Arrangements for Transportation: District van

Arrangements for Accommodations and Meals: Radisson Midtown, Los Angeles

Planned Disposition of Unexpended Funds: n/a

I hereby certify that all other requirements of District regulations will be complete and on file in the District Office ten days prior to departure.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ School: \_\_\_\_\_

(Instructor)

All persons making the field trip shall be determined to have waived all claims against the District, the teachers, and the Board of Education for injury, accident, illness, or death occurring during or by reason of the field trip. All adult volunteers taking out-of-state field trips shall sign a statement waiving such claims. All student participants must submit a parental consent for medical and dental care and waiver of liability form.

Approvals: Principal: ✓ [Signature] Date: 4-27-04

Date approved by the Board of Education \_\_\_\_\_ Date: \_\_\_\_\_

Distribution: White copy to Assistant Superintendent Education Services

Yellow copy to Originator

Pink copy to Principal

RESOLUTION NO. 2004/39

**A RESOLUTION OF THE JURUPA UNIFIED SCHOOL DISTRICT  
ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUB. RESOURCES  
CODE §§ 21000 ET SEQ.)**

**WHEREAS**, the California Legislature has enacted the California Environmental Quality Act ("CEQA") (Pub. Resources Code §§ 21000 et seq.) and the State CEQA Guidelines (Cal. Code of Regs. tit. 14, §§ 15000 et seq.) and the California courts have interpreted specific provisions of CEQA;

**WHEREAS**, Section 21082 of CEQA requires all public agencies to adopt objectives, criteria and procedures for the evaluation of public and private projects undertaken or approved by such public agencies, and the preparation, if required, of environmental impact reports and negative declarations in connection with that evaluation; and

**WHEREAS**, the Jurupa Unified School District ("School District") wishes to adopt local guidelines for implementing CEQA that are consistent with the current provisions and interpretations of CEQA.

**NOW, THEREFORE**, the Board of Education of the Jurupa Unified School District hereby resolves as follows:

**SECTION 1.** The Board of Education adopts "Local Guidelines for Implementing the California Environmental Quality Act (2004)," a copy of which is on file at the offices of the School District and is available for inspection by the public.

**ADOPTED** this 3<sup>rd</sup> day of May, 2004.

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Carolyn A. Adams, President  
Board of Education  
Jurupa Unified School District

ATTEST:

---

Mary L. Burns, Clerk  
Board of Education  
Jurupa Unified School District

# **CEQA Guidelines**

# **2004**

**JURUPA UNIFIED SCHOOL DISTRICT**

**Local Guidelines for  
Implementing the California  
Environmental Quality Act**

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**LOCAL GUIDELINES  
FOR IMPLEMENTING THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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**(2004 REVISION)**

**1. GENERAL PROVISIONS, PURPOSE AND POLICY**

**1.01 GENERAL PROVISIONS.**

These Local Guidelines ("Guidelines") are to assist the School District Board ("Board") in implementing the provisions of the California Environmental Quality Act ("CEQA"). These Guidelines are consistent with the Guidelines for the Implementation of CEQA ("State Guidelines") which must be followed by state and local agencies in California. These Guidelines have been adopted pursuant to California Public Resources Code Section 21082.

**1.02 PURPOSE.**

The purpose of these Local Guidelines is to help the Board accomplish the following basic objectives of CEQA:

- (a) To enhance and provide long-term protection for the environment, while providing a decent home and satisfying living environment for every Californian.
- (b) To provide information to governmental decision-makers and the public regarding the potential significant environmental effects of the proposed project.
- (c) To provide an analysis of the environmental effects of future actions associated with the project to adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project.
- (d) To identify ways that environmental damage can be avoided or significantly reduced.
- (e) To prevent significant avoidable environmental damage through utilization of feasible project alternatives or mitigation measures.
- (f) To disclose and demonstrate to the public the reasons why a governmental agency approved the project in the manner chosen. Public participation is an essential part of the CEQA process. Each public agency should encourage wide public involvement, formal and informal, in order to receive and evaluate public reactions to environmental issues related to a public agency's activities. Such involvement should include, whenever possible, making environmental information available in electronic format on the Internet, on a web site maintained or utilized by the public agency.

**1.03 APPLICABILITY.**

These Guidelines apply to any activity of the School District which constitutes a "project" as defined in Guidelines Section 10.41. An Environmental Impact Report ("EIR") is required for each such project which may have a significant effect on the environment. When the School District finds that a project will have no significant environmental effect, a Negative Declaration or Mitigated Negative Declaration rather than an EIR shall be prepared.

An EIR serves several functions for the benefit of the School District and the public. An EIR (1) identifies and analyzes the significant environmental effects of a proposed project, (2) identifies alternatives to the project, and (3) discloses possible ways to reduce or avoid potential environmental damage. These matters are to be evaluated by the School District before the project is approved or disapproved.

The EIR is an informational document. It should not be used to rationalize approval of a project. CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social economic, or recreational development or advancement. Indications of adverse environmental impacts from the project which are identified in the EIR do not necessarily require disapproval of a project. Rather, when an EIR shows that a project would cause substantial adverse changes in the environment, the School District must respond to the information by one or more of the following methods:

- (a) Changing the proposed project.
- (b) Imposing conditions on the approval of the project.
- (c) Adopting plans or ordinances to control a broader class of activities to avoid the problems.
- (d) Choosing an alternative way of meeting the same need.
- (e) Disapproving the project.
- (f) Finding that the unavoidable, significant environmental damage is acceptable pursuant to a Statement of Overriding Considerations.

Although CEQA requires that major consideration be given to preventing environmental damage, the School District also has an obligation to balance other public objectives for each project including economic and social factors.

#### **1.04 REDUCING DELAY AND PAPERWORK.**

The State Guidelines encourage local governmental agencies to reduce delay and paperwork by, among other things:

- (a) Integrating the CEQA process into early planning review; to this end, the project approval process and these procedures, to the maximum extent feasible, are to run concurrently, not consecutively;
- (b) Identifying projects which fit within categorical or other exemptions and are therefore exempt from CEQA processing;
- (c) Using initial studies to identify significant environmental issues and to narrow the scope of EIRs;
- (d) Using a Negative Declaration when a project not otherwise exempt will not have a significant effect on the environment;
- (e) Consulting with state and local responsible agencies before and during the preparation of an EIR so that the document will meet the needs of all the agencies which will use it;
- (f) Allowing applicants to revise projects to eliminate possible significant effects on the environment, thereby enabling the project to qualify for a Negative Declaration rather than an EIR;



- (g) Integrating CEQA requirements with other environmental review and consultation requirements;
- (h) Emphasizing consultation before an EIR is prepared, rather than submitting adverse comments on a completed document;
- (i) Combining environmental documents with other documents, such as general plans;
- (j) Eliminating repetitive discussions of the same issues by using EIRs on programs, policies or plans and tiering from statements of broad scope to those of narrower scope;
- (k) Reducing the length of EIRs by means such as setting appropriate page limits;
- (l) Preparing analytic, rather than encyclopedic EIRs;
- (m) Mentioning insignificant issues only briefly;
- (n) Writing EIRs in plain language;
- (o) Following a clear format for EIRs;
- (p) Emphasizing the portions of the EIR that are useful to decision-makers and the public and reducing emphasis on background material;
- (q) Incorporating information by reference; and
- (r) Making comments on EIRs as specific as possible.

#### **1.05 COMPLIANCE WITH STATE LAW.**

These Guidelines are intended to implement the provisions of CEQA and the State Guidelines, and the provisions of CEQA and the State Guidelines shall be fully complied with even though they may not be set forth or referred to herein.

#### **1.06 TERMINOLOGY.**

The terms "must" or "shall" identify mandatory requirements. The term "may" is permissive, with the particular decision being left to the discretion of the School District. The term "should" identifies the guidance of the Office of Planning and Research, which the School District can follow in the absence of countervailing considerations.

#### **1.07 PARTIAL INVALIDITY.**

In the event any part or provision of these Guidelines shall be determined to be invalid, the remaining portions which can be separated from the invalid unenforceable provisions shall continue in full force and effect.

#### **1.08 ELECTRONIC DELIVERY OF COMMENTS AND NOTICES.**

Individuals may file a written request to receive copies of public notices provided under these Guidelines or the State Guidelines. The requestor may elect to receive these notices via email rather than regular mail. Notices sent by email are deemed delivered when the staff person sending the email sends it directed to the last email address provided by the requestor to the public agency.

Individuals may also submit comments on the CEQA documentation for a project via email. Comments submitted via email shall be treated as written comments for all purposes. Comments sent to the public agency via email are deemed received when they actually arrive in

an email account of a staff person who has been designated or identified as the point of contact for a particular project.

## **2. LEAD AND RESPONSIBLE AGENCIES**

### **2.01 LEAD AGENCY PRINCIPLE.**

The School District will be the Lead Agency if it will have principal responsibility for carrying out or approving a project. Where a project is to be carried out or approved by more than one public agency, only one agency shall be responsible for the preparation of environmental documents. This agency shall be called the Lead Agency.

### **2.02 SELECTION OF LEAD AGENCY.**

Where two or more public agencies will be involved with a project, the Lead Agency shall be designated according to the following criteria:

- (a) If the project will be carried out by a public agency, that agency shall be the Lead Agency even if the project will be located within the jurisdiction of another public agency.
- (b) If the project will be carried out by a nongovernmental person or entity, the Lead Agency shall be the public agency with the greatest responsibility for supervising and approving the project as a whole. The Lead Agency will normally be the agency with general governmental powers, rather than an agency with a single or limited purpose. (For example, a district which will provide a public service or utility to the project serves a limited purpose.) If two or more agencies meet this criteria equally, the agency which acts first on the project will be the Lead Agency.
- (c) If two or more public agencies have a substantial claim to be the Lead Agency under either (a) or (b), they may designate one agency as the Lead Agency by agreement. An agreement may also provide for cooperative efforts by contract, joint exercise of powers, or similar devices. If an agreement cannot be reached, the dispute may be submitted to the Office of Planning and Research by any public agency, or the applicant if a private project is involved.

### **2.03 SELF-CERTIFYING DISTRICT AS LEAD AGENCY.**

A Self-Certifying School District as defined in Guidelines Section 10.47 shall be the Lead Agency for a project funded under the state school building program described in Education Code Section 17706, et seq.

### **2.04 DUTIES OF A LEAD AGENCY.**

As a Lead Agency, the School District shall decide whether a Negative Declaration, Mitigated Negative Declaration or an EIR will be required for a project and shall prepare, or cause to be prepared, and consider the document before making its decision on whether and how to approve the project. The documents may be prepared by Staff or by private consultants pursuant to a contract with the School District. However, the School District shall independently review and analyze all draft and final reports or declarations prepared for a project, and shall find that the report or declaration reflects the independent judgment of the School District prior to approval of the document. If a Draft EIR, Final EIR or Focused EIR is prepared under a contract to the School District, the contract must be executed within forty-five (45) days from the date on which the School District sends a Notice of Preparation. (See Guidelines Section 7.02.)

During the process of preparing an EIR, the School District shall have the following duties:

- (a) Immediately after deciding that an EIR is required for a project, the School District shall send to each Responsible Agency a Notice of Preparation (Form "G") stating that an EIR will be prepared. (See Guidelines Section 7.03.)
- (b) The School District shall prepare or cause to be prepared the Draft EIR for the project. (See Guidelines Section 7.04.)
- (c) Once the Draft EIR is completed, the School District shall file a Notice of Completion (Form "H") with the Office of Planning and Research. (See Guidelines Section 7.19.)
- (d) The School District shall consult with state, federal and local agencies which exercise authority over resources which may be affected by the project for their comments on the completed Draft EIR. (See Guidelines Section 7.22.)
- (e) The School District shall provide public notice of the availability of a Draft EIR (Form "K") at the same time that it sends a Notice of Completion to the Office of Planning and Research. (See Guidelines Section 7.19.)
- (f) The School District shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare or cause to be prepared a written response. A written response must be provided at least ten (10) days prior to certifying an EIR. (See Guidelines Section 7.25.)
- (g) The School District shall prepare or cause to be prepared a Final EIR before approving the project. (See Guidelines Section 7.26.)
- (h) The School District shall certify that the Final EIR has been completed in compliance with CEQA and has been reviewed by the Board. (See Guidelines Section 7.28.)
- (i) The School District shall include in the Final EIR, the reply of any Responsible Agency to the Notice of Preparation or Draft EIR. (See Guidelines Sections 2.07, 7.25 and 7.26.)

As Lead Agency, the School District may charge a nonelected body with the responsibility of adopting, certifying or authorizing environmental documents; however, the School District must have a procedure allowing for the appeal of CEQA decision of any nonelected body to the School Board. Existing provisions of the municipal code may be used to satisfy this requirement.

## **2.05 CONSULTATION REQUIREMENTS FOR DEVELOPMENT PROJECTS.**

An applicant for a development project must submit a signed statement to the School District stating whether the project and any alternatives are located on a site which is included in any list compiled by the Secretary for Environmental Protection of the California Environmental Protection Agency ("California EPA") listing hazardous waste sites and other specified sites located in the city or county. The applicant's statement must contain the following information:

- (a) The applicant's name, address, and phone number.
- (b) Address of site, and local agency (city/county).
- (c) Assessor's book, page, and parcel number.
- (d) The list which includes the site, identification number, and date of list.

Before accepting as complete an application for any development project as defined in Guidelines Section 10.13, the School District shall consult lists compiled by the Secretary for Environmental Protection of the California EPA pursuant to Government Code Section 65962.5 listing hazardous waste sites and other specified sites located in the city or county. The School District shall notify an applicant for a development project if the project site is located on such a list and not already identified. In the Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration (see Guidelines Section 6.04) or the Notice of Preparation of Draft EIR (see Guidelines Section 7.03), the School District shall specify the California EPA list, if any, which includes the project site, and shall provide the information contained in the applicant's statement.

This provision applies only to projects for which applications have not been deemed complete on or before January 1, 1992.

## **2.06 RESPONSIBLE AGENCY PRINCIPLE.**

Where a project is to be carried out or approved by more than one public agency, all public agencies other than the Lead Agency which have discretionary approval power over the project shall be called Responsible Agencies.

## **2.07 DUTIES OF A RESPONSIBLE AGENCY.**

As a Responsible Agency, the School District shall consider the environmental documents prepared or caused to be prepared by the Lead Agency and reach its own conclusions on whether and how to approve the project involved. The School District shall also both respond to consultation by the Lead Agency and attend meetings as requested by the Lead Agency to assist the Lead Agency in preparing adequate environmental documents. The School District should also review and comment on Draft EIRs and Negative Declarations. Comments shall be limited to those project activities which are within the School District's area of expertise or are required to be carried out or approved by the School District or are subject to the School District's powers. As a Responsible Agency, the School District may identify significant environmental effects of a project for which mitigation is necessary. As a Responsible Agency, the School District may submit to the Lead Agency proposed mitigation measures which would address those significant environmental effects. If mitigation measures are required, the School District shall submit to the Lead Agency complete and detailed performance objectives for such mitigation measures which would address the significant environmental effects identified, or refer the Lead Agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to the Lead Agency by the School District, shall be limited to measures which mitigate impacts to resources which are within the School District's authority. For private projects, the School District, as a Responsible Agency, may require the project proponent to provide such information as may be required and to reimburse the School District for all costs incurred by it in reporting to the Lead Agency.

## **2.08 RESPONSE TO NOTICE OF PREPARATION BY RESPONSIBLE AGENCIES.**

Within thirty (30) days of receipt of a Notice of Preparation of an EIR, the School District, as a Responsible Agency, shall specify to the Lead Agency the scope and content of the

environmental information related to the School District's area of statutory responsibility in connection with the proposed project. At a minimum, the response shall identify the significant environmental issues and possible alternatives and mitigation which the School District, as a Responsible Agency, will need to have explored in the Draft EIR. Such information shall be specified in writing, shall be as specific as possible, and shall be communicated to the Lead Agency, by certified mail or any other method of transmittal which provides it with a record that the notice was received, not later than thirty (30) days after receipt of the notice of the Lead Agency's determination. The Lead Agency shall incorporate this information into the EIR.

## **2.09 USE OF FINAL EIR OR NEGATIVE DECLARATION BY RESPONSIBLE AGENCIES.**

The School District, as a Responsible Agency, shall consider the Lead Agency's Final EIR or Negative Declaration before acting upon or approving a proposed project. The School District shall consider the adequacy of the prior environmental documents for its purposes and in certain instances may require that a Subsequent EIR or a Supplemental EIR be prepared. Mitigation measures and alternatives deemed feasible and relevant to the School District's role in carrying out the project shall be adopted. Findings which are relevant to the School District's responsibility shall be made. A Notice of Determination shall be filed by the Responsible Agency, but need not state that the Lead Agency's EIR or Negative Declaration complies with CEQA.

## **2.10 SHIFT IN LEAD AGENCY RESPONSIBILITIES.**

The School District, as a Responsible Agency, shall assume the role of the Lead Agency if:

- (a) The Lead Agency did not prepare any environmental documents for the project, and the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency.
- (b) The Lead Agency prepared environmental documents for the project, and all of the following conditions occur:
  - (1) A Subsequent or Supplemental EIR is required;
  - (2) The Lead Agency has granted a final approval for the project; and
  - (3) The statute of limitations has expired for a challenge to the action of the appropriate Lead Agency.
- (c) The Lead Agency prepared inadequate environmental documents without providing public notice of a Negative Declaration or sending Notice of Preparation of an EIR to Responsible Agencies and the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency.

### **3. ACTIVITIES EXEMPT FROM CEQA**

#### **3.01 ACTIONS SUBJECT TO CEQA.**

CEQA applies to discretionary projects proposed to be carried out or approved by public agencies. If the proposed activity does not come within the definition of "project" contained in Guidelines Section 10.41, it is exempt from CEQA review.

"Project" does not include:

- (a) Proposals for legislation to be enacted by the State Legislature.
- (b) Continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making (except as provided in Guidelines Section 10.41), feasibility or planning studies.
- (c) The submittal of proposals to a vote of the people in response to a petition drive initiated by voters.
- (d) The creation of government funding mechanisms or other government fiscal activities that do not involve any commitment to any specific project which may have a potentially significant physical impact on the environment. Government funding mechanisms may include, but are not limited to, assessment districts and community facilities districts.
- (e) Where the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

#### **3.02 MINISTERIAL PROJECTS.**

A ministerial project is exempt from CEQA review. This is a project undertaken or approved by the School District upon a given set of facts, in a prescribed manner, and in obedience to statute, ordinance, regulation or other legal mandate. A ministerial project is one in which the School District officer or employee has no discretionary power to exercise personal judgment or opinion as to the method in which the project will be carried out. CEQA review would be irrelevant for a ministerial project, because the School District must act in a preordained way regardless of environmental impacts. The decision whether a proposed project is ministerial in nature may involve or require, to some extent, interpretation of the language of the legal mandate, and should be made on a case-by-case basis. Ministerial projects include, but are not limited to:

- (a) Determination of attendance boundaries within the School District;
- (b) Relocation of temporary classrooms or buildings from school site to school site;
- (c) Issuance of permits to use or occupy School District facilities;

Where a project involves an approval that contains elements of both a ministerial and discretionary nature, the project will be deemed to be discretionary and subject to the requirements of CEQA.

#### **3.03 EXEMPTIONS IN GENERAL.**

CEQA and the State Guidelines exempt certain activities and provide that local agencies shall further identify and describe certain exemptions. The requirements of CEQA and the

obligation to prepare an EIR, Negative Declaration or Mitigated Negative Declaration do not apply to the exempt activities which are set forth in CEQA, the State Guidelines and this Chapter.

### **3.04 PRELIMINARY EXEMPTION ASSESSMENT.**

If, in the judgment of Staff, a proposed activity is exempt, Staff should so find on the form entitled "Preliminary Exemption Assessment" (Form "A"). The Preliminary Exemption Assessment shall be retained at the School District's offices as a public record.

### **3.05 NOTICE OF EXEMPTION.**

After School District approval of an exempt project, a "Notice of Exemption" (Form "B") may be filed by Staff with the Clerk. The Preliminary Exemption Assessment shall be attached to the Notice of Exemption for filing. If filed, the Clerk must post the Notice within twenty-four (24) hours of receipt, and the Notice must remain posted for thirty (30) days. Although no California Department of Fish and Game ("DFG") filing fee is applicable to exempt projects, the Preliminary Exemption Assessment shall be attached to the Notice of Exemption for filing. The Clerk customarily charges a documentary handling fee to pay for record keeping on behalf of the DFG. Refer to the Index in the Staff Summary to determine if such a fee will be required for the project.

The filing of a Notice of Exemption is recommended because it starts a 35-day statute of limitations on legal challenges to the School District's determination that the project is exempt from CEQA. The School District is encouraged to make postings of all filed notices available in electronic format on the Internet. These electronic postings are in addition to the procedures required by the State Guidelines and the Public Resources Code. If a Notice of Exemption is not filed, a 180-day statute of limitations will apply. When a request is made for a copy of the Notice prior to the date on which the School District determines the project is exempt, the Notice must be mailed, first class postage prepaid, within five (5) days of the School District's determination. If such a request is made following the School District's determination, then the copy should be mailed in the same manner as soon as possible.

### **3.06 DISAPPROVED PROJECTS.**

Projects which the School District rejects or disapproves are exempt. An applicant shall not be relieved of paying the costs for an EIR or Negative Declaration prepared for a project prior to the School District's disapproval of the project.

### **3.07 NO POSSIBILITY OF SIGNIFICANT EFFECT.**

Where it can be seen with absolute certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt.

### **3.08 EMERGENCY PROJECTS.**

The following types of emergency projects are exempt: (The term "emergency" is defined in Guidelines Section 10.16.)



- (a) Work in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Section 8550 of the Government Code. This includes projects that will remove, destroy, or significantly alter a historical resource when that resource represents an imminent threat to the public of bodily harm or of damage to adjacent property or when the project has received a determination by the State Office of Historic Preservation pursuant to Section 5028(b) of the Public Resources Code.
- (b) Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare.
- (c) Projects necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term.
- (d) Projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, provided that the project is within the existing right of way of that highway and is initiated within one year of the damage occurring. This exemption does not apply to highways designated as official state scenic highways, nor any project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide.
- (e) Seismic work on highways and bridges pursuant to Section 180.2 of the Streets and Highways Code Section 180, et seq.

### **3.09 FEASIBILITY AND PLANNING STUDIES.**

A project which involves only feasibility or planning studies for possible future actions which the School District has not yet approved, adopted or funded is exempt.

### **3.10 RATES, TOLLS, FARES AND CHARGES.**

The establishment, modification, structuring, restructuring or approval of rates, tolls, fares or other charges by the School District which the School District finds are for one or more of the purposes listed below are exempt.

- (a) Meeting operating expenses, including employee wage rates and fringe benefits;
- (b) Purchasing or leasing supplies, equipment or materials;
- (c) Meeting financial reserve needs and requirements;
- (d) Obtaining funds for capital projects necessary to maintain service within existing service areas.

When the School District determines that one of the aforementioned activities pertaining to rates, tolls, fares or charges is exempt from the requirements of CEQA, it shall incorporate written findings setting forth the specific basis for the claim of exemption in the record of any proceeding in which such an exemption is claimed.

### **3.11 SCHOOL CLOSINGS AND STUDENT TRANSFERS.**

The closing of any public school is exempt if Kindergarten or any of grades one through twelve is maintained. The transfer of students from the public school that is closed to another

school is also exempt if the only physical changes involved are categorically exempt as described in paragraph 3 of section 3.15. (Note: At least one court has interpreted the words "physical changes" to include all physical changes caused by the transfer, including the cumulative impacts of the transfer, and related past and reasonably foreseeable future closings and transfers. Thus, the School District must consider issues of cumulative impact and significant effects in determining whether the transfer of students caused by the closure is exempt from CEQA.)

### 3.12 CERTAIN RESIDENTIAL HOUSING PROJECTS.

CEQA does not apply to the construction, conversion, or use of residential housing if the project meets all of the general requirements described in Section A below and satisfies the specific requirements for any one of the following three categories: (1) agricultural housing (Section B below), (2) affordable housing projects in urbanized areas (Section C below), or (3) affordable housing projects near major transit stops (Section D below).

A. General Requirements. The construction, conversion, or use of residential housing units affordable to low-income households (as defined in Section 10) located on an infill site in an urbanized area is exempt from CEQA if *all* of the following general requirements are satisfied:

- (1) The project is consistent with:
  - (a) any applicable general plan, specific plan, and local coastal program, including any mitigation measures, as that plan or program existed on the date that the application was deemed complete, and
  - (b) any applicable zoning ordinance, as that zoning ordinance existed on the date that the application was deemed complete. A project may satisfy the zoning consistency requirement even if it proposes rezoning of the project site as long as the proposed zoning is consistent with the applicable General Plan designation;
- (2) Community level environmental review has been adopted or certified;
- (3) The project and other projects approved prior to the approval of the project can be adequately served by existing utilities, and the project applicant has paid or committed to pay all applicable in-lieu or development fees;
- (4) The project meets all of the following four criteria relating to biological resources:
  - (a) The project site does not contain wetlands,
  - (b) The project site does not have any value as a wildlife habitat,
  - (c) The project does not harm any species protected by the federal Endangered Species Act of 1973, the Native Plant Protection Act, or the California Endangered Species Act, and

- (d) The project does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete;
- (5) The site of the project is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code;
- (6) The project site is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity;
  - (a) If a release of a hazardous substance is found to exist on the site, the release shall be removed or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.
  - (b) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.
- (7) The project does not have a significant effect on historical resources;
- (8) The project site is not subject to any of the following potential hazards except when mitigated as set forth below:
  - (a) A wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard,
  - (b) An unusually high risk of fire or explosion from materials stored or used on nearby properties,
  - (c) Risk of a public health exposure at a level that would exceed the standards established by any state or federal agency,
  - (d) Within a delineated earthquake fault zone, as determined pursuant to Section 2622 of the Public Resources Code, or a seismic hazard zone, as determined pursuant to Section 2696 of the Public Resources Code, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake fault or seismic hazard zone, or
  - (e) Landslide hazard, flood plain, floodway, or restriction zone, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.
- (9) The project site is not located on developed open space;

- (10) The project site is not located within the boundaries of a state conservancy; and
- (11) The project meets the requirements in either Section 21159.22, 21159.23 or 21159.24 of the Public Resources Code.

