

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

November 10th, 2021 6:00pm

REGULAR MEETING AGENDA

The Novato Charter School welcomes your participation at the School's Board of Director meetings. The purpose of a public meeting is to conduct the affairs of the school in public. This meeting will be by teleconference pursuant to Executive Orders N-25-20 and N-29-20.

The Board of Directors ("Board") and employees of the Novato Charter School shall meet via the Zoom meeting platform. Members of the public who wish to access this Board meeting may do so at:

<https://nusc-org.zoom.us/j/82420080244?pwd=RzE2REMzcmk3ajlEaUF3alg5SVZGQT09>

Meeting ID: 824 2008 0244 Passcode: 480870

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

As discussed in Legal Update No. 15-2021 regarding recent amendments to the Brown Act and pursuant to AB 361, local public agencies in Marin County may proceed to hold virtual meetings after September 30, 2021 without holding a separate meeting to make a determination that meeting in person would present imminent danger.

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

Disability Access: Requests for disability-related modifications or accommodations to participate in this public meeting should be made 24 hours prior to the meeting by emailing mbloom@nusc.org. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

BOARD MEMBER CODE OF CONDUCT

We will demonstrate **respect** for each other and all school constituents through open communication and by

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

November 10th, 2021 6:00pm

REGULAR MEETING AGENDA

practicing gratitude and appreciation.

We will **collaborate** by honoring each member's unique point of view when working on the common goal of supporting the mission and vision of NCS.

We will align our actions to support the faculty and staff in their endeavor to provide a **holistic/developmentally** appropriate education through **creativity and the art of teaching**. We will hold ourselves and each other accountable to arrive at Board meetings prepared and in follow-through of additional responsibilities including committee work outside of meetings.

BOARD MEETING CODE OF CONDUCT

We welcome the public to our Board Meetings! We request that each visitor honor the following agreements in support of our school core values:

- Maintain open, respectful body language and tone of voice when sharing viewpoints.
- Respect the Direct Communication model by bringing any concern first to the person(s) most directly connected or responsible for the topic.
- Offer full listening and attention and lend a benefit of the doubt to each member.
- Honor established agreements and limitations of the board meeting format including:
 - Time limits
 - Discussion limited only to agenda items (no discussion of non-agendized topics)
 - Avoid interrupting others
 - Stay focused on speaker and topic (do not engaging in distracting behavior/side conversations)
 - Express gratitude and appreciation whenever/wherever possible.

BOARD OF DIRECTORS
 NOVATO CHARTER SCHOOL
 (A California Non-Profit Public Benefit Corporation)
 940 C Street, Novato, CA

November 10th, 2021 6:00pm

REGULAR MEETING AGENDA

AGENDA ITEM SPONSOR Approx. Time **1. Call Meeting to Order, Roll Call** Craig Allender 5 Min.

Board Member	Present	Absent	Late	Arrival time
Craig Allender, Chair (CA)				
Erik Berkowitz, Trustee (EB)				
Bridgette Corridan, Secretary (BC)				
Lia Heath, Chief Financial Officer (LH)				
Alexandria Quam, Trustee (AQ)				

2. Agenda Modification Craig Allender 5 Min.

3. Public Comment Craig Allender 5 Min. *This is the opportunity for members of the community to speak on topics that are not agendized on tonight's board meeting. Because these are not agendized items the board and staff may not dialog back and forth with you. If you have a specific question that staff may be able to answer, staff may contact you. Should a board member choose to have this placed on a future meeting they may contact staff to do that.*

4. Consent Agenda Items Craig Allender 5 Min.

Consent Agenda Items : All matters listed under the consent agenda are considered by the Board to be routine and will be approved/enacted by the Board in one motion in the form listed below. Unless specifically requested by a Board member for further discussion or removed from the agenda, there will be no discussion of these items prior to the Board votes on them.

