



## MEETING AGENDA - Empower Generations Board

Any public records relating to an agenda item for an open session of the Board which are distributed to all, or a majority of all of the Board members shall be available for public inspection at the main office of the school between 9:00 am and 3:30 pm.

### Meeting

<b>Meeting Date</b>	Thursday, September 14, 2023
<b>Start Time</b>	5:00 PM
<b>End Time</b>	6:30 PM
<b>Location</b>	Address: 44236 10th Street West, Suite 105, Lancaster, CA 93534
<b>Purpose</b>	Regular Scheduled Meeting

### Agenda

## 1. Opening Items

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1.1. Call The Meeting To Order

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1.2. Roll Call

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1.3. Pledge Of Allegiance

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1.4. Board Meeting Agenda

Discuss and take action on the Board Meeting Agenda.

**Due date:** 9/14/2023

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1.5. Board Meeting Minutes

Discuss and take action on the Board Meeting Minutes.

**Due date:** 9/14/2023

#### Documents

- Minutes-2023-06-29-v1.pdf
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## 2. Curriculum Moment

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2.1. Curriculum Moment

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## 3. Public Comments

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3.1. Public Comments

The public may address the Empower Generations governing board regarding any item within the Board's jurisdiction whether or not that item appears on the agenda during this time. If you wish to address the Board, please complete a public comment card. Comments for the public will be limited to 3 minutes.

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## 4. Consent Items

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### 4.1. Personnel Report

**Due date:** 9/14/2023

Documents

- 09.14.23\_EG\_PersonnelReport.pdf
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### 4.2. Check Register

**Due date:** 9/14/2023

Documents

- EG Payment Register\_20230907.pdf
  - EG Payment Register Summary\_20230907.pdf
- 

### 4.3. Empower Generations/AVPH MOU

6 month MOU partnership with EG and AVPH.

**Due date:** 9/14/2023

Documents

- empower\_avph-mou.pdf
- 

## 5. Discussion and Reports

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### 5.1. School Director Report

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### 5.2. Board Finance Committee Report

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### 5.3. Senate Bill 114 - Charter Extension

Discuss the extension granted to Charter Schools for an additional one year of authorization.

Documents

- Empower Generations Charter Extension 2023-24.pdf
- 

## 6. Action Items

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### 6.1. Revised Fiscal Policy

Discuss and take action of the Revised Fiscal Policy.

**Due date:** 9/14/2023

Documents

- Empower Generations\_Fiscal Policy\_FY2324\_Draft.pdf
- 

### 6.2. Revised Homeless Policy

Discuss and take action regarding the required revised Homeless Policy.

**Due date:** 9/14/2023

Documents

- Empower Revised Homeless Ed. Policy Sept. 2023.pdf

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### 6.3. Injury and Illness Prevention Plan

Discuss and take action regarding the Injury and Illness Prevention Plan.

**Due date:** 9/14/2023

#### Documents

- IIPP - iLEAD Empower Generations (1).pdf

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### 6.4. Board Member Positions

Marcia Reilly resigned from the Board on August 15, 2023. Discuss and take action to establish a Treasurer according to the Bylaws.

**Due date:** 9/14/2023

#### Documents

- Approved - Amended Bylaws - Empower Generations - May 2020 (4).pdf

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## 7. Closed Session

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### 7.1. Public Employee Appointment

(Gov. Code section 54957(b)(1) Title: School Director)

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## 8. Report of Closed Session

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## 9. Board Comments

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### 9.1. Board Comments

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## 10. Closing Items

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### 10.1. Next Meeting Date - October 19

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### 10.2. Adjournment

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**Please note:** items on the agenda may not be addressed in the order they appear. The Board of Directors may alter the order at their discretion.

- **Board Room Accessibility:** The Board of Directors encourage those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services to participate in the public meeting, please contact the office at least 48 hours before the scheduled Board of Directors meeting so that we may make every reasonable effort to accommodate you. [Government Code § 54954.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. § 12132).]

*The Secretary of the Board of Directors, hereby certifies that this agenda was publicly posted 72 or 24 hours prior to the meeting as required by law.*



## MEETING MINUTES - Empower Generations Board

### Meeting

<b>Date</b>	Thursday, June 29, 2023
<b>Started</b>	4:07 PM
<b>Ended</b>	4:49 PM
<b>Location</b>	Address: 44236 10th Street West, Suite 105, Lancaster, CA 93534
<b>Purpose</b>	Regular Scheduled Meeting
<b>Chaired by</b>	Annaliisa Wilson
<b>Recorder</b>	Roselia Calderon

### Minutes

#### 1. Opening Items

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##### 1.1. Call The Meeting To Order

Meeting was called to order at 4:07 p.m.

**Status:** Completed

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##### 1.2. Roll Call

All Board Members were present except for Michelle Fluke and Marcia Reily.

**Status:** Completed

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##### 1.3. Pledge Of Allegiance

The Pledge of Allegiance was recited.

**Status:** Completed

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##### 1.4. Approve Agenda

Motion: Sajae

Seconded: Shannon

Unanimously Passed

Michelle Fluke and Marcia Reily Absent

**Due date:**

**Status:** Completed

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##### 1.5. Approve Minutes

Motion: Sajae

Seconded: Shannon

Unanimously Passed

Michelle Fluke and Marcia Reily Absent

**Due date:**

**Status:** Completed

Documents

- Minutes-2023-06-22-v1.pdf
- 

## 2. Public Comments

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### 2.1. Public Comments

The public may address the Empower Generations governing board regarding any item within the Board's jurisdiction whether or not that item appears on the agenda during this time. If you wish to address the Board, please complete a public comment card. Comments for the public will be limited to 3 minutes.

No Public Comments were made.

**Status:** Completed

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## 3. Hearing

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### 3.1. LCAP Hearing

Allow public input regarding the Local Control Accountability Plan and Budget.

No Public Comments were made during the hearing.

**Status:** Completed

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## 4. Action Items

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### 4.1. LCAP and Local Indicators

Discuss and take action on the 2022 - 2023 Local Indicators and 2023 - 2024 LCAP.

Allison Bravo, iCA Support Provider, presented the LCAP and Local Indicators.

Motion: Sajae

Seconded: Shannon

Unanimously Passed

Michelle Fluke and Marcia Reily Absent

**Due date:**

**Status:** Completed

Documents

- Empower Generations 23-24 LCAP.pdf
- 

### 4.2. LCAP Federal Addendum

Discuss and take action on the 2023 - 2024 LCAP Federal Addendum.

LCAP Federal Addendum was not changed thus no action needed or taken.

**Due date:**

**Status:** Completed

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#### 4.3. 2022-2023 Estimated Actuals & 2023-2024 Budget

Discuss and take action on the Estimated Actuals and projected budget.

Kelly O'Brien, iCA Support Provider, presented the 2022-2023 Estimated Actuals and 2023-2024 Budget, discussion took place and questions of the Board were answered.

Motion: Sajae

Seconded: Shannon

Unanimously Passed

Michelle Fluke and Marcia Reily Absent

**Due date:**

**Status:** Completed

Documents

- EstimatedActuals2223.PrelimBudget2334.MYP\_ForBoard.pdf
- 

#### 4.4. Revised Fiscal Policy

Discuss and take action regarding the revised fiscal policy.

Kim Lytle, iCA Support Provider, advised that the Revised Fiscal Policy was being worked on and item was tabled.

**Due date:**

**Status:** Completed

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#### 4.5. Food Services MOU

Discuss and take action on the Food Services MOU.

Cassandra Coleman, iCA Support Provider, presented the Food Service MOU.

Motion: Sajae

Seconded: Shannon

Unanimously Passed

Michelle Fluke and Marcia Reily Absent

**Due date:**

**Status:** Completed

Documents

- MOU for Self Operation 23-24.pdf
- 

#### 4.6. 2023-2024 Insurance Policies

Discuss and take action regarding the 2022-2023 insurance policies.

Kim Lytle, iCA Support Provider, presented the 2023-2024 Insurance Policies.

Motion: Sajae

Seconded: Shannon

Unanimously Passed

Michelle Fluke and Marcia Reily Absent

**Due date:**

**Status:** Completed

Documents

- iLEAD 23-24 Premium Allocations - Empower Generations.pdf
- 

#### 4.7. 2023-2024 Family Guidebook

Discuss and take action regarding the 2023-2024 Family Guidebook.

Cassandra Coleman, iCA Support Provider, presented the 2023-2024 Family Guidebook.

Motion: Sajae

Seconded: Shannon

Unanimously Passed

Michelle Fluke and Marcia Reily Absent

**Due date:**

**Status:** Completed

Documents

- Empower Generations 2023-2024 Family Guidebook .pdf
- 

#### 4.8. Special Education Shared Resource Agreement

Discuss and take action regarding the revised iLEAD CA Sp. Ed. Shared Service Agreement.

Kim Lytle, iCA Support Provider presented the Special Education Shared Resource Agreement, discussion took place and questions from the Board were answered.

Motion: Sajae

Seconded: Shannon

Unanimously Passed

Michelle Fluke and Marcia Reily Absent

**Due date:**

**Status:** Completed

Documents

- 23-24 SPED RESOURCE SHARING (7-1-23).pdf
- 

#### 4.9. Board Member Positions

Discuss and take action to establish a Treasurer according to the Bylaws.

Kim Lytle, iCA Support Provider presented Board Member Positions of treasurer was needed per Bylaws and item was tabled until all Board Members present

**Due date:**

**Status:** Completed

Documents

- Approved - Amended Bylaws - Empower Generations - May 2020.pdf
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## 5. Board Comments

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### 5.1. Board Comments

Shannon asked Kelly for her number so that she can share how they can help Empower Generations. Kim introduced Rick Crunelle, Executive Director of HR, from Employee Benefits.

**Status:** Completed

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## 6. Closing Items

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### 6.1. Next Meeting Date - September 14 @ 5:00

Next Meeting Date is for September 14, 2023 at 5:00 p.m.

**Status:** Completed

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### 6.2. Adjournment

Meeting was Adjourned at 4:49 p.m.