B. Specific Requirements for Agricultural Housing (Public Resources Code Section 21159.22.) CEQA does not apply to the construction, conversion, or use of residential housing for agricultural employees that meets all of the general requirements described above in Section A and meets the following additional criteria:

- (1) The Project either:
  - (a) is affordable to lower income households, lacks public financial assistance, and the developer has provided sufficient legal commitments to ensure the continued availability and use of the housing units for lower income households for a period of at least fifteen (15) years; or
  - (b) provides housing for very low, low-, or moderate-income households, public financial assistance exists for the development project, and the developer of the project has provided sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for low- and moderate-income households for a period of at least fifteen (15) years;
- (2) The project site is adjacent on at least two sides to land that has been developed and the project consists of not more than forty-five (45) units or provides dormitories, barracks, or other group-living facilities for a total of forty-five (45) or fewer agricultural employees, and either:
  - (a) The project site is within incorporated City limits or within a census-defined place with a minimum population density of at least five thousand (5,000) persons per square mile; or
  - (b) The project site is within incorporated City limits or within a census- defined place and the minimum population density of the City or the census-defined place is at least one thousand (1,000) persons per square mile, unless the City determines that there is a reasonable possibility that the project would have a significant effect on the environment or that the cumulative effects of successive projects of the same type in the same area would, over time, be significant;
- (3) If the project is located on a site zoned for general agricultural use, it must consist of twenty (20) or fewer units, or, if the housing consists of

dormitories, barracks, or other group-living facilities, the project must not provide housing for more than twenty (20) agricultural employees; and

- (4) The project is not more than two (2) acres in area if the project site is located in an area with a population density of at least one thousand (1,000) persons per square mile, and is not more than five (5) acres in area for all other project sites.

C. Specific Requirements for Affordable Housing Projects in Urbanized Areas (Public Resources Code Section 21159.23.) CEQA does not apply to any development project that consists of the construction, conversion, or use of residential housing consisting of one hundred (100) or fewer units that are affordable to low-income households if all of the general requirements described in Section A above are satisfied and the following additional criteria are also met:

- (1) The developer of the project provides sufficient legal commitments to the local agency to ensure the continued availability and use of the housing units for lower income households for a period of at least thirty (30) years;
- (2) The project site:
  - (a) has been previously developed for qualified urban uses;
  - (b) is immediately adjacent to parcels that are developed with qualified urban uses; or
  - (c) at least 75% of the perimeter of the site adjoins parcels that are developed with qualified urban uses and the remaining 25% of the perimeter of the site adjoins parcels that have previously been developed for qualified urban uses, the site has not been developed for urban uses and no parcel within the site has been created within ten (10) years prior to the proposed development of the site;
- (3) The project site is not more than five (5) acres in area; and
- (4) The project site is located:
  - (a) within an urbanized area or within a census-defined place with a population density of at least five thousand (5,000) persons per square mile,
  - (b) if the project consists of fifty (50) or fewer units, within an incorporated city with a population density of at least twenty-five hundred (2,500) persons per square mile and a total population of at least twenty-five thousand (25,000) persons, or
  - (c) within either an incorporated city or a census-defined place with a population density of one thousand (1,000) persons per square mile, unless there is a reasonable possibility that the project would have a significant effect on the environment due to unusual circumstances or due to the related or cumulative impacts of reasonably foreseeable projects in the vicinity of the project.

- D. Specific Requirements for Affordable Housing Projects Near Major Transit Stops (Public Resources Code Section 21159.24.) CEQA does not apply to a residential project on an infill site within an urbanized area if all of the general requirements described above in Section A are satisfied and the following additional criteria are also met:
- (1) Within five (5) years prior to the date that the application for the project is deemed complete, community-level environmental review was certified or adopted. This exemption does not apply, however, if new information about the project or substantial changes regarding the circumstances surrounding the project become available after the community-level environmental review was certified or adopted;
  - (2) The site of the project is not more than four (4) acres in total area;
  - (3) The project does not contain more than one hundred (100) residential units;
  - (4) The project meets either of the following criteria:
    - (a) At least 10% of the housing is sold to families of moderate income or rented to families of low income or at least 5% of the housing is rented to families of very low income, and the project developer has provided the City with sufficient legal commitments to ensure the continued availability and use of the housing units for very low, low-, and moderate-income households at monthly housing costs; or
    - (b) The project developer has paid or will pay in-lieu fees sufficient to pay for the development of the same number of units that would otherwise be sold or rented to families of moderate or very low income pursuant to subparagraph (a);
  - (5) The project is within one-half mile of a major transit stop;
  - (6) The project does not include any single-level building that exceeds 100,000 square feet; and
  - (7) The project promotes higher density infill housing.
    - (a) A project with a density of at least 20 units per acre shall be conclusively presumed to promote higher density infill housing.
    - (b) A project with a density of at least 10 units per acre and a density greater than the average density of the residential properties within 1,500 feet shall be presumed to promote higher density housing unless the preponderance of the evidence demonstrates otherwise.

(8) Exception.

- (a) The Exemption for Affordable Housing Projects near Major Transit Stops does not apply if any one of the following criteria is met:

1. There is a reasonable possibility that the project will have a project-specific, significant effect on the environment due to unusual circumstances;
2. Since community-level environmental review was certified or adopted, substantial changes have occurred with respect to the circumstances under which the project is being undertaken, and those changes are related to the project; or
3. Since community-level environmental review was certified or adopted, new information regarding the circumstances under which the project is being undertaken has become available, and that new information is related to the project and was not known and could not have been known at the time of the community-level environmental review.

- (b) If a project satisfies any one of the three criteria described above in Section D.(8)(a), the environmental effects of the project must be analyzed in an environmental impact report or a negative declaration. The environmental analysis shall be limited to the effects identified pursuant to Section D.(8)(a).

- E. Whenever the lead agency determines that a project is exempt from environmental review based on Public Resources Code section 21159.22 [Section 3.12B of these Guidelines], 21159.23 [Section 3.12C of these Guidelines], or 21159.24 [Section 3.12D of these Guidelines], staff and/or the proponent of the project shall file notice of the determination of exemption with the Office of Planning and Research within five working days after the approval of the project.

### 3.13 BALLOT MEASURES.

The definition of project in the State Guidelines specifically excludes the submittal of proposals to a vote of the people of the state or of a particular community. This exception applies only to measures proposed in response to a petition drive initiated by voters. When a governing body makes a decision to put a measure on the ballot, that decision may be discretionary and therefore subject to CEQA.

### 3.14 OTHER SPECIFIC EXEMPTIONS.

CEQA and the State Guidelines exempt many other specific activities, including early activities related to thermal power plants, ongoing projects, transportation improvement programs, family day care homes, congestion management programs, railroad grade separation projects, restriping of streets or highways to relieve traffic congestion, and hazardous or volatile liquid pipelines. Specific statutory exemptions are listed in the Public Resources Code,

including Sections 21080 through 21080.33, and in State Guidelines, including Sections 15260 through 15285.

### 3.15 CATEGORICAL EXEMPTIONS.

The State Guidelines establish certain classes of categorical exemptions. These apply to classes of projects which have been legislatively determined not to have a significant effect on the environment and which, therefore, are exempt. Compliance with the requirements of CEQA or the preparation of environmental documents for any project which comes within one of these classes of categorical exemptions is not required. The classes of projects are briefly summarized below. (Reference to the State Guidelines for the full description of each exemption is recommended.)

The exemptions of Classes 3, 4, 5, 6 and 11 below are qualified in that such projects must be considered in light of the location of the project. A project that is ordinarily insignificant in its impact on the environment may, in a particularly sensitive environment, be significant. Therefore, these classes are considered to apply in all instances except where the project may impact on an environmental resource of hazardous or critical concern which is designated, precisely mapped, and officially adopted pursuant to law by federal, state or local agencies.

It is important to note that all exemptions for all classes are qualified to the extent that they are inapplicable when the cumulative impact of successive projects of the same type in the same place over time is significant or when there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

With the foregoing limitations in mind, the following classes of activity are exempt:

Class 1: Existing Facilities. Activities involving the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, equipment or other property of every kind, which activity involves negligible or no expansion of use beyond that existing at the time of the School District's determination, including legislative schemes to regulate such facilities. The types of "existing facilities" itemized in Class 1 are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. (State Guidelines Section 15301.)

Class 2: Replacement or Reconstruction. Replacement or reconstruction of existing facilities, structures, or other property where the new facility or structure will be located on the same site as the replaced or reconstructed facility or structure and will have substantially the same purpose and capacity as the replaced or reconstructed facility or structure. (State Guidelines Section 15302.)

Class 3: New Construction or Conversion of Small Structures. Construction of limited numbers of small, new facilities or structures and installation of small, new equipment or facilities in small structures, and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This exemption includes structures built for both residential and commercial uses. (The maximum



number of structures allowable under this exemption is set forth in State Guidelines Section 15303.)

Class 4: Minor Alterations to Land. Minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature or scenic trees. (State Guidelines Section 15304.)

Class 5: Minor Alterations in Land Use Limitations. Minor alterations in land use limitations in areas with an average slope of less than twenty percent (20%) which do not result in any changes in land use or density. (State Guidelines Section 15305.)

Class 6: Information Collection. Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. (State Guidelines Section 15306.)

Class 7: Actions by Regulatory Agencies for Protection of Natural Resources. Actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. (State Guidelines Section 15307.)

Class 8: Actions By Regulatory Agencies for Protection of the Environment. Actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement or protection of the environment where the regulatory process involves procedures for protection of the environment. (State Guidelines Section 15308.)

Class 9: Inspection. Inspection activities, including, but not limited to, inquiries into the performance of an operation and examinations of the quality, health or safety of a project. (State Guidelines Section 15309.)

Class 10: Loans. Loans made by the Department of Veteran Affairs under the Veterans Farm and Home Purchase Act of 1943, mortgages for the purchase of existing structures where the loan will not be used for new construction and the purchase of such mortgages by financial institutions. (State Guidelines Section 15310.)

Class 11: Accessory Structures. Construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including, but not limited to, on-premise signs, small parking lots, and placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms or similar items in generally the same locations from time to time in publicly owned parks, stadiums or other facilities designed for public use. (State Guidelines Section 15311.)

Class 12: Surplus Government Property Sales. Sales of surplus government property, except for certain parcels of land located in an area of statewide, regional or areawide concern. (State Guidelines Section 15312.)

Class 13: Acquisition of Lands for Wildlife Conservation Purposes. Acquisition of lands for fish and wildlife conservation purposes, including habitat preservation, and for preserving

access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition. (State Guidelines Section 15313.)

Class 14: Minor Additions to Schools. Minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than twenty-five percent (25%) or ten (10) classrooms, whichever is less. The addition of portable classrooms is included in this exemption. (State Guidelines Section 15314.)

Class 15: Minor Land Divisions. Divisions of property in urbanized areas zoned for residential, commercial or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the parcel does not have an average slope greater than twenty percent (20%). (State Guidelines Section 15315.)

Class 16: Transfer of Ownership of Land in Order to Create Parks. Acquisition, sale, or other transfer of land in order to establish a park where the land is in a natural condition or contains historical or archaeological resources. CEQA will apply when a management plan is proposed that will change the area from its natural condition or cause substantial adverse change in the significance of the historic or archaeological resource. (State Guidelines Section 15316.)

Class 17: Open Space Contracts or Easements. Establishment of agricultural preserves, making and renewing of open space contracts under the Williamson Act or acceptance of easements or fee interests in order to maintain the open space character of the area. (The cancellation of such preserves, contracts, interests or easements is not included in this exemption.) (State Guidelines Section 15317.)

Class 18: Designation of Wilderness Areas. Designation of wilderness areas under the California Wilderness System. (State Guidelines Section 15318.)

Class 19: Annexations of Existing Facilities and Lots for Exempt Facilities.

- (a) Annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or rezoning of either the gaining or losing governmental agency, whichever is more restrictive; provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.
- (b) Annexations of individual small parcels of the minimum size for facilities exempted by Class 3. (State Guidelines Section 15319.)

Class 20: Changes in Organization of Local Agencies. Changes in the organization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. (State Guidelines Section 15320.)

Class 21: Enforcement Actions by Regulatory Agencies. Actions by the School District to enforce or revoke a lease, permit, license, certificate or other entitlement for use issued, adopted or prescribed by the School District or a law, general rule, standard or objective, administered or adopted by the School District. (Construction activities undertaken by the

School District taking the enforcement or revocation action are not included in this exemption.) (State Guidelines Section 15321.)

Class 22: Educational or Training Programs Involving No Physical Changes. The adoption, alteration or termination of educational or training programs which involve no physical alteration in the area affected or which involve physical changes only in the interior of existing school or training structures. (State Guidelines Section 15322.)

Class 23: Normal Operations of Facilities for Public Gatherings. Continued or repeated normal operations of existing facilities for public gatherings for which the facilities were designed, where there is past history, of at least three years, of the facility being used for the same or similar purposes. Facilities included within this exemption include, but are not limited to race tracks, stadiums, convention centers, auditoriums, amphitheatres, planetariums, swimming pools and amusement parks. (State Guidelines Section 15323.)

Class 24: Regulation of Working Conditions. Actions taken by the School District to regulate employee wages, hours of work or working conditions where there will be no demonstrable physical changes outside the place of work. (State Guidelines Section 15324.)

Class 25: Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions and Historical Resources. Transfers of ownership of interest in land in order to preserve open space, habitat, or historical resources. Examples include, but are not limited to, acquisition, sale, or other transfer of areas to preserve existing natural conditions, including plant or animal habitats, to allow continued agricultural use of the areas, to allow restoration of natural conditions, or to prevent encroachment of development into floodplains. (State Guidelines Section 15325.)

Class 26: Acquisition of Housing for Housing Assistance Programs. Actions by a redevelopment agency, housing authority or other public agency to implement an adopted Housing Assistance Plan by acquiring an interest in housing units. (State Guidelines Section 15326.)

Class 27: Leasing New Facilities. Leasing of a newly constructed or previously unoccupied privately owned facility by a local or state agency where the School District determines, based on specific criteria, that the building is exempt. (State Guidelines Section 15327.)

Class 28: Small Hydroelectric Projects as Existing Facilities. Installation of certain small hydroelectric generating facilities in connection with existing dams, canals and pipelines. (State Guidelines Section 15328.)

Class 29: Cogeneration Projects at Existing Facilities. Installation of cogeneration equipment with a capacity of fifty (50) megawatts or less at existing facilities meeting certain conditions. (State Guidelines Section 15329.)

Class 30: Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances. Any minor cleanup

actions costing \$1 million or less to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance. (State Guidelines Section 15330.)

Class 31: Historical Resource Restoration/Rehabilitation. Maintenance, repairs, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer. (State Guidelines Section 15331.)

Class 32: Infill Development Projects. Projects characterized as infill development which meet the following conditions:

- (a) The project is consistent with applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services. (State Guidelines Section 15332.)

## **4. TIME LIMITATIONS**

### **4.01 REVIEW OF PRIVATE PROJECT APPLICATIONS.**

Staff shall determine whether the application for a private project is complete within thirty (30) days of receipt of the application. No application may be deemed incomplete for lack of a waiver of the time limitations in Guidelines Sections 4.03 and 4.04. Accepting an application as complete does not limit the authority of the School District, acting as the Lead Agency, to require the applicant to submit additional information needed for environmental evaluation of the project. Requiring such additional information after the application is complete does not change the status of the application.

### **4.02 DETERMINATION OF ENVIRONMENTAL IMPACT.**

Except as provided in Guidelines Sections 4.05 and 4.06, Staff's initial determination as to whether a Negative Declaration, Mitigated Negative Declaration or an EIR should be prepared shall be made within thirty (30) days from the date on which an application for a project is accepted as complete by the School District. This period may be extended fifteen (15) days with consent of the applicant and the School District.

### **4.03 COMPLETION AND ADOPTION OF NEGATIVE DECLARATION.**

For private projects involving the issuance of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, the Negative Declaration/Mitigated Negative Declaration shall be completed and approved within one hundred eighty (180) days from the date when the School District accepted the application as complete. Completion of a Negative Declaration/Mitigated Negative Declaration within the 180-day period shall include completion of the Initial Study, public review and the preparation of documents for approval by the Board.

In the event that compelling circumstances justify additional time and the project applicant consents thereto, Staff may provide for a reasonable extension of the time limit for completing and adopting the Negative Declaration/Mitigated Negative Declaration.

### **4.04 COMPLETION AND CERTIFICATION OF FINAL EIR.**

For private projects, the Final EIR shall be completed and certified by the Board within one year after the date when the School District accepted the application as complete. In the event that compelling circumstances justify additional time, the Board may provide a one-time extension up to ninety (90) days for completing and adopting the EIR, upon consent of the School District and the project applicant.

### **4.05 PROJECTS SUBJECT TO THE PERMIT STREAMLINING ACT.**

The Permit Streamlining Act requires agencies to make decisions on development project approvals within specified time limits. If a project is subject to the Act, the School District cannot require the project applicant to submit the informational equivalent of an EIR or prove compliance with CEQA as a prerequisite to determining whether the project application is complete. In addition, if requested by the project applicant, the School District must begin

processing the project application prior to final CEQA action, provided the information necessary to begin the process is available.

Under the Permit Streamlining Act, the School District as Lead Agency must approve or disapprove the development project application within one hundred eighty (180) days from the date on which it certifies the EIR, or ninety (90) days if an extension for completing and certifying the EIR is granted (see Guidelines Section 4.04). If the School District adopts a Negative Declaration/Mitigated Negative Declaration, or determines the development project is exempt from CEQA, it shall approve or disapprove the project application within sixty (60) days from the date on which it adopts the Negative Declaration/Mitigated Negative Declaration or determines that the project is exempt from CEQA.

Except for waivers of the time periods for preparing a joint Environmental Impact Report/Environmental Impact Statement (as outlined in Government Code Sections 65951 and 65957), the School District cannot require a waiver of the time limits specified in the Permit Streamlining Act as a condition of accepting or processing a development project application. In addition, the School District cannot disapprove a development project application in order to comply with the time limits specified in the Permit Streamlining Act.

#### **4.06 PROJECTS, OTHER THAN THOSE SUBJECT TO THE PERMIT STREAMLINING ACT, WITH SHORT TIME PERIODS FOR APPROVAL.**

A few statutes require agencies to make decisions on project applications within time limits that are so short that review of the project under CEQA would be difficult. To enable the School District as Lead Agency to comply with both the enabling statute and CEQA, the School District shall deem a project application as not received for filing under the enabling statute until such time as the environmental documentation required by CEQA is complete. This section applies where all of the following conditions are met:

- (a) The enabling statute for a program, other than development projects under Chapter 4.5 (commencing with Section 65920) of Division 1 of Title 7 of the Government Code, requires the School District to take action on an application within a specified period of time of six (6) months or less;
- (b) The enabling statute provides that the project is approved by operation of law if the School District fails to take any action within the specified time period; and
- (c) The project application involves the School District's issuance of a lease, permit, license, certificate or other entitlement for use.

In any case, the environmental document shall be completed or certified and the decision on the application shall be made within the period established by the Permit Streamlining Act (Government Code Sections 65920, et seq.).

#### **4.07 SUSPENSION OF TIME PERIODS.**

An unreasonable delay by an applicant in meeting School District requests necessary for the preparation of a Negative Declaration or an EIR shall suspend the running of the time periods described in Guidelines Sections 4.03 and 4.04 for the period of the unreasonable delay. Alternately, the School District may disapprove a project application where there is unreasonable

delay in meeting requests. The School District may also allow a renewed application to start at the same point in the process where the application was when it was disapproved.





## **5. INITIAL STUDY**

### **5.01 PREPARATION OF INITIAL STUDY.**

If the School District determines that it is the Lead Agency for a project which is not exempt, the School District shall prepare an Initial Study to ascertain whether the project may have a substantial adverse effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial. All phases of project planning, implementation and operation must be considered in the Initial Study. An Initial Study may rely on expert opinion supported by facts, technical studies or other substantial evidence. However, an Initial Study is neither intended nor required to include the level of detail included in an EIR.

- (a) For School District projects, the Initial Study shall be prepared by Staff or by private experts pursuant to contract with the School District.
- (b) For private projects, the person or entity proposing to carry out the project shall submit all data and information as may be required by the School District to determine whether the proposed project may have a significant effect on the environment. All costs incurred by the School District in reviewing the data and information submitted, or in conducting its own investigation based upon such data and information, or in preparing an Initial Study for the project shall be borne by the person or entity proposing to carry out the project.

### **5.02 INFORMAL CONSULTATION WITH OTHER AGENCIES.**

When more than one public agency will be involved in undertaking or approving a project, the School District as Lead Agency shall consult with all Responsible and any Trustee Agencies. Such consultation shall be undertaken as part of the Initial Study process prior to determining whether an EIR, Mitigated Negative Declaration or Negative Declaration is required for the project.

This early consultation, which may be done quickly and informally, is designed to insure that the EIR, Negative Declaration or Mitigated Negative Declaration will reflect the concerns of all Responsible Agencies that will issue approvals for the project and all Trustee Agencies responsible for natural resources affected by the project. It may include consultation with other individuals or organizations with an interest in the project. The Office of Planning and Research, upon request of the School District or a private project applicant, shall assist in identifying the various Responsible Agencies for a proposed project and ensure that the Responsible Agencies are notified regarding any early consultation. In the case of a project undertaken by a public agency, the Office of Planning and Research, upon request of the School District, shall ensure that any Responsible Agency or public agency that has jurisdiction by law with respect to the project is notified regarding any early consultation.

If, during the early consultation process it is determined that the project will clearly have a significant effect on the environment, the School District may immediately dispense with the Initial Study and determine that an EIR is required.

### **5.03 CONSULTATION WITH PRIVATE PROJECT APPLICANT.**

During or immediately after preparation of an Initial Study for a private project, the School District may consult with the applicant to determine if the applicant is willing to modify the project to reduce or avoid the significant effects identified in the Initial Study. If the project can be revised to avoid or mitigate effects to a level of insignificance and there is no substantial evidence before the School District that the project, as revised, may have a significant effect on the environment, the School District may prepare and adopt a Negative Declaration. If any significant effect may still occur despite alterations of the project, an EIR must be prepared.

### **5.04 SCOPING MEETINGS.**

For a project of "statewide, regional or areawide significance," the School District shall hold at least one scoping meeting. The School District shall provide notice of the scoping meeting to:

- (a) Any county or city that is within or borders on the School District where the project is located;
- (b) Any responsible agency;
- (c) Any public agency that has jurisdiction by law over the project; and
- (d) Any organization of individuals who has filed a written request for the notice.

For the definition of projects of "statewide, regional or areawide significance," refer to State Guidelines Section 15206.

For a project that may affect highways or other facilities under the jurisdiction of the State Department of Transportation, the School District shall hold a scoping meeting if requested to do so by the Department of Transportation.

### **5.05 PURPOSES OF INITIAL STUDY.**

The Initial Study shall be used to determine whether a Negative Declaration, Mitigated Negative Declaration or an EIR shall be prepared for a project. It provides written documentation of whether the School District found evidence of significant adverse impacts which might occur. The purposes of an Initial Study are to:

- (a) Identify environmental impacts;
- (b) Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is written;
- (c) Focus an EIR, if one is required, on potentially significant environmental effects;
- (d) Facilitate environmental assessment early in the design of a project;
- (e) Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
- (f) Eliminate unnecessary EIRs; and
- (g) Determine whether a previously prepared EIR could be used for the project.

## **5.06 CONTENTS OF INITIAL STUDY.**

An Initial Study shall contain in brief form:

- (a) A description of the project, including the location of the project. The project description must be consistent throughout the environmental review process;
- (b) An identification of the environmental setting;
- (c) An identification of environmental effects by use of a checklist, matrix, or other method provided that entries are briefly explained to show the evidence supporting the entries. The brief explanation may be through either a narrative or a reference to other information such as attached maps, photographs, or an earlier EIR or Negative Declaration. A reference to another document should include, if possible, a citation to the page or pages where the information is found;
- (d) A discussion of ways to mitigate any significant effects identified;
- (e) An examination of whether the project is compatible with existing zoning and local land use plans;
- (f) The name of the person or persons who prepared or participated in the Initial Study;
- (g) A summary of any comments regarding the project received from Responsible Agencies, Trustee Agencies or other persons; and
- (h) Identification of prior EIRs or environmental documents which could be used with the project.

## **5.07 USE OF A CHECKLIST INITIAL STUDY.**

When properly completed, the Environmental Checklist (Form "J") will meet the requirements of Guidelines Section 5.06 for private projects provided that the entries on the checklist are explained. For a School District-initiated project, the requirements of Guidelines Section 5.06 will be met by use of the Environmental Checklist (Form "J") and a separate attachment containing a description of the project, including its location and an identification of the environmental setting and summaries of any comments received regarding the project.

California courts have rejected the use of a bare, unsupplemented Initial Study checklist. An Initial Study must contain more than mere conclusions. It must disclose supporting data or evidence upon which the School District relied in conducting the Study. The School District shall augment checklists with supporting factual data and reference information sources when completing the forms. Explanation of all "potential impact" answers should be provided on attached sheets. For controversial projects, it is advisable to state briefly why "no" answers were checked. If practicable, attach an addendum listing commonly used reference material such as plans, traffic studies, air quality data and prior EIRs.

## **5.08 EVALUATING SIGNIFICANT ENVIRONMENTAL EFFECTS.**

In evaluating the environmental significance of effects disclosed by the Initial Study, the School District shall consider:

- (a) Whether the Initial Study and/or any comments received informally during consultations indicate that a fair argument can be made that the project may have a significant adverse

environmental impact which cannot be mitigated to a level of insignificance. Even if a fair argument can be made to the contrary, an EIR should be prepared.

- (b) Whether both primary (direct) and secondary (indirect) consequences of the project were evaluated. Primary consequences are immediately related to the project, while secondary consequences are related more to the primary consequences than to the project itself. For example, secondary impacts upon the resources base, including land, air, water and energy use of an area, may result from population growth, a primary impact.
- (c) Whether adverse social and economic changes will result from a physical change caused by the project. Adverse economic and social changes resulting from a project are not, in themselves, significant environmental effects. However, if such adverse changes cause physical changes in the environment, those consequences may be used as the basis for finding that the physical change is significant.
- (d) Whether there is serious public controversy or disagreement among experts over the environmental effects of the project. However, controversy or disagreement alone shall not require preparation of an EIR in the absence of substantial evidence of significant effects.
- (e) Whether the cumulative impact of the project is significant and whether the effects of the project are "cumulatively considerable" (as defined in Guidelines Section 10.10) when viewed in connection with the effects of past projects, current projects, and probable future projects.
- (f) Whether the project may cause a substantial adverse change in the significance of a historical resource.