A. Approve Minutes: October 13th, 2021

Moved By:							
Seconded By:							
Action:							

BOARD OF DIRECTORS
 NOVATO CHARTER SCHOOL
 (A California Non-Profit Public Benefit Corporation)
 940 C Street, Novato, CA
 November 10th, 2021 6:00pm
 REGULAR MEETING AGENDA

5. Board Discussion/Action Items

- A. Educator Effectiveness Block Grant 2021 - Plan presentation
LEAs that receive funding pursuant to California Education Code (EC) Section 41480(a) are required to develop and adopt a plan, by December 30 , 2021, that delineates the expenditure of funds apportioned including the professional development of teachers, administrators, paraprofessionals and classified staff. The plan shall be presented in a public meeting of the governing board [November] before its adoption in a subsequent meeting [December].
- B. Review and Approve IEE School Policy

Moved By:							
Seconded By:							
Action:							

- C. Student Success:
 - a. CAASPP-update on timing/release
- D. Substitute pay Revised salary schedule (Schedule 94-00)

Moved By:							
Seconded By:							
Action:							

- E. Bylaws review work

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

November 10th, 2021 6:00pm

REGULAR MEETING AGENDA

6. Information Items: Administrative Reports

- A. Facilities and Safety update,
 - a. NBCC Project Upcoming
 - b. New Portable Update
 - c. Soccer Field Update
 - d. Garden/Campus Workday Review
 - e. Emergency Preparedness
 - f. Roof update
- B. Transitional Kindergarten Age Expansion; Senate Bill 130; Section 60; 48000
- C. COVID update
 - a. COVID Safety Update
 - b. Observations of Pandemic Ramifications on Stakeholders
- D. Enrollment
 - a. Update on student enrollment

7. Next Board Meeting 5 Min. Wednesday, December 8th, 6pm

8.. Comments from Board Members -

Please email future agenda items to nllloyd@nUSD.org and callender@nUSD.org 5 Min.

9. Adjournment

Agenda publicly posted on www.novatocharterschool.org on Friday November 5th, 2021 by Megan Bloom

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

October 13th, 2021 6:00pm

REGULAR MEETING AGENDA

MINUTES

The Novato Charter School welcomes your participation at the School's Board of Director meetings. The purpose of a public meeting is to conduct the affairs of the school in public. This meeting will be by teleconference pursuant to Executive Orders N-25-20 and N-29-20.

The Board of Directors ("Board") and employees of the Novato Charter School shall meet via the Zoom meeting platform. Members of the public who wish to access this Board meeting may do so at:

<https://nusc-org.zoom.us/j/86573586061?pwd=cnBwc0dzemxYRmFKYVFjeHhEMEIBZz09have>

Meeting ID: 865 7358 6061 Passcode: 124641

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

As discussed in Legal Update No. 15-2021 regarding recent amendments to the Brown Act and pursuant to AB 361, local public agencies in Marin County may proceed to hold virtual meetings after September 30, 2021 without holding a separate meeting to make a determination that meeting in person would present imminent danger. For so long as the public health recommendations remain in effect, local public agencies should also plan to reconsider the circumstances of the emergency every 30 days and make appropriate findings to continue with virtual meetings.

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

Disability Access: Requests for disability-related modifications or accommodations to participate in this public meeting should be made 24 hours prior to the meeting by emailing mbloom@nusc.org. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

October 13th, 2021 6:00pm

REGULAR MEETING AGENDA

BOARD MEMBER CODE OF CONDUCT

We will demonstrate **respect** for each other and all school constituents through open communication and by practicing gratitude and appreciation.

We will **collaborate** by honoring each member's unique point of view when working on the common goal of supporting the mission and vision of NCS.

We will align our actions to support the faculty and staff in their endeavor to provide a **holistic/developmentally** appropriate education through **creativity and the art of teaching**. We will hold ourselves and each other accountable to arrive at Board meetings prepared and in follow-through of additional responsibilities including committee work outside of meetings.

BOARD MEETING CODE OF CONDUCT

We welcome the public to our Board Meetings! We request that each visitor honor the following agreements in support of our school core values:

- Maintain open, respectful body language and tone of voice when sharing viewpoints.
- Respect the Direct Communication model by bringing any concern first to the person(s) most directly connected or responsible for the topic.
- Offer full listening and attention and lend a benefit of the doubt to each member.
- Honor established agreements and limitations of the board meeting format including:
 - Time limits
 - Discussion limited only to agenda items (no discussion of non-agendized topics)
 - Avoid interrupting others
 - Stay focused on speaker and topic (do not engaging in distracting behavior/side conversations)
 - Express gratitude and appreciation whenever/wherever possible.