**Status:** Completed

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**EMPLOYMENT – NEW HIRES**

N/A

**RESIGNATIONS/TERMINATIONS**

Moody, Brian

School Counselor

08.09.23

**STATUS CHANGE**

N/A

**Company Name:** Empower Generations  
**Report Name:** Payment Register Summary  
**Report Title 2:** Mission Valley Bank  
**Footer Text:** 06/15/2023-09/06/2023

GL Account #	GL Account Description	Total
3401	Health & Welfare Benefits - Credentialed positions	2,483.20
3402	Health & Welfare Benefits - Classified positions	2,890.92
4110	Core Curriculum - Texts, Workbooks, etc	300.09
4120	Core Curriculum - Software & Programs	1,403.50
4210	Professional Development References	428.58
4305	Educational Supplies (Classroom, Project, SpEd, Etc)	343.69
4325	Custodial Supplies	110.82
4330	Health & Safety	57.18
4340	Office Supplies	237.96
4430	IT Equipment & Supplies	14,533.31
4710	Vended Food Service	1,184.40
5310	Professional Dues, Memberships, and Subscriptions	1,986.95
5510	Utilities - Electricity	2,414.58
5520	Utilities - Gas	86.00
5560	Operations - Security	15,676.08
5610	Rent - Facilities Rent and CAM Charges	26,044.18
5630	Repairs & Maintenance - Facilities	130.00
5660	Repairs & Maintenance - Other Equipment	285.00
5801	Professional Services - Service Fees	48,739.35
5805	Professional Services - Payroll Fees	2,243.10
5806	Professional Services - Consultant Fees	45.00
5808	Professional Services - Legal Fees	2,860.29
5809	Professional Services - Shared/Leased Employees	5,526.20
5822	Operating Expenditures - Licenses & Other Fees	160.44
5825	Operating Expenditures - Banking Charges & Fees	1,584.14
5827	Operating Expenditures - Other Benefit Fees	20.40
5829	Operating Expenditures - Events	668.32
5830	Operating Expenditures - Marketing & Advertising	1,931.03
5831	Operating Expenditures - Branding (Brochures, Flyers, etc)	6,275.55
5850	Student Services Expenditures - Student Information System	2,875.82
5852	Student Services Expenditures - Special Education Contracted	73,625.23
5853	Student Services Expenditures - Student & Group Activities	943.59
5854	Student Services Expenditures - Electives & Enrichment	1,450.00
5910	Telephone & Fax	142.19
5920	Internet Services	3,343.60
9310	Prepaid Expenditures (Expenses)	14,147.57
9535	Retirement Liability	16,137.43
9555	Divvy - EG	369.45
<b>Grand Total</b>		<b>\$ 253,685.14</b>

**Company name:** Empower Generations  
**Report name:** Payment Register  
**Report title 2:** Mission Valley Bank  
**Footer Text:** 06/15/2023-09/07/2023  
**Created on:** 9/7/23  
**Location:** 115--Empower Generations

Date	Vendor	Amount
6/19/23	DIVV115--Divvy, Inc.	369.45
6/20/23	AMAZ100--Amazon Capital Services (iCA)	288.57
6/23/23	DONO000--Donovan, Malaka	127.92
6/26/23	AFLA000--AFLAC	365.00
6/26/23	AMAZ100--Amazon Capital Services (iCA)	112.60
6/26/23	AMAZ100--Amazon Capital Services (iCA)	241.12
6/26/23	BAY115B--Bay Alarm Company 1072	360.00
6/26/23	ILEA300--iLEAD California	85.34
6/26/23	ILEA300--iLEAD California	2,914.55
6/26/23	ILEA300--iLEAD California	85.32
6/26/23	ILEA300--iLEAD California	85.64
6/26/23	ILEA300--iLEAD California	7,139.45
6/26/23	ILEA300--iLEAD California	85.64
6/26/23	ILEA300--iLEAD California	309.93
6/26/23	ILEA300--iLEAD California	85.64
6/26/23	ILEA300--iLEAD California	1,640.36
6/26/23	ILEA300--iLEAD California	11,613.05
6/26/23	ILEA300--iLEAD California	79.14
6/26/23	ILEA300--iLEAD California	6,454.46
6/26/23	ILEA300--iLEAD California	79.28
6/26/23	ILEA300--iLEAD California	11,738.70
6/26/23	ILEA300--iLEAD California	6,691.55
6/26/23	ILEA300--iLEAD California	35.30
6/26/23	ILEA300--iLEAD California	1,680.53
6/26/23	ILEA300--iLEAD California	84.20
6/26/23	ILEA300--iLEAD California	6,990.13
6/26/23	ILEA300--iLEAD California	13,280.48
6/26/23	MCCA000--McCalla Company	110.82
6/26/23	NITE000--Nite-Lite Signs Inc.	6,275.55
6/26/23	OSTU000--O Studios Dance and Music	1,450.00
6/26/23	PURE000--Pure Oasis Water	18.00
6/26/23	WEXH000--WEX Health Inc.	10.20
6/28/23	GRAV001--Gravie, Inc	1,093.58
6/28/23	LEGA003--Legal Shield	31.90
6/28/23	SUNL000--Sun Life Assurance Company of Canada	132.99
6/28/23	SUNL000--Sun Life Assurance Company of Canada	132.99
7/3/23	LOSA001--Los Angeles County Office of Education (LACOE)	2,766.70
7/18/23	BAY115B--Bay Alarm Company 1072	14,179.76

<b>Date</b>	<b>Vendor</b>	<b>Amount</b>
7/18/23	EDI115B--Southern California Edison 9022.	718.44
7/18/23	FIDE000--Fidelity Security Life Insurance Company	48.39
7/18/23	GRAD000--GraduationSource LLC	626.70
7/18/23	JYSI000--J&Y Silkscreen Inc	316.89
7/18/23	KAIS000--Kaiser Foundation Health Plan	3,632.40
7/18/23	OASI003--Oasis Integration	4,396.23
7/18/23	THEA008--The Abbey Company	13,767.74
7/19/23	Tanya Fornelli	595.02
7/19/23	FIDE000--Fidelity Security Life Insurance Company	38.63
7/19/23	FRES001--Fresh Start Healthy Meals, Inc.	1,184.40
7/19/23	IMAG001--Image 2000, Inc	285.00
7/19/23	JIVE000--Jive Communications, Inc.	142.19
7/19/23	PARE002--Parent Square, Inc.	394.80
7/19/23	TMOB001--T-Mobile 8994	338.80
7/19/23	WEXH000--WEX Health Inc.	10.20
7/24/23	AFLA000--AFLAC	365.00
7/24/23	AKIN000--Akins IT Inc	500.00
7/24/23	AMAZ100--Amazon Capital Services (iCA)	343.69
7/24/23	CIGN000--Cigna Healthcare	493.83
7/24/23	GAS115C--SoCalGas 3237	16.07
7/24/23	GAS115C--SoCalGas 3237	27.16
7/24/23	GAS115C--SoCalGas 3237	14.30
7/24/23	ILEA300--iLEAD California	91.23
7/24/23	ILEA300--iLEAD California	85.34
7/24/23	ILEA300--iLEAD California	132.20
7/24/23	ILEA300--iLEAD California	20.47
7/24/23	ILEA300--iLEAD California	160.44
7/24/23	NAVI001--Navigate360, LLC	386.25
7/24/23	SCHO009--School Pathways LLC	2,801.53
7/24/23	SUNL000--Sun Life Assurance Company of Canada	132.99
7/24/23	THEA008--The Abbey Company	14,996.51
8/1/23	LOSA001--Los Angeles County Office of Education (LACOE)	2,028.91
8/3/23	HESS000--Hess and Associates Inc	45.00
8/10/23	SCHO013--School Food and Wellness Group	250.00
8/11/23	EDI115B--Southern California Edison 9022.	738.53
8/11/23	GAS115C--SoCalGas 3237	14.79
8/11/23	ILEA000--iLEAD Lancaster Charter Schools	2,574.88
8/11/23	ILEA000--iLEAD Lancaster Charter Schools	1,476.26
8/11/23	ILEA000--iLEAD Lancaster Charter Schools	1,475.06
8/11/23	ILEA300--iLEAD California	658.40
8/11/23	ILEA300--iLEAD California	1,284.98
8/11/23	ILEA300--iLEAD California	63.25
8/11/23	ILEA300--iLEAD California	13,964.77
8/11/23	ILEA300--iLEAD California	6,373.21

<b>Date</b>	<b>Vendor</b>	<b>Amount</b>
8/11/23	ILEA300--iLEAD California	12,063.48
8/11/23	ILEA300--iLEAD California	6,452.04
8/11/23	ILEA300--iLEAD California	10,964.75
8/11/23	ILEA300--iLEAD California	5,688.66
8/11/23	LAWO000--Law Offices of Young, Minney & Corr, LLP	910.00
8/11/23	LEGA003--Legal Shield	31.90
8/11/23	TMOB001--T-Mobile 8994	338.80
8/15/23	LOSA001--Los Angeles County Office of Education (LACOE)	4,398.65
8/28/23	ILEA300--iLEAD California	439.03
8/28/23	ILEA300--iLEAD California	388.27
8/28/23	ILEA300--iLEAD California	574.79
8/28/23	ILEA300--iLEAD California	372.39
8/28/23	MELL000--Mellady Direct Marketing	1,931.03
8/31/23	AMAZ100--Amazon Capital Services (iCA)	440.29
8/31/23	EDI115B--Southern California Edison 9022.	957.61
8/31/23	EDTE000--EdTech 101	9,505.69
8/31/23	GAS115C--SoCalGas 3237	14.07
8/31/23	ILEA300--iLEAD California	468.62
8/31/23	KJIP000--KJI Plumbing Inc	130.00
8/31/23	SCHO009--School Pathways LLC	74.29
8/31/23	THEA008--The Abbey Company	13,022.09
8/31/23	TMOB001--T-Mobile 8994	338.80
9/1/23	LOSA001--Los Angeles County Office of Education (LACOE)	6,943.17
		<b>\$ 253,685.14</b>

## **Memorandum of Understanding (MOU)**

### **Between**

### **Empower Generations and**

### **Antelope Valley Partners for Health of Los Angeles County**

This Memorandum of Understanding (MOU) establishes a *collaborative agreement between* the two following organizations: Empower Generations and Antelope Valley Partners for Health.

#### **I. Descriptions of the Organizations:**

- Empower Generations is a free public charter school that specializes in helping pregnant and parenting teens achieve their high school diploma.
- Antelope Valley Partners for Health (AVPH) is a non-profit community-based organization with the vision that all children and families in the Antelope Valley community will have optimal psychosocial, physical and environmental health. The mission of AVPH is to educate, strengthen and advocate for the community through services and partnerships, achieving optimal health and quality of life for all people living in the Antelope Valley. Antelope Valley Partners for Health offers many services within the community that can include home visitation services, health and wellness classes, social support, community training and more.