#### **5.09 MANDATORY FINDINGS OF SIGNIFICANT EFFECT.**

Whenever any of the conditions set forth below are found to exist, a finding that a project may have a significant effect on the environment shall be required:

- (a) The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of major periods of California history or prehistory.
- (b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project has possible environmental effects which are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past, current, and probable future projects as defined in Guidelines Sections 10.10. That is, the School District is required to determine whether the incremental impacts of a project are cumulatively considerable by evaluating them against the backdrop of the environmental effects of the other projects.
- (d) The environmental effects of a project will cause substantial adverse effects on humans either directly or indirectly.

## 5.10 MANDATORY PREPARATION OF AN EIR FOR WASTE BURNING PROJECTS.

The School District, as Lead Agency, shall prepare or cause to be prepared, and certify the completion of, an EIR or, if appropriate, a modification, addendum, or supplement to an existing EIR for any project involving the burning of municipal wastes, hazardous waste or refuse-derived fuel, including, but not limited to, tires, if the project consists of any of the following:

- (a) The construction of a new facility.
- (b) The expansion of an existing hazardous waste burning facility which would increase its permitted capacity by more than ten percent (10%).
- (c) The issuance of a hazardous waste facilities permit to a land disposal facility, as defined in Guidelines Section 10.25.
- (d) The issuance of a hazardous waste facilities permit to an offsite large treatment facility, as defined in Guidelines Sections 10.26 and 10.38.

The School District shall calculate the percentage of expansion for an existing facility by comparing the proposed facility capacity with either of the following which would be applicable:

- (a) The facility capacity authorized in the facility's hazardous waste facilities permit pursuant to Section 25200 of the Health and Safety Code, or its grant of interim status pursuant to Section 25200.5 of the Health and Safety Code, or the facility capacity authorized in any state or local agency permit allowing the construction or operation of the facility for the burning of hazardous waste granted before January 1, 1990.
- (b) The facility capacity authorized in the facility's original hazardous facilities permit, grant of interim status, or any state or local agency permit allowing the construction or operation of a facility for the burning of hazardous waste, granted on or after January 1, 1990.

The EIR requirement does not apply to any project which exclusively burns any of the following:

- (a) digester gas produced from manure or any other solid or semi-solid animal waste;
- (b) methane gas produced from a disposal site which is used only for the disposal of solid waste;
- (c) forest, agricultural, wood or other biomass wastes;
- (d) hazardous waste in an incineration unit that is transportable and which is either at a site for not longer than three years or is part of a remedial or removal action;
- (e) refinery waste burned in a flare on the site of generation;
- (f) methane gas produced at a municipal sewage treatment plant and burned in a flare;
- (g) hazardous waste, or hazardous waste as a supplemental fuel, as part of a research, development, or demonstration project which, consistent with the Resource Conservation and Recovery Act of 1976, has been determined to be innovative and experimental by the State Department of Health Services and which is limited in type and quantity of waste to that necessary to determine the efficacy and performance capabilities of the technology or process; provided, however, that any facility which operated as a research, development or demonstration project and for which an application is thereafter submitted for a

- hazardous waste facility permit for operation other than as a research, development or demonstration project shall be considered a new facility for the burning of hazardous waste, and therefore subject to EIR requirements;
- (h) soils contaminated only with petroleum fuels or the vapors from these soils;
  - (i) exclusively treats less than 3,000 pounds of hazardous waste per day in a thermal processing unit operated in the absence of open flame, and submits a worst-case health risk assessment of the technology to the State Department of Health Services for review and distribution to the interested public. This assessment shall be prepared in accordance with guidelines set forth in the Air Toxics Assessment Manual of the California Air Pollution Control Officers Association;
  - (j) less than 1,200 pounds of infectious waste per day, as defined in Section 25117.5 of the Health and Safety Code, on hospital sites;
  - (k) chemicals and fuels as part of firefighter training;
  - (l) exclusively conducts open burns of explosives subject to the requirements of the local or regional air pollution control district and in compliance with OSHA and Cal-OSHA regulations; or
  - (m) exclusively conducts onsite burning of less than 3,000 pounds per day of fumes directly from a manufacturing or commercial process.

Such projects are not exempt from the other requirements of CEQA, the State Guidelines, or these Local Guidelines. This section does not apply to any project over which the State Energy Resources Conservation and Development Commission has assumed jurisdiction per Health and Safety Code Section 25500, et seq. This section also does not apply to projects listed in the third paragraph of Guidelines Section 5.10 (c) and (d) if the facilities manage hazardous waste identified or listed on or after January 1, 1992.

#### **5.11 LAND USE POLICIES.**

When a project will amend a general plan or another land use policy, the Initial Study must address how the change in policy and its expected direct and indirect effects will affect the environment. When the amendments constitute substantial changes in policies that result in a significant impact on the environment, an EIR may be required.

#### **5.12 EVALUATING IMPACTS ON HISTORICAL RESOURCES.**

Projects that may cause a substantial adverse change in the significance of a historical resource, as defined in Guidelines Section 10.21, are projects that may have a significant effect on the environment, thus requiring consideration under CEQA. Particular attention and care should be given when considering such projects, especially projects involving the demolition of a historical resource, since such demolitions have been determined to cause a significant effect on the environment.

Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation or alteration of the resource or its immediate surroundings, such that the significance of a historical resource would be materially impaired.

The significance of a historical resource is materially impaired when a project:

- (a) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
- (b) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources or its identification in a historical resources survey, unless the Lead Agency establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- (c) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by the Lead Agency for purposes of CEQA.

Generally, a project that follows either one of the following sets of standards and guidelines will be considered mitigated to a level of less than significance: (a) the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings; or (b) the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer.

In the event of an accidental discovery of a possible historical resource during construction of the project, the School District may provide for the evaluation of the find by a qualified archaeologist or other professional. If the find is determined to be a historical resource, the School District should take appropriate steps to implement appropriate avoidance or mitigation measures. Work on non-affected portions of the project, as determined by the School District, may continue during the process.

### **5.13 EVALUATING IMPACTS ON ARCHAEOLOGICAL SITES.**

When a project will impact an archaeological site, the School District shall first determine whether the site is a historical resource, as defined in Guidelines Section 10.21. If the archaeological site is a historical resource, it shall be treated and evaluated as such, and not as an archaeological resource. If the archaeological site does not meet the definition of a historical resource, but does meet the definition of a unique archaeological resource set forth in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with said provisions of the Public Resources Code. The time and cost limitations described in Section 21083.2(c-f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.

If the archaeological resource is neither a unique archaeological resource nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

In the event of an accidental discovery of a possible unique archaeological resource during construction of the project, the School District may provide for the evaluation of the find by a qualified archaeologist. If the find is determined to be a unique archaeological resource, the School District should take appropriate steps to implement appropriate avoidance or mitigation measures. Work on non-affected portions of the project, as determined by the School District, may continue during the process.

When an initial study identifies the existence of, or the probable likelihood of, Native American human remains within the Project, the School District shall comply with the provisions of State CEQA Guidelines Section 15064.5(d). In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the School District shall comply with the provisions of State CEQA Guidelines Section 15064.5(e).

#### **5.14 ENVIRONMENTAL IMPACT ASSESSMENT.**

The job of the Initial Study is to identify which environmental impacts may be significant. Based upon the Initial Study, Staff shall determine whether a proposed project may or will have a significant effect on the environment. Such determination shall be made in writing on the Environmental Impact Assessment Form (Form "C"). If Staff finds that a project will not have a significant effect on the environment, it shall recommend that a Negative Declaration be prepared and adopted by the decision making body. If Staff finds that a project may have a significant effect on the environment, but the effects can be mitigated to a level of insignificance, it shall recommend that a Mitigated Negative Declaration be prepared and adopted by the decision making body. If Staff finds that a project may have a significant effect on the environment, it shall recommend that an EIR be prepared and certified by the decision making body.

#### **5.15 FINAL DETERMINATION.**

The School District as Lead Agency shall have the responsibility for determining whether an EIR, Negative Declaration or Mitigated Negative Declaration shall be required for any project. The School District's determination shall be final and conclusive on all persons, including Responsible Agencies and Trustee Agencies, except as provided in Section 15050(c) of the State Guidelines.



## **6. NEGATIVE DECLARATION**

### **6.01 DECISION TO PREPARE A NEGATIVE DECLARATION.**

A Negative Declaration (Form "E") shall be prepared for a project subject to CEQA when the Initial Study shows that there is no substantial evidence in light of the whole record that the project may have a significant or potentially significant adverse effect on the environment. (See Guidelines Sections 10.41 and 10.46.)

### **6.02 DECISION TO PREPARE A MITIGATED NEGATIVE DECLARATION.**

A Mitigated Negative Declaration (Form "E") shall be prepared for a project subject to CEQA when the Initial Study identifies potentially significant effects on the environment, but:

- (a) The project applicant has agreed to revise the project or the School District can revise the project to avoid these significant effects or to mitigate the effects to a point where it is clear that no significant effects would occur and
- (b) There is no substantial evidence in light of the whole record before the School District that the revised project may have a significant effect.

If an applicant proposes mitigation measures, the project plans must be revised to incorporate these mitigation measures before the proposed Negative Declaration is released for public review. It is insufficient to require an applicant to adopt mitigation measures after final adoption of the Negative Declaration or to state that mitigation measures will be recommended on the basis of a future study. The School District must know the measures at the time the Negative Declaration is adopted in order for them to be evaluated and accepted as adequate mitigation. Evidence of agreement by the applicant to such mitigation should be in the record prior to public review. Except where noted, the procedural requirements for the preparation and approval of a Negative Declaration and Mitigated Negative Declaration are the same.

### **6.03 CONTRACTING FOR PREPARATION OF NEGATIVE DECLARATION.**

The School District, when acting as Lead Agency, is responsible for preparing all documents required pursuant to CEQA. The documents may be prepared by Staff or by private consultants pursuant to a contract with the School District, but they must be the School District's product and reflect the independent judgment of the School District.

### **6.04 NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.**

When based upon the Initial Study, it is recommended to the decision making body that a Negative Declaration or Mitigated Negative Declaration be adopted, a Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration (Form "D") shall be provided to the public, to all Responsible Agencies and to every other public agency with jurisdiction by law over resources affected by the project at least twenty (20) days before the final adoption of the Negative Declaration or Mitigated Negative Declaration by the decision making body. The Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration shall be mailed to the last known name and address of all organizations and individuals who have

previously filed a written request with the School District. A copy of the proposed Negative Declaration or Mitigated Negative Declaration and the Initial Study shall be attached to the Notice of Intent to Adopt that is sent to every Responsible Agency and Trustee Agency concerned with the project and every other public agency with jurisdiction by law over resources affected by the project. The School District may charge a fee for this service, except to other public agencies. The School District may require requests for notices to be renewed annually. If the documents are submitted to the State Clearinghouse for circulation, the public review period shall be at least as long as the period of review by the State Clearinghouse. (See Guidelines Section 6.06.)

The Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration shall contain the following information:

- (a) The period during which comments shall be received.
- (b) The date, time and place of any public meetings or hearings on the proposed project.
- (c) A brief description of the proposed project and its location.
- (d) The address where copies of the Draft Negative Declaration or Mitigated Negative Declaration and all documents referenced in the Draft Negative Declaration or Mitigated Negative Declaration are available for review.
- (e) The Environmental Protection Agency ("EPA") list on which the proposed project site is located, if applicable, and the corresponding information from the applicant's statement. (See Guidelines Section 2.04.)
- (f) The significant effects on the environment, if any, anticipated as a result of the proposed project.

The proposed Negative Declaration or Mitigated Negative Declaration and Initial Study must reflect the independent judgment of the School District.

#### **6.05 POSTING AND PUBLICATION OF NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.**

The School District shall have a copy of the Notice of Intent to Adopt, the Draft Negative Declaration or Mitigated Negative Declaration and the Initial Study posted at the School District's office and made available for public inspection. The Notice must be provided either twenty (20) or thirty (30) days prior to final adoption of the Negative Declaration or Mitigated Negative Declaration.

The Notice must also be posted in the office of the Clerk in each county in which the Project is located and must remain posted for a minimum of twenty (20) days, unless otherwise required by law to be posted for thirty (30) days. The Clerk shall post the Notice within twenty-four (24) hours of receipt.

As stated in Guidelines Section 6.04, notice shall be given by mail to the last known name and address of all organizations and individuals who have previously requested such notice. In addition, it must be given by at least one of the following procedures:

- (a) Publication at least once in a newspaper of general circulation in the area affected by the proposed project. If more than one area will be affected, the notice shall be published in

the newspaper of largest circulation from among the newspapers of general circulation in those areas.

- (b) Posting of notice on and off site in the area where the project is to be located.
- (c) Direct mailing to owners and occupants of property contiguous to the project, as shown on the latest equalized assessment roll.

The School District shall consider all comments received during the public review period for the Negative Declaration or Mitigated Negative Declaration. Comments submitted via email shall be treated as written comments for all purposes. Comments sent to the public agency via email are deemed received when they actually arrive in an email account of a staff person who has been designated or identified as the point of contact for a particular project.

The School District is not required to respond in writing to comments it receives either during or after the public review period. However, the School District may want to provide a written response to all comments if it will not delay action on the Negative Declaration or Mitigated Negative Declaration, since any comment received prior to final action on the Negative Declaration or Mitigated Negative Declaration can form the basis of a legal challenge. A written response which refutes the comment or adequately explains the School District's action in light of the comment, will assist the School District in defending against a legal challenge. The School District shall notify any public agency which comments on a Negative Declaration or Mitigated Negative Declaration of the public hearing or hearings, if any, on the project for which the Negative Declaration or Mitigated Negative Declaration was prepared.

#### **6.06 SUBMISSION OF NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION TO STATE CLEARINGHOUSE.**

A Negative Declaration or Mitigated Negative Declaration must be submitted to the State Clearinghouse for circulation in the following situations:

- (a) The Negative Declaration or Mitigated Negative Declaration is prepared by a Lead Agency that is a state agency.
- (b) The Negative Declaration or Mitigated Negative Declaration is prepared by a public agency where a state agency is a Responsible Agency, Trustee Agency, or otherwise has jurisdiction by law with respect to the project.
- (c) The Negative Declaration or Mitigated Negative Declaration is for a project identified in State Guidelines Section 15206 as being of statewide, regional, or areawide significance.

State Guidelines Section 15206 identifies the following types of projects as being of statewide, regional, or areawide significance and requiring submission to the State Clearinghouse for circulation:

- Projects which have the potential for causing significant environmental effects beyond the city or county where the project would be located, such as:
  - Residential development of more than 500 units.
  - Commercial projects employing more than 1,000 persons or covering more than 500,000 square feet of floor space.

- Office building projects employing more than 1,000 persons or covering more than 250,000 square feet of floor space.
- Hotel or motel development of more than 500 rooms.
- Industrial projects housing more than 1,000 persons, occupying more than 40 acres of land, or covering more than 650,000 square feet of floor area.
- Projects for the cancellation of a Williamson Act contract covering more than 100 acres.
- Projects in one of the following Environmentally Sensitive Areas:
  - Lake Tahoe Basin.
  - Santa Monica Mountains Zone.
  - Sacramento-San Joaquin River Delta.
  - Suisun Marsh.
  - Coastal Zone, as defined by the California Coastal Act.
  - Areas within one-quarter mile of a river designated as wild and scenic.
  - Areas within the jurisdiction of the San Francisco Bay Conservation and Development Commission.
- Projects which would affect sensitive wildlife habitats or the habitats of any rare, threatened, or endangered species.
- Projects which would interfere with water quality standards.
- Projects which would provide housing, jobs, or occupancy for 500 or more people within 10 miles of a nuclear power plant.

A Negative Declaration or Mitigated Negative Declaration may also be submitted to the State Clearinghouse for circulation if a state agency has special expertise with regard to the environmental impacts involved. When the Negative Declaration or Mitigated Negative Declaration is submitted to the State Clearinghouse for review, the public review period shall be at least thirty (30) days. When a Negative Declaration or Mitigated Negative Declaration is submitted to the State Clearinghouse, a Notice of Completion (Form "H") should be included as a cover sheet. A sufficient number of copies of the documents must be sent to the State Clearinghouse for circulation. Staff should contact the State Clearinghouse to find out the correct number of printed copies required for circulation. In addition to the printed copies, a copy of the documents in electronic format shall be submitted on a diskette or by electronic mail transmission if available.

A shorter review period by the State Clearinghouse for a Negative Declaration or Mitigated Negative Declaration can be requested by the decision making body. The shortened review period shall not be less than twenty (20) days. Such a request must be made in writing by the Lead Agency to the Office of Planning and Research. The decision making body may designate by resolution or ordinance an individual authorized to request a shorter review period. Any approval of a shortened review period must be given prior to, and reflected in, the public notice. However, a shortened review period shall not be approved by the Office of Planning and Research for any proposed project of statewide, regional or areawide environmental significance, as defined by State Guidelines Section 15206.

## **6.07 SPECIAL NOTICE REQUIREMENTS FOR WASTE AND FUEL BURNING PROJECTS.**

For any waste burning project, as defined in Guidelines Section 5.10, Notice of Intent (see Guidelines Section 6.04) shall be given to all organizations and individuals who have previously requested it and shall also be given by all three of the procedures listed in Guidelines Section 6.05. In addition, Notice shall be given by direct mailing to the owners and occupants of property within one-fourth mile of any parcel or parcels on which such a project is located.

These notice requirements apply only to those projects described in Guidelines Section 5.10. These notice requirements do not preclude the School District from providing additional notice by other means if desired.

## **6.08 CONTENT OF NEGATIVE DECLARATION.**

A Negative Declaration must be prepared directly by or under contract to the School District and should generally resemble Form "E". It shall contain the following information:

- (a) A brief description of the project proposed, including any commonly used name for the project, if any.
- (b) The location of the project and the name of the project proponent.
- (c) A finding that the project as proposed will not have a significant effect on the environment.
- (d) An attached copy of the Initial Study documenting reasons to support the finding.
- (e) For a Mitigated Negative Declaration, feasible mitigation measures included in the project to substantially lessen or avoid potentially significant effects, which must be fully enforceable through permit conditions, agreements, or other measures. Such permit conditions, agreements, and measures must be consistent with applicable constitutional requirements such as the "nexus" and "rough proportionality" standards established by case law.

## **6.09 HAZARDOUS SUBSTANCE EVALUATION FOR SCHOOL SITES; DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC) INVOLVEMENT WITH STATE FUNDED PROJECTS**

Prior to the approval of a negative declaration involving the purchase of a school site or the construction of a new elementary or secondary school, the School District must include information in the negative declaration as necessary to determine if the property is any of the following:

- (a) The site of a current or former hazardous waste disposal site or solid waste disposal site and, if so, whether the waste has been removed.
- (b) A hazardous waste substance release site identified by the State Department of Health Services as listed in Section 25356 of the California Health and Safety Code for removal or remedial action pursuant to Section 25300, et seq., of the California Health and Safety Code.
- (c) A site which contains one or more pipelines, situated underground or aboveground, which carries hazardous substances, acutely hazardous materials, or hazardous waste, unless the pipeline is a natural gas pipeline which is used only to supply natural gas to that school or neighborhood.

On projects involving the acquisition of real property for a new school site or construction on an existing site owned or leased by the School District which projects will involve new construction funding pursuant to the Leroy F. Greene School Facilities Act of 1998 the School District need not comply with the requirements of (a) through (c) above, but shall comply with the DTSC assessment requirements specified in Education Code Sections 17213.1 and 17213.2.

#### **6.10 ADOPTION OF NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.**

Following the publication, posting or mailing of the Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration, but in no event sooner than twenty (20) days following the date of such publication, posting or mailing, the Negative Declaration or Mitigated Negative Declaration may be presented to the decision making body at a regular or special meeting. Prior to adoption, the School District shall independently review and analyze the Negative Declaration or Mitigated Negative Declaration and find that the Negative Declaration or Mitigated Negative Declaration reflects the independent judgment of the School District. If the decision making body finds that the project will not have a significant effect on the environment, it shall adopt the Negative Declaration or Mitigated Negative Declaration. When adopting the Negative Declaration or Mitigated Negative Declaration, the School District shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which it based its decision.

If the decision making body finds that the proposed project may have a significant effect on the environment that cannot be mitigated or avoided, it shall order the preparation of a Draft EIR and the filing of a Notice of Preparation of a Draft EIR. Recirculation should be considered if substantial new mitigation is added after public review (see Guidelines Section 6.13).

#### **6.11 MITIGATION REPORTING OR MONITORING PROGRAM FOR MITIGATED NEGATIVE DECLARATION.**

When adopting a Mitigated Negative Declaration pursuant to Guidelines Section 6.10, the School District shall adopt a reporting or monitoring program to assure that mitigation measures which are required to mitigate or avoid significant effects on the environment will be fully enforceable through permit conditions, agreements, or other measures and implemented by the project proponent or other responsible party in a timely manner, in accordance with conditions of project approval. The School District shall also specify the location and the custodian of the documents which constitute the record of proceedings upon which it based its decision. There is no requirement that the reporting or monitoring program be circulated for public review; however, the School District may choose to circulate it for public comments along with the Negative Declaration. The mitigation measures required to mitigate or avoid significant effects on the environment must be adopted as conditions of project approval.

This reporting or monitoring program shall be designed to assure compliance during the implementation or construction of a project and shall otherwise comply with the requirements described in Guidelines Section 7.33. If a Responsible Agency or Trustee Agency has required that certain conditions be incorporated into the project, the School District may request that agency to prepare and submit a proposed reporting or monitoring program. The School District

shall also require that prior to the close of the public review period for a Mitigated Negative Declaration (see Guidelines Section 6.04), the Responsible or Trustee Agency submit detailed performance objectives for mitigation measures, or refer the School District to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to the School District by a Responsible or Trustee Agency shall be limited to measures which mitigate impacts to resources which are within the Responsible or Trustee Agency's authority.

Local agencies have the authority to levy fees sufficient to pay for this program. Therefore, the School District can charge the project proponent a fee to cover actual costs of program processing and implementation.

Transportation information resulting from the reporting or monitoring program required to be adopted by the School District shall be submitted to the regional transportation planning agency where the project is located and to the Department of Transportation for a project of statewide, regional or areawide significance according to State Guidelines Section 15006. The transportation planning agency and the Department of Transportation are required by law to adopt guidelines for the submittal of these reporting or monitoring programs, so the School District may wish to tailor its submittal to such guidelines.

#### **6.12 APPROVAL OR DISAPPROVAL OF PROJECT.**

At the time of adoption of a Negative Declaration or Mitigated Negative Declaration, the Board may consider the project for purposes of approval or disapproval. Prior to approving the project, the Board shall consider the Negative Declaration or Mitigated Negative Declaration, together with any written comments received and considered during the public review period, and shall approve or disapprove the Negative Declaration or Mitigated Negative Declaration. In making a finding as to whether there is any substantial evidence that the project will have a significant effect on the environment, the factors listed in Guidelines Section 5.08 should be considered.

#### **6.13 RECIRCULATION OF A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.**

A Negative Declaration or Mitigated Negative Declaration must be recirculated when the document must be substantially revised after the public review period but prior to its adoption. A "substantial revision" is defined as a new and avoidable significant effect for which mitigation measures or project revisions must be added in order to reduce the effect to a level of insignificance. A "substantial revision" can also include when the School District determines that the proposed mitigation measures or project revisions will not reduce the potential effects to less than significance and new measures or revisions must be required.

Recirculation is not required under the following circumstances:

- (a) Mitigation measures are replaced with equal or more effective measures, and the School District makes a finding to that effect.
- (b) New project revisions are added in response to written or oral comments on the project's effects identified in the proposed Negative Declaration or Mitigated Negative Declaration which are not new avoidable significant effects.

- (c) Measures or conditions of project approval are added after circulation of the Negative Declaration or Mitigated Negative Declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.
- (d) New information is added to the Negative Declaration or Mitigated Declaration which merely clarifies, amplifies, or makes insignificant modifications to the Negative Declaration or Mitigated Negative Declaration.

If, after preparation of a Negative Declaration or Mitigated Negative Declaration, the School District determines that the project requires an EIR, it shall circulate the Draft EIR for consultation and review and advise reviewers in writing that a proposed Negative Declaration or Mitigated Declaration had previously been circulated for the project.

**6.14 NOTICE OF DETERMINATION ON A PROJECT FOR WHICH A PROPOSED NEGATIVE OR MITIGATED NEGATIVE DECLARATION HAS BEEN APPROVED.**

Following consideration and approval of a project for which the School District is Lead Agency, the Board shall order Staff to prepare and file a Notice of Determination (Form "F") which shall contain the following:

- (a) An identification of the project including its common name where possible and its location;
- (b) A brief description of the project;
- (c) The date on which the School District approved the project;
- (d) The determination of the School District that the project will not have a significant effect on the environment;
- (e) A statement that a Negative Declaration or Mitigated Negative Declaration has been prepared pursuant to the provisions of CEQA; and
- (f) The address where a copy of the Negative Declaration or Mitigated Negative Declaration may be examined.

The Notice of Determination shall be filed with the Clerk of each county in which the project will be located within five (5) working days of project approval. The School District is encouraged to make copies of filed notices available in electronic format on the Internet. Such electronic notices are in addition to the posting requirements of the CEQA Guidelines and the Public Resources Code. The Clerk must post the Notice of Determination within twenty-four (24) hours of receipt. The Notice must be posted in the office of the Clerk for a minimum of thirty (30) days. Thereafter, the Clerk shall return the notice to the School District with a notation of the period it was posted. The School District shall retain the notice for not less than nine (9) months. If the project requires discretionary approval from any State agency, the Notice of Determination shall also be filed with the Office of Planning and Research within five (5) working days of project approval along with proof of payment of the California Department of Fish and Game fee or Certificate of Fee Exemption (see Guidelines Section 6.18). Simultaneously with the filing of the Notice of Determination with the Clerk, Staff shall cause a copy of the Notice of Determination to be posted at the School District office. When a request is made for a copy of the Notice prior to the date on which the School District adopts the Negative Declaration, the copy must be mailed, first class postage prepaid, within five (5) days of the



School District's determination. If such a request is made following the School District's determination, then the copy should be mailed in the same manner as soon as possible. The recipients of such documents may be charged a fee reasonably related to the cost of providing the service.

The filing and posting of a Notice of Determination with the Clerk, and, if necessary, with the Office of Planning and Research, usually starts a thirty (30) day statute of limitations on court challenges to the approval under CEQA. When separate notices are filed for successive phases of the same overall project, the thirty (30) day statute of limitation to challenge the subsequent phase begins to run when the second notice is filed. Failure to file the Notice results in a one hundred eighty (180) day statute of limitations.