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA
October 13th, 2021 6:00pm
REGULAR MEETING AGENDA

MEETING CALLED TO ORDER BY CRAIG ALLENDAR AT 6:06 PM PT

AGENDA ITEM SPONSOR Approx. Time **1. Call Meeting to Order, Roll Call** Craig Allender 5 Min.

Board Member	Present Absent Late	Arrival time
Craig Allender, Chair (CA)	PRESENT	6:00 pm
Erik Berkowitz, Trustee (EB)	PRESENT	6:00 pm
Bridgette Corridan, Secretary (BC)	PRESENT	6:00 pm
Lia Heath, Chief Financial Officer (LH)	PRESENT	6:04 pm
Alexandria Quam, Trustee (AQ)	LATE	6:09 pm

2. Agenda Modification Craig Allender 5 Min.

- **No Agenda Modification**

3. Public Comment Craig Allender 5 Min. *This is the opportunity for members of the community to speak on topics that are not agendized on tonight's board meeting. Because these are not agendized items the board and staff may not dialog back and forth with you. If you have a specific question that staff may be able to answer, staff may contact you. Should a board member choose to have this placed on a future meeting they may contact staff to do that.*

- **No Public Comment**

4. Consent Agenda Items Craig Allender 5 Min.

Consent Agenda Items : All matters listed under the consent agenda are considered by the Board to be routine and will be approved/enacted by the Board in one motion in the form listed below. Unless specifically requested by a Board member for further discussion or removed from the agenda, there will be no discussion of these items prior to the Board votes on them.

BOARD OF DIRECTORS
 NOVATO CHARTER SCHOOL
 (A California Non-Profit Public Benefit Corporation)

940 C Street, Novato, CA

October 13th, 2021 6:00pm

REGULAR MEETING AGENDA

A. Approve Minutes: September 8th, 2021

Moved by:	Ali	Board Member:	Ali	Eric	Bridgette	Craig	Lia
Seconded by:	Eric	Vote:	Yea	Yea	Yea	Yea	Yea

5. Board Discussion/Action Items

A. Review Finance Report - John Azzizzi

- o Reviewed Financial Budgeting and Reporting Cycle
- o Reviewed Changes from 6/30 Adopted Budget [PPP Loan Forgiveness Received, YTD ADA down 7.94 from budget, New Portable Project 125K, Additional State Budget Revenue Streams, Adjust for '21->'22 Timing Differences (AB86)]
- o Reviewed Board Financial Report, overall numbers are break even, current grants are outstanding, discussion for where to hold reserve/surplus within Foundation or School, recommendation that portable is owned by the school, high priority for any surplus is for student support roles/programs, awareness of enrollment decline in City/County/Bay Area, NCS underrolled only in 2 grades, TK date expansion,

B. Review and Approve IEE School Policy, 1st Reading - Karina Haedo

- o IEE
 - i. Policy was recommended to be brought to the board by our El Dorado SELPA
 - ii. Individual Education Expense (IEE) is at public expense
 - iii. 3 parameters in regards to this expense (average of the 3 points below)
 - 1. Average of what we pay SpED EE's
 - 2. What neighbors pay
 - 3. Cost of assessment is determined within a 48 miles radius of NCS
 - iv. NOTE - potential evaluators are presented to schools 1st, no retroactive approval/payment - guided by SpED law and assessments are backed by data

BOARD OF DIRECTORS
 NOVATO CHARTER SCHOOL
 (A California Non-Profit Public Benefit Corporation)
 940 C Street, Novato, CA

October 13th, 2021 6:00pm

REGULAR MEETING AGENDA

C. NOV 10 BOARD MEETING - IN PERSON OR VIA ZOOM Decide whether to have the board meeting on November 1 in person or through Zoom. Staff recommendation: For safety reasons, continue through Zoom

- o Nikki Lloyd - recommends keeping them virtual through the winter (Charter School Development Center brief was reviewed by Craig and Nikki)

Moved by:	Lia	Board Member:	Ali	Eric	Bridgette	Craig	Lia
Seconded by:	Eric	Vote:	Yea	Yea	Yea	Yea	Yea

D. Student Success: Nikki Lloyd

- o 21-22 Dashboard Local Indicators Presentation
- o Bringing Presentation to Board and then will submit it. Dashboard shows local indicators, things we keep track of and self-report on (CASP, Absenteeism, etc.)
- o Assessment Update-FastBridge BOY Assessments
- o FASTBRIDGE
 - i. Looking to have 2 different ways to assess student progress for Charter Renewal purposes. CASP is approved and Fastbridge is the recommendation for the other assessment. Will test on ELA and Mathematics - teachers are enjoying the data.