#### **II. PURPOSE AND SCOPE**

##### **Empower Generations will:**

- a. Provide space onsite at Empower Generations, 44236 10th St W Ste. 105, Lancaster, CA 93534 at no charge to Antelope Valley Partners for Health.
- b. Follow all policies, procedures, and protocols of Empower Generations to fulfill the purpose and responsibility of this MOU.

##### **Antelope Valley Partners for Health will:**

- a. Provide services at no cost to Empower Generations and to community members utilizing the services.
- b. Obtain prior approval from Empower Generations for any press or media covering the activities or services while onsite.
- c. Ensure that all participants utilizing services held at Empower Generations complete and sign proper consents and release of liability waivers.



### **III. RESPONSIBILITIES**

Each organization will appoint a person to serve as the authorized point of contact and coordinate the activities of each organization in carrying out this MOU. The initial appointees of each organization are:

Malaka Donovan  
School Director  
44236 10<sup>th</sup> Street West  
Suite 105  
Lancaster, CA 93534  
Office: (661) 429.3624  
Email: [malaka.donovan@empowergenerations.org](mailto:malaka.donovan@empowergenerations.org)  
Website: [www.empowergenerations.org](http://www.empowergenerations.org)

Michelle Fluke  
Executive Director  
Antelope Valley Partners for Health  
44226 10th Street West  
Lancaster, CA 93534

Phone: 661.942.4719  
Email: [mfluke@avph.org](mailto:mfluke@avph.org)  
Website: [www.avph.org](http://www.avph.org)

### **IV. SPECIFIC TASKS AND DUTIES**

Please notify us if any changes arise with the services being provided or if this MOU needs to be amended in anyway.

- The first point of contact (POC) is Michelle Fluke [mfluke@avph.org](mailto:mfluke@avph.org)

### **V. LIABILITY WAIVERS**

Empower Generations is not responsible or liable for the participants involved in the provided services. Empower Generations is not responsible or liable for any services offered by Antelope Valley Partners for Health of Los Angeles or in any way subject to its compensation.

### **VI. TERMS OF AGREEMENT**

This Memorandum of Understanding is for a 6-month period (July 26, 2023 – December 26, 2023), and may be terminated with a 30 days'

notice by either party if terms of the agreement are not maintained.

## VII. NAMES, POSITIONS & SIGNATURES OF AUTHORIZED PERSONS

### Empower Generations

Malaka Donovan, School Director

Name and Position/Title

*Malaka Donovan*

Signature

07/27/2023

Date

### Antelope Valley Partners for Health

Michelle Fluke, Executive Director

Name and Position/Title

Signature

Date

*7/26/23*



# ACTON·AGUA DULCE

UNIFIED SCHOOL DISTRICT

"NOTHING GOLD CAN STAY" - ROBERT FROST

July 25, 2023

Re: Senate Bill 114

To whom it may concern:

I am writing on behalf of the Acton-Agua Dulce Unified School District as authorizer of Empower Generations charter school. On July 10, 2023, the Governor signed SB 114, which amended EC Section 47607.4 to extend the terms of charter schools who expire on or between January 1, 2024, and June 30, 2027, by one additional year. We believe the new expiration date for your current term would be June 30, 2027. If you believe this date is incorrect, please contact me.

Neither the District nor your charter school will need to take any official action to update your charter petition's term. The CDE has automatically updated the charter terms for charter schools who are impacted by this extension.

The CDE has noted that no charter renewals should be heard before fiscal year 2024-25.

Please do not hesitate to contact me if you have any follow-up questions or concerns.

Sincerely,

*Nesha Pattison – Director of Charter Services*

Acton-Agua Dulce Unified School District

[www.aadusd.k12.ca.us](http://www.aadusd.k12.ca.us)

P: 661-269-0750 | Extension #101

[npattison@aadusd.k12.ca.us](mailto:npattison@aadusd.k12.ca.us)

Empower Generations

# Fiscal Policies & Procedures

DRAFT



Board Approved: \_\_\_\_\_

## **I. OVERVIEW AND GENERAL BUSINESS POLICIES**

### **A. Principles of Fiscal Management**

The Board of Directors (the “Board”) of Empower Generations, (or “Empower Generations”), a California non-profit public benefit corporation operating Empower Generations, a public charter school (or “School”), has reviewed and adopted the following policies and procedures to ensure the most effective use of the funds of the School to support the mission and to ensure that the funds are budgeted, accounted for, expended, and maintained appropriately.

Empower Generations will maintain in effect the following principles in its ongoing fiscal management practices to ensure that:

1. The Board approves financial policies and procedures, delegates administration of the policies and procedures to the School Director, and reviews reports on operations and activities on a regular basis.
2. The Governing Board and School Director have responsibility for all operations and activities related to financial management. Day-to-day fiscal operations and responsibility is overseen by the School Director, Business Manager, and contracted services with shared service provider, under the direction and supervision of the Board and School Director.
3. In the absence of the School Director, the governing board may appoint someone else to perform the School Director’s responsibilities described herein, during the period of absence.
4. Financial duties and responsibilities must be appropriately segregated so that no one employee has sole control authorizing transactions, recording financial transactions, and custody of assets. A list of Board and School Director’s authorized designees and their scope of responsibility within this fiscal policy will be kept and presented to the board to ensure segregation of duties.
5. Expenditures are authorized by and in accord with the Board-adopted budget,
6. The Empower Generations' funds are managed and held in a manner that provides a high degree of protection of Empower Generations' assets.
7. All transactions are recorded and documented in an appropriate manner, and recorded and documented digitally or by ink.

### **B. Authorized Signers**

1. The Board authorizes the following Empower Generations officials (each an “Authorized Signer”) to execute duly-approved contracts, purchases, and expenditures, and to endorse checks, drafts, and orders for the payment, withdrawal, or transfer of money in the name of and on behalf of the School: Board members, officers, School Director,

and/or School Director designee. The School Director may designate necessary and appropriately trained staff in accordance with appropriate internal controls.

#### C. Financial Reports

1. In consultation with the School Director or designee, the Board will be presented an annual financial budget, and revised budget, as required by the law. District, State, and Federal reports will be presented to the board as required by law.
2. The School Director and Board will regularly review financial reports, such as: balance sheet, budget-to-actuals, cash flow, and payment register at Board meetings.
3. The School Director and Board will review additional financial reports, as needed or requested.

#### D. Annual Financial Audit

1. The Board shall annually contract for the services of an independent certified public accountant to perform the School's annual fiscal audit. The audit shall include, but not be limited to
  - a. an audit of the accuracy of Empower Generations' financial statements,
  - b. an audit of Empower Generations' attendance accounting and revenue claims practices,
  - c. review of Empower Generations' internal controls over financial reporting.
2. If the school expends over the federal limit, a Single Audit shall be conducted, and the audit shall be prepared in accordance with any relevant Office of Management and Budget audit circulars.
3. The Audit shall be completed, reviewed by the Board, and submitted to the charter-granting agency authorizer, the County Superintendent of Schools, the Office of the California State Controller, and the California Department of Education prior to the statutory deadline (generally on or before December 15 of each year).

## **II. PURCHASING, PROCUREMENT AND VENDOR PAYMENT**

#### A. Purchases

1. The School Director or designee may authorize expenditures and may sign related contracts within the approved budget. The governing board must review all expenditures. This will be done via approval of a payment register, which lists all payments issued during a set period of time, and includes payee, date, and amount. A Board approved list of Board and School Director's authorized designees will be maintained.
2. The Board may, by majority vote, delegate to the School Director or School Director designee the authority to enter into contracts on behalf of Empower Generations. For contracts exceeding \$50,000, to be valid or to constitute an enforceable obligation against Empower Generations, all such contracts must be approved and/or ratified by the Board.
3. The School Director or School Director designee(s) approves invoices and purchases.
4. When approving purchases, the School Director or School Director designee must:

- a. Follow the Procurement Policy, as applicable;
  - b. Determine if the expenditure is budgeted;
  - c. Determine if funds are currently available for expenditures (i.e. cash flow);
  - d. Determine if the expenditure is allowable under the appropriate revenue source;
  - e. Determine if the expenditure is appropriate and consistent with the vision, approved charter, school policies and procedures, and any related laws or applicable regulations; and
  - f. Determine if the price is competitive and prudent.
5. Asset purchases with a cost basis of \$5,000 or more and a useful life of more than one year should be capitalized and depreciated. Remodeling and replacement costs for integral structural components should only be capitalized when their cost exceeds \$50,000. Depreciation or amortization should be calculated using the straight-line basis over the useful life of an asset unless board policy establishes an alternative depreciation method
6. Any individual making an authorized purchase on behalf of Empower Generations must provide appropriate documentation of the purchase (such as itemized receipt, etc.).
7. Individuals other than those specified above are not authorized to make purchases without approval.
8. Individuals who use personal funds to make unauthorized purchases will not be reimbursed.
9. Authorized purchases will be promptly reimbursed upon receipt of appropriate documentation of the purchase.
10. Employees will not make personal long distance calls on the telephones without prior approval from a supervisor. Employees will reimburse the school for all personal telephone calls that result in extra charges.
11. Awards and Recognition may be permitted as follows:
  - a. Gifts of public funds are not permitted.
  - b. Cash awards or gift cards are not permitted.
    - i. The Board of Directors encourages recognition of the services of its employees and outstanding achievement of its learners. The School Director or designee may issue awards and mementos in accordance with nominal value with the fiscal policies for such service and achievement.
    - ii. The Board of Directors believes that individuals and organizations may provide contributions for long standing service to the organization. The Board believes that commending such service promotes community understanding, engagement, and retention.

#### **B. Credit Card Purchases**

1. Credit cards should be issued only to personnel who have a legitimate need to purchase goods and services, either in person or online, to carry out their job responsibilities when a purchase order cannot be approved in time or when the regular accounts payable process is not viable. Every staff member who is authorized to use a credit card is required to sign a credit card use policy statement. Such staff members will

acknowledge policies and procedures that require the card to be used exclusively for legitimate business purposes.