#### **6.15 ADDENDUM TO NEGATIVE DECLARATION.**

The School District may prepare an addendum to an adopted Negative Declaration if only minor technical changes or additions are necessary. The School District may also prepare an addendum to an adopted negative declaration when none of the conditions calling for a subsequent negative declaration have occurred. (See Guidelines Section 6.16 below.) An addendum need not be circulated for public review but can be attached to the adopted Negative Declaration. The School District shall consider the addendum with the adopted Negative Declaration prior to project approval.

#### **6.16 SUBSEQUENT NEGATIVE DECLARATION.**

When a Negative Declaration has been adopted for a project, or when an EIR has been certified, a subsequent Negative Declaration or EIR must be prepared in the following instances:

- (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (c) New information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified or the Negative Declaration was adopted which shows any of the following:
  - (1) The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
  - (2) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (3) Mitigation measure(s) or alternative(s) previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents declined to adopt the mitigation measure(s) or alternative(s); or

- (4) Mitigation measure(s) or alternative(s) which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure(s) or alternative(s).

The School District as Lead Agency would then determine whether a Subsequent EIR, Negative Declaration or addendum would be applicable. Subsequent Negative Declarations must be given the same notice and public review period as other Negative Declarations. The Subsequent Negative Declaration shall state where the previous document is available and can be reviewed.

#### **6.17 PRIVATE PROJECT COSTS.**

For private projects, the person or entity proposing to carry out the project shall bear all costs incurred by the School District in preparing the Initial Study and in preparing and filing the Negative Declaration and Notice of Determination.

#### **6.18 FILING FEES FOR PROJECTS WHICH AFFECT WILDLIFE RESOURCES.**

At the time a Notice of Determination for a Negative Declaration is filed with the Clerk, a fee of \$1,250 shall be paid to the Clerk for projects which will adversely affect fish and wildlife resources. These fees are collected by the Clerk on behalf of the California Department of Fish and Game ("DFG").

Only one filing fee is required for each project unless the project is tiered or phased and separate environmental documents are prepared. For projects where a Lead Agency and Responsible Agencies file separate Notices of Determination, only the Lead Agency is required to pay the fee.

Note: The Clerk customarily charges a documentary handling fee for each project in addition to the filing fee specified above. Refer to the Index in the Staff Summary to help determine the correct amount.

For private projects, the School District shall pass these costs on to the project applicant.

No fees are required for projects with a "de minimis" effect on fish and wildlife resources, or for certain projects undertaken by the DFG and implemented through a contract with a non-profit entity or local government agency. A project with a "de minimis" effect has no potential for adverse effect on fish and wildlife. This is an important exception. DFG considers the following projects as likely to have "de minimis" effects on fish and wildlife, depending on the specific facts of each project:

- (1) Projects which enhance fish and wildlife and their habitats and result in no accompanying adverse impacts to fish or wildlife;
- (2) Lot line adjustments;
- (3) Building remodeling;
- (4) Annexations;
- (5) Redevelopment on existing urban subdivisions with no wildlife habitat;

- (6) Infill of undeveloped urban lots;
- (7) Adoption of a General Plan, where CEQA requires a subsequent discretionary project approval before any physical change to natural habitat is permitted.

If the School District believes that a project will have a "de minimis" effect on wildlife resources, it should file the Certificate of Fee Exemption attached as Form "L". This form requires the School District to set forth facts in support of the fee exemption. These facts should include: (1) the name and address of the project proponent; (2) a brief description of the project and its location; (3) a statement that an initial study has been prepared by the School District to evaluate the project's effects on wildlife resources, if any; (4) a declaration that there is no evidence before the School District that the project will have any potential for adverse effect on wildlife resources; and (5) a declaration that the School District has, on the basis of substantial evidence, "rebutted" the presumption of adverse effect contained in the regulations. A presumption of adverse effect occurs if the project has the potential for adverse effects on the fish and wildlife resources as listed on Form "L". To rebut the presumption of adverse effect, the School District should explain in the declaration why the project would not have an adverse impact on fish and wildlife and reference any supporting evidence. These findings should be made at the time of approval of the Negative Declaration and attached to Form "L" when submitted to the County. Two copies of this form must be filed with the Notice of Determination in order to obtain the fee exemption.

If the School District believes that a project has been undertaken by the DFG, that the project's costs are payable from one or more of the sources indicated in the Fish and Game Code, and that the project is being implemented through a contract with a non-profit entity or a local government agency, the DFG filing does not apply. Since the DFG has not yet adopted regulations to govern this exemption, including a new "Certificate of Fee Exemption," the School District may wish to use Form L and make appropriate modifications to reflect this exemption.



## **7. ENVIRONMENTAL IMPACT REPORT**

### **7.01 DECISION TO PREPARE AN EIR.**

An EIR shall be prepared whenever there is substantial evidence in light of the whole record which supports a fair argument that a project may have a significant effect on the environment. (See Guidelines Sections 10.41 and 10.48.) The record may include the Initial Study or other documents or studies prepared to assess the project's environmental impacts.

### **7.02 CONTRACTING FOR PREPARATION OF EIRS.**

If a Draft EIR, EIR or Focused EIR is prepared under a contract to the School District, the contract must be executed within forty-five (45) days from the date on which the School District sends a Notice of Preparation. The School District may take longer to execute the contract if the project applicant and the School District mutually agree to an extension of the 45-day time limit.

The Draft EIR, EIR or Focused EIR prepared under contract must be the School District's product. Staff, together with such consultant help as may be required, shall independently review and analyze the Draft EIR, EIR or Focused EIR to verify its accuracy, objectivity and completeness prior to presenting it to the decision making body. The Draft EIR, EIR or Focused EIR made available for public review must reflect the independent judgment of the School District. Staff may require such information and data from the person or entity proposing to carry out the project as it deems necessary for completion of the Draft EIR, EIR or Focused EIR.

### **7.03 NOTICE OF PREPARATION OF DRAFT EIR.**

After Staff determines that an EIR will be required for a proposed project, the School District as Lead Agency shall prepare and send a Notice of Preparation (Form "G") to each Responsible Agency and Trustee Agency involved with the project, as well as the Office of Planning and Research. When submitting the Notice of Preparation to the Office of Planning and Research, a Notice of Completion (Form "H") should be used as a cover sheet. Responsible and Trustee Agencies have thirty (30) days to respond to the Notice of Preparation. The School District shall send copies of the Notice of Preparation by certified mail or any other method of transmittal which provides it with a record that the Notice was received. The Notice must also be posted in the office of the Clerk in each county in which the project is located for thirty (30) days. The Clerk shall post the Notice within twenty-four (24) hours of receipt.

At a minimum, the Notice of Preparation shall include:

- (a) A description of the project;
- (b) The location of the project indicated either on an attached map (preferably a copy of the USGS 15' or 7½' topographical map identified by quadrangle name) or by a street address in an urban area;
- (c) The probable environmental effects of the project;
- (d) The name and address of the consulting firm retained to prepare the Draft EIR, if applicable; and

- (e) The Environmental Protection Agency ("EPA") list on which the proposed site is located, if applicable, and the corresponding information from the applicant's statement. (See Guidelines Section 2.04.)

#### **7.04 PREPARATION OF DRAFT EIR.**

The School District as Lead Agency is responsible for preparing a Draft EIR, and may begin preparation immediately without awaiting responses to the Notice of Preparation. However, information communicated to the School District not later than thirty (30) days after receipt of the School District's Notice of Preparation shall be included in the Draft EIR.

#### **7.05 TIMING OF PREPARATION OF EIR.**

The School District as Lead Agency is not required to prepare a Draft EIR during the course of selection of a new site for a school. It is sufficient if the School District completes a Draft EIR prior to the acquisition of a new school site.

#### **7.06 CONSULTATION WITH OTHER AGENCIES AND PERSONS.**

To expedite consultation in response to the Notice of Preparation, the School District as Lead Agency, a Responsible Agency, or a project applicant may request a meeting among the agencies involved to assist the School District in determining the scope and content of the environmental information that Responsible Agencies may require. The School District must convene the meeting as soon as possible but no later than thirty (30) days after the request. Prior to completion of the Draft EIR, the School District shall consult with each Responsible Agency and any public agency which has jurisdiction by law over the project. The School District shall also consult with any city or county which borders the project or within which the project is located, unless otherwise designated annually by agreement between the School District and any other city or county. The School District may also consult with any individual who has special expertise with respect to any environmental impacts involved with a project. The School District may also consult directly with any person or organization it believes will be concerned with the environmental effects of the project including any interested individuals and organizations of which the School District is reasonably aware. The purpose of this consultation is to "scope" the EIR's range of analysis.

For a project of statewide, regional, or areawide significance as defined in State Guidelines Section 15206, the School District shall hold at least one scoping meeting. Likewise, for a project that may affect highways or other facilities under the jurisdiction of the State Department of Transportation, the School District shall hold a scoping meeting if requested to do so by the Department of Transportation. See Guidelines Section 5.04 for more information on these requirements.

A Responsible Agency or other public agency shall only make comments regarding those activities within its area of expertise or which are required to be carried out or approved by it. These comments must be supported by specific documentation. Any mitigation measures submitted to the School District by a Responsible or Trustee Agency shall be limited to measures which mitigate impacts to resources which are within the Responsible or Trustee Agency's authority.

For projects where federal involvement might require preparation of an Environmental Impact Statement ("EIS") under the National Environmental Policy Act ("NEPA"), the School District as Lead Agency shall consult with the appropriate federal agencies as provided in Section 15110 and Sections 15220- 15228 of the State Guidelines. In addition, the School District shall notify the appropriate federal agencies regarding any scoping meetings for proposed projects that require preparation of an EIS.

#### **7.07 EARLY CONSULTATION ON PROJECTS INVOLVING PERMIT ISSUANCE.**

Where the project involves issuance of a lease, permit, license, certificate or other entitlement for use by one or more public agencies, the School District, upon request of the applicant, shall meet with the applicant prior to the filing of the application regarding the range of actions, potential alternatives, mitigation measures and significant effects to be analyzed in depth in the EIR. The School District may also consult with concerned persons identified by the applicant and persons who have made written requests to be consulted. Such requests must be made not later than thirty (30) days after the School District's decision to prepare an EIR.

#### **7.08 AIRPORT LAND USE PLAN.**

When the School District prepares an EIR for a project within the boundaries of a comprehensive airport land use plan or, if such a plan has not been adopted for a project within two (2) nautical miles of a public airport or public use airport, the School District shall utilize the Airport Land Use Planning Handbook published by Caltrans' Division of Aeronautics to assist in the preparation of the EIR relative to potential airport or related safety hazards and noise problems.

#### **7.09 GENERAL ASPECTS OF AN EIR.**

Both a Draft and Final EIR must contain the information outlined in Guidelines Section 7.13. Each element must be covered, and when elements are not separated into distinct sections, the document must state where in the document each element is covered.

The body of the EIR shall include summarized technical data, maps, diagrams and similar relevant information. Highly technical and specialized analyses and data should be included in appendices. Appendices may be prepared in separate volumes, but must be equally available to the public for examination. All documents used in preparation of the EIR must be referenced. An EIR shall not include "trade secrets," locations of archaeological sites and sacred lands, or any other information subject to the disclosure restrictions of the Public Records Act (Government Code Section 6250, et seq.).

The EIR should discuss environmental effects in proportion to their severity and probability of occurrence. Effects dismissed in the Initial Study as clearly insignificant and unlikely to occur need not be discussed.

The Initial Study should be used to focus the EIR so that the EIR identifies and discusses only the specific environmental problems or aspects of the project which have been identified as potentially significant or important. A copy of the Initial Study shall be attached to the EIR to provide a basis for limiting the impacts discussed.

The EIR shall contain a statement briefly indicating the reason for determining that various effects of a project that could possibly be considered significant were not found to be significant and consequently were not discussed in detail in the EIR. The School District should also note any conclusion by it that a particular impact is too speculative for evaluation.

The EIR should omit unnecessary descriptions of projects and emphasize feasible mitigation measures and alternatives to projects.

#### **7.10 USE OF REGISTERED CONSULTANTS IN PREPARING EIRS.**

An EIR is not a technical document that can be prepared only by a registered consultant or professional. However, state statutes may provide that only registered professionals can prepare certain technical studies which will be used in or which will control the detailed design, construction, or operation of the proposed project and which will be prepared in support of an EIR.

#### **7.11 INCORPORATION BY REFERENCE.**

An EIR may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Any incorporated document shall be considered to be set forth in full as part of the text of the EIR. Where part of another document is incorporated by reference, that document shall be made available to the public for inspection at the School District's offices. The EIR shall state where incorporated documents will be available for inspection.

Where an EIR uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible, or briefly described if the data or information cannot be summarized. When information from an EIR that has previously been reviewed through the state review system ("State Clearinghouse") is incorporated by the School District, the state identification number of the incorporated document should be included in the summary or text of the EIR.

#### **7.12 STANDARDS FOR ADEQUACY OF AN EIR.**

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which takes into account the environmental consequences of the project. The evaluation of environmental effects need not be exhaustive, but must be within the scope of what is reasonably feasible. The EIR should be written and presented in such a way that it can be understood by governmental decision makers and members of the public. A good faith effort at completeness is necessary. The adequacy of an EIR is assessed in terms of what is reasonable in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a Lead Agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors.

There is no need to unreasonably delay adoption of an EIR in order to include results of studies in progress, even if those studies will shed some additional light on subjects related to the project.



### 7.13 FORM AND CONTENT OF EIR.

The text of the EIR should normally be less than 150 pages. For proposals of unusual scope or complexity, the EIR should normally be less than 300 pages. The required contents of an EIR are set forth in Sections 15122 through 15132 of the State Guidelines. Briefly summarizing each of those requirements, an EIR shall contain:

- (a) A table of contents or an index.
- (b) A brief summary of the proposed project and its environmental impacts.
- (c) A description of the proposed project, including its underlying purpose and a list of permit and other approvals required to implement the project. (See Guidelines Section 7.18 regarding analysis of future project expansion.)
- (d) A description of the project's physical environmental conditions from both a local and regional perspective at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time environmental analysis begins. (State Guidelines Section 15125.) This environmental setting will normally constitute the baseline physical conditions by which the School District determines whether an impact is significant. However, the School District may choose any baseline that is appropriate as long as the School District's choice of baseline is supported by substantial evidence.
- (e) A discussion of any inconsistencies between the proposed project and applicable general and regional plans.
- (f) A description of the direct and indirect significant environmental impacts of the proposed project explaining which, if any, can be avoided or mitigated to a level of insignificance, indicating reasons that various possible significant effects were determined not to be significant and denoting any significant effects which are unavoidable or could not be mitigated to a level of insignificance. Direct and indirect significant effects shall be clearly identified and described, giving due consideration to both short-term and long-term effects.
- (g) An analysis of a range of alternatives to the proposed project which could feasibly attain the project's objectives as discussed in Guidelines Section 7.16.
- (h) A description of any significant irreversible environmental changes which would be involved in the proposed action should it be implemented if, and only if, the EIR is being prepared in connection with:
  - (1) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;
  - (2) The adoption by a Local Agency Formation Commission of a resolution making determinations; or
  - (3) A project which will be subject to the requirement for preparing an Environmental Impact Statement pursuant to the National Environmental Policy Act.
- (i) An analysis of the growth-inducing impacts of the proposed action. The discussion should include ways in which the project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

- (j) A discussion of any significant, reasonably anticipated future developments and the cumulative effects of all proposed and anticipated action as discussed in Guidelines Section 7.18.
- (k) In certain situations, a regional analysis should be completed for certain impacts, such as air quality.
- (l) A discussion of any economic or social effects, to the extent that they cause or may be used to determine significant environmental impacts.
- (m) A statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and, therefore, were not discussed in the EIR.
- (n) The identity of all federal, state or local agencies or other organizations and private individuals consulted in preparing the EIR, and the identity of the persons, firm or agency preparing the EIR, by contract or other authorization. To the fullest extent possible, the School District should integrate CEQA review with these related environmental review and consultation requirements.
- (o) A discussion of those potential effects of the proposed project on the environment which the School District has determined are or may be significant. The discussion on other effects may be limited to a brief explanation as to why those effects are not potentially significant.
- (p) A description of feasible measures, as set forth in Guidelines Section 7.15, which could minimize significant adverse impacts.

#### **7.14 ANALYSIS OF CUMULATIVE IMPACTS.**

An EIR must discuss cumulative impacts when the project's incremental effect is "cumulatively considerable" as defined in Guidelines Section 10.10. Where the School District is examining a project with an incremental effect that is not "cumulatively considerable," it need not consider that effect significant, but must briefly describe the basis for this conclusion. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure designed to alleviate the cumulative impact. The School District must identify facts and analysis supporting its conclusion that the cumulative impact is less than significant.

- (a) A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR.
- (b) The discussion of cumulative impacts in an EIR must focus on the cumulative impact to which the identified other projects contribute, rather than the attributes of other projects which do not contribute to the cumulative impact. The discussion of significant cumulative impacts must meet either of the following elements:
  - (1) A list of past, present, and probable future projects causing related or cumulative impacts including, if necessary, those projects outside the control of the School District; or
  - (2) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted

or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.

- (c) When utilizing a list, as suggested above, factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined and the location and type of project. Location may be important, for example, when water quality impacts are involved since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.
- (d) The School District should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.
- (e) A cumulative impacts discussion contained in previously certified EIRs may be incorporated by reference pursuant to the provisions for tiering and program EIRs.

#### **7.15 ANALYSIS OF MITIGATION MEASURES.**

The discussion of mitigation measures in an EIR must distinguish between measures proposed by project proponents and other measures proposed by Lead, Responsible or Trust Agencies. This discussion shall identify mitigation measures for each significant environmental effect identified in the EIR.

Where several measures are available to mitigate an impact, each should be disclosed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effects of the project and which may be accomplished in more than one specified way.

If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be disclosed but in less detail than the significant effects of the project itself.

If a project includes a housing development, the School District may not reduce the project's proposed number of housing units as a mitigation measure or project alternative if the School District determines that there is another feasible specific mitigation measure or project alternative that would provide a comparable level of mitigation without reducing the number of housing units.

Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. In the case of the adoption of a plan, policy, regulating, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design. Mitigation measures must also be consistent with all applicable constitutional requirements such as the "nexus" and "rough proportionality" standards.

Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with

Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (1995), Weeks and Grimmer, the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus is not significant.

The School District should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors must be considered and discussed in an EIR for a project involving such an archaeological site:

- (a) Preservation in place is the preferred manner of mitigating impacts to archaeological sites.
- (b) Preservation in place may be accomplished by, but is not limited to, the following:
  - (1) Planning construction to avoid archaeological sites;
  - (2) Incorporation of sites within parks, green space, or other open spaces;
  - (3) Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site;
  - (4) Deeding the site into a permanent conservation easement.

When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to excavation. Such studies must be deposited with the California Historical Resources Regional Information Center.

Data recovery shall not be required for a historical resource if the School District determines that existing testing or studies have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center.

#### **7.16 ANALYSIS OF ALTERNATIVES IN AN EIR.**

The alternatives analysis must describe and evaluate the comparative merits of a range of reasonable alternatives to the project or to the location of the project which would feasibly attain most of the basic objectives of the project, but which would avoid or substantially lessen any of the significant effects of the project. An EIR need not consider every conceivable alternative to a project, and it need not consider alternatives which are infeasible. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.

**Purpose of the Alternatives Analysis:** An EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment. For this reason, a discussion of alternatives must focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effect of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.

**Selection of a Range of Reasonable Alternatives:** The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic

purposes of the project and could avoid or substantially lessen one or more of the significant effects, even if those alternatives would be more costly or would impede to some degree the attainment of the project's objectives. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the School District and rejected as infeasible during the scoping process, and briefly explain the reasons for rejection. Additional information explaining the choice of alternatives should be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (a) failure to meet most of the basic project objectives; (b) infeasibility; or (c) inability to avoid significant environmental impacts.

**Evaluation of Alternatives:** The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed but in less detail than the significant effects of the project as proposed.

**The Rule of Reason:** The range of alternatives required in an EIR is governed by a "rule of reason" which courts have held means that an alternatives discussion must be reasonable in scope and content. Therefore, the EIR must set forth only those alternatives necessary to permit public participation, informed decision making, and a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones the School District determines could feasibly attain most of the basic objectives of the project. An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.

**Feasibility of Alternatives:** The factors that may be taken into account when addressing the feasibility of alternatives include: site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries (projects with a regionally significant impact should consider the regional context); and whether the proponent already owns the alternative site or can reasonably acquire, control or otherwise have access to the site. No one factor establishes a fixed limit on the scope of reasonable alternatives.

**Alternative Locations:** The first step in the alternative location analysis is to determine whether any of the significant effects of the project could be avoided or substantially lessened by putting the project in another location. This is the key question in this analysis. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.

The second step in this analysis is to determine whether any of the alternative locations are feasible. If the School District concludes that no feasible alternative locations exist, it must disclose its reasons, and it should include them in the EIR. Where a previous document has sufficiently analyzed a range of reasonable alternative locations and environmental impacts for a

project with the same basic purpose, the School District should review the previous document. To the extent the circumstances have remained substantially the same with respect to an alternative, the EIR may rely on the previous document to help it assess the feasibility of the potential project alternative.

**The “No Project” Alternative:** The specific alternative of “no project” must be evaluated along with its impacts. The purpose of describing and analyzing the no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis, therefore, is normally not the baseline for determining whether the proposed project’s environmental impacts may be significant. The no project alternative will be the baseline only if it is identical to the existing environmental setting and the School District has chosen the existing environmental setting as the baseline.

A discussion of the “no project” alternative should proceed along one of two lines:

- (a) When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future. Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.
- (b) If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the “no project” alternative is the circumstance under which the project does not proceed. This discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project would result in predictable actions by others, such as the proposal of some other project, this “no project” consequence should be discussed.

After defining the no project alternative, the School District should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the “no project” alternative is the environmentally superior alternative, the EIR must also identify another environmentally superior alternative among the remaining alternatives.

**Remote or Speculative Alternatives:** An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.

#### **7.17 HAZARDOUS SUBSTANCE EVALUATION FOR SCHOOL SITES; DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC) INVOLVEMENT WITH STATE FUNDED PROJECTS.**

Prior to the approval of an EIR involving the purchase of a school site or the construction of a new elementary or secondary school, the School District must include information in the EIR as necessary to determine if the property is any of the following:

- (a) The site of a current or former hazardous waste disposal site or solid waste disposal site and, if so, whether the waste has been removed.
- (b) A hazardous waste substance release site identified by the State Department of Health Services as listed in Section 25356 of the California Health and Safety Code for removal or remedial action pursuant to Section 25300, et seq., of the California Health and Safety Code.
- (c) A site which contains one or more pipelines, situated underground or aboveground, which carries hazardous substances, acutely hazardous materials, or hazardous waste, unless the pipeline is a natural gas pipeline which is used only to supply natural gas to that school or neighborhood.

On projects involving the acquisition of real property for a new school site or construction on an existing site owned or leased by the School District which projects will involve new construction funding pursuant to the Leroy F. Greene School Facilities Act of 1998 the School District need not comply with the requirements of (a) through (c) above, but shall comply with the DTSC assessment requirements specified in Education Code Sections 17213.1 and 17213.2.

#### **7.18 ANALYSIS OF FUTURE EXPANSION.**

An EIR must include an analysis of the environmental effects of future expansion (or other similar future modifications) if there is credible and substantial evidence that:

- (a) The future expansion or action is a reasonably foreseeable consequence of the initial project; and
- (b) The future expansion or action is likely to change the scope or nature of the initial project or its environmental effects.

Absent these two circumstances, future expansion of a project need not be discussed. CEQA does not require speculative discussion of future development which is unspecific or uncertain. However, if future action is not considered now, it must be considered and environmentally evaluated before it is actually implemented.

#### **7.19 NOTICE OF COMPLETION OF DRAFT EIR.**

Upon completion of a Draft EIR, Staff shall file a Notice of Completion (Form "H") with the Office of Planning and Research in a printed hard copy or in electronic form on a diskette or by electronic mail transmission. The School District is encouraged to make copies of filed notices available in electronic format on the Internet. Such electronic postings are in addition to the procedures required by the CEQA Guidelines and the Public Resources Code. The Notice shall contain a brief description of the proposed project, the location of the proposed project, current land use, development type and project issues discussed in the EIR.

The School District shall provide public notice of the completion of a Draft EIR at the same time it sends a Notice of Completion to the Office of Planning and Research. The Notice of Availability of Draft EIR (Form "K") shall specify the period during which comments will be received on the Draft EIR, the date, time and place of any public hearings on the proposed project, a brief description of the project and its location, the significant effects on the

environment, if any, anticipated as a result of the project, and the address where copies of the Draft EIR and all documents referenced in the Draft EIR are available for review. Public agencies are encouraged to make copies of filed Notices of Completion available in electronic format on the Internet.

Notice shall be given to the last known name and address of all organizations and individuals who have previously requested it. In addition, notice shall be given by at least one of the following procedures:

- (a) Publication at least once in a newspaper of general circulation in the area affected by the proposed project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.
- (b) Posting of notice on and off site in the area where the project is to be located.
- (c) Direct mailing to owners and occupants of property contiguous to the project, as identified on the latest equalized assessment roll.

The Notice shall be posted in the office of the Clerk in each county in which the project is located for a period of thirty (30) days. The Clerk must post the Notice within twenty-four (24) hours of receipt. Notice shall be mailed to any person who has filed a written request with the School District. The School District may require these requests to be renewed annually and may charge a fee for the reasonable cost of providing this service. A project will not be invalidated due to a failure to send a requested notice provided there has been substantial compliance with these notice provisions.

Copies of the Draft EIR shall also be made available at the School District office for review by members of the general public. Any person obtaining a copy of the Draft EIR shall reimburse the School District for the actual cost of its reproduction. Copies of the Draft EIR should also be furnished to appropriate public library systems.

#### **7.20 SUBMISSION OF DRAFT EIR TO STATE CLEARINGHOUSE.**

A Draft EIR must be submitted to the State Clearinghouse for review by state agencies in the following situations:

- (a) The Draft EIR is prepared by a Lead Agency which is a state agency.
- (b) The Draft EIR is prepared by a public agency where a state agency is a Responsible Agency, Trustee Agency, or otherwise has jurisdiction by law with respect to the project.
- (c) The Draft EIR is for a project identified in State Guidelines Section 15206 as being of statewide, regional, or areawide significance.