6. Information Items: Administrative Reports

A. Facilities and Safety update,

- o NBCC Project Upcoming
 - Nikki Lloyd - moving forward with North Bay Project - keep addressing parking lot concerns and construction
- o Portables
 - Craig Allendar - Portable is moving at an expected pace

B. Emergency Preparedness - Nikki Lloyd

- o NUSD includes NCS in process every year - NUSD submitted our safety / emergency preparedness plan to County on our behalf

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

October 13th, 2021 6:00pm

REGULAR MEETING AGENDA

C. COVID UPDATE - Nikki Lloyd

- Staff and Eligible Students Vaccination Percentage posted 10/1/21 per state requirement
 - 100% of NCS staff and faculty are vaccinated, 82% (likely higher) of eligible students have been vaccinated
 - Will share Pediatric vaccination clinics with Parents and recommend them for students. Likely there will be pods for these and not at each school.
- COVID Safety Update
 - Update is already on the NCS website. Biggest change is the wording on the outdoor masks. Discussion amongst the board at tonight's meeting, talk to faculty on Thursday and communicate to Families in the thread on Friday with Monday being the activation date.

7. Next Board Meeting 5 Min. Wednesday, November 10th, 6pm

- Bridgette will not be at the November meeting, Lia Heath will take notes

8.. Comments from Board Members -

Please email future agenda items to NLloyd@nUSD.org and CAllender@nUSD.org 5 Min.

9. Adjournment

Agenda publicly posted on www.novatocharterschool.org on Friday September 30th, 2021 by Megan Bloom

Craig Allendar adjourned the Meeting at 7:41 pm PT

Educator Effectiveness Grant Plan

LEA: Novato Charter School

Board Review Date: November 10, 2021

Board Approval Date: December 8, 2021 (proposed)

Total Grant Amount: \$43,484

Eligible Fiscal Years: 21-22 through 25-26

Grant Plan: Expend Educator Effectiveness Grant funds on allowable uses per EC 41480 (b) [see below] over the period extending from the 2021-22 school year through the 2025-26 school year.

Allowable Uses per EC 41480 (b)

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



TO: NCS Board

FROM: Karina Haedo, Assistant Director

DATE: 11/10/21

RE: Second Reading and Adoption of Independent Educational Evaluation (IEE)

Board Priority/Goal:

1. Student Support
2. Fiscal Responsibility

Objective: To identify parameters for IEE, including evaluator qualifications and reasonable maximum cost allowances.

Background: The NCS Special Education Services are guided by the El Dorado Charter (EDC) SELPA. The EDC SELPA recommends all member schools adopt policies in regards to local norms and practices in order to ensure quality and consistency of programming and fiscal responsibility

Key elements of the IEE draft policy include:

- That a parent has the right to obtain an independent educational evaluation (IEE) and that the results of an IEE shall be considered in the consideration of FAPE
- That the cost of an IEE may be assumed by the LEA if a parent disagrees with an assessment conducted by the LEA in the past two years
- When an IEE request is granted the NCD Director or designee will ensure that specific evaluator qualifications are met or that a parent has the opportunity to justify a waiver of the qualifications listed in the IEE Policy.

Funding Source Recommendations: Special Education

Recommendation: To approve the first reading of IEE Policy

Supporting Documents: N/A

Legal References:

- California Education Code Section 56322
- California Education Code Section 56329
- 34 CFR 300.502

Independent Educational Evaluation (IEE)

IEE at Parent Expense

The local education agency (Novato Charter School) governing board acknowledges that a parent/guardian has the right to obtain an independent educational evaluation (IEE) at their own expense at any time. In these circumstances, the *Novato Charter School* or designee(s) shall ensure that the student's independent education plan (IEP) team shall consider the results of the IEE when determining an offer of a free appropriate public education (FAPE) for the student. However, the results of an IEE will not dictate the IEP team's determinations.

If a parent/guardian requests reimbursement for an IEE assessment obtained by the parent/guardian at their own expense, the *(Director)* or designee(s) shall ensure that the unilaterally obtained IEE meets the LEA criteria discussed in this policy.