2. The School Director or designee may authorize an individual to use a credit or purchase card to make an authorized purchase on behalf of the school.
  - a. Credit card statements will be reconciled and paid in full monthly.
  - b. Credit card statements of the School Director should be reviewed by at minimum a Board member. Credit card statements of other employees should be reviewed by the School Director or School Director designee.
  - c. Credit cards will be coded in the same fashion as other purchases.
  - d. Failure to follow the credit card policies may result in the loss of a credit card privilege.
  - e. Rewards or cash back earned through the use of the Empower Generations' credit card are property of Empower Generations. Use of such rewards shall be at the discretion of the School Director and should be used for the benefit of Empower Generations.

#### C. Payment Authorization

1. Copies of invoices and supporting documentation will be promptly forwarded to the accounting system.
2. Once entered in the accounting system, the School Director or designee will approve the invoice and complete the required information.
3. The transaction will be recorded in the accounting system and general ledger.

#### D. Expense Reimbursements

1. Employees and volunteers may be reimbursed for authorized expenses.
2. Employees may be reimbursed for necessary and appropriate mileage expenses with approval from the School Director or designee. Mileage will be reimbursed at the government-mandated rate for the distance traveled, less the distance from the employee's residence to the primary work site for each direction traveled. Employees requesting mileage reimbursement must submit appropriate documentation reflecting the origin, destination, and total miles driven. Employees do not need to deduct the distance traveled from the employee's residence to the primary worksite if mileage is derived on a weekend or holiday.
3. Board members shall serve without compensation, but may be reimbursed for actual and necessary expenses. All expenses shall be approved in accordance with the fiscal policies herein.
4. School Director expense reports must be approved by a designated member of the Board (as selected at a board meeting), and be submitted to the business office for processing and payment.
5. The individual incurring authorized expenses while carrying out the duties of the school will complete and sign an expense report.
6. The School Director or School Director designee will approve the expense report, and submit it to the financial office for payment processing.
7. Petty cash may not be used for reimbursements.



#### E. Travel Reimbursements

1. Employees may incur expenses in the course of performing their assigned duties and responsibilities. To ensure the prudent use of public funds, the School Director or School Director designee shall establish rules to keep such expenses to a minimum, while affording employees a reasonable level of safety and convenience.
2. The School Director or designee shall establish procedures for the approval of travel requests and the submission and verification of expense claims. The School Director or School Director designee also shall establish reimbursement rates in accordance with law and Board policy.
3. Traveling employees may be provided a per diem up to the established U.S. General Services Administration per diem rate found at <http://www.gsa.gov/portal/category/100120> for any meal and incidental that is not included as part of the related event. Employees will be responsible for any excess expenses beyond the established per diem rate.
4. An employee shall obtain approval from the School Director or School Director designee prior to traveling. The School Director or School Director designee may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee's supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the performance of the employee's duties.
5. Cost saving should be emphasized, and advance planning should occur. Reasonable care should be taken to obtain competitive cost for booking of airfare and hotels.
6. Travel expenses (e.g., airfare, rental cars, hotel) should be paid for directly by Empower Generations, when possible, and payment via reimbursement should be used sparingly. Staff should plan expenses for travel in advance.
7. Employees should use the least expensive method of ground transportation that meets the employee's schedule, and business needs (e.g. airport shuttles, taxis, car rentals, train, bus, etc.).
8. Reimbursable travel expenses may include, but are not limited to, costs of transportation, parking fees, lodging when Empower Generations business reasonably requires an overnight stay, registration fees for seminars and conferences, and other communication expenses incurred on Empower Generations' business, and other necessary incidental expenses. Internet access (e.g., hotel, airport, hotspot, etc.) is an allowable expense provided that the access is necessary for business purposes and not personal use.
9. Empower Generations shall not reimburse personal travel expenses including, but not limited to, alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on Empower Generations related business, personal use of an automobile and personal losses or traffic violation fees incurred while on company business.

10. All expense reimbursement claims should be submitted on a Travel Expense Reimbursement Form, within ten working days following return from travel. The form shall be accompanied by receipts and any explanation necessary to document that the expenses meet criteria for reimbursement.
11. The School Director or designee shall approve expense claims only upon verifying that all necessary documentation is provided and that all expenses are appropriate and related to Empower Generations business. If an expense claim is disallowed due to lack of documentation or inappropriate expenses, the employee may be personally responsible for any improper costs incurred.
12. When approved by the School Director or designee, an employee may be issued a credit card for use while on authorized business. Receipts documenting the expenses incurred on a credit card shall be submitted promptly following return from travel. Under no circumstances shall personal expenses be charged on a credit card, even if the employee intends to subsequently reimburse Empower Generations for the personal charges.
13. Costs associated with upgrades are not an allowable business expense and will not be reimbursed unless approved by the School Director or School Director designee, or by a member of the Board if the request is for the School Director .
14. Sharing of vehicles is encouraged if multiple travelers from the School are traveling to the same destination. Unless there is a valid reason for taking an alternative route, employees are expected to take the shortest route to the destination. Mileage reimbursement rate covers all costs associated with operating a personal vehicle for business purposes, including gas, maintenance, repairs, insurance, licensing and registration, depreciation, and other costs. Parking fees and tolls are additionally reimbursable with appropriate backup documentation.
15. Vehicles should be shared whenever possible to minimize travel costs. No employee shall be entitled to reimbursement for travel when they are transported free of charge or by another employee who is entitled to the expense reimbursement.
16. Tips and gratuities are allowable for service industries where it is customary (e.g., restaurants, ground transportation/rideshare.) Tip should be reasonable and no more than 20%. Any amount tipped over 20% will be the responsibility of the employee. A mandatory or group surcharge above the 20% may be approved by the School Director or designee on a case by case basis.
17. Travel advances are not permitted.

### **III. CONTRACTS, MOUs, AGREEMENTS**

#### **A. Contracts, MOUs, Agreements**

1. Consideration will be made of in-house capabilities to accomplish services before contracting for them.
2. Agreements entered which obligate more than \$50,000 must be approved by the Board of Directors. All other authorization rules of purchases apply to contracts. The Procurement Policy provides further direction for more details.
3. Competitive bids will be obtained where required by law, within applicable provisions of California Public Contract Code, and other applicable law, or otherwise deemed appropriate and in the best interest of Empower Generations. The School Director will keep and maintain a contract file evidencing the competitive bids obtained (if any were required by law).
4. Goods or services purchased with federal funds must follow federal procurement guidelines as outlined in Education Department General Administration Regulations (EDGAR), Part 80 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, Subpart C (Post Award Requirements), § 80.36 (Procurement).
5. Any food contract exceeding the small purchase threshold set by the US Department of Agriculture shall follow a compliant procurement protocol as outlined by the USDA, CDE, and NSLP.
6. Written contracts clearly defining work to be performed will be maintained for all contract service providers (i.e. consultants, independent contractors, subcontractors).
  - a. Contract service providers must show proof of being licensed and bonded, if applicable, and of having adequate liability insurance and worker's compensation insurance currently in effect, as required by iLEAD.
  - b. The School Director may also require that contract service providers list the school as an additional insured.
7. The School Director or designee will approve proposed contracts and modifications in writing, subject to the Board approval thresholds.
8. Contract service providers will be paid in accordance with approved contracts as work is performed.
9. School Director or School Director designee will be responsible for ensuring the terms of the contracts are fulfilled.
10. Potential conflicts of interest will be disclosed in writing to the School Director and Board of Directors, and the School Director and Board of Directors should be notified, if any actual conflicts arise.

#### **IV. BANK ACCOUNTS, RECONCILIATIONS, RECEIVABLES, CASH**

##### **A. Financial Institutions**

1. All funds will be maintained at an FDIC insured financial institution.
2. If applicable, invested funds shall be maintained in high quality, short maturity (no longer than one year) liquid funds.

3. The Board will review a list of authorized check signers annually. Depending on the entity's needs, the Board may also assign dollar limits to establish classes of check signers. Check signers will be maintained in a Board approved list.
4. Check signers may delegate designated staff the authority to access bank accounts for the purpose of viewing transactions, processing electronic payments, and completing wire and bank transfers when necessary to conduct the regular operations of the entity, with the approval from an authorized signer. A Board approved list of Board and School Director's authorized designees will be maintained and presented to the Board.

**B. Bank Reconciliations**

1. Bank statements will be received either electronically or by mail directly from the bank.
2. The reconciliation of the bank statement will compare the reconciled bank balance to the cash in the bank account and to the general ledger.

**C. Uncleared Checks**

1. Checks that have not cleared within no more than three years shall escheat to the state. The California State Controller's Unclaimed Property Law and Regulations shall be followed when escheating unclaimed checks to the state.

**D. Petty Cash**

1. The school may maintain a petty cash fund, but other avenues of purchasing should be considered prior and petty cash should be used only in necessary and limited circumstances. Petty cash should only be used by those who have a legitimate need to purchase goods and services, either in person, to carry out their job responsibilities when a purchase order cannot be approved in time or when the regular accounts payable process is not viable.
2. The School will designate an employee (the "Petty Cash Custodian") who will manage the petty cash fund.
3. The petty cash will be capped at \$500 per resource center.
4. All petty cash will be kept in a locked cash box in a locked drawer or file cabinet. Only the Petty Cash Custodian and School Director or School Director Designee will have keys to the cash box and drawer or file cabinet. All disbursements will require documentation of purchase.
5. All disbursements will require a completed signed petty cash slip. A receipt for all purchases must be attached.
6. At all times the petty cash box will contain cash slips and cash totaling \$500. Every time an individual receives cash from the box, a cash slip should be filled out and placed in the box. The individual using the petty cash to make a purchase is responsible for submitting a receipt to be attached the petty cash slip to the Petty Cash Custodian by no later than the next business day of withdrawing the petty cash.
7. When expenditures total \$400 (when the Petty Cash cash balance is reduced to \$100), the Petty Cash Custodian will total the disbursements, complete a Petty Cash Reimbursement Form, and obtain the approval of the School Director or School Director Designee. The supporting receipts will be attached to the reimbursement request form and forwarded to the School's financial staff and/or back office.

8. Petty cash fund reimbursement checks will be made payable to the petty cash custodian.
9. Any irregularities in the petty cash fund will be immediately reported in writing to the School Director or School Director Designee.
10. Loans will not be made from the petty cash fund.