State Guidelines Section 15206 identifies the following types of projects as being of statewide, regional, or areawide significance and requiring submission to the State Clearinghouse for circulation:

- General plans, elements, or amendments for which an EIR was prepared.
- Projects which have the potential for causing significant environmental effects beyond the city or county where the project would be located, such as:



- Residential development of more than 500 units.
- Commercial projects employing more than 1,000 persons or covering more than 500,000 square feet of floor space.
- Office building projects employing more than 1,000 persons or covering more than 250,000 square feet of floor space.
- Hotel or motel development of more than 500 rooms.
- Industrial projects housing more than 1,000 persons, occupying more than 40 acres of land, or covering more than 650,000 square feet of floor area.
- Projects for the cancellation of a Williamson Act contract covering more than 100 acres.
- Projects in one of the following Environmentally Sensitive Areas:
  - Lake Tahoe Basin.
  - Santa Monica Mountains Zone.
  - Sacramento-San Joaquin River Delta.
  - Suisun Marsh.
  - Coastal Zone, as defined by the California Coastal Act.
  - Areas within one-quarter mile of a river designated as wild and scenic.
  - Areas within the jurisdiction of the San Francisco Bay Conservation and Development Commission.
- Projects which would affect sensitive wildlife habitats or the habitats of any rare, threatened, or endangered species.
- Projects which would interfere with water quality standards.
- Projects which would provide housing, jobs, or occupancy for 500 or more people within 10 miles of a nuclear power plant.

A Draft EIR may be submitted to the State Clearinghouse where a state agency has special expertise with regard to the environmental impacts involved.

Where the Draft EIR will be reviewed through the State review process handled by the State Clearinghouse, use a Notice of Completion (Form "H") as a cover sheet. A sufficient number of copies of the documents must be sent to the State Clearinghouse for circulation. Staff should contact the State Clearinghouse to find out the correct number of printed copies required for circulation. In addition to the printed copies, a copy of the documents in electronic format shall be submitted on a diskette or by electronic mail transmission if available.

#### **7.21 SPECIAL NOTICE REQUIREMENTS FOR WASTE AND FUEL BURNING PROJECTS.**

For any waste burning project, as defined in Guidelines Section 5.10, Notice of Completion shall be given to all organizations and individuals who have previously requested notice. In addition, Notice shall be given by direct mailing to the owners and occupants of property within one-fourth mile of any parcel or parcels on which such a project is located.

#### **7.22 REVIEW OF DRAFT EIR BY OTHER AGENCIES AND PERSONS.**

Upon the filing and posting of a Notice of Completion, Staff shall consult with and obtain comments from each Responsible Agency, Trustee Agency, and any other public agency having

jurisdiction by law over resources which may be affected by the project. Those public agencies having jurisdiction by law over the project shall include, but are not necessarily limited to:

- (1) Any city or county bordering the project area;
- (2) Transportation planning agencies and public agencies with transportation facilities located within the project area;
- (3) The State Department of Water Resources, when a project is located within one mile of a facility of the State Water Resources Development System.

Staff may also consult with and obtain comments from any person known to have special expertise with respect to any environmental impact involved whose comments relative to the Draft EIR would be desirable. Staff may also consult with any member of the public who has filed a written request for notice with the School District and any person whom the project applicant believes will be concerned with the environmental effects of the project.

When a redevelopment agency establishes or amends its redevelopment plan and the project area contains land in agricultural use, the agency shall also send a copy of the Draft EIR to those specific agricultural and farm agencies and organizations as required by Health and Safety Code Section 33333.3.

#### **7.23 TIME FOR REVIEW OF DRAFT EIR; FAILURE TO COMMENT.**

A period of between thirty (30) and sixty (60) days from the filing of the Notice of Completion of the Draft EIR shall be allowed for review of and comment on the Draft EIR, except in unusual situations. If a state agency is a Responsible Agency, or if the Draft EIR is submitted to the State Clearinghouse, the review period shall be at least forty-five (45) days. When a Draft EIR is submitted to the State Clearinghouse for review, the public review period shall be at least as long as the period of review established by the State Clearinghouse.

A shorter review period of the Draft EIR by the State Clearinghouse can be requested by the School District; however, a shortened review period shall not be less than thirty (30) days for a Draft EIR. Any request for a shortened review period must be made in writing by the School District to the Office of Planning and Research. The School District may designate a person to make these requests.

A shortened review period is not available for any proposed project of statewide, regional or areawide environmental significance as determined pursuant to State Guidelines Section 15206. Any approval of a shortened review period shall be given prior to, and reflected in, the public notices.

In the event a public agency, group, or person whose comments on a Draft EIR are solicited fails to comment within the required time period, it shall be presumed that such agency, group, or person has no comment to make, unless the lead agency has received a written request for a specific extension of time for review and comment, and a statement of reasons for the request.

Continued planning activities concerning the proposed project, short of formal approval, may continue during the period set aside for review and comment on the Draft EIR.

## **7.24 PUBLIC HEARING ON DRAFT EIR.**

A public hearing on the Draft EIR document is not required by CEQA but may be held by the decision making body either in separate proceedings or in conjunction with other proceedings of the School District. The procedures for the manner of conducting the public hearings shall be described at the time the hearing convenes.

The Draft EIR should be used as the outline for discussion at the public hearing. If a public hearing is held, it shall be conducted at least fourteen (14) days after the filing of the Notice of Completion, but in no event after the time set for expiration of the comment period.

Public notice of the time and place of the hearing shall be posted in a conspicuous location at the School District Office and published in a newspaper of general circulation at least fourteen (14) days in advance of the hearing. The Notice also shall indicate the locations at which the Draft EIR is available for review. To the extent that the School District maintains an Internet web site, notice of all public hearings should be made available in electronic format on that site.

## **7.25 RESPONSE TO COMMENTS ON DRAFT EIR.**

The School District as Lead Agency shall evaluate any comments on environmental issues received during the public review period for the Draft EIR and shall prepare a written response to those comments. As stated below, the School District should also consider evaluating and responding to any comments received after the public review period. The response of the School District may take the form of a revision of the Draft EIR, an attachment to the Draft EIR, or some other oral or written response which is adequate under the circumstances of the project. The response must describe the disposition of any significant environmental issues raised in the comment, such as revisions to the proposed project which mitigate anticipated impacts or objections. If the School District's position is at variance with specific recommendations or suggestions raised in the comment, the School District's response must detail the reasons why such recommendations or suggestions were not accepted. Moreover, the School District shall respond to any specific suggestions for project alternatives or mitigation measures for significant impacts, unless such alternatives or mitigation measures are facially infeasible. The response shall contain recommendations, when appropriate, to alter the project as described in the Draft EIR as a result of an analysis of the comments received.

Comments submitted via email shall be treated as written comments for all purposes. Comments sent to the public agency via email are deemed received when they actually arrive in an email account of a staff person who has been designated or identified as the point of contact for a particular project.

At least ten (10) days prior to certifying a Final EIR, the School District shall provide a written response to any public agency which has made comments on the Draft EIR. The School District is not required to respond to comments received after the public review period. However, the School District should consider responding to all comments if it will not delay action on the Final EIR, since any comment received before final action on the EIR can form the basis of a legal challenge. A written response which refutes the comment or adequately explains

the School District's action in light of the comment, will assist the School District in defending against a legal challenge.

#### **7.26 PREPARATION AND CONTENTS OF FINAL EIR.**

Following the receipt of any comments on the Draft EIR as required herein, such comments shall be evaluated by Staff and a Final EIR shall be prepared.

The Final EIR shall meet all requirements of Guidelines Sections 7.12 and 7.13 and shall consist of the Draft EIR or a revision of the Draft, a section containing either verbatim or in summary the comments and recommendations received through the review and consultation process, a list of persons, organizations and public agencies commenting on the Draft, and a section containing the responses of the School District to the significant environmental points raised in the review and consultation process.

#### **7.27 RECIRCULATION WHEN NEW INFORMATION IS ADDED TO EIR.**

When significant new information is added to the EIR after notice and consultation, but before certification, the School District shall give Notice of Preparation of the Draft EIR again pursuant to Guidelines Section 7.03 and shall recirculate the Draft EIR for another public review period. The term "information" can include changes in the project or environmental setting as well as additional data or other information. The School District shall also consult again with those persons contacted pursuant to Guidelines Section 7.19 before certifying the EIR.

New information is significant only when the EIR is changed in a way that would deprive the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of a project or a feasible way to mitigate or avoid such an effect, including a feasible project alternative, that the project proponents decline to implement. Recirculation is required, for example, when: (1) new information added to an EIR discloses (a) a new significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented, (b) a significant increase in the severity of an environmental impact (unless mitigation measures are also adopted that reduce the impact to a level of insignificance), or (c) a feasible project alternative or mitigation measure that clearly would lessen the significant environmental impacts of the project, but which the project proponents decline to adopt; or (2) the Draft EIR is so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. If the revision is limited to a few chapters or portions of the EIR, the School District as Lead Agency need only recirculate the chapters or portions that have been modified. A decision to not recirculate an EIR must be supported by substantial evidence in the record.

Recirculating an EIR can result in the School District receiving more than one set of comments from reviewers. When the EIR is substantially revised and the entire EIR is recirculated, the School District may require that reviewers submit new comments and need not respond to those comments received during the earlier circulation period. The School District shall advise reviewers, either within the text of the revised EIR or by an attachment to the revised

EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The School District need only respond to those comments submitted in response to the recirculated revised EIR. The School District must send to every agency, person, or organization that commented on the prior draft EIR a notice of the recirculation specifying that new comments must be submitted.

When the EIR is revised only in part and the School District is recirculating only the revised chapters or portions of the EIR, the School District may request that reviewers limit their comments to the revised chapters or portions. The School District need only respond to (1) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated; and (2) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated. The School District's request that reviewers limit the scope of their comments shall be included either within the text of the revised EIR or by an attachment to the revised EIR.

When recirculating a revised EIR, either in whole or in part, the School District must, in the revised EIR or by an attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR.

#### **7.28 CERTIFICATION OF FINAL EIR.**

Following the preparation of the Final EIR, Staff shall review the Final EIR and make a recommendation to the Board regarding whether the Final EIR is in order and whether it has been completed in compliance with CEQA, the State Guidelines and the School District's Guidelines. The Final EIR and Staff recommendation shall then be presented to the Board. The Board shall independently review and analyze the Final EIR, and determine that the Final EIR reflects its independent judgment. The Board shall certify and find that: (1) the Final EIR has been completed in compliance with CEQA, the State Guidelines and the School District's Guidelines; (2) the Board has reviewed and analyzed the Final EIR before approving the project; and (3) the Final EIR reflects the independent judgment of the School District.

#### **7.29 CONSIDERATION OF EIR BEFORE APPROVAL OR DISAPPROVAL OF PROJECT.**

The EIR shall be reviewed and considered by the decision making body before it approves or disapproves the proposed project for which the EIR was prepared. The decision making body may then proceed to consider the proposed project for purposes of approval or disapproval. Separately or in conjunction with its action approving or disapproving the project, the decision making body shall certify that it has reviewed and considered the information contained in the EIR.

#### **7.30 FINDINGS.**

The decision making body shall not approve or carry out a project if a completed EIR identifies at least one significant effect of the project unless it makes one or more of the following written findings for each such significant effect, accompanied by a statement of the facts supporting each finding. Findings must be supported by substantial evidence in the record.

- (a) That changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment, and which are fully enforceable through permit conditions, agreements, or other measures. These mitigation measures must be expressly adopted or rejected in the EIR. There should be a description of the specific reasons for rejecting identified mitigation measures. Passing references to mitigation measures in other sections of the EIR, or in a Statement of Overriding Considerations, are not sufficient.
- (b) That such changes or alterations are within the responsibility and jurisdiction of another public agency and not the School District. Such changes have been, or can and should be, adopted by that other agency.
- (c) That specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. The decision making body must make specific written findings stating why it has rejected an alternative to the project as infeasible.

If any of the proposed alternatives could avoid or lessen an adverse impact for which no mitigation measures are proposed, the School District shall analyze the feasibility of such alternative(s). If the project is to be approved without including such alternative(s), the School District shall find that specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the Final EIR and shall list such considerations before such approval.

The decision making body shall not approve or carry out a project as proposed unless (1) the project as approved will not have a significant effect on the environment or (2) its significant environmental effects have been eliminated or substantially lessened (as determined through one or more of the findings indicated above), and any remaining, unavoidable significant effects have been found acceptable because of facts and circumstances described in a Statement of Overriding Considerations (See Guidelines Section 7.32). Statements in the Draft EIR or comments on the Draft EIR are not determinative of whether the project will have significant effects.

When making the findings required by subdivision (a) of this section, the School District as Lead Agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which it based its decision.

#### **7.31 SPECIAL FINDINGS REQUIRED FOR PURCHASE OF OR CONSTRUCTION ON SCHOOL SITES**

No Environmental Impact Report or Negative Declaration shall be approved for any project involving the purchase of a school site or the construction of a new elementary or secondary school by a school district unless both of the following occur:

- (a) The School District, as Lead Agency, in preparing the EIR or Negative Declaration has consulted with the city in which the proposed school site is located, or with the county in which the proposed school site is located if the proposed site is in an unincorporated area, and with any air pollution control district or air quality management district having

jurisdiction in the area, to identify facilities within one-fourth of a mile of the proposed school site which might reasonably be anticipated to emit hazardous or acutely hazardous air emissions; and

(b) The School District Board has made one of the following two findings in writing:

- (1) Consultation identified no such facilities; or
- (2) Those facilities exist, but the health risks from the facilities do not and will not constitute an actual or potential health danger to persons who would attend or be employed at the school.

(c) Definitions:

- (1) "Hazardous air emissions" means any substance released into the air which is on the list prepared pursuant to Section 25532(a) and Section 44321 of the Health and Safety Code.
- (2) "Acutely hazardous air emissions" means any substance released into the air defined by Section 25532(a) of the Health and Safety Code.

(d) When the project involves the purchase of a school site or the construction of a secondary or elementary school, the Negative Declaration or EIR shall not be approved or certified by the School District Board unless:

(1) The Negative Declaration or EIR contains sufficient information to determine whether the property is:

- (i) The site of a current or former hazardous waste or solid waste disposal facility and, if so, whether wastes have been removed.
- (ii) A hazardous substance release site identified by the Department of Toxic Substances Control in a current list adopted pursuant to Health and Safety Code Section 25356 for removal or remedial action pursuant to Health and Safety Code Section 25300, *et seq.*
- (iii) The site of one or more buried or above ground pipelines which carry hazardous substances, acutely hazardous materials, or hazardous wastes, as defined in Division 20 of the Health and Safety Code. This does not include a natural gas pipeline used only to supply the school or neighborhood.

(2) The School District has notified in writing and consulted with the county or city administering agency (as designated pursuant to Health and Safety Code Section 25502) and with any air pollution control district or air quality management district having jurisdiction, to identify facilities within one-fourth mile of the proposed school site which might reasonably be anticipated to emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste. The notice shall include a list of the school sites for which information is sought. Each agency or district receiving notice shall provide the requested information and provide a written response to the School District within thirty (30) days of receiving the notification. If any such agency or district fails to

respond within that time, the Negative Declaration or EIR shall be conclusively presumed to comply with the requirements set forth in this Guidelines Section 7.31(d) as to the area of responsibility of that agency.

(3) The School District Board makes, on the basis of substantial evidence, one of the following written findings;

- (i) Consultation identified none of the facilities specified in Guidelines Section 7.31(d)(2);
- (ii) The facilities specified in Guidelines Section 7.31(d)(2) exist, but one of the following conditions applies:

- The health risks from the facilities do not and will not constitute an actual or potential endangerment of public health to persons who would attend or be employed at the proposed school;
- Corrective measures will, before the school is occupied, mitigate all hazardous air emissions to levels that do not constitute any actual or potential public health danger to persons who would attend or be employed at the proposed school. When the School District Board makes such a finding, it shall also make a subsequent finding prior to occupancy of the school, that the emissions have been so mitigated.

### **7.32 STATEMENT OF OVERRIDING CONSIDERATIONS.**

Whenever a project approved by the decision making body will cause unmitigated significant environmental effects, the decision making body must adopt a Statement of Overriding Considerations. A Statement of Overriding Considerations allows the decision making body to approve a project despite one or more unmitigated significant environmental impacts identified in the Final EIR. A Statement of Overriding Considerations can be made only if feasible project alternatives or mitigation measures do not exist to reduce the environmental impact(s) to a level of insignificance and the benefits of the project outweigh the adverse environmental effect(s). The feasibility of project alternatives or mitigation measures is determined by whether the project alternative or mitigation measure can be accomplished within a reasonable period of time, taking into account economic, environmental, social, legal and technological factors. Project benefits which are appropriate to consider include the economic, environmental, technological and social value of the project.

Substantial evidence in the entire record must justify the decision making body's findings and its use of the Statement of Overriding Considerations. If the decision making body makes a Statement of Overriding Considerations, the statement must be included in the record of the project approval and mentioned in the Notice of Determination.

### **7.33 MITIGATION REPORTING OR MONITORING PROGRAM FOR EIR.**

When making the findings required by subdivision (a) of Guidelines Section 7.30, the School District must do all of the following:



- (a) adopt a reporting or monitoring program to assure that mitigation measures which are required to mitigate or avoid significant effects on the environment will be implemented by the project proponent or other responsible party in a timely manner, in accordance with conditions of project approval;
- (b) make sure all conditions and mitigation measures are feasible and fully enforceable through permit conditions, agreements, or other measures. Such permit conditions, agreements, and measures must be consistent with applicable constitutional requirements such as the "nexus" and "rough proportionality" standards established by the case; and
- (c) specify the location and the custodian of the documents which constitute the record of proceedings upon which the School District based its decision in the resolution certifying the EIR.

There is no requirement that the reporting or monitoring program be circulated for public review; however, the School District may choose to circulate it for public comments along with the Draft EIR. The mitigation measures required to mitigate or avoid significant effects on the environment must be adopted as conditions of project approval.

The adequacy of a mitigation monitoring program is determined by the "rule of reason." This means that a mitigation monitoring program does not need to provide every imaginable measure. It needs only to provide measures that are reasonably feasible.

This reporting or monitoring program shall be designed to assure compliance during the implementation or construction of a project. If a Responsible Agency or Trustee Agency has required that certain conditions be incorporated into the project, the School District may request that agency to prepare and submit a proposed reporting or monitoring program. The School District shall also require that prior to the close of the public review period for a Draft EIR (See Guidelines Section 7.23), the Responsible or Trustee Agency submit detailed performance objectives for mitigation measures, or refer the School District to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to the School District by a Responsible or Trustee Agency shall be limited to measures which mitigate impacts to resources which are within the Responsible or Trustee Agency's authority.

Transportation information resulting from the reporting or monitoring program required to be adopted by the School District shall be submitted to the regional transportation planning agency where the project is located and to the Department of Transportation for a project of statewide, regional or areawide significance according to State Guidelines Section 15006. The transportation planning agency and the Department of Transportation are required by law to adopt guidelines for the submittal of these reporting or monitoring programs, so the School District may wish to tailor its submittal to such guidelines.

Local agencies have the authority to levy fees sufficient to pay for this program. Therefore, the School District will charge the project proponent a fee to cover actual costs of program processing and implementation.

The School District may delegate reporting or monitoring responsibilities to an agency or to a private entity which accepts the delegation; however, until mitigation measures have been

completed, the School District remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The School District may choose whether its program will monitor mitigation, report on mitigation, or both. "Reporting" is defined as a written compliance review that is presented to the Council or an authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. Reporting is suited to projects which have readily measurable or quantitative mitigation measures or which already involve regular review. "Monitoring" is generally an ongoing or periodic process of project oversight. Monitoring is suited to projects with complex mitigation measures which may exceed the expertise of the School District to oversee, are expected to be implemented over a period of time, or require careful implementation to assure compliance.

At its discretion, the School District may adopt standardized policies and requirements to guide individually adopted programs. Standardized policies or requirements for monitoring and reporting may describe, but are not limited to:

- (a) The relative responsibilities of various departments within the School District for various aspects of the program.
- (b) The responsibilities of the project proponent.
- (c) Guidelines adopted by the School District to govern preparation of programs.
- (d) General standards for determining project compliance with the mitigation measures and related conditions of approval.
- (e) Enforcement procedures for noncompliance, including provisions for administrative appeal.
- (f) Process for informing the Council and staff of the relative success of mitigation measures and using those results to improve future mitigation measures.

When a project is of statewide, regional, or areawide importance, any transportation information generated by a program must be submitted to the transportation planning agency in the region where the project is located, as well as the Department of Transportation.

#### **7.34 NOTICE OF DETERMINATION.**

Following consideration and approval of a project for which the School District is the Lead Agency, the decision making body shall order Staff to prepare, certify and file, a Notice of Determination (Form "F") which shall contain the following:

- (a) An identification of the project by its common name where possible and its location.
- (b) A brief description of the project.
- (c) The date when the School District approved the project.
- (d) Whether the project in its approved form will have a significant effect on the environment.
- (e) A statement that an EIR was prepared and certified pursuant to the provisions of CEQA.
- (f) Whether mitigation measures were made a condition of the approval of the project.
- (g) Whether findings and/or a Statement of Overriding Considerations was adopted for the project.

- (h) The address where a copy of the EIR (with comments and responses) and the record of project approval may be examined by the general public.

The Notice of Determination shall then be filed, within five (5) working days of the action, with the Clerk of each county in which the project will be located. The Clerk must post the Notice of Determination within twenty-four (24) hours of receipt. The Notice must be posted in the office of the Clerk for a minimum of thirty (30) days. Simultaneously with the filing of the Notice of Determination with the Clerk, Staff shall cause a copy of such Notice to be posted at the School District office. If the project requires discretionary approval from a state agency, the Notice of Determination shall also be filed with the Office of Planning and Research, within five (5) working days of project approval, along with proof of payment of the California Department of Fish and Game fee or Certificate of Fee Exemption (see Guidelines Section 7.37).

The filing and posting by the Clerk of the Notice of Determination usually starts a thirty (30) day statute of limitations on court challenges to the approval under CEQA. If a Notice of Determination is not filed, a 180-day statute of limitations will apply. When a request has been made for a copy of the Notice prior to the date on which the School District certifies the Final EIR, such Notice must be mailed, first class postage prepaid, within five (5) days of the School District's determination. If such a request is made following the School District's determination, then the copy should be mailed in the same manner as soon as possible.

#### **7.35 DISPOSITION OF A FINAL EIR.**

The School District shall file a copy of the Final EIR with the appropriate planning agency of any city or county where significant effects on the environment may occur. The School District shall also retain one or more copies of the Final EIR as a public record for a reasonable period of time. Finally, for private projects, the School District may require that the project applicant provide a copy of the certified Final EIR to each Responsible Agency.

#### **7.36 PRIVATE PROJECT COSTS.**

For private projects, the person or entity proposing to carry out the project shall be charged a reasonable fee to recover the estimated costs incurred by the School District in preparing, circulating, and filing the Draft and Final EIRs, as well as all publication costs incident thereto.

#### **7.37 FILING FEES FOR PROJECTS WHICH AFFECT WILDLIFE RESOURCES.**

At the time a Notice of Determination for an EIR is filed with the Clerk, a fee of \$850 shall be paid to the Clerk for projects which will adversely affect fish and wildlife resources. These fees are collected by the Clerk on behalf of the California Department of Fish and Game ("DFG").

Only one filing fee is required for each project unless the project is tiered or phased and separate environmental documents are prepared. For projects where a Lead Agency and Responsible Agencies file separate Notices of Determination, only the Lead Agency is required to pay the fee.

Note: The Clerk customarily charges a documentary handling fee for each project in addition to the filing fee specified above. Refer to the Index in the Staff Summary to help determine the correct amount.

For private projects, the School District shall pass these costs on to the project applicant.

No fees are required for projects with a "de minimis" effect on fish and wildlife resources, or for certain projects undertaken by the DFG and implemented through a contract with a non-profit entity or local government agency. A project with a "de minimis" effect has no potential for adverse effect on fish and wildlife. This is an important exception. DFG considers the following projects as likely to have "de minimis" effects on fish and wildlife, depending on the specific facts of each project:

- (1) Projects which enhance fish and wildlife and their habitats and result in no accompanying adverse impacts to fish or wildlife;
- (2) Lot line adjustments;
- (3) Building remodeling;
- (4) Annexations;
- (5) Redevelopment on existing urban subdivisions with no wildlife habitat;
- (6) Infill of undeveloped lots;
- (7) Adoption of a General Plan, where CEQA requires a subsequent discretionary project approval before any physical change to natural habitat is permitted.

If the School District believes that a project will have a "de minimis" effect on wildlife resources, it should file the Certificate of Fee Exemption attached as Form "L". This form requires the School District to set forth facts in support of the fee exemption. These facts should include: (1) the name and address of the project proponent; (2) a brief description of the project and its location; (3) a statement that an initial study has been prepared by the School District to evaluate the project's effects on wildlife resources, if any; (4) a declaration that there is no evidence before the School District that the project will have any potential for adverse effect on wildlife resources; and (5) a declaration that the School District has, on the basis of substantial evidence, rebutted the presumption of adverse effect contained in the regulations. A presumption of adverse effect occurs if the project has the potential for adverse effects on the fish and wildlife resources listed on Form "L". To rebut the presumption of adverse effect, the School District should explain in the declaration why the project would not have an adverse impact on fish and wildlife and reference any supporting evidence. These findings should be made at the time of approval of the EIR and attached to Form "L" when submitted to the County. Two copies of Form "L" must be filed with a Notice of Determination in order to obtain the fee exemption.

If the School District believes that a project has been undertaken by the DFG, that the project's costs are payable from one or more of the sources indicated in the Fish and Game Code, and that the project is being implemented through a contract with a non-profit entity or a local government agency, the DFG filing does not apply. Since the DFG has not yet adopted regulations to govern this exemption, including a new "Certificate of Fee Exemption," the School District may wish to use Form L and make appropriate modifications to reflect this exemption.

## **8. TYPES OF EIRS**

### **8.01 PROJECT EIR.**

The most common type of EIR examines the environmental impacts of a specific development project and focuses primarily on the changes in the environment that would result from the development project. This chapter describes a number of examples of various EIRs tailored to different situations. All EIRs must meet the content requirements summarized in Guidelines Section 7.13.