IEE at Public Expense

The local education agency (LEA) governing board recognizes that federal and state laws provide parents/guardians of students with disabilities with the right to obtain an IEE, at public expense, when the parent/guardian disagrees with an assessment conducted by the LEA within the last two years.

The *(Director)* or designee(s) shall ensure that when a parent/guardian requests an IEE at public expense the LEA/district shall provide the parent/guardian with a copy of their Procedural Safeguards *and* either:

- I. Initiate a due process hearing to show that the evaluation, completed by the LEA/district, is appropriate; or
- II. Provide the parent/guardian with information about where an IEE may be obtained, the LEA's criteria applicable for IEEs, and ensure that an IEE is provided at public expense.

In instances in which the NCS is granting the parent's request for an IEE, the *(Director)* or designee(s) shall ensure the following:

1. The criteria under which the IEE is obtained at public expense, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the LEA uses when it initiates an evaluation.
2. The LEA does not impose conditions or timelines related to obtaining an IEE at public expense.
3. All assessments shall be completed by persons competent to perform the assessment as determined by the LEA.
4. The IEE shall be administered by an evaluator who holds equivalent certifications, licenses, or other qualifications that would be required of the LEA staff to provide similar evaluations.
5. A parent/guardian shall have the opportunity to demonstrate that unique circumstances justify a waiver of any of the criteria listed above as defined by the LEA.

IEE Cost Determination

The cost determination for an IEE shall be comparable to the costs incurred by the LEA when it uses its own employees or contractors to complete an assessment, whenever possible. As a result, the **(Director)** or designee(s) shall provide a parent/guardian with a recommended cost ceiling. The cost ceiling shall be updated **(once every three years)** and determined by averaging the cost of the following three assessors:

- I. The cost of an assessment provided by a LEA employee;
- II. The cost of an assessment provided by a neighboring LEA; and
- III. The cost of an assessment provided by a private service provider, with appropriate qualifications, within **(40 miles)** from the LEA.

The **(Director)** or designee(s) shall ensure a parent/guardian may demonstrate that unique circumstances, related to the student's educational need(s), justify a financial waiver of any of the cost ceiling as defined by the LEA.

The **(Director)** or designee(s) shall request that the parent/guardian voluntarily have their private health insurance pay the costs of the IEE if covered by their insurance. However, the LEA governing board recognizes that federal and state laws specify that parents/guardians are not required to have private insurance cover the costs of an IEE if the process would result in a financial cost to the parent/guardian including but not limited to:

- I. A decrease in available lifetime coverage or any other benefit under an insurance policy;
- II. An increase in premiums or the discontinuance of the policy; or
- III. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim.

Legal References

California Education Code Section 56322

California Education Code Section 56329

34 CFR 300.502

Adopted

(Date)

DRAFT

**2021-22 Novato Charter School
 Certificated - Other Rates Salary Schedule (94-00)**

	Step-->			
Range	1	2	3	
1	60.00	75.00		
2	25.00			
3	30.00			
4	35.00			
5	40.00			
6	50.00			
7	90.00			1/2 day (<3.75 hrs)
8	150.00			Full day (>4.00 hrs)
9	85.00	90.00	95.00	Nurse, SLP, Other
10	110.00	115.00	120.00	Psych, SLP2, Other

Notes:

2/1	25.00	Certificated Substitute/Hrly Rate 01	
3/1	30.00	Certificated Substitute/Hrly Rate 02	
4/1	35.00	Certificated Substitute/Hrly Rate 03	
5/1	40.00	Certificated Substitute/Hrly Rate 04	
6/1	50.00	Certificated Substitute/Hrly Rate 05	Jones
1/1	60.00	Certificated Substitute/Hrly Rate 06	Holt; HW Club/Pwr Hr
1/2	75.00	Certificated Substitute/Hrly Rate 01	Mentoring
7/1	100.00	Certificated Sub - 1/2 Day Rate	180 days; \$36,000 Annual
8/1	200.00	Certificated Sub - Full Day Rate	180 days; \$36,000 Annual
9/1	85.00	Cert Spec Rate 01 (Nurse, etc)	Nurse
9/2	90.00	Cert Spec Rate 02 (Nurse, etc)	
9/3	95.00	Cert Spec Rate 03 (Nurse, etc)	
10/1	110.00	Cert Spec Rate 04 (Psych, etc)	Correia
10/2	115.00	Cert Spec Rate 05 (Psych, etc)	
10/3	120.00	Cert Spec Rate 06 (Psych, etc)	



A Joint Powers Authority
serving school and college
districts throughout the
state.