#### E. Accounts Receivable

1. A schedule of aged accounts and grants receivable prepared and reviewed regularly, and appropriate collection procedures are followed.
2. Cash/checks collected at the school office will be placed directly into a sealed envelope, with a copy of the receipt and any notes, forms or other descriptions, and placed in a secure location by the office support person, until removed for deposit.
3. For shared resources expense, Empower Generations will regularly provide a statement outlining that party's share of costs for the shared resources, and payment is due to Empower Generations. Each party's share of costs shall be reflected in the School's financial statements as accounts receivable until paid in accordance with the resource sharing agreement. The resource sharing agreement may be amended or renewed from time to time.

#### F. Returned Check Policy

1. A returned-check processing fee may be charged for checks returned as non-sufficient funds (NSF). Unless otherwise pre-approved by School financial staff and/or Back Office or the School Director or designee, payment of the NSF check and processing fee should be made by cash, money order or certified check.

#### G. Payroll

1. Contracted service provider will prepare payroll checks, tax and retirement withholdings, tax statements, and perform other payroll support functions. School Director or School Director designee will review.
2. The Finance Department lead will ensure there is a system to establish and oversee the preparation of time and attendance reports and payroll check requests.
3. The Payroll Division lead will review payroll statements to ensure that:
  - a. the salaries are consistent with staff contracts and personnel policies, and;
  - b. the proper tax, retirement, disability, and other withholdings have been deducted and forwarded to the appropriate authority.

### **V. FUNDRAISING**

#### A. Fundraising

1. Projects for the raising of funds shall in general contribute to the educational experience of learners.
2. Fundraising shall be done in accordance with best business practices including sound budgetary and accounting procedures.

3. Empower Generations shall not be obligated to pay for any expenditure or contract made for a fundraising activity without prior written approval. The staff member, student advisor, or coach may be liable for such unapproved purchases.
4. All campus sales involving food of any kind must be in conformance with state law and county ordinances.
5. Gifts of money, material, or equipment may be accepted by Empower Generations upon approval by the School Director, Site Director, or the Board. The Board, School Director, and lead contracted staff shall be informed of any conditions, restrictions, or compliance requirements associated with the receipt of such funds.
6. Fundraising by groups adjunct to the entity (e.g., iSupport) which uses the entity name in any way to represent all or part of the school or specific groups of the school, must have the approval from the School Director prior to conducting fundraising activities.
7. The general rules below should be followed in fundraising campaigns:
  - a. All fundraising campaigns must have the approval of the site director or prior to the fundraising campaign.
  - b. All fundraising campaigns must be confined to a definite period of time to a specific goal or project.
  - c. All contributions to adjunct groups should be completely voluntary. No quota shall be established other than informally for any fundraising campaign for any individual, school, or group.
8. In negotiating fundraising contracts the following should be considered:
  - a. Reasonable product cost;
  - b. Product quality;
  - c. Profit percentage realized;
  - d. Contracted company will provide services and incentives.
9. For all activities approved by the School Director or designee, pursuant to the School's Fundraising Policy, the School will establish internal controls to ensure the safeguarding of assets.
10. For each fundraising or other event in which cash or checks will be collected, a staff member or volunteer coordinator will be designated by the School Director or School Director designee. The "Supervising Official" designated, will be responsible for collecting, documenting, and safeguarding all cash and checks for the purpose of the fundraising activity.
  - a. All funds raised shall be counted immediately after the fundraiser (i.e. on the same day) by the Supervising Official and at least one other person, both of whom shall sign an affidavit attesting to the accuracy of the count. All funds shall be deposited in the School's bank account as soon as reasonably practicable after collection, but no later than the next regularly scheduled deposit. All funds shall be kept in a secure location at an Empower Generations site until deposited.
  - b. All fundraising or grant solicitation activities on behalf of the school must be approved in advance by the Board, School Director, or School Director designee in accordance with the School's Fundraising Policy and the "General Procedures for Non-Governmental Cash Receipts" described herein. The Board shall be

informed of any conditions, restrictions, or compliance requirements associated with the receipt of such funds, including grants or categorical programs sponsored by the state or federal government.

## **VI. LOANS**

### **A. Loans**

1. The School Director and the Board will approve all loans, lines of credit, and other forms of indebtedness received from third parties.
2. Once approved, a promissory note, loan agreement, or other documentation specifying the material terms will be prepared and signed and/or approved by the School Director or designee Authorized Signer before funds are borrowed.
3. Loans to or from employees and Board members are not permitted.

## **VII. OTHER FISCAL POLICIES**

### **A. Insurance**

1. The School Director or School Director's designee will ensure that appropriate insurance is maintained at all times.
2. The School Director or School Director's designee will maintain the files of insurance policies, including an up-to-date copy of all certificates of insurance, insurance policies and procedures, and related claim forms.
3. The School Director or School Director's designee will carefully review insurance policies on an annual basis, prior to renewal.
4. Insurance will include insurance sufficient to meet the entity's needs (e.g., but not limited to general liability, worker's compensation, student accident, professional liability, sex abuse, and director's and officers' coverage) based on risk assessment and other legal requirements. Insurance coverage will be at minimum aligned with the limits required in the school's approved charter petition or authorizer MOU.

### **B. Inventory and Asset Management**

1. The School Director or School Director designee shall establish and maintain an inventory of all non-consumable goods and equipment worth over \$500 as determined by the School Director or designee. This inventory shall include the original purchase price and date, a brief description, serial numbers, and other information appropriate for documenting Empower Generations' assets. This property will be inventoried at a minimum on an annual basis.
2. All non-consumable School property lent to students should be returned to the school no later than ten working days after the student graduates, or otherwise leaves the school.
3. Any excess or surplus property, or unneeded property or items owned by the school, may be sold or auctioned by the School, provided the School Director or School Director

designee engages in due diligence to maximize the obtain a reasonable value of the sale or auction for the school. The sale or auction of property owned by the school with a fair market value in excess of \$500 as determined by the School Director or designee shall be approved in advance by the Board.

4. Staff will immediately notify the employee supervisor of known cases of theft, loss, damage, or destruction of assets as determined by the School Director or designee. In addition, any asset valued over \$500 must also be reported to the finance office.





## **Education For Homeless Children Board Policy**

The Board of Trustees desires to ensure that homeless students have access to the same free and appropriate public education provided to other students. The school shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students.

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.

The school director or designee shall ensure that placement decisions for homeless students are based on their best interest as defined in law.

### **Definitions**

Homeless students means students who lack a fixed, regular, and adequate nighttime residence and includes: (Education Code 48859; 42 USC 11434a)

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals
2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because they are living in conditions described in items #1-3 above

Unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian. (Education Code 48859; 42 USC 11434a)

School of origin means the school that the homeless student attended when permanently housed or the school in which the student was last enrolled, including a preschool. If the school the homeless student attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the student attended within the preceding 15 months and with which the student is connected, the school liaison for



homeless students shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin. (Education Code 48852.7; 42 USC 11432)

Best interest means that, in making educational and school placement decisions for a homeless student, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all students. (Education Code 48850, 48853; 42 USC 11432 )

### **School Liaison**

The school director or designee will carry out the duties of the school liaison for homeless students: (42 USC11432)

***School Director***  
***44236 10th St W Ste. 105,***  
***Lancaster, CA 93534***

The school liaison for homeless students shall: (Education Code 48851.5, 48852.5; 42 USC 11432)

1. Ensure that homeless students are identified by school personnel through outreach and coordination activities with other entities and agencies
2. Ensure that homeless students are enrolled in, and have a full and equal opportunity to succeed in school
3. Ensure that homeless families and children and youth have access to and receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other preschool programs administered by the school
4. Ensure that homeless families and students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services
5. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children



6. Disseminate public notice of the educational rights of homeless students in locations frequented by parents/guardians of homeless children and youth and by unaccompanied youth, including schools, shelters, public libraries, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth.

7. Mediate enrollment disputes in accordance with law and the section "Resolving Enrollment Disputes" below

8. Fully inform parents/guardians of homeless students and unaccompanied youth of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice

9. Ensure that school personnel providing services to homeless students, including principals and other school leaders, attendance supervisors, teachers, enrollment personnel, and specialized instructional support personnel, receive professional development and other support

10. Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087vv and that they may receive assistance from the school liaison to receive verification of their independent student status for purposes of applying for federal student aid pursuant to 20 USC 1090

11. Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless students, including the collection and provision of comprehensive data to the state coordinator as required by law

In addition, when notified pursuant to Education Code 48918.1 , the school homeless liaison shall assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in the student's expulsion. When notified pursuant to Education Code 48915.5 , the school liaison shall participate in an individualized education program (IEP) team meeting to make a manifestation determination regarding the behavior of a student with a disability.

The school director or designee shall inform homeless children and youth, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the school liaison. The school director or designee shall also provide the



name and contact information of the district's liaison to the California Department of Education (CDE) for publishing on CDE's web site. (42 USC 11432)

## **Enrollment**

The school shall make placement decisions for homeless students based on the student's best interest. (42 USC 11432)

In determining the best interest of the student, the school shall consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the student's parent/guardian or, in the case of an unaccompanied youth, the youth. (42 USC 11432)

Such factors may include, but are not limited to, the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a homeless student lives with the student's homeless parent/guardian or has been temporarily placed elsewhere. (42 USC 11432)

In the case of an unaccompanied youth, the school homeless liaison shall assist in placement or enrollment decisions, give priority to the views of the student, and provide notice to the student of the right to appeal. (42 USC 11432)

In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in the school of origin, unless the student's parent/guardian or the unaccompanied youth requests otherwise. (Education Code 48852.7; 42 USC 11432)

Once a placement decision has been made, the site director or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if the student: (Education Code 48850, 48852.7; 42 USC 11432)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms



3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and records of immunization and other required health records

4. Has missed application or enrollment deadlines during any period of homelessness the student needs to obtain immunizations or does not possess immunization or other required health records, the site director or designee shall immediately refer the parent/guardian to the school liaison for homeless students. The school liaison shall assist the parent/guardian, or the student if the student is an unaccompanied youth, in obtaining the necessary immunizations, screenings, or records for the student. (42 USC 11432)

If the student is placed at a school other than the school of origin or the school requested by the student's parent/guardian or the student, if an unaccompanied youth, the school director or designee shall provide the parent/guardian or the unaccompanied youth with a written explanation of the reasons for the decision, including why placement in the student's school of origin or requested school is not in the student's best interest, along with a statement regarding the right to appeal the placement decision. The written explanation shall be in a manner and form understandable to such parent/guardian or unaccompanied youth. (42 USC 11432)

At the point of any change or subsequent change in the residence of a homeless student, the student may continue attending the student's school of origin for the duration of the homelessness. (Education Code 48852.7; 42 USC 11432)

To ensure that the homeless student has the benefit of matriculating with the student's peers in accordance with the established feeder patterns, the following shall apply: (Education Code 48852.7; 42 USC 11432)

1. If the student is transitioning between grade levels, the student shall be allowed to continue in the same attendance area.