### **8.02 SUBSEQUENT EIR.**

A Subsequent EIR is required when a previous EIR has been prepared and certified or a Negative Declaration has been adopted for a project and at least one of the three following situations occur:

- (a) Substantial changes are proposed in the project which will require major revisions of a previous EIR due to the identification of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (b) Substantial changes occur with respect to the circumstances under which the project is to be undertaken which will require major revisions of a previous EIR due to the identification of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (c) New information, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, becomes available and shows any of the following: (1) the project will have one or more significant effects not discussed in a previous EIR or Negative Declaration; (2) significant effects previously examined will be substantially more severe than shown in a previous EIR; (3) mitigation measures or alternatives previously found not to be feasible are in fact feasible and would substantially reduce one or more significant effects, but the project proponent declines to adopt the mitigation measures or alternatives; or (4) mitigation measures or alternatives which were not considered in a previous EIR would substantially lessen one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

A Subsequent EIR must receive the same circulation and review as the previous EIR received.

When the School District is considering approval of a development project which is consistent with a general plan for which an EIR was completed, another EIR is required only if the project causes environmental effects peculiar to the parcel which were not addressed in the prior EIR, or which substantial new information shows will be more significant than described in the prior EIR.

### **8.03 SUPPLEMENT TO AN EIR.**

The School District as a Lead or Responsible Agency may choose to prepare a Supplement to an EIR, rather than a Subsequent EIR, if any of the conditions described in Guidelines Section 8.02 would require the preparation of a Subsequent EIR and only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. To assist the School District in making this determination, the decision making body should request an Initial Study and/or a recommendation by Staff. The Supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.

A Supplement to an EIR shall be given the same kind of notice and public review as is given to a Draft EIR, but may be circulated by itself without recirculating the previous EIR.

When the decision making body decides whether to approve the project, it shall consider the previous EIR as revised by the supplement. Findings pursuant to Guidelines Section 7.30 shall be made for each significant effect shown in the previous EIR as supplemented.

### **8.04 ADDENDUM TO AN EIR.**

The School District as a Lead or Responsible Agency may choose to prepare an Addendum to an EIR, rather than a Supplement to an EIR, only if none of the conditions described in Guidelines Section 8.02 calling for preparation of a Subsequent EIR have occurred and minor technical changes or additions are necessary. Since significant effects on the environment were addressed by findings in the original EIR, no new findings are required in the addendum.

An Addendum to an EIR need not be recirculated for public review but can be included in or attached to the Final EIR. The decision making body shall consider the addendum with the Final EIR prior to making a decision on a project. A brief explanation of the decision not to prepare a Subsequent EIR should be included in the addendum, the EIR findings or elsewhere in the record. This explanation must be supported by substantial evidence.

### **8.05 TIERED EIR.**

"Tiering" refers to using the analysis of general matters contained in a previously certified broader EIR in later EIRs or Negative Declarations prepared for narrower projects. The later EIR or Negative Declaration may incorporate by reference the general discussions from the broader EIR and may concentrate solely on the issues specific to the later project.

An Initial Study shall be prepared for the later project and used to determine whether a Tiered EIR may be used and whether new significant effects should be examined. A Tiered EIR shall be used for later projects where a prior EIR has been prepared and certified for a program, plan, policy, or ordinance and the School District determines that:

- (a) The later project is consistent with a program, plan, policy or ordinance for which an EIR has been prepared and certified;

- (b) The later project is consistent with applicable local land use plans and zoning of the city and county in which the later project would be located; and
- (c) The later project would not require a Subsequent or Supplemental EIR. (See Guidelines Sections 8.02 and 8.03.)

Tiering does not excuse the School District from adequately analyzing reasonable foreseeable significant environmental effects of a project, and does not justify deferring such analysis to a later tier EIR or Negative Declaration. However, the level of detail contained in a first-tier EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed. In addition, where the School District is using the tiering process in connection with an EIR for a large-scale planning approval, such as a general plan or component thereof (e.g., an area plan or community plan), the development of detailed, site-specific information may not be feasible. Such site-specific information can be deferred, in many instances, until such time as the School District prepares a future environmental document in connection with a project of a more limited geographical scale, as long as deferral does not prevent adequate identification of significant effects of the planning approval at hand.

Where a first-tier EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, the School District should limit the EIR or Negative Declaration on the later project to effects which:

- (a) Were not examined as significant effects on the environment in the prior EIR; or
- (b) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project by the imposition of conditions or other means.

Where the School District determines that a cumulative effect had been adequately addressed in the prior EIR, that effect is not treated as significant for purposes of the later EIR or Negative Declaration and need not be discussed in detail. When assessing whether there is a new significant cumulative effect, the School District shall consider whether the incremental effects of the project would be considerable when viewed in the context of past, present, and probable future projects.

Significant environmental effects have been "adequately addressed" if the School District determines that they have been mitigated below a level of significance or avoided as a result of the prior EIR and findings were adopted in connection with that prior environmental report.

The School District may use only a valid CEQA document as a first-tier document. Accordingly, the School District should carefully review the first-tier environmental document to determine whether or not the statute of limitations for challenging the document has run. If the statute of limitations has not expired, the School District should use the first-tier document with caution and pay careful attention to the legal status of the document. If the first-tier document is subsequently invalidated by the courts, any later environmental document may also be defective.

## **8.06 STAGED EIR.**

Where a large capital project will require a number of discretionary approvals from governmental agencies and one of the approvals will occur more than two years before construction will begin, a Staged EIR may be prepared covering the entire project in a general

form or manner. A Staged EIR should evaluate a proposal in light of current and contemplated plans and produce an informed estimate of the environmental consequences of an entire project. The particular aspect of the project before the School District for approval shall be discussed with a greater degree of specificity.

Where a Staged EIR has been prepared, a Supplement to that EIR shall be prepared when a later approval is required for the project, and the information available at the time of the later approval would permit consideration of additional environmental impacts, mitigation measures, or reasonable alternatives to the project.

#### **8.07 PROGRAM EIR.**

A Program EIR is an EIR which may be prepared on an integrated series of actions that are related either:

- (a) Geographically;
- (b) As logical parts in a chain of contemplated actions;
- (c) In connection with the issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or
- (d) As individual projects carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

Subsequent activities in the program must be examined in the light of the program EIR to determine whether additional environmental documents must be prepared. Additional environmental review documents must be prepared if the proposed later project may arguably cause significant adverse effects on the environment.

#### **8.08 USE OF A PROGRAM EIR WITH SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS.**

A program EIR can be used to simplify the task of preparing environmental documents on later parts of the program. The Program EIR can:

- (a) Provide the basis in an Initial Study for determining whether the later activity may have any significant effects.
- (b) Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives and other factors that apply to the program as a whole.
- (c) Focus an EIR on a subsequent project to permit discussion solely of new effects which had not been considered before.

#### **8.09 USE OF AN EIR FROM AN EARLIER PROJECT.**

A single EIR may be utilized to describe more than one project when the projects involve substantially identical environmental impacts. Any environmental impacts peculiar to one of the projects must be separately set forth and explained.



## 8.10 MASTER EIR.

A Master EIR is an EIR which may be prepared for:

- (a) A general plan (including elements and amendments);
- (b) A specific plan;
- (c) A project consisting of smaller individual projects to be phased;
- (d) A regulation to be implemented by subsequent projects;
- (e) A project to be carried out pursuant to a development agreement;
- (f) A project pursuant to or furthering a redevelopment plan;
- (g) A state highway or mass transit project subject to multiple reviews or approvals; or
- (h) A regional transportation plan or congestion management plan.

A Master EIR must do both of the following:

- (a) Describe and present sufficient information about anticipated subsequent projects within its scope, including their size, location, intensity, and scheduling; and
- (b) Preliminarily describe potential impacts of anticipated subsequent projects for which insufficient information is available to support a full impact assessment.

The School District and Responsible Agencies identified in the Master EIR may use the Master EIR to limit environmental review of subsequent projects. However, the subsequent project Lead Agency must prepare an Initial Study to determine whether the subsequent project and its significant environmental effects were included in the Master EIR. If the subsequent project Lead Agency finds that the subsequent project will have no additional significant environmental effect and that no new mitigation measures or alternatives may be required, it may prepare written findings to that effect without preparing a new environmental document. When the lead agency makes this finding, it must provide public notice of the availability of its proposed finding for public review and comment in the same manner as if it were providing public notice of the availability of a draft EIR. (See Sections 15177(d) and 15087 of the State Guidelines and Section 7.18 of these Guidelines.)

When the Lead Agency cannot find that the subsequent project will have no additional significant environmental effect and no new mitigation measures or alternatives will be required, it must prepare either a Mitigated Negative Declaration or an EIR for the subsequent project.

The Master EIR cannot be used to limit review of a subsequent project if it was certified more than five (5) years before the filing of an application for the subsequent project, or if the approval of a project that was not described in the Master EIR may affect the adequacy of the environmental review in the Master EIR for any subsequent project. However, the five (5) year limitation does not apply if the School District finds that no substantial changes or information related to the Master EIR exist, or if it certifies a Subsequent or Supplemental EIR that makes appropriate modification to the Master EIR.

The School District as Lead Agency must provide Notice of Completion and availability of a Master EIR within a period of time prior to final adoption by the public agency, as described in Guidelines Section 7.19.

The School District may develop a fee program to fund the costs of a Master EIR.

#### **8.11 FOCUSED EIR.**

A Focused EIR is an EIR for a subsequent project identified in a Master EIR. It may be used only if the School District finds that the Master EIR's analysis of cumulative, growth-inducing, and irreversible significant environmental effects is adequate for the subsequent project. The Focused EIR must incorporate by reference the Master EIR.

The Focused EIR must analyze additional significant environmental effects not addressed in the Master EIR and any 'new mitigation measures' or alternatives not included in the Master EIR. "Additional significant effects on the environment" means those project-specific effects on the environment which were not addressed as significant effects on the environment in the Master EIR.

The Focused EIR must also examine the following:

- (a) Significant effects discussed in the Master EIR for which substantial new information exists that shows those effects may be more significant than described in the Master EIR;
- (b) Those mitigation measures found to be infeasible in the Master EIR for which substantial new information exists that shows those effects may be more significant than described in the Master EIR; and
- (c) Those mitigation measures found to be infeasible in the Master EIR for which substantial new information exists that shows those measures may now be feasible.

The Focused EIR need not examine the following effects:

- (a) Those that were mitigated through Master EIR mitigation measures; and
- (b) Those that were examined in the Master EIR in sufficient detail to allow project-specific mitigation or for which mitigation was found to be the responsibility of another agency.

A Focused EIR may be prepared for a multifamily residential project not exceeding 100 units or a mixed use residential project not exceeding 100,000 square feet even though the project was not identified in a Master EIR, if the following conditions are met:

- (a) The project is consistent with a general plan, specific plan, or zoning ordinance for which an EIR was prepared within five (5) years of the Focused EIR's certification;
- (b) The project does not require the preparation of a Subsequent or Supplemental EIR pursuant to Guidelines Sections 8.02 or 8.03; and
- (c) The parcel is bordered by urban development, previously developed by urban uses, or within one-half mile of a rail transit station.

A Focused EIR for these projects should be limited to site-specific significant effects and significant effects that substantial new information shows will be more significant than described in the Master EIR.

## **9. CEQA LITIGATION**

### **9.01 TIMELINES.**

When a CEQA lawsuit is filed, there are numerous and complex time requirements that must be met. Pressing deadlines begin to run in the days immediately after a CEQA lawsuit has been filed. For example, within ten (10) business days of the public agency being served with a petition or complaint alleging a violation of CEQA, the Lead Agency must provide the petitioner with a list of responsible and public agencies with jurisdiction over any natural resource affected by the project at issue.

There are a variety of other deadlines that apply in CEQA litigation. If a CEQA lawsuit is filed, CEQA counsel should be contacted immediately in order to ensure that all the applicable deadlines are met.

### **9.02 ADMINISTRATIVE RECORD.**

When the lead agency's CEQA finding and/or action is challenged in a lawsuit, the lead agency must certify the administrative record that formed the basis of the lead agency's decision. To the extent the documents listed below exist and are not subject to a privilege that exempts them from disclosure, the following items should be included in the administrative record:

- (1) All project application materials;
- (2) All staff reports and related documents prepared by the public agency with respect to its compliance with the substantive and procedural requirements of CEQA and with respect to the action on the project;
- (3) All staff reports and related documents prepared by the public agency and written testimony or documents submitted by any person relevant to any findings or statement of overriding considerations adopted by the public agency pursuant to this division;
- (4) Any transcript or minutes of the proceedings at which the decisionmaking body of the public agency heard testimony on or considered any environmental document on the project, and any transcript or minutes of proceedings before any advisory body to the respondent public agency that were presented to the decisionmaking body prior to action on the environmental documents or on the project;
- (5) All notices issued by the public agency to comply with CEQA or with any other law governing the processing and approval of the project;
- (6) All written comments received in response to, or in connection with, environmental documents prepared for the project, including responses to the notice of preparation;

- (7) All written evidence or correspondence submitted to, or transferred from, the public agency with respect to compliance with CEQA or with respect to the project;
- (8) Any proposed decisions or findings submitted to the decisionmaking body of the public agency by its staff or the project proponent, project opponents, or other persons, to the extent such documents are subject to public disclosure;
- (9) The documentation of the final public agency decision, including the final environmental impact report, mitigated negative declaration, or negative declaration, and all documents, in addition to those referenced in paragraph (3) above, cited or relied on in the findings or in a statement of overriding considerations adopted pursuant to CEQA;
- (10) Any other written materials relevant to the respondent public agency's compliance with CEQA or to its decision on the merits of the project, including the initial study; any drafts of any environmental document, or portions thereof, that were released for public review; copies of studies or other documents relied upon in any environmental document prepared for the project and either made available to the public during the public review period or included in the public agency's files on the project; and internal agency communications related to the project or to compliance with CEQA, to the extent such documents are subject to public disclosure; and
- (11) The full written record before any inferior administrative decisionmaking body whose decision was appealed prior to the filing of the lawsuit

The administrative record should be organized either chronologically or by topic area. The administrative record should include a master index of documents. The documents generated by the lead agency during the CEQA process should be properly labeled for ease of identification.

## 10. DEFINITIONS

Whenever the following terms are used in these Guidelines, they shall have the following meaning unless otherwise expressly defined:

- 10.01     **"Applicant"** means a person who proposes to carry out a project which requires a lease, permit, license, certificate, or other entitlement for use, or requires financial aid from one or more public agencies when applying for governmental approval or assistance.
- 10.02     **"Approval"** means a decision by the Board or other authorized body or officer of the School District which commits the School District to a definite course of action with regard to a particular project. With regard to any project to be undertaken directly by the School District, approval shall be deemed to occur on the date when the Board adopts a motion or resolution determining to proceed with the project, which in no event shall be later than the date of adoption of plans and specifications. As to private projects, approval shall be deemed to have occurred upon the earliest commitment to provide service or the issuance by the School District of a discretionary contract, subsidy, or other form of financial assistance, lease, permit, license, certificate, or other entitlement for use of the project. The mere acquisition of land by the School District shall not, in and of itself, be deemed to constitute approval of a project.
- For purposes of these Guidelines, all environmental documents must be completed as of the time of project approval.
- 10.03     **"Baseline"** refers to the pre-project environmental conditions. By comparing the project's potential impacts to the baseline, the lead agency determines whether the project's impacts are substantial enough to be significant under the relevant thresholds of significance. Generally, the baseline is the environmental conditions existing on the date the environmental analysis begins, such as the date of the Notice of Preparation is published for an EIR, or the date of the Notice of Intent to Adopt a Negative Declaration. However, in certain circumstances an earlier or later date may provide a more accurate environmental analysis. The School District may establish any baseline that is appropriate, including an earlier or later date, as long as the choice of baseline can be supported by substantial evidence.
- 10.04     **"Board"** means the governing board of the School District.
- 10.05     **"CEQA"** (the California Environmental Quality Act) means California Public Resources Code Sections 21000, *et seq.*
- 10.06     **"Categorical Exemption"** means an exception from the requirement of preparing a Negative Declaration or an EIR, based on a finding by the Secretary for Resources that the class of projects does not have a significant effect on the environment.
- 10.07     **"Clerk"** means either the "Clerk of the Board" or the "County Clerk" depending upon the county. Please refer to the "Index to Environmental Filing by County" in the Staff

Summary to determine which applies.

**10.08**     **"Community-Level Environmental Review"** means either (1) or (2) below:

- (1)     A certified Environmental Impact Report for any of the following actions:
  - (a)     A general plan,
  - (b)     A revision or update to the general plan that includes at least the land use and circulation elements,
  - (c)     An applicable community plan,
  - (d)     An applicable specific plan, or
  - (e)     A housing element of the general plan, if the Environmental Impact Report analyzed the environmental effects of the density of the proposed project; or
- (2)     A negative declaration or mitigated negative declaration adopted as a subsequent environmental review document, following and based upon an Environmental Impact Report on a general plan, community plan or specific plan.

**10.09**     **"Cumulative Impacts"** means two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects, whether past, present or future.

The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

**10.10**     **"Cumulatively Considerable"** means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

**10.11**     **"Decision Making Body"** means the body within the School District (i.e. School District Board) with final approval authority over the particular project. (See Guidelines Section 10.02.)

**10.12**     **"Developed Open Space"** means land that meets each of the following three criteria:

- (a)     Is publicly owned, or financed in whole or in part by public funds,
- (b)     Is generally open to, and available for use by, the public,
- (c)     Is predominantly lacking in structural development other than structures associated with open spaces, including, but not limited to, playgrounds, swimming pools, ballfields, enclosed child play areas, and picnic facilities.

Developed Open Space includes land that has been designated for acquisition by a public agency for open space purposes, but does not include lands acquired by public

funds dedicated to the acquisition of land for housing purposes.

- 10.13**     **“Development Project”** means any project undertaken for the purpose of development, including any project involving the issuance of a permit for construction or reconstruction but not a permit to operate. It does not include any ministerial projects proposed to be carried out or approved by public agencies. (Government Code Section 65928.)
- 10.14**     **“Discretionary Project”** means a project for which approval requires the exercise of independent judgment, deliberation, or decision-making on the part of the School District.
- 10.15**     **“Draft EIR”** means an EIR containing the information summarized in Guidelines Section 7.13.
- 10.16**     **“Emergency”** means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, landslide or other natural disaster, as well as such occurrences as riot, war, accident or sabotage.
- 10.17**     **“Environment”** means the physical conditions which exist in the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.
- 10.18**     **“EIR”** (Environmental Impact Report) means a detailed written statement setting forth the environmental effects and considerations pertaining to a project and may mean either a Draft or a Final version of a typical EIR, a Project EIR, a Subsequent EIR, a Supplemental EIR, a Tiered EIR, a Staged EIR, a Program EIR, a Master EIR, or a Focused EIR.
- 10.19**     **“Feasible”** means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.
- 10.20**     **“Final EIR”** means an EIR containing the information contained in the Draft EIR, comments either verbatim or in summary received in the review process; a list of persons commenting, and the response of the School District to the comments received.
- 10.21**     **“Historical Resources”** shall be determined according to the following:
- (a) Resources listed in, or eligible for listing in, the California Register of Historical Resources shall be considered historical resources.
  - (b) Resources included in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k), or identified as significant in a historical resource survey, as specified in Public Resources Code Section 5024.1(g), are presumed to be historically or culturally significant, unless a

preponderance of evidence demonstrates that they are not historically or culturally significant.

- (c) Any of the following may be considered historically significant: any object, building, structure, site, area, place, record or manuscript which a Lead Agency determines, based upon substantial evidence in light of the whole record, to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California.
- (d) Any resource shall be considered by the Lead Agency to be historically significant if the resource meets the criteria for listing on the California Register of Historical Resources. (See Public Resources Code Section 5024.1 and 14 California Code of Regulations Section 4852.)
- (e) The Lead Agency is not precluded from determining that a resource is a historical resource, as defined in Public Resources Code Sections 5020.1(j) or 5024.1, even if it is: (a) not listed in, or determined to be eligible for listing in, the California Register of Historical Resources; (b) not included in a local register of historical resources; or (c) not identified in a historical resources survey.

**10.22**     **"Infill Site"** means a site in an urbanized area that meets either of the following criteria:

- (1) The immediately adjacent parcels are:
  - (a) (i) developed with qualified urban uses, or
  - (ii) at least 75% of the perimeter of the site adjoins parcels that are developed with qualified urban uses and the remaining 25% of the site adjoins parcels that have previously been developed for qualified urban uses,
  - (b) the site has not been developed for urban uses, and
  - (c) no parcel within the site has been created within the past ten (10) years; or
- (2) The site has been previously developed for qualified urban uses. (Public Resources Code Section 21061.0.5.)

**10.23**     **"Initial Study"** means a preliminary analysis conducted by the School District to determine whether an EIR or a Negative Declaration must be prepared or to identify the significant environmental effects to be analyzed in an EIR.

**10.24**     **"Jurisdiction by Law"** means the authority of any public agency to grant a permit or other entitlement for use, to provide funding for the project in question or to exercise authority over resources which may be affected by the project.

The School District will have jurisdiction by law over a project when the School District, having primary and exclusive jurisdiction over the area involved, is the site of the project, the area in which the major environmental effects will occur, or the area in



which reside those citizens most directly concerned by any such environmental effects.

- 10.25** **“Land Disposal Facility”** means a hazardous waste facility where hazardous waste is disposed in, on, or under land. (Health and Safety Code Section 25199.1(d).)
- 10.26** **“Large Treatment Facility”** means a treatment facility which treats or recycles one thousand (1,000) or more tons of hazardous waste during any one month of the current reporting period commencing on or after July 1, 1991. (Health and Safety Code Section 25205.1(d).)
- 10.27** **“Lead Agency”** means the public agency which has the principal responsibility for preparing environmental documents and for carrying out or approving a project, which may have significant effects on the environment, where more than one public agency is involved with the same underlying activity.
- 10.28** **“Low-Income Households”** means households of persons and families of very low and low income. Low-income persons or families are those eligible for financial assistance from governmental agencies for occupants of state-funded housing. Very low income persons are those whose incomes do not exceed the qualifying limits for very low income families as established and amended pursuant to Section 8 of the United States Housing Act of 1937. Such limits are published and updated in the California Code of Regulations. (Public Resources Code Section 21159.20(c).)
- 10.29** **“Low- and Moderate-Income Households”** means persons or families whose income does not exceed 120% of area median income, adjusted for family size in accordance with adjustment factors adopted and amended by the United States Department of Housing and Urban Development pursuant to Section 8 of the United States Housing Act of 1937. (Public Resources Code Section 21159.20(d).)
- 10.30** **“Major Transit Stop”** means a site containing an existing rail station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes that operate at least every fifteen (15) minutes during the morning and afternoon peak commute periods. (Public Resources Code Section 21064.3.)
- 10.31** **“Mitigated Negative Declaration”** means a Negative Declaration prepared for a Project when the Initial Study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.
- 10.32** **“Mitigation”** means avoiding the environmental impact altogether by not taking a certain action or parts of an action, minimizing impacts by limiting the degree or magnitude of the action and its implementation, rectifying the impact by repairing, rehabilitating or restoring the impacted environment, reducing or eliminating the

impact over time by preservation and maintenance operations during the life of the action, or compensating for the impact by replacing or providing substitute resources or environments.

- 10.33**     **"Negative Declaration"** means a written statement by the School District briefly describing the reasons that a proposed project, not exempt from CEQA, will not have a significant effect on the environment and, therefore, does not require the preparation of an EIR.
- 10.34**     **"Notice of Completion"** means a brief report filed with the Office of Planning and Research by the School District when it is the Lead Agency as soon as it has completed a Draft EIR and is prepared to send out copies for review.
- 10.35**     **"Notice of Determination"** means a brief notice to be filed by the School District when it approves or determines to carry out a project which is subject to the requirements of CEQA.
- 10.36**     **"Notice of Exemption"** means a brief notice which may be filed by the School District when it has approved or determined to carry out a project, and it has determined that the project is exempt from the requirements of CEQA. Such a notice may also be filed by an applicant where such a determination has been made by a public agency which must approve the project.
- 10.37**     **"Notice of Preparation"** means a brief notice sent by a Lead Agency to notify the Responsible Agencies and Trustee Agencies that the Lead Agency plans to prepare an EIR for a project. The purpose of this notice is to solicit guidance from such agencies as to the scope and content of the environmental information to be included in the EIR.
- 10.38**     **"Offsite Facility"** means a facility that serves more than one generator of hazardous waste. (Public Resources Code Section 21151.1(13)(g).)
- 10.39**     **"Person"** includes any person, firm, association, organization, partnership, business, trust, corporation, company, city, county, city and county, town, the state, and any of the agencies which may be political subdivisions of such entities.
- 10.40**     **"Private Project"** means a project which will be carried out by a person other than a governmental agency, but which will need a discretionary approval from the School District. Private projects will normally be those listed in subsections (b) and (c) of Guidelines Section 10.41.
- 10.41**     **"Project"** means the whole of an action or activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment, and is any of the following:
- (a)     A discretionary activity directly undertaken by the School District including but not limited to public works construction and related activities, clearing or grading of land, or improvements to existing public structures.

- (b) A discretionary activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, or which is supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance by the School District.
- (c) A discretionary project proposed to be carried out or approved by public agencies, including but not limited to the enactment and amendment of local General Plans or elements thereof, the enactment of zoning ordinances, the issuance of zoning variances, the issuance of conditional use permits and the approval of tentative subdivision maps.

The presence of any real degree of control over the manner in which a project is completed makes it a discretionary project.

The term project refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term project does not mean each separate governmental approval.

- 10.42 **"Project-Specific Effects"** means all the direct or indirect environmental effects of a project other than cumulative effects and growth-inducing effects. (Public Resources Code Section 21065.3.)
- 10.43 **"Qualified Urban Use"** means any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. (Public Resources Code Section 21072.)
- 10.44 **"Residential"** means a use consisting of either residential units only or residential units and primarily neighborhood-serving goods, services, or retail uses that do not exceed 15% of the total floor area of the project.
- 10.45 **"Responsible Agency"** means a public agency which proposes to carry out or approve a project for which a Lead Agency has prepared the environmental documents. For the purposes of CEQA, the term "Responsible Agency" includes all federal, state, regional and local public agencies other than the Lead Agency which have discretionary approval power over the project.
- 10.46 **"School District"** means the Jurupa Unified School District.
- 10.47 **"Self-Certifying District"** means an applicant School District that provides fifty percent (50%) or more of the cost of the project from funding sources other than state programs administered by the State Allocation Board.
- 10.48 **"Significant Effect"** means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the activity including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

- 10.49 **"Staff"** means the School District Manager or his or her designee.
- 10.50 **"Standard"** means a standard of general application that is all of the following:
- (a) A quantitative, qualitative or performance requirement found in a statute, ordinance, resolution, rule, regulation, order, or other standard of general application;
  - (b) Adopted for the purpose of environmental protection;
  - (c) Adopted by a public agency through a public review process;
  - (d) Governs the same environmental effect which the change in the environment is impacting; and
  - (e) Governs the jurisdiction where the project is located.