5350 Skylane Boulevard
Santa Rosa, CA 95403

Tel: (707) 524-2690
Fax: (707) 578-0517
santarosa@sclscal.org
www.sclscal.org

General Counsel
Carl D. Corbin

Attorneys
Jennifer Henry
Nancy L. Klein
Damara L. Moore
Jennifer E. Nix
Steven P. Reiner
Kaitlyn A. Schwendeman
Leah M. Smith
Loren W. Soukup
Erin E. Stagg

Of Counsel
Robert J. Henry
Frank Zotter, Jr.

MEMORANDUM

CONFIDENTIAL – ATTORNEY-CLIENT PRIVILEGED

To: Nikki Lloyd, Executive Director, Novato Charter School
From: Damara Moore, Senior Associate General Counsel *DM*
Date: November 4, 2021
Re: Changes in Transitional Kindergarten

Yesterday, you asked our office for a legal brief or memorandum about the changes in Transitional Kindergarten passed by our Legislature in the last year.

Assembly Bill (“AB”) 130 revised the timespans for mandatory and optional admission requirements to transitional kindergarten for apportionment purposes as follows:

- In the 2022–23 school year, a child who will have their fifth birthday between September 2 and February 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.
- In the 2023–24 school year, a child who will have their fifth birthday between September 2 and April 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.
- In the 2024–25 school year, a child who will have their fifth birthday between September 2 and June 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.
- In the 2025–26 school year, and in each school year thereafter, a child who will have their fourth birthday by September 1 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

See Cal. Educ. Code § 48000(c).

Other elements of this statute include that your school may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified for the applicable year above, but still during that same school year, with the approval of the parent or guardian, subject to the following conditions:

- (i) The governing board of the school district or the governing body of the charter school determines that the admittance is in the best interests of the child.
- (ii) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.



Nikki Lloyd, Executive Director
Novato Charter School
November 4, 2021
Page 2

Cal. Educ. Code § 48000(c)(2)(A).

AB 130 also stated that until a pupil admitted to a transitional kindergarten program pursuant to the above “early admission” subparagraph has their fifth birthday, that pupil will not generate average daily attendance or be included in the enrollment or unduplicated pupil count, regardless of when the pupil was admitted during the school year. See Cal. Educ. Code §§ 48000(c)(2)(B); 47610(c); 46300; 42238.02.

Additional apportionment considerations are that the charter school must:

- (1) Maintain an average transitional kindergarten class enrollment of not more than 24 pupils for each schoolsite.
- (2) Commencing with the 2022-23 school year, maintain an average of at least one adult for every 12 pupils for transitional kindergarten classrooms.
- (3) Commencing with the 2023-24 school year, and for each year thereafter, maintain an average of at least one adult for every 10 pupils for transitional kindergarten classrooms, contingent upon an appropriation of funds for this purpose.
- (4) Ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have, by August 1, 2023, one of the following:
 - (A) At least 24 units in early childhood education, or childhood development, or both.
 - (B) As determined by the local educational agency employing the teacher, professional experience in a classroom setting with preschool age children that is comparable to the 24 units of education described in subparagraph (A).
 - (C) A child development teacher permit issued by the Commission on Teacher Credentialing.

Cal. Educ. Code § 48000 (g).

There are additional rules if your charter school is placing transitional kindergarten students in a California State Preschool. Cal. Educ. Code § 48000. We have not included these because they are complicated and unnecessary to get into unless you are placing students in State Preschools. Please contact me if you would like more information about requirements around this.

One other change in the law this year related to “universal transitional kindergarten” is the state’s new Expanded Learning Opportunities Program, which provides grants for which charter schools are eligible. However, the program requires that local educational agencies offer a nine-hour school day, including before and after class services. Cal. Educ. Code § 46120. It also requires a 10:1 pupil to staff ratio. *Id.*

Please let us know if you are interested in any further information about universal transitional kindergarten. Thank you.