2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, the student shall be allowed to continue to the school designated for matriculation in that district.

If the student's status changes before the end of the school year so that the student is no longer homeless, the student shall be allowed to stay in the school of origin: (Education Code 48852.7)

1. Through the duration of the school year if the student is in grades K-8

2. Through graduation if the student is in high school



## **Resolving Enrollment Disputes**

If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the school director or designee, who shall carry out the dispute resolution process as expeditiously as possible. (42 USC 11432)

The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions. (42 USC 11432)

The written explanation shall include:

1. A description of the action proposed or refused by the district
2. An explanation of why the action is proposed or refused
3. A description of any other options the district considered and the reasons that any other options were rejected
4. A description of any other factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources
5. Appropriate timelines to ensure any relevant deadlines are not missed
6. Contact information for the county liaison and state coordinator, and a brief description of those roles

The written explanation shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand.

The school liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or unaccompanied youth have access to the more formal process if informal resolution is not successful in resolving the matter.

In working with a student's parents/guardians or unaccompanied youth to resolve an enrollment dispute, the school liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services,



3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

When a student's parent/guardian or an unaccompanied youth involved in the enrollment dispute is an English learner, Items #1-5 shall be provided either in the native language of the parent/guardian or unaccompanied youth or through an interpreter, and any additional support needed because of a disability of that parent/guardian or unaccompanied youth shall be made available without a charge.

If a parent/guardian or unaccompanied youth disagrees with the school liaison's enrollment decision, the decision may be appealed to the School Board or designee. The School Board or designee shall make a determination within five working days.

If the parent/guardian chooses to appeal the school's placement decision, the School Board or designee shall forward all written documentation and related paperwork to the liaison for homeless students at the county office of education.

Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled in the school in which enrollment is sought and shall be allowed to attend classes and participate fully in school activities. (42 USC 11432, 11434a)

### **Transfer of Coursework and Credits**

When a homeless student transfers into a school, the school shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school and shall not require the student to retake the course. (Education Code 51225.2)

If the homeless student did not complete the entire course, the student shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that the student did not complete at the previous school. However, the school may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, the student shall be enrolled in the



same or equivalent course, if applicable, so that the student may continue and complete the entire course. (Education Code 51225.2)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the school prevent a homeless student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

### **Applicability of Graduation Requirements**

To obtain a high school diploma, a homeless student shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements established by the Governing Board.

However, when a homeless student who has completed the second year of high school transfers into the school from another school district, the student shall be exempted from all school-adopted coursework and other school-established graduation requirements, unless the school makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the homeless student's transfer, the school director or designee shall notify the student, the person holding the right to make educational decisions for the student, and the school liaison for homeless students of the availability of the exemption and whether the student qualifies for it. If the school director or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer homeless. Despite these exemptions, students who are granted them will still receive the same diploma as their peers without exemptions. (Education Code 51225.1)

To determine whether a homeless student is in the third or fourth year of high school, the school shall use either the number of credits the student has earned as of the date of the transfer or the length of the student's school enrollment, whichever qualifies the student for the exemption. (Education Code 51225.1)





The school director or designee shall notify any homeless student who is granted an exemption and the person holding the right to make educational decisions for the student how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The school shall not require or request a homeless student to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a homeless student, the person holding the right to make educational decisions for the student, or the district liaison on behalf of the student. (Education Code 51225.1)

If a homeless student is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer homeless or if the student transfers to another school, including a charter school, or school district. (Education Code 51225.1)

If information regarding the educational rights of homeless students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2) the school director or designee determines that a homeless student is reasonably able to complete district graduation requirements within the fifth year of high school, the

School director or designee shall:

1. Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for the student, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect the ability to gain admission to a postsecondary educational institution
2. Provide information to the homeless student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the homeless student or with the person holding the right to make educational decisions for the student if under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

## **Transportation**



The school shall provide transportation for a homeless student to and from the student's school of origin when the student is enrolled within the school and the parent/guardian, or the school liaison in the case of an unaccompanied youth, requests that such transportation be provided. If the student moves outside of school boundaries, but continues to attend the student's school of origin, the school director or designee shall consult with the liaison of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

The school shall not be obligated to provide transportation to students who continue attending their school of origin after they cease to be homeless, unless the formerly homeless student has an IEP that includes transportation as a necessary related service for the student. (Education Code 48852.7)

### **Eligibility for Extracurricular Activities**

A homeless student who enrolls in school shall have access to extracurricular and enrichment activities that are available to all students, including but not limited to, interscholastic sports administered by the California Interscholastic Federation (CIF). CIF eligibility rule states that a student who first enters the ninth grade of any school following the student's completion of the eighth grade in any school may be eligible for athletic competition during a maximum period of time that is not to exceed eight consecutive semesters following the initial enrollment in the ninth grade of any school. Said eligibility must be used during the student's first eight consecutive semesters of enrollment at that school or any other school. (Education Code 48850)

### **Notification, Complaints, and Posting Requirements**

Information regarding the educational rights of homeless students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the school has not complied with requirements regarding the education of homeless students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the Board's procedures in AR 1312.3 - Uniform Complaint Procedures.

The school director or designee shall ensure that a list of the school's liaison(s) and the contact information for such liaison(s), as well as specific information on homelessness, including, but not limited to, information regarding the educational rights and resources available to persons experiencing homelessness, are posted on the school's web site. (Education Code 48852.6)

SCHOOL EXPLANATION OF ENROLLMENT DECISION



**Instructions:** The following form is to be used when the school has denied a parent/guardian's enrollment request.

Date: \_\_\_\_\_ Name of person completing form: \_\_\_\_\_

Title: \_\_\_\_\_ Phone number: \_\_\_\_\_

**In accordance with federal law, this notification is being provided to:**

Name of parent/guardian: \_\_\_\_\_

Student Name(s): \_\_\_\_\_

Name of school requested: \_\_\_\_\_

School's placement decision (name of school): \_\_\_\_\_

**After reviewing your request to enroll your child in the school listed above, your enrollment request has been denied. This determination was based upon:**

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You have the right to appeal this decision to the school liaison or Board of Trustees. If you are not satisfied with the Board of Trustee's decision, you may appeal to the Los Angeles County Office of Education. If you are not satisfied with the county office's decision, you may then appeal to the California Department of Education. The school's homeless liaison can assist you with this appeal.

**You also have the following rights:**

\* Pending resolution of this dispute, your child has the right to immediately enroll in the school you requested and to participate in school activities at that school.

\* You may provide written or verbal documentation to support your position. You may use the school's dispute resolution form. A copy of the dispute resolution form can be obtained from the school's liaison for homeless learners.

\*You may seek the assistance of advocates or attorneys to help you with this appeal.



## ENROLLMENT DISPUTE FORM

**Instructions:** This form is to be completed by a parent/guardian or learner when a dispute regarding enrollment has arisen. As an alternative to completing this form, the information on this form may be shared verbally with the school's liaison for homeless learners.

Date submitted: \_\_\_\_\_

Name of person completing form: \_\_\_\_\_

Student's name(s): \_\_\_\_\_

Relation to student(s): \_\_\_\_\_

I may be contacted at the following: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Name of school requested: \_\_\_\_\_

I wish to appeal the enrollment decision made by:

☐ School liaison

☐ Board of Trustees

☐ County liaison

Reason for the appeal: You may include an explanation to support your appeal in this space or provide your explanation verbally.

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I have been provided with:

\_\_\_\_\_ A written explanation of the school's decision

\_\_\_\_\_ Contact information for the school's homeless liaison

\_\_\_\_\_ Contact information for the county office of education's homeless liaison





# **INJURY AND ILLNESS PREVENTION PROGRAM (IIPP)**

**Empower Generations**

Updated: August 2023

**43301 Division St., Ste 105 , Lancaster, 93534**

# Empower Generations

TO: All Employees  
FROM: ILEAD Human Resources

## RE: INJURY & ILLNESS PREVENTION PROGRAM (IIPP)

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Empower Generations is firmly committed to maintaining a safe and healthy working environment. The California Code of Regulations, Title 8, Section 3202 requires that ICA establish, implement and maintain an effective written Injury and Illness Prevention Program (IIPP).

The IIPP is The School's written safety program. The program identifies the person with authority and responsibility for the program, includes a system for communicating with employees and includes procedures for identifying and evaluating workplace hazards. The IIPP is maintained by The School safety officer

Safety and health must be a part of every operation and it is every employee's responsibility at all levels. **All school employees should be familiar with the purpose and location where you can find the Injury and Illness Prevention Program.**

**A copy of this written Injury and Illness Prevention Program is on file at The School's administration office, and available for review by each and every employee.**

All employees share in the responsibility of detecting hazards and controlling them. All employees are required to inform a school director immediately of any situation beyond their ability and authority to correct. If you have any questions, please do not hesitate to contact Malaka Donovan.

Thank you

## **TABLE OF CONTENTS**

<b>PURPOSE</b>	<b>4</b>
<b>RESPONSIBILITIES</b>	<b>4</b>
<b>ACCESS TO IIPP</b>	<b>6</b>
<b>COMMUNICATION</b>	<b>6</b>
<b>HAZARD ASSESSMENT/INSPECTION</b>	<b>7</b>
<b>HAZARD CORRECTION</b>	<b>8</b>
<b>REPORTING WORK RELATED ACCIDENTS ACCIDENT AND INCIDENT INVESTIGATIONS</b>	<b>9</b>
<b>SAFETY AND HEALTH TRAINING</b>	<b>9</b>
<b>COMPLIANCE</b>	<b>10</b>
<b>RECORD KEEPING</b>	<b>11</b>

### **APPENDICES**

- A. Hazardous/Unsafe Condition Report Form
- B. Accident Investigation Report Form
- C. Air Quality – Wildfire Protection
- D. Confirmation of Receipt Form



## **PURPOSE**

Our Injury and Illness Prevention Program (IIPP) is designed to prevent injuries, illnesses and accidents in the workplace. The primary purpose of the IIPP is to ensure the safety and health of School employees and to provide a safe and healthful work environment. As required by Title 8, CCR Section [3203](#), the IIPP contains the following elements:

- ☐ Program responsibilities
- ☐ Compliance methods to ensure safe work practices
- ☐ Communication system on health and safety issues
- ☐ Hazard assessment and periodic inspections of work areas
- ☐ Hazard correction
- ☐ Health and safety training
- ☐ Accident investigation
- ☐ Record keeping

## **RESPONSIBILITIES**

### **School Director / IIPP Administrator designee**

The School Director has the ultimate authority and responsibility for the effective implementation of The School's IIPP. The School Director provides:

- ☐ Executive management oversight of the IIPP
- ☐ A system of accountability for program implementation
- ☐ Program evaluations and resources to support program implementation

The School Director and/or their designee oversees the effective implementation of the IIPP and has the authority and responsibility for implementing the program. Responsibilities include:

- ☐ Maintain and effectively implementing The School IIPP
- ☐ Oversight to ensure injuries and accidents are investigated
- ☐ Review inspections and hazard correction documentation to ensure identified hazards have been mitigated
- ☐ Support school leadership in establishing and serving on a School Safety Committee
- ☐ Follow Establish procedures for employee reporting of workplace hazards, accidents, and injuries
- ☐ Act as a liaison between educational partners and The School
- ☐ Distribute safety information received by the IIPP Administrator
- ☐ Communicate with school leadership, department heads, and supervisors to coordinate IIPP responsibilities within The School
- ☐ Ensure periodic inspections are conducted as required with corrective action follow-up

- ☐ Maintain The School site required documentation as outlined in the Record Keeping section
- ☐ Maintain a copy of the IIPP at The School site

## **Department Heads**

Department Heads are responsible for compliance with the provisions of the IIPP within their school site and department. Supervisors are responsible for the implementation of the IIPP for employees, facilities, and operations under their direct supervision and control. Responsibilities include:

- ☐ Provide leadership that supports a strong safety culture and continuous improvement
- ☐ Assign clear responsibilities to supervisors and school-site safety coordinators/ assistant principal of facilities
- ☐ Conduct regular safety meetings to review accidents, analyze causes, and promote communication about The School's hazards and control measures
- ☐ Ensure job-specific hazard assessments are conducted to identify employee training requirements
- ☐ Ensure job-specific employee training is conducted
- ☐ Provide supervisor IIPP training and ensure supervisors are knowledgeable about health and safety hazards under their supervision and control
- ☐ Communicate with The School directors, department heads, and safety coordinator/assistant principal of facilities to coordinate IIPP responsibilities within The School
- ☐ Investigate all accidents and incidents within their area of responsibility
- ☐ Conduct periodic safety inspections of facilities
- ☐ Conduct regular observations of employee work practices and instruct employees on safe work practices
- ☐ Enforce safe work practices and procedures for employees and operations under direct supervision and control
- ☐ Provide job-specific employee safety training
- ☐ Attend training to become knowledgeable about hazards and controls in areas of responsibility

## **Employees**

Responsibilities of all School employees include:

- ☐ Follow all safe work practices, safety policies, and procedures. Talk to the supervisor when questions arise
- ☐ Report real or potential unsafe conditions to the immediate supervisor
- ☐ Report injuries immediately to the supervisor

## **Employees Access to the IIPP**

- ☐ A copy of this written Injury and Illness Prevention Program is on file at The School's Administration Office with the office manager for review by each and every employee
- ☐ The IIPP can be accessed on The School's Website. under the Staff Portal/Risk Management/Training
- ☐ The IIPP must be reviewed by all staff on an annual basis

## **COMMUNICATION**

The School recognizes the importance of effective, two-way communication on health and safety issues. All supervisors are responsible for communicating with their employees about occupational safety and health in a form readily understandable by all employees.

### **New Employee Orientation**

All new employees will receive an orientation about The School-site specific safety and health policies and procedures. A supervisor follow up will be conducted to ensure employee understanding.

### **Health and Safety Training**

The School has training requirements designed to instruct each employee on general and job-specific safety procedures. Refer to the Training section for additional details.

### **Safety Meetings**

Site safety meetings will be conducted as needed. During safety meetings The School director, safety coordinator, or other trainer may discuss issues such as:

- ☐ New hazards that have been introduced or discovered in the workplace
- ☐ Causes of recent accidents or injuries and procedures to prevent similar incidents in the future
- ☐ Any health or safety issue deemed by The School to require reinforcement
- ☐ Mandatory Safety Training meetings will be coordinated by the IIPP Administrator

### **Employee Hazard Reporting System**

Employees are encouraged to report safety hazards. Hazardous/Unsafe Condition Report forms (Appendix B) may be submitted directly to the immediate supervisor or school-site safety coordinator/assistant principal of facilities. Employees may also report hazards anonymously by sending the written form to

the IIPP Administrator.

All submitted reports will be investigated in a prompt and thorough manner. All investigations and proposed corrective action will be reviewed by The School Best Practices and Safety Committee.

### **School Best Practices and Safety Committee**

The School Best Practices and Safety Committee will provide a forum for two-way health and safety communication for The School. The Committee will:

- ☐ Advise The School Director on current health and safety issues including regulatory requirements
- ☐ Review employee accidents to ensure root causes and corrective actions have been identified
- ☐ Assist in IIPP reviews and evaluations as requested
- ☐ Recommend health and safety training, resources, or other support to facilitate IIPP implementation
- ☐ Address employee hazard reports and safety concerns that have not been resolved at the department level

### **Safety Bulletin Boards / Supplemental Communications**

The office manager will maintain safety bulletin board(s) to meet Cal/OSHA posting requirements and to ensure ongoing communication on significant health and safety issues. School site e-mail messages and employee handouts on relevant topics are additional means of safety communication with various safety topics.

## **HAZARD ASSESSMENT/INSPECTION**

Periodic inspections to identify and evaluate hazards within The School will be conducted. The School Director or an assigned designee(s) will conduct and document the inspection. Inspections checklists are located at The School webpage under risk management tab, inspections form folder. The schedule is outlined below:

Facilities	Inspection Frequency
School Site - offices, classrooms, and interior/exterior areas and facilities not mentioned below	Quarterly
Science labs, art labs, vocational shops (wood, etc.)	Quarterly
Athletic – play space, fields, etc.	Quarterly
Auditorium/Theater if applicable	Quarterly
Rest Rooms	Weekly
Food service – Kitchen, storage, cafeteria, snack bar	Weekly
Maintenance & Operations yard and shop	Quarterly
Transportation yard and shop	Quarterly
Walk ways	Quarterly
Parking lots	Quarterly

In addition to the department periodic inspection schedule, inspections will be conducted as required in the following situations:

- ☐ IIPP is first established
- ☐ New substances, processes, procedures or equipment result in new hazards in department units/facilities
- ☐ New, previously unidentified hazards are identified
- ☐ Occupational accidents or incidents occur
- ☐ Department hires or reassigns employees to operations or tasks where a hazard evaluation has not been conducted

## HAZARD CORRECTION

Unsafe or unhealthy work conditions, work practices, or procedures shall be corrected in a timely manner based on the severity of the hazards. Hazards shall be corrected according to the following procedure:

- ☐ When observed or reported. Hazards may be discovered either as a result of a scheduled periodic inspection or during normal operations. Supervisors of affected employees are expected to correct unsafe conditions as quickly as possible after discovery of a hazard, based on the severity of the hazard.
- ☐ When an imminent hazard exists that cannot be immediately corrected, we will remove employees from the immediate hazard except those needed to correct the condition and to address security issues.

## **REPORTING A WORK RELATED ACCIDENT or INJURY**

24/7 Injury Response 1(877) 480- 3947

### **ACCIDENT AND INCIDENT INVESTIGATIONS**

The purpose of accident investigation is to determine the cause(s) of accidents and identify what can be done to prevent similar accidents from recurring.

Investigations of workplace accidents, hazardous substance exposures and near accidents will be conducted by the safety coordinator and/or School Director. The IIPP Administrator may review the accident documentation to determine if the contributing factors and corrective actions to prevent future injuries are adequately identified.

Our procedures include:

- ☐ Visiting the scene as soon as possible
- ☐ Interviewing injured employees and witnesses
- ☐ Determining the cause of the accident/exposure
- ☐ Examining the workplace and incident for underlying/contributing causes
- ☐ Taking corrective action to prevent the accident/exposure from reoccurring
- ☐ Recording the findings and actions taken

The Accident Investigation Report form (Appendix B) should be completed to record pertinent information. The School's Accident Investigation forms are located at The School web page, under risk management tab, accident investigation folder. Hard copies can be located with the site office manager.

### **SAFETY AND HEALTH TRAINING**

All employees will have training and instruction on general and job-specific safety and health practices. Training and instruction will be provided according the following schedule:

- ☐ When our IIPP is first established
- ☐ To all new employees
- ☐ To all employees given new job assignments for which training has not previously provided
- ☐ Whenever new substances, processes, procedures, or equipment are introduced to The School and represent a new hazard
- ☐ Whenever anyone is made aware of a new or previously unrecognized hazard
- ☐ To supervisors and school-site safety coordinators to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed
- ☐ To all employees about the hazards specific to each employee's job assignment

## **General Safety Training**

General safety training will, at a minimum, include:

- ☐ An explanation of our IIPP, emergency action plan and fire prevention plan
- ☐ Measures for reporting any unsafe conditions, work practices, and injuries
- ☐ Workplace violence awareness and reporting procedures
- ☐ Provisions for medical services, first aid, and emergency procedures
- ☐ Proper housekeeping, such as keeping walkways clear, keeping work areas neat and orderly, and promptly cleaning up spills
- ☐ Prohibiting horseplay or other acts that adversely influence safety
- ☐ Proper storage, including prohibiting storage near emergency exits, fire extinguishers, and electrical panels

## **Job-Specific Safety Training**

Job-specific safety training will be provided to all employees regarding hazards unique to their job assignment. Training may include, but is not limited to:

- ☐ Ergonomic awareness and the prevention of musculoskeletal disorders, including proper lifting techniques
- ☐ The use of appropriate clothing, including gloves, footwear, and personal protective equipment (PPE)
- ☐ Information about Cal/OSHA's Hazard Communication regulation, including chemical hazards, such as pesticides, cleaning products, lab chemicals, etc.
- ☐ Proper food and beverage storage to prevent contamination
- ☐ Slip and fall hazards and ladder safety
- ☐ Potential exposure during building repairs, such as lead paint and asbestos
- ☐ Potential exposure to bloodborne pathogens and aerosol transmissible diseases
- ☐ Heat illness prevention
- ☐ Indoor air quality
- ☐ Power tools and machinery hazards, including electrical safety, lock-out tag-out of machinery, machine guarding, etc.
- ☐ Defensive driving
- ☐ Mandated reporting: Child abuse and neglect
- ☐ Sexual Harassment Prevention
- ☐ Workplace bullying: awareness and prevention

## **School Director and School-Site Safety Coordinator Training**

The School Director(s) and their designee will be trained on their specific roles within the IIPP as well as training about specific health and safety hazards and work practices under their supervision and control.

## **Codes of Safe Practices**

Copies can be found in The School Director/safety coordinator of facilities safety binder.

## **COMPLIANCE**

School leadership is responsible for ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees. School Directors and lead personnel are expected to enforce the rules fairly and uniformly.

All School employees are responsible for complying with safe and healthful work practices. Our system of ensuring that all employees comply with these practices includes the following:

### **IIPP Training**

Employees will receive IIPP training through ADP throughout the school year.

### **School Director Evaluation of Safety Performance**

School Directors will evaluate employee safety performance by routine observation of employee work practices. Employee counseling on unsafe work practices will be used to communicate deficiencies in safety performance. Supplemental training and observation will be conducted to the degree required to correct the unsafe work practice.

### **Disciplinary Procedures**

Fair and consistent disciplining of employees who fail to comply with safety and healthful work practices will be disciplined in accordance with The School's personnel policy.

## **RECORD KEEPING**

The School's maintains the following records to help us more efficiently and effectively implement our IIPP:

- ☐ Records of scheduled and periodic inspections (to identify unsafe conditions and work practices, including the names of the person(s) conducting the inspection, the unsafe conditions and the work practices that have been identified, as well as the action(s) taken to correct the identified unsafe conditions and work practices. These records are maintained for at least one (1) year.
- ☐ Documentation of our safety and health training.
- ☐ Confirmation of receipt and review of the IIPP, HIPP and COVID-19 Safety Plan.



## Appendix A – Hazardous/Unsafe Condition Report Form

### Reporting Information\*

School-Site/School Facility:	
Name/Title (optional):	Phone(optional):
Date/time hazard observed:	Date reported:
Location of hazard (building, room, parking lot, other distinguishing area) :	
Description of hazardous/unsafe condition:	
What corrective action would you recommend?	

\* Submit completed form to your immediate supervisor or the Assistant Principal of Facilities or School-site safety coordinator. Submit anonymously by sending to Sonia Pishehvar, Risk Manager and Safety Coordinator, IIPP Administrator.

### Investigation

Investigator's Name/Title:	Date:
Results of the investigation ( <i>Attach additional page if necessary</i> ):	
Proposed corrective action:	

### Corrective Action

Responsible Person/Department:	Corrective Action Completion Date:
Corrective Action Taken ( <i>Attach additional page if necessary</i> ):	

### School Best Practices and Safety Committee Review

The School Safety Committee reviews all submitted Hazardous/Unsafe Condition reports for thorough investigation and corrective action. The Committee also ensures the person reporting the hazard, if known, is notified of the results.

Committee Chair: \_\_\_\_\_ Date of Review: \_\_\_\_\_



## Appendix B – Accident Investigation Report (Employee/Workplace Injury or Illness)

*Add separate paper if needed*

<b>School Site/School Facility:</b>	<b>Department:</b>
-------------------------------------	--------------------

### Injured Employee Information

Name:		Job Title:	Contact Number:
Hire Date:	Volunteer: <input type="checkbox"/> Yes <input type="checkbox"/> No	Supervisor Name:	Contact Number:

### Accident Details

Date & Time of Accident:	Date Reported:	Location of Accident: <i>(be specific - building, room #, lab, field, etc.):</i>
Description of Injury/Illness <i>(sprained right ankle, cut left hand, allergic reaction, needle stick, etc.):</i>		
Describe accident <i>(tasks performed, events before accident, equipment/ tools, work conditions, other relevant details):</i>		
Witness Name(s) and contact information		

### Cause(s) of Accident

*Hazardous conditions, safety management breakdowns, unsafe work behaviors*


### Corrective Action

*Physical changes, changes in procedures, changes in employee work practices*

Investigation completed by:	Title:	Date:
Corrective action follow-up conducted by:	Title:	Date:

## Appendix C – Protection from Wildfire Smoke: Health and Safety of Employees Exposed to Wildfire Smoke

### Purpose:

The purpose of this addendum to the Injury and Illness Prevention Program is to mitigate employee exposure to wildfire smoke and other pollutants when working outdoors.

### Background

The School employees may be asked to work outdoors and in conditions where they may be exposed to wildfire smoke and other pollutants considered to be harmful to their health. Employees are offered the opportunity and may decline the opportunity to perform work outdoors when they feel conditions may be harmful to their health without any retribution from School management. The following best practices meets or exceeds regulatory requirements located in [Title 8 of the General Industry Safety Orders, Article 107, Section 5141.1](#), also known as Cal/OSHA Standard 5141 Protection from Wildfire Smoke.

### Best Practices

When the Air Quality Index (AQI) PM2.5 is 151 or greater and The School has a reasonable expectation that employees may experience outdoor wildfire smoke exposure for a period of 1 hour or less per shift, The School will implement the following practices:

- A. Prior to each workday and shift, supervisors will check the AQI forecast via the [United States, Environmental Protection Agency AirNow](#) (U.S. EPA AirNow) and then communicate the AQI and its associated Levels of Health Concern to employees in a pre-shift huddle using the following scale:

Air Quality Index (AQI)	
AQI Categories for PM2.5	Levels of Health Concern
0-50	Good
51-100	Moderate
101-150	Unhealthy for Sensitive Groups
151-200	Unhealthy
201-300	Very Unhealthy
301-500	Hazardous

- B. Specify protective measures available to the employees to reduce their wildfire smoke exposure by including:

- a. Administrative Controls
  - i. Rotating employees between working outdoors and inside
  - ii. Limiting the length of employee shifts
  - iii. Transferring employees between locations where the AQI is not as hazardous
  - iv. Offering less strenuous work activities
  - v. Increase the number of rest breaks offered
- b. Voluntary use of Personal Protective Equipment (PPE)—[Organization Name] offers all employees exposed to wildfire smoke N95 filtering facepiece respirators. N95 respirators are offered at any time on a voluntary

basis and mandatorily offered when the AQI PM2.5 is 151 or greater but not more than 500. All N95 respirators are approved by the National Institute for Occupational Safety and Health (NIOSH).

- C. Employees are encouraged to notify The School leadership anytime they feel the air quality is progressively worsening during their shift and/or if they experience any adverse symptoms as a result of exposure such as difficulty breathing, asthma attacks, chest pain, etc.

### **Mandatory Training**

All employees, regardless of the AQI levels and potentially exposed to Wildfire Smoke will receive the following training as required by Cal/OSHA Protection from Wildfire Smoke. Training will be provided in a language that is readily understandable by the employees being trained.

#### **A. The health effects of wildfire smoke**

- a. Although there are many hazardous chemicals in wildfire smoke, the main harmful pollutant for people who are not very close to the fire is “particulate matter;” these are the tiny particles suspended in the air.
- b. Particulate matter can irritate the lungs and cause persistent coughing, phlegm, wheezing, or difficulty breathing. Particulate matter can also cause more serious problems, such as reduced lung function, bronchitis, worsening of asthma, heart failure, and early death.
- c. People over 65 and people who already have heart and lung problems are the most likely to suffer from serious health effects.
- d. The smallest and usually the most harmful particulate matter is called PM2.5, they have a diameter of 2.5 micrometers or smaller.

#### **B. The right to obtain medical treatment without fear of reprisal**

- a. The School shall allow any employee that shows signs of injury or illness due to wildfire smoke exposure to seek medical treatment, and may not punish affected employees for seeking such treatment.
- b. The School shall also have effective provisions made in advance for prompt medical treatment of employees in the event of serious injury or illness caused by wildfire smoke exposure.

#### **C. How employees can obtain the current Air Quality Index (AQI) for PM2.5**

- a. Various government agencies monitor the air at locations throughout California and report the current AQI for those places. The AQI is a measurement of how polluted the air is. An AQI over 100 is unhealthy for sensitive people and an AQI over 150 is unhealthy for everyone.
- b. Although there are AQI's for several pollutants, Cal/OSHA Standard 5141 Protection from Wildfire Smoke only uses the AQI for PM2.5. The School's program meets the regulatory requirements of the standard.
- c. The easiest way to find the current and forecasted AQI for PM2.5 is to go to [AirNow](#) and enter the zip code of the location where you will be working. The current AQI is also available from the [U.S. Forest Service](#) and through [Local Air Schools](#).
- d. Employees who do not have access to the internet can contact their manager for the current AQI. The EPA website, [EnviroFlash](#), can transmit daily and forecasted AQIs by text or email for particular cities or zip codes.

#### **D. The requirements in Cal/OSHA Standard 5141 Protection from Wildfire Smoke**

- a. If an employee may be exposed to wildfire smoke, The School is required to find out the current AQI applicable to the worksite. If the current AQI for PM2.5 is 151 or more, The School's designee Facilities/Safety AP/Plant Manager/Supervisor is required to:
  - i. Check the current AQI prior to each shift and periodically during each shift
  - ii. Provide training
  - iii. Lower employee exposures
- b. Provide respirators and encourage their use.

E. The School maintains a two-way communication system.

- a. The School designee shall alert employees when the air quality is harmful and what protective measures are available to those employees that may be exposed.
- b. The School encourages employees to inform their supervisor if they notice the air quality is getting worse, or if they are suffering from any symptoms due to the air quality, without fear of reprisal.
- c. The employer's communication system includes:
  - i. Direct communication between employees and their supervisor prior to commencing work activities.
  - ii. Using company email.

iii. Texting