The definition of "standard" includes thresholds of significance adopted by the School District which meet the requirements of this section.

If there is a conflict between standards, the School District shall determine which standard is appropriate based upon substantial evidence in light of the whole record.

- 10.51 **"State Guidelines"** means the Guidelines for Implementation of the California Environmental Quality Act as adopted by the Secretary of the California Resources Agency as they now exist or hereafter may be amended. (California Administrative Code, Title 14, Sections 15000, *et seq.*)
- 10.52 **"Substantial Evidence"** means reliable information on which a fair argument can be based to support an inference or conclusion, even though another conclusion could be drawn from that information. "Substantial evidence" includes facts, fact-related reasonable assumptions predicated upon facts, and expert opinion supported by facts. "Substantial evidence" does not include argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment.
- 10.53 **"Tiering"** means the coverage of general matters in broad scope or Program EIRs, with subsequent narrower environmental documents (such as site-specific EIRs) incorporating by reference the general discussions and concentrating solely on the issues specific to the environmental document subsequently prepared.
- 10.54 **"Transportation Facilities"** means major local arterials and public transit within five (5) miles of the project site, and freeways, highways, and rail transit service within ten (10) miles of the project site.
- 10.55 **"Trustee Agency"** means a State agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Trustee Agencies include but are not limited to:
- (a) The California Department of Fish and Game with regard to the fish and wildlife of the state.

- (b) The State Lands Commission with regard to state owned "sovereign" lands.
- (c) The State Department of Parks and Recreation with regard to units of the State Park System.
- (d) The University of California with regard to sites within the Natural Land and Water Reserve System.
- (e) The State Water Resources Control Board with respect to surface waters.

**10.56**     **"Urbanized Area"** means any one of the following:

- (1) An incorporated city that has a population of at least one hundred thousand (100,000) persons;
- (2) An incorporated city that has a population of less than one hundred thousand (100,000) persons if the population of the city and not more than two contiguous incorporated cities combined equals at least one hundred thousand (100,000) persons; or
- (3) An unincorporated area that meets both of the following requirements:
  - (a) The unincorporated area is either: (i) completely surrounded by one or more incorporated cities, the population of the unincorporated area and the population of the surrounding incorporated city or cities equals not less than one hundred thousand (100,000) persons and the population density of the unincorporated area at least equals the population density of the surrounding city or cities; or (ii) located within an urban growth boundary and has an existing residential population of at least five thousand (5,000) persons per square mile.
  - (b) The board of supervisors with jurisdiction over the unincorporated area has previously issued a finding that the general plan, zoning ordinance, and related policies and programs applicable to the area are consistent with principles that encourage compact development, and the board of supervisors previously submitted a draft of that finding to the Office of Planning and Research for a thirty (30) day comment period prior to issuing a final finding. (Public Resources Code Section 21071.)

**10.57**     **"Urban Growth Boundary"** means a provision of a locally adopted general plan that allows urban uses on one side of the boundary and prohibits urban uses on the other side of the boundary.

**10.58**     **"Wetlands"** has the same meaning as that term is construed in the regulations issued by the United States Army Corps of Engineers pursuant to the Clean Water Act. Thus "wetlands" means areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. (Public Resources Code Section 21159.21(d), incorporating Title 33, Code of Federal Regulations, Section 328.3.)

- 10.59     **“Wildlife Habitat”** means the ecological communities upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection. (Public Resources Code Section 21159.21.)
- 10.60     **“Zoning Approval”** means any enactment, amendment, or appeal of a zoning ordinance; granting of a conditional use permit or variance; or any other form of land use, subdivision, tract, or development approval required from the city or county having jurisdiction to permit the particular use of the property.

## 11. FORMS



www.cifstate.org

# California Interscholastic Federation

Marie Ishida, Executive Director

STATE OFFICE

333 Hegenberger Road, Suite 511, Oakland, CA 94621

Tel: (510) 639-4445 - FAX: (510) 639-4449

## 2004-2005 Designation of CIF Representatives to League

Please complete the form below for each school under your jurisdiction and return to the CIF SECTION OFFICE (ADDRESS ON REVERSE SIDE) no later than July 1, 2004.

Jurupa Unified School District/Governing Board at its May 3, 2004 meeting,  
(name of school district/governing board) (date)

appointed the following individual(s) to serve for the 2004-2005 school year as the school's league representative:

### PHOTOCOPY THIS FORM TO LIST ADDITIONAL SCHOOL REPRESENTATIVES

NAME OF SCHOOL Jurupa Valley High School  
NAME OF REPRESENTATIVE Todd Moerer POSITION Teacher/Coach  
ADDRESS 10551 Bellegrave Avenue CITY Mira Loma ZIP 91752  
PHONE (909) 360-2600 FAX (909) 685-0547 E-MAIL \_\_\_\_\_

NAME OF SCHOOL Rubidoux High School  
NAME OF REPRESENTATIVE Ray Marisnick POSITION Teacher/Coach  
ADDRESS 4250 Opal Street CITY Riverside ZIP 92509  
PHONE (909) 222-7863 FAX (909) 779-1035 E-MAIL \_\_\_\_\_

NAME OF SCHOOL \_\_\_\_\_  
NAME OF REPRESENTATIVE \_\_\_\_\_ POSITION \_\_\_\_\_  
ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_

NAME OF SCHOOL \_\_\_\_\_  
NAME OF REPRESENTATIVE \_\_\_\_\_ POSITION \_\_\_\_\_  
ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE \_\_\_\_\_ FAX \_\_\_\_\_ E-MAIL \_\_\_\_\_

If the designated representative is not available for a given league meeting, an alternate designee of the district governing board may be sent in his/her place. **NOTE:** League representatives from public schools and private schools must be designated representatives of the school's governing boards in order to be eligible to serve on the section and state governance bodies.

Superintendent's Name (print) Rollin Edmunds Superintendent's Signature \_\_\_\_\_  
Address 4850 Pedley Road City Riverside Zip 92509  
Phone (909) 360-4168 Fax (909) 360-4194

(F)



Jurupa Unified School District

Personnel Report #19

May 3, 2004

Extra Compensation Assignment

Administrative Services; to provide instruction for Saturday School; April 2004 through June 2004; not to exceed 4.5 hours per week; appropriate hourly rate of pay; Funding Source: Unrestricted Resources: \$1,365 total.

Mr. Andrew Carey

Administrative Services; to provide instruction for Home Hospital; March 2004 through June 2004; not to exceed 5 hours per week; appropriate hourly rate of pay; Funding Source: Special Education; \$2,785 total.

Ms. Michelle Gleason

Education Services; 2003-2004 school year; annual stipend for instrumental music coordinators; appropriate annual rate of pay; Funding Source: Lottery; \$6,416 total.

Mr. Cliff Keating  
Mr. Mike Wasinger

Mr. Bill Snyder

Ms. Robin Snyder

Education Services; 2003-2004 school year; annual stipend for Spelling Bee coordinators; appropriate annual rate of pay; Funding Source: Unrestricted Resources; \$7,695 total.

Ms. Kristi Batchelder  
Ms. Kerry Blackwell  
Ms. Joyce Davis  
Ms. JoAnn Greeley  
Ms. Jacki Johnson  
Ms. Carole Patty  
Ms. Karen Stokoe  
Mr. Carl Zitek

Ms. Maggie Beach  
Mr. Jim Carey  
Ms. Kara Davis  
Ms. Ann-Marie Hershey  
Ms. Judy Lynch  
Ms. Sandra Roberson  
Ms. Sarah Vigrass

Ms. Lynne Bjazevich  
Ms. Connie Dam  
Mr. Brian Dirkswager  
Ms. Wendy Holder  
Ms. Traci McCracken  
Ms. Julie Stice  
Ms. Alison Young

Personnel Report #19

CERTIFICATED PERSONNEL

Extra Compensation Assignment

Education Services; stipend for optional staff development day at Van Buren Elementary; April 3, 2004; Funding Source: Staff Development Buy Out; \$3,250 total.

Ms. Lynnae Amatriain	Mr. Daniel Cornejo	Mr. Earl Edwards
Ms. Elizabeth Einecke	Ms. Nancy Jenkins	Ms. Ginger Jones
Ms. Karen Laskey	Ms. Lynn Parrella	Ms. Vivian Perricone-Rude
Ms. Sandra Roberson	Ms. Diane Rose	Ms. Darcee Staiger
Ms. Maria Unzueta		

Education Services; to attend formal meetings with consulting teacher; October 2003 through May 2004; not to exceed 16 hours; appropriate hourly rate of pay; Funding Source: S.M.A.R.T.; \$540 total.

Ms. Felician Horner

Education Services; to work with student on Independent Study program; April 19, 2004 through June 16, 2004; not to exceed 35 hours; appropriate hourly rate of pay; Funding Source: Unrestricted Resources; \$1,180 total.

Mr. Paul Wakefield

Education Services; to administer testing of student; April 14, 2004; not to exceed 8 hours; appropriate daily rate of pay; Funding Source: Special Education; \$379 total.

Mr. Ramon Barreras

Personnel Services; one-time English learner stipend for obtaining authorization to teach English learners; not to exceed \$500 each; Funding Source: Special Education; \$500 total.

Ms. Gina Gurrola

Personnel Report #19

CERTIFICATED PERSONNEL

Extra Compensation Assignment

Camino Real Elementary; 2003-2004 school year; extra duties; appropriate annual rate of pay.

Student Study Team Leader	Ms. Debbi England
Testing Coordinator	Ms. Kristy Doty
Technology Coordinator	Mr. David Clarke
GATE Coordinator	Ms. Joan Bain
Science Fair Coordinator	Ms. Kathryn Gonzalez
Science Fair Coordinator	Ms. Kathy Nitta
EL Facilitator	Ms. Linda Goedhart
Safe School Site Coordinator	Ms. Annette Sanborn
ELO Coordinator	Ms. Donnalee Simpson
Combination Class Teacher	Ms. Carol Camacho
Combination Class Teacher	Ms. Paula Cannon
Combination Class Teacher	Mr. David Clarke
Elementary School Group Leader	Ms. Sandie Allen
Elementary School Group Leader	Ms. Denyse Hart

Granite Hill Elementary; 2003-2004 school year; extra duties; appropriate annual rate of pay.

Yearbook Advisor	Ms. Kathleen Brooks
Yearbook Advisor	Ms. Lorena Fong
Yearbook Advisor	Ms. Laurie Riemer
Talent Show Coordinator	Ms. Sandie Pedro
Choir Coordinator	Ms. Brooke Thompson
Student Study Team Leader	Ms. Sandra Young
Testing Coordinator	Ms. Heather Crane
Testing Coordinator	Ms. Carolyn Snow
Technology Coordinator	Mr. Steven Santiago
ELD Coordinator	Mr. Lyle McCollum
GATE Coordinator	Ms. April Jacobson
GATE Coordinator	Ms. Carolyn Snow
Safety Coordinator	Mr. Sean Edwards
Young Author's Showcase	Ms. Brooke Thompson
Principal's Designee	Mr. Otis Allmon
Student Council	Ms. Kristin DeFrance
Student Council	Ms. Kara Davis
Science Fair Coordinator	Ms. Kathleen Brooks
Science Fair Coordinator	Ms. Lorena Fong
Science Fair Coordinator	Ms. Sandra Pedro
Science Fair Coordinator	Ms. Laurie Riemer
Elementary School Group Leader	Ms. Kristin DeFrance
Elementary School Group Leader	Ms. Carol Palacios-Araiza
Combination Class Teacher	Ms. Lorena Fong
Combination Class Teacher	Ms. Felician Brown
Combination Class Teacher	Ms. Johanna Downs
Combination Class Teacher	Ms. Helen McNab Blanco
Combination Class Teacher	Ms. Carolyn Snow

Personnel Report #19

CERTIFICATED PERSONNEL

Extra Compensation Assignment

Pedley Elementary; 2003-2004 school year; extra duties; appropriate annual rate of pay.

Elementary School Group Leader	Ms. Robyn Anderson
Elementary School Group Leader	Mr. Andy Elliott
Combination Class Teacher	Ms. Marcia Weaver
Combination Class Teacher	Ms. Michele Armstrong
Combination Class Teacher	Ms. Nancy Batchelder
EL Facilitator	Ms. Sue Thompson
Student Study Team Leader	Ms. Kim Parker
Testing Coordinator	Ms. Emily Terry
Technology Coordinator	Ms. Marcia Weaver
GATE Coordinator	Ms. Marcia Weaver
Science Fair Coordinator	Ms. Cindy Jensen
Yearbook Advisor	Ms. Dinah Palagi
Safe School Site Coordinator	Mr. Andy Elliott
Young Author's Showcase	Ms. Pat Balteria
Disaster Preparedness Coordinator	Mr. Andy Elliott

Pedley Elementary; to participate in professional development opportunities; March 11, 2004 through June 16, 2004; not to exceed 7 hours; appropriate hourly rate of pay; Funding Source: Title I Basic Grants Low Income; \$236 total.

Ms. Jacqueline Romano

Sky Country Elementary; to participate in professional development opportunities; March 27, 2004; not to exceed 14 hours; appropriate hourly rate of pay; Funding Source: Title I Basic Grants Low Income; \$471 total.

Mr. John Allen

Substitute Assignment

Teacher	Ms. Amy Bridges 7955 Magnolia Ave. #26F Riverside, CA 92504	As needed Emergency 30-Day Permit
Teacher	Ms. Julianna Burdine 5455 Via del Tecolote Riverside, CA 92507	As needed Prospective Teacher Permit
Teacher	Ms. Pamela Duncan 6282 Belhaven Pl. Riverside, CA 92506	As needed CBEST Waiver

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Personnel Report #19

CERTIFICATED PERSONNEL

Substitute Assignment

Teacher	Ms. Shannon Eilander 23 Round Table Dr. Riverside, CA 92507	As needed Emergency 30-Day Permit
Teacher	Mr. Joseph Galvin 226 Mission Grove Pkwy. Riverside, CA 92506	As needed Preliminary SS-PE w/ CLAD
Teacher	Ms. Sarah Harvey 4576 Glen St. Riverside, CA 92509	As needed Emergency 30-Day Permit
Teacher	Mr. Christopher Jones 910 W. Phillips Apt. 102 Ontario, CA 91762	As needed Emergency 30-Day Permit
Teacher	Ms. Otilia Manea 1831 Ambrosia Way San Bernardino, CA 92408	As needed CBEST Waiver
Teacher	Ms. Mylinh Nguyen 100 Aberdeen Riverside, CA 92507	As needed Prospective Teacher Permit
Teacher	Ms. Janice Nicolson 23215 Ironwood Ave. #70 Moreno Valley, CA 92557	As needed Standard Life Teaching Credential
Teacher	Mr. Lucio Rodriguez 8615 Rocking Horse Cir. Riverside, CA 92509	As needed Emergency 30-Day Permit
Teacher	Ms. Laura Roybal 1247 N. G St. Apt. 5 San Bernardino. CA 92405	As needed Emergency 30-Day Permit
Teacher	Ms. Denise West 6507 Sunbeam Dr. Riverside, CA 92506	As needed Emergency 30-Day Permit
Teacher	Mr. Otis Williams 10529 58 <sup>th</sup> St. Mira Loma, CA 91752	As needed Emergency 30-Day Permit

Personnel Report #19

CERTIFICATED PERSONNEL

Leave of Absence

Teacher	Ms. Patricia DeSantos 17318 Emerald Lake Ct. Riverside, CA 92503	Unpaid Special Leave April 21, 2004 through June 6, 2004 without compensation.
Teacher	Ms. Christy Gandara 3954 Stonemont Dr. Hemet, CA 92545	Unpaid Special Leave May 5, 2004 through June 30, 2004 without compensation.  Unpaid Special Leave July 1, 2004 through October 15, 2004 without compensation.  Unpaid Special Leave October 16, 2004 through June 30, 2004 without compensation, health and welfare benefits or Increment advancement.

Resignation

Resource Specialist	Ms. Laura Gaumer 6146 Lakaren Lane Riverside, CA 92509	Eff. June 17, 2004
Teacher	Ms. Evelyn Harman 6240 Raleigh St. Riverside, CA 92506	Eff. June 30, 2004

Return From Leave of Absence

SDC Teacher	Ms. Shirley Taylor 865 Shepard Crest Dr. Corona, CA 92882	Eff. July 1, 2004
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Personnel Report #19

CLASSIFIED PERSONNEL

Short-Term/Extra Work

Categorical Projects; to assist with summer ELO program; April 14-16, 2004; not to exceed 8 hours; appropriate hourly rate of pay; Funding Source: Title I Basic Grants Low Income; \$80 total.

Activity Supervisor      Ms. Francisca Corcoles

Research and Assessment Center; to prepare testing materials for distribution to school sites; April 12, 2004 through June 30, 2004; not to exceed 60 hours; appropriate hourly rate of pay; Funding Source: Title I Basic Grants Low Income; \$642 total.

Activity Supervisor      Ms. Mariann Rhoads

Transportation; to provide transportation for the California School for the Deaf; April 12, 16, 2004; not to exceed 35 hours; appropriate hourly rate of pay; Funding Source: Transportation: Special Education; \$757 total.

Bus Driver                      Ms. Renee Able

Transportation; to perform CNG tank certification for CHP inspection; April 10, 2004; not to exceed 6 hours; appropriate hourly rate of pay; Funding Source: Transportation; \$274 total.

Heavy Duty Mechanic      Mr. George Martinez

Transportation; to provide transportation for various field trips during spring break; April 10-18, 2004; not to exceed 100.25 hours; appropriate hourly rate of pay; Funding Source: Transportation: \$2,360 total.

Bus Driver	Ms. Ramona Butts
Bus Driver	Ms. Adrienne Canup
Bus Driver	Ms. Nicole Dias
Bus Driver	Ms. Jackie Donohue
Bus Driver	Ms. Brenda Ellis
Bus Driver	Ms. Rita Fine
Bus Driver	Ms. Sylvia Guereña
Bus Driver	Ms. Gloria James
Bus Driver	Ms. Melissa Lewis
Bus Driver	Mr. Tony Martinez

Camino Real Elementary; 2003-2004 school year; stipend for extra duties; appropriate annual rate of pay; Funding Source: Unrestricted Resources; \$275 total.

Bilingual Language Tutor      Ms. Zayra Hall

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Personnel Report #19

CLASSIFIED PERSONNEL

Short-Term/Extra Work

Granite Hill Elementary; 2003-2004 school year; stipend for extra duties; appropriate annual rate of pay; Funding Source: Unrestricted Resources; \$275 total.

Bilingual Language Tutor                      Ms. Maritza Gonzalez

Indian Hills Elementary; to continue assistance with registration; September 2004; not to exceed 3 days; appropriate hourly rate of pay; Funding Source: Unrestricted Resources; \$345 total.

Clerk Typist                                      Ms. Donna Pontious

Pedley Elementary; 2003-2004 school year; stipend for extra duties; appropriate annual rate of pay; Funding Source: Unrestricted Resources; \$275 total.

Bilingual Language Tutor                      Ms. Yolanda Muniz

Jurupa Middle School; provide bilingual assistance to parents; April 20, 2004 through June 11, 2004; not to exceed 3 hours per day; appropriate hourly rate of pay; Funding Source: II/USP; \$1,760 total.

Bilingual Language Tutor                      Ms. Guadalupe Acosta

Rubidoux High School; to assist with testing; April 19, 2004 through May 21, 2004; not to exceed 75 hours; appropriate hourly rate of pay; Funding Source: STAR Testing; \$1,000 total.

Instructional Aide                              Ms. Tammy Hall

Leave of Absence

Café Asst. II                                      Ms. Jessica Holley  
2984 Taos Dr.  
Riverside, CA 92509

Maternity Leave  
Eff. April 13, 2004  
through June 7, 2004  
with use of sick leave.

Unpaid Special Leave  
Eff. June 8, 2004  
through June 16, 2004  
without compensation.



CLASSIFIED PERSONNEL

Leave Of Absence

Instructional Aide	Ms. Kimberly Payne 5881 Dodd St. Mira Loma, CA 91752	Unpaid Special Leave eff. April 19, 2004 through June 18, 2004 without Compensation, health and Welfare benefits, increment Advancement or the accrual of Seniority for layoff or Reduction in force purposes.
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Regular Assignment

Benefits Technician	Ms. Debbie Bagwell 6929 Woodmere Dr. Riverside, CA 92509	Eff. April 19, 2004 Work Year A
Café Asst. I	Ms. Debra Brubaker 10189 Coral Lane Moreno Valley, CA 92557	Eff. April 20, 2004 Work Year F
Activity Supervisor	Ms. Donna Cortez 4581 Farley Dr. Riverside, CA 92509	Eff. April 20, 2004 Work Year F
Café Asst. I	Ms. Carmen Hernandez 4002 Stonehedge Dr. Riverside, CA 92509	Eff. April 20, 2004 Work Year F
Café Asst. I	Ms. Donna Johnson 4780 Meadow Land Dr. Riverside, CA 92509	Eff. April 20, 2004 Work Year F
Café Asst. I	Ms. Nancy Lamb 7650 Bolero Dr. Riverside, CA 92509	Eff. April 20, 2004 Work Year F
Secretary	Ms. Danielle LeFridge 16641 Sir Barton Way Moreno Valley, CA 92553	Eff. April 19, 2004 Work Year D
Café Asst. I	Ms. Marie Miller 4333 Friesian Lane Riverside, CA 92509	Eff. April 29, 2004 Work Year F
Bus Driver Special Students	Ms. Bernadine Stenke 6575 Stover Ave. Riverside, CA 92505	Eff. April 21, 2004 Work Year F

Personnel Report #19

CLASSIFIED PERSONNEL

Resignation

Secretary	Ms. America Najarro 6130 Camino Real #30 Riverside, CA 92509	Eff. April 8, 2004
Activity Supervisor	Ms. Antoinette Totten 6691 Avenue Juan Diaz Riverside, CA 92509	Eff. April 9, 2004

Retirement

Dispatcher Bus Driver Trainer	Ms. Gail Murphy 2695 Woodbriar Dr. Riverside, CA 92509	Eff. August 30, 2004
Instructional Aide Activity Supervisor	Ms. Barbara Snyder 4000 Pierce St. #14 Riverside, CA 92505	Eff. June 30, 2004

Voluntary Demotion

From Benefits Technician To Account Clerk	Ms. Constance Kammerzell 8063 Townsend Dr. Riverside, CA 92509	Eff. April 19, 2004 Work Year A
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Substitute Assignment

Bilingual Language Tutor	Ms. Jody Dugan 4310 Royal Pine Circle Riverside, CA 92509	As needed
Bus Driver	Ms. Tina Ellison 5416 Cobble Lane #A Mira Loma, CA 91752	As needed
Bus Driver	Mr. John Juteau 7941 Galway Ct. Riverside, CA 92503	As needed
Café Asst.	Mr. Donald Lemmons 9304 California Ave. Riverside, CA 92503	As needed

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Personnel Report #19

CLASSIFIED PERSONNEL

Substitute Assignment

Bus Driver	Ms. Mary Stulting 3884 Gordon Way Riverside, CA 92509	As needed
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OTHER PERSONNEL

Short-Term Assignment

Education Services; provide childcare for School Readiness Workshops; March 18, 2004; not to exceed 2 hours; appropriate hourly rate of pay; Funding Source: School Readiness Program; \$20 total.

Babysitter            Ms. Vivan Gonzales

Indian Hills Elementary; to provide peak load supervision; April 7, 2004; not to exceed 1.75 hours; appropriate hourly rate of pay; Funding Source: Discretionary- Allocations; \$15 total.

Peak Load Supervisor    Ms. Bertillia Torres

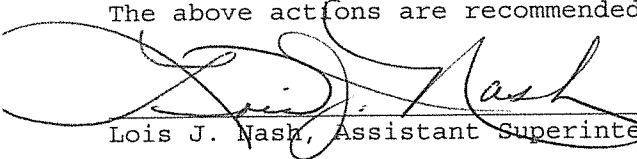
Jurupa Middle School; provide parents and students with bilingual assistance; April 5-9, 2004; not to exceed 4 hours per day; appropriate hourly rate of pay; Funding Source: II/USP; \$1,760 total.

Peak Load Assistant    Ms. Emily Ibarra

Rubidoux High School; to provide tutoring services to students; April 2004 through June 2004; not to exceed 10 hours per week; appropriate hourly rate of pay; Funding Source: Unrestricted Resources; \$2,000 total.

AVID Tutor            Ms. Kelly Arnold

The above actions are recommended for approval:

  
\_\_\_\_\_  
Lois J. Nash, Assistant Superintendent-Personnel Services

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Pg. 11

**DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**  
In Accordance with AB 1200 (Statutes of 1991, Chapter 1213); G.C. 3547.5

                    Jurupa Unified                     School District

Name of Bargaining Unit: NEA - Jurupa                      Certificated   X      Classified         
New Agreement        or Reopener   X  

The proposed agreement is a one (1) year agreement that covers the period beginning 7/1/03 and ending 6/30/04 and will be acted upon by the Governing Board at its meeting on May 17, 2004.  
(Date)

**A. Proposed Change in Compensation**

Compensation		Cost Prior to Proposed Agreement	Fiscal Impact of Proposed Agreement		
			Current Year 2003 - 2004	Year 2 2004 - 2005	Year 3 20____ - ____
1.	Salary Schedule - Increase (Decrease)		\$ -0-	\$ -0-	\$
		\$72,192,578	%	%	%
2.	Step and Column - Increase (Decrease) Due to movement plus any changes due to settlement	*Included in Cost in # 1	\$ *	\$	\$
			%	%	%
3.	Other Compensation - Increase (Decrease) (Stipends, Bonuses, etc.)		\$ -0-	\$ -0-	\$
			%	%	%
	Description				
4.	Statutory Benefits - Increase (Decrease) in STRS, PERS, FICA, WC, UI, Medicare, etc.)		\$ -0-	\$ -0-	\$
		\$ 8,956,120	%	%	%
5.	Health/Welfare Benefits - Increase (Decrease) Current Cap: <u>\$ 4,700</u> Proposed Cap: \$5,200 in (03/04) \$5,400 in (04/05)	\$ 4,670,437	\$ 496,855	\$ 695,597	\$
			10.63%	10.63% continuing 3.84% additional	%
6.	Total Compensation - Increase (Decrease) (Total Lines 1-5)	\$85,819,135	\$ 496,855	\$ 695,597	\$
			.57%	.57% continuing .23% additional	%
7.	Total Number of Represented Employees	993.71	993.71	993.71	
8.	Total Compensation Cost for <u>Average</u> Employee - Increase (Decrease)	\$86,362.35	\$ 500	\$ 200	\$
			.57%	.57% continuing .23% additional	%

A. Provide a brief narrative of the proposed change(s) in compensation, include percentage change(s), effective date(s), other salary schedule adjustments, and comments and explanations as necessary. Tentative Agreement on Reopeners for 2003/04 – Health and Welfare. See attach copy of Agreement.

B. **Proposed Negotiated Changes in Non-Compensation Items** (class size adjustments, staff development days, teacher prep time, etc.) N/A

C. What are the specific impacts on instructional and support programs to accommodate the settlement? Include the impact of non-negotiated changes such as staff reductions and program reductions/eliminations. N/A

**D. What contingency language is included in the proposed agreement?** Include specific areas identified for reopeners, applicable fiscal years, and specific contingency language.

Negotiations on Article XIV - Basic Compensation shall be reopened for the 2004-05 school year. Also, either Party may request to reopen Article II - Duration.

During the 2004-05 school year either Party may select two (2) additional Articles to reopen.

**E. Source(s) of Funding for Proposed Agreement**

1. Current Year General Fund Unrestricted Reserve

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. How will the ongoing cost(s) of the proposed agreement be funded in future years? \_\_\_\_\_

The General Fund Unrestricted Reserve and increase in 2004/05 Unrestricted Revenue Limit Funding (COLA)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If a multi-year agreement, what is the source(s) of funding for each year, including assumptions used, to fund these obligations in future years? (Remember to include compounding effects in meeting obligation) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. For all proposed agreements, please provide an updated multi-year financial projection covering the term of the agreement (for single year agreements, include impact on the next two subsequent fiscal years). Include a listing of all assumptions used in the projections, attendance/enrollment growth, COLA, etc.

**F. Impact of Proposed Agreement on Current Year Unrestricted Reserves****1. State Reserve Standard**

a. Total Expenditures, Transfers Out, and Uses (Including Cost of Proposed Agreement) for both Unrestricted and Restricted General Fund	\$ 140,214,511
b. State Standard Minimum Reserve Percentage for this District	3 %
c. State Standard Minimum Unrestricted Fund Reserve Amount for this District (Line 1 times Line 2 OR \$50,000 for a district with less than 1,001 ADA)	\$ 4,206,435

**2. Budgeted Unrestricted Reserve (After Impact of Proposed Agreement)**

a. General Fund Budgeted <u>Unrestricted</u> Designated for Economic Uncertainties (Object 0971, Fund 1UR)	\$ 4,422,200
b. General Fund Budgeted <u>Unrestricted</u> Unappropriated Amount (Object 0979, Fund 1UR)	\$
c. Special Reserve Fund (J-207)-Budgeted Designated for Economic Uncertainties (Object 0971, Fund RNF)	\$
d. Special Reserve Fund (J-207)-Budgeted Unappropriated Amount (Object 0979, Fund RNF)	\$
e. Article XIII-B Fund (J-241)-Budgeted Designated for Economic Uncertainties	\$
f. Article XIII-B Fund (J-241)-Budgeted Unappropriated Amount	\$
g. Total District Budgeted Unrestricted Reserves  (For %, divide Line 2.g. by Line 1.a.)	\$ 4,422,200  3.15 %

3. Do the district budgeted unrestricted reserves meet the state standard minimum reserve amount? (Line 1.c. is less than or equal to Line 2.g.) Yes ☒ No ☐

**G. Certification**

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for certification and public disclosure of the major provisions of the agreement in accordance with the requirements of AB 1200 and G.C. 3547.5.

\_\_\_\_\_  
Signature - District Superintendent

May 3, 2004  
Date

I certify that, to the best of my knowledge and belief, the cost analysis presented in this document accurately projects the cost of salaries and benefits of the proposed collective bargaining agreement.

\_\_\_\_\_  
Signature - Clerk/President, Governing Board

May 3, 2004  
Date

District Contact Person: Pam Lauzon, Director Business Services Telephone : (909) 360-4107

# IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

In accordance with AB 3141 (Statutes of 1994, Chapter 650) (EC 42142)

ate of governing board approval of budget revisions in Col. 2 May 17, 2004

the board approved revisions are different from the proposed revisions in Col. 2, provide an updated report upon approval of the district governing board.

	(Col. 1) Latest Board-Approved Operating Budget Before Settlement (As of <u>4-5-04</u> )	(Col. 2)* Adjustments as a Result of Settlement	(Col. 3)** Other Revisions Board Approval Date: _____	(Col. 4) Total Impact on Budget (Cols. 1+2+3)
<b>REVENUES</b>				
Revenue Limit Sources (8010-8099)	93,686,042			93,686,042
Remaining Revenues (8100-8799)	41,994,886			41,994,886
<b>TOTAL REVENUES</b>	135,680,928			135,680,928
<b>EXPENDITURES</b>				
1000 Certificated Salaries	72,192,578			72,192,578
2000 Classified Salaries	19,241,156			19,241,156
3000 Employees' Benefits	22,631,162	496,855		23,128,017
4000 Books and Supplies	9,914,463	(14,925)*		9,899,538
5000 Services and Operating Expenses	13,811,692			13,811,692
6000 Capital Outlay	421,099			421,099
7000 Other	(43,109)			(43,109)
<b>TOTAL EXPENDITURES</b>	138,169,040	481,930		138,650,970
<b>OPERATING SURPLUS (DEFICIT)</b>	(2,488,112)	(481,930)		(2,970,042)
8900 OTHER SOURCES AND TRANSFERS IN	48,000			48,000
7600 OTHER USES AND TRANSFERS OUT	1,563,541			1,563,541
<b>CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE</b>	(4,003,653)	(481,930) *		(4,485,583)
<b>BEGINNING BALANCE (Object 9791 less 9560)</b>	9,197,893			9,197,893
<b>CURRENT-YEAR ENDING BALANCE</b>	5,194,240	(481,930)		4,712,310
<b>COMPONENTS OF ENDING BALANCE:</b>	290,110			290,110
096X Reserved Amounts				
0971 Reserves for Economic Uncertainties	4,904,130	(481,930)		4,422,200
0972-8 Board Designated Reserve Amounts				
0979 Unappropriated Budget				

- If the total amount of the Adjustment in Col. 2 does not agree with the amount of the Total Compensation Increase in Section A, line 6, page 1, explain the variance below (i.e., increase was partially budgeted, salaries/benefits are budgeted in other funds (etc.) \_
- \$14,925 of this expense is paid from categorical funding. The cost will be added to the 3XXX object series and supply budgets in the 4XXX object series will be reduced to offset the cost.

\*Explanation of Column 3 – Other Revisions: \_\_\_\_\_



## Tentative Agreement

*J. T. 04/18/04*  
*R 4/18/04*

1. The District's annual maximum contribution of \$4700 for Health and Welfare benefits shall be increased by \$500 for the 2003-2004 school year only. This amount shall be distributed per mutual agreement of the District and NEA-J.
2. For the 2004-2005 school year, the District will continue the \$500 increase to Health and Welfare benefits provided all of the following conditions are met:

- a) The budget as signed by the Governor provides a 1.84 % COLA to revenue limit
- b) The deficit factor is .9789
- c) Supplemental grants are funded at \$778,490
- d) Equalization is funded at \$11.81 per A.D.A.
- e) Home to school transportation is funded at \$1,135,543
- f) Special education transportation is funded at \$537,961
- g) Special education funding is provided at \$2,413,855 of Federal funding and \$5,941,360 of State funding
- h) Class Size Reduction is funded at \$923 per enrollee

or, if the actual total revenue generated from these funding sources is greater than or equal to the projections listed above.

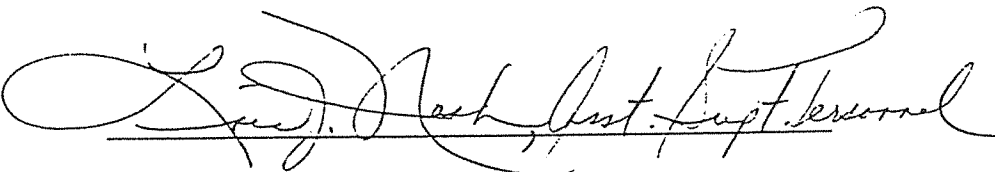
If these criteria are not met and the total funding is below the projected amounts, the \$500 shall be prorated on the basis of actual revenue impact per A.D.A.

The District shall notify the Association as soon as it is known, but no later than August 25, 2004, whether or not these criteria are met.

3. For the 2004-05 school year, an additional \$200 shall be added to Health and Welfare benefits. If the District contribution for routine maintenance is calculated on the basis of 3% of the combined general fund rather than 3% of the unrestricted general fund, then the \$200 may be deducted from the remaining pay warrants for the 2004-2005 school year.

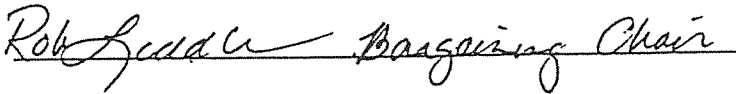
The District shall notify the Association by March 18, 2005 if this deduction shall occur.

4. If the District receives more funding from the state than set forth under the criteria in number 2 and/or number 3 above, the parties agree to reopen negotiations for Health and Welfare benefits.
5. Unit member Health and Welfare benefit surcharges for the 2004-05 school year shall be determined by the Association prior to September 8, 2004. The total amount collected through surcharges shall be equal to the total Health and Welfare benefit cost minus the total District contribution.
6. The additional \$500 set forth in numbers 1 and 2 and/or the additional \$200 set forth in number 3 above shall not be added to any unit member's cash option payment.
7. Upon ratification of this tentative agreement by both the District and the Association, the grievance and pending arbitration between NEA-J and the District related to this issue shall be dismissed without prejudice.
8. The Association and District agree to begin the process of revising the language of Article XVII as soon as possible with ratification by both sides prior to July 1, 2004.
9. Nothing in this tentative agreement shall prohibit the District and/or the Association from exploring alternatives to the current health benefit program or implementing agreed upon alternatives to the current health benefit program for 2004-2005 or thereafter.
10. This tentative agreement concludes bargaining re-openers for the 2003-2004 school year.

 04/08/04

District Representative/Title

Date

 04/08/04

Association Representative/Title

Date

# JURUPA UNIFIED SCHOOL DISTRICT

## MULTI-YEAR BUDGET PROJECTION

NEA-J Disclosure of Collective Bargaining Agreement

Combined

Board Meetings -

May 3, 2004

May 17, 2004

Description	Account Codes	2003/04 Projected	2004/05 Projected	2005/06 Projected
<b>A. REVENUES</b>				
1) Revenue Limit Sources	8010 - 8099	93,686,042	98,674,915	102,928,958
2) Federal Revenues	8100 - 8299	12,954,154	12,797,906	12,854,792
3) Other State Revenues	8300 - 8599	17,146,064	17,337,948	17,569,996
4) Other Local Revenues	8600 - 8799	8,092,166	8,249,512	8,409,528
5) TOTAL REVENUES		131,878,426	137,060,281	141,763,274
<b>B. EXPENDITURES</b>				
1) Certificated Salaries	1000 - 1999	72,142,242	74,139,957	75,924,033
2) Classified Salaries	2000 - 2999	19,160,334	19,463,883	19,668,590
3) Employee Benefits	3000 - 3999	22,826,385	23,473,074	23,829,851
4) Books & Supplies	4000 - 4999	8,709,497	6,832,156	6,832,156
5) Services, Other Exp.	5000 - 5999	11,354,901	11,504,901	12,061,901
6) Capital Outlay	6000 - 6999	381,240	381,240	381,240
7) Other Outgo	7100 - 7299	165,707	165,707	165,707
8) Dir. Supp./Ind. Costs	7300 - 7399	(259,213)	(259,213)	(259,213)
9) TOTAL EXPENDITURES		134,481,093	135,701,705	138,604,265
<b>C. EXCESS (DEFIC.) OF REVENUES OVER EXPEND.</b>		(2,602,667)	1,358,576	3,159,009
<b>D. OTHER FINANCING SOURCES/USES</b>				
1) Interfund Transfers				
a) Transfers In	8910 - 8929	48,000	48,000	48,000
b) Transfers Out	7610 - 7629	1,563,541	1,563,541	1,563,541
2) Other Sources/Uses				
a) Sources	8930 - 8979	0	0	0
b) Uses	7630 - 7699	0	0	0
3) Contrib. to Rest. Pgm.	8980 - 8999	0	0	0
4) TOTAL OTHER FIN. SOURCES/USES		(1,515,541)	(1,515,541)	(1,515,541)

Description	Account Codes	2003/04 Projected	2004/05 Projected	2005/06 Projected
E. NET INC. (DEC.) IN		(4,118,208)	(156,965)	1,643,468
FUND BALANCE				
F. FUND BALANCE, RESERVES				
1) Beginning Balance				
a) As of July 1 - Unaud.	9791	9,197,893	5,079,685	4,922,720
b) Audit Adjust.	9792	0	0	0
c) As of July 1, Aud.				
	9793			
e) Net Beginning Bal.		9,197,893	5,079,685	4,922,720
2) Ending Balance, June 30		5,079,685	4,922,720	6,566,188
Components of Ending Fund Balance				
a) Reserved Amounts				
Revolving Cash	9611	2,500	2,500	2,500
Stores	9612	277,772	277,772	277,772
Prepaid Expend.	9613	0	0	0
Other	9619	0	0	0
Gen. Reserve(EC 42124)	9630	0	0	0
Legally Restricted	9640	202,252	202,252	202,252
b) Designated Amounts				
Desig. for				
Economic Uncertainties	9710	4,295,307	4,138,342	5,781,810
Designated For -	9720 - 9789			
School Oper. Supply Alloc. C/O	9720	0	0	0
Capital Projects	9760	0	0	0
	9730	301,854	301,854	301,854
	9740	0	0	0
c)Unapprop. Amt.	9790	0	0	0

REQUIRED RESERVE ( 3 % )		4,081,339	4,117,957	4,205,034
OVER/(SHORT) REQUIRED RESERVE		213,968	20,385	1,576,776

# JURUPA UNIFIED SCHOOL DISTRICT

## MULTI-YEAR BUDGET PROJECTION

NEA-J Disclosure of Collective Bargaining Agreement  
Unrestricted

Board Meetings -  
May 3, 2004  
May 17, 2004

Description	Account Codes	2003/04 Projected	2004/05 Projected	2005/06 Projected
<b>A. REVENUES</b>				
1) Revenue Limit Sources	8010 - 8099	90,227,033	95,215,906	99,469,949
2) Federal Revenues	8100 - 8299	937,036	737,176	737,176
3) Other State Revenues	8300 - 8599	7,037,390	7,191,226	7,372,733
4) Other Local Revenues	8600 - 8799	377,977	427,977	447,977
5) TOTAL REVENUES		98,579,436	103,572,285	108,027,835
<b>B. EXPENDITURES</b>				
1) Certificated Salaries	1000 - 1999	59,501,090	61,498,805	63,282,881
2) Classified Salaries	2000 - 2999	11,427,951	11,731,500	11,936,207
3) Employee Benefits	3000 - 3999	17,761,646	18,408,335	18,765,112
4) Books & Supplies	4000 - 4999	2,020,735	885,194	885,194
5) Services, Other Exp.	5000 - 5999	5,947,992	6,097,992	6,654,992
6) Capital Outlay	6000 - 6999	28,094	28,094	28,094
7) Other Outgo	7100 - 7299	150,328	150,328	150,328
8) Dir. Supp./Ind. Costs	7300 - 7399	(755,362)	(755,362)	(755,362)
9) TOTAL EXPENDITURES		96,082,474	98,044,886	100,947,446
<b>C. EXCESS (DEFIC.) OF REVENUES OVER EXPEND.</b>		2,496,962	5,527,399	7,080,389
<b>D. OTHER FINANCING SOURCES/USES</b>				
1) Interfund Transfers				
a) Transfers In	8910 - 8929			
b) Transfers Out	7610 - 7629			
2) Other Sources/Uses				
a) Sources	8930 - 8979			
b) Uses	7630 - 7699			
3) Contrib. to Rest. Pgm.	8980 - 8999	(4,960,518)	(5,684,364)	(5,436,921)
4) TOTAL OTHER FIN. SOURCES/USES		(4,960,518)	(5,684,364)	(5,436,921)

Description	Account Codes	2003/04 Projected	2004/05 Projected	2005/06 Projected
E. NET INC. (DEC.) IN		(2,463,556)	(156,965)	1,643,468
FUND BALANCE				
F. FUND BALANCE, RESERVES				
1) Beginning Balance				
a) As of July 1 - Unaud.	9791	7,340,989	4,877,433	4,720,468
b) Audit Adjust.	9792			
c) As of July 1, Aud.				
	9793			
e) Net Beginning Bal.		7,340,989	4,877,433	4,720,468
2) Ending Balance, June 30		4,877,433	4,720,468	6,363,936
Components of Ending Fund Balance				
a) Reserved Amounts				
Revolving Cash	9611	2,500	2,500	2,500
Stores	9612	277,772	277,772	277,772
Prepaid Expend.	9613			
Other	9619			
Gen. Reserve(EC 42124)	9630			
Legally Restricted	9640			
b) Designated Amounts				
Desig. for				
Economic Uncertainties	9710	4,295,307	4,138,342	5,781,810
Designated For -	9720 - 9789			
School Oper. Supply Alloc. C/O	9720			
Capital Projects	9760			
	9730	301,854	301,854	301,854
	9740			
c)Unapprop. Amt.	9790			

# JURUPA UNIFIED SCHOOL DISTRICT

## MULTI-YEAR BUDGET PROJECTION

NEA-J Disclosure of Collective Bargaining Agreement  
Restricted

Board Meetings -  
May 3, 2004  
May 17, 2004

Description	Account Codes	2003/04 Projected	2004/05 Projected	2005/06 Projected
<b>A. REVENUES</b>				
1) Revenue Limit Sources	8010 - 8099	3,459,009	3,459,009	3,459,009
2) Federal Revenues	8100 - 8299	12,017,118	12,060,730	12,117,616
3) Other State Revenues	8300 - 8599	10,108,674	10,146,722	10,197,263
4) Other Local Revenues	8600 - 8799	7,714,189	7,821,535	7,961,551
5) TOTAL REVENUES		33,298,990	33,487,996	33,735,439
<b>B. EXPENDITURES</b>				
1) Certificated Salaries	1000 - 1999	12,641,152	12,641,152	12,641,152
2) Classified Salaries	2000 - 2999	7,732,383	7,732,383	7,732,383
3) Employee Benefits	3000 - 3999	5,064,739	5,064,739	5,064,739
4) Books & Supplies	4000 - 4999	6,688,762	5,946,962	5,946,962
5) Services, Other Exp.	5000 - 5999	5,406,909	5,406,909	5,406,909
6) Capital Outlay	6000 - 6999	353,146	353,146	353,146
7) Other Outgo	7100 - 7299	15,379	15,379	15,379
8) Dir. Supp./Ind. Costs	7300 - 7399	496,149	496,149	496,149
9) TOTAL EXPENDITURES		38,398,619	37,656,819	37,656,819
<b>C. EXCESS (DEFIC.) OF REVENUES OVER EXPEND.</b>				
		(5,099,629)	(4,168,823)	(3,921,380)
<b>D. OTHER FINANCING SOURCES/USES</b>				
1) Interfund Transfers				
a) Transfers In	8910 - 8929	48,000	48,000	48,000
b) Transfers Out	7610 - 7629	1,563,541	1,563,541	1,563,541
2) Other Sources/Uses				
a) Sources	8930 - 8979			
b) Uses	7630 - 7699			
3) Contrib. to Rest. Pgm.	8980 - 8999	4,960,518	5,684,364	5,436,921
4) TOTAL OTHER FIN. SOURCES/USES		3,444,977	4,168,823	3,921,380

Description	Account Codes	2003/04 Projected	2004/05 Projected	2005/06 Projected
E. NET INC. (DEC.) IN		(1,654,652)	0	0
FUND BALANCE				
F. FUND BALANCE, RESERVES				
1) Beginning Balance				
a) As of July 1 - Unaud.	9791	1,856,904	202,252	202,252
b) Audit Adjust.	9792			
c) As of July 1, Aud.				
	9793			
e) Net Beginning Bal.		1,856,904	202,252	202,252
2) Ending Balance, June 30		202,252	202,252	202,252
Components of Ending Fund Balance				
a) Reserved Amounts				
Revolving Cash	9611			
Stores	9612			
Prepaid Expend.	9613			
Other	9619			
Gen. Reserve(EC 42124)	9630			
Legally Restricted	9640	202,252	202,252	202,252
b) Designated Amounts				
Desig. for				
Economic Uncertainties	9710	0	0	0
Designated For -	9720 - 9789			
School Oper. Supply Alloc. C/O	9720			
Capital Projects	9760			
	9730			
	9740			
c)Unapprop. Amt.	9790			



**JURUPA UNIFIED SCHOOL DISTRICT  
2004 GRADUATION AND PROMOTION EXERCISES**

<u>SCHOOL</u>	<u>TIME AND PLACE</u>	<u>BOARD OF EDUCATION *</u>	<u>ADMINISTRATORS</u>
Jurupa Middle School Promotion	Tuesday, June 15, 2004, 10:00 a.m. Jurupa Middle P.E. Field	Mary Burns	
Mission Middle School Promotion	Tuesday, June 15, 2004, 9:30 a.m. Mission Middle School Quad	Sam Knight	
Mira Loma Middle School Promotion	Tuesday, June 15, 2004, 10:00 a.m. Mira Loma Middle School P.E. Field	Michael Rodriguez	
Jurupa Valley High School Graduation	Tuesday, June 15, 2004, 6:00 p.m. Jurupa Valley H.S. Football Field	<u>John Chavez</u> ** Mary Burns	
Rubidoux High School Graduation	Tuesday, June 15, 2004, 7:00 p. Edward E. Hawkins Stadium (RHS)	<u>Carolyn Adams</u> ** Michael Rodriguez	
Nueva Vista High Graduation	Monday, June 14, 2004, 6:00 p.m. University of California Theater	<u>Sam Knight</u> ** Carolyn Adams	
Jurupa Valley High Awards Night	Tuesday, June 8, 2004, 7:00 p.m. Jurupa Valley High Gym		
Rubidoux High Awards Night	Thursday, June 10, 2004, 6:30 p.m. Rubidoux High School Gym		

Ò Caps and Gowns: Mrs. Adams, Mrs. Burns, Mr. Chavez, Mr. Knight, Mr. Edmunds, Mr. Duchon

\* Board members not in the ceremony but in attendance please let the principal know you are present for introduction purposes.

\*\* Board member receiving Class of 2004

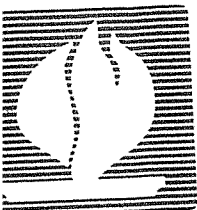
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APR 15 2004

JURUPA UNIFIED SCHOOL DISTRICT  
SUPERINTENDENT

April 15, 2004

RIVERSIDE COUNTY  
OFFICE OF EDUCATIONDR. DAVID LONG  
Riverside County Superintendent of Schools

To: Rollin Edmunds, District Superintendent  
Carolyn Adams, Board President  
Elliott Duchon, Assistant Superintendent, Business Services  
Jurupa Unified School District

From: K. William Marshall, Jr., Ed.D. *KWM by gjs*  
Riverside County Associate Superintendent of Schools  
Division of Administration and Business Services

Subject: 2003-04 SECOND INTERIM FINANCIAL REPORT

We have received and reviewed your 2003-04 Second Interim Financial Report. Your governing board has made a positive certification that the district will be able to meet its financial obligations for the current and two subsequent fiscal years. We have notified the California Department of Education of your district's positive certification. I commend you and your staff for your efforts in the preparation of these reports.

Our analysis of the report included the multi-year financial projections approved by the board. The projections indicate expenditures and other uses will exceed revenues by \$3,621,353 in the current fiscal year primarily due to the one-time expenditure of carryover funds. The projections indicate that the district will be able to meet its financial obligations and maintain minimum state required reserves in the 2004-05 and 2005-06 fiscal years based on the following major assumptions:

Major Assumption/Projection	2003-04	2004-05	2005-06
<i>Average Daily Attendance</i>	19,632	20,090	20,464
<u><i>Revenues/Sources</i></u>			
% Revenue Limit COLA	(1.2%)	2.8%	2.4%
% Growth in ADA	1.8%	2.3%	1.9%
Total Revenue Limit Increase	(\$115,254)	\$4,988,873	\$5,376,863
<u><i>Expenditures/Uses/Board Designations</i></u>			
Step/Column Movement	\$1,430,149	\$1,486,819	\$1,495,708
Cost of Salary Negotiations	\$0	\$0	\$0
Cost of Teachers for Growth	\$450,000	\$712,000	\$801,000
Cost of Operations for New Schools	\$0	\$150,000	\$557,000
<i>Reserve for Economic Uncertainties</i>	\$4,792,162	\$5,330,794	\$8,792,679
<i>Reserve %</i>	3.5%	3.9%	6.3%

Should these assumptions not materialize as planned, the board will need to adjust the budget plan accordingly.

Riverside County  
Board of Education

Charles H. Brugh

Lisa A. Conyers

Gerald P. Colapinto

Lynne D. Craig

Betty Gibbel

Milo P. Johnson

William R. Kroonen

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pg. 1

Jurupa Unified School District  
2003-2004 Second Interim Financial Report  
April 15, 2004  
Page 2

The Second Interim Financial Report indicates that certificated salary negotiations have not been concluded for the current fiscal year. The classified agreement for the current fiscal year contains reopener language for salary and health and welfare benefits. Government Code Section 3547.5 requires that the major provisions of a proposed collective bargaining agreement, including the projected cost of the agreement, be disclosed at a public meeting prior to governing board approval. Please provide a copy of this information to our office ten days prior to board approval.

Education Codes 42126-27 and 42130 require the board to approve multi-year financial projections for the current and at least two subsequent fiscal years that separately project unrestricted resources, restricted resources and the combined general fund. The projections should reflect current and anticipated changes in the district's revenues, operational programs, debt service obligations and/or enrollment and attendance trends. This process will assist the board in providing for the long-range financial stability of the district. Please provide our office with a copy of the updated multi-year financial projections, including assumptions, with the submission of your 2004-05 Adopted Budget.

If you have any questions or require further assistance, please call me at (909) 826-6568 or JoAnn Davenport at (909) 826-6575. Our fax number is [909] 826-4457.

KWM:JD/jm  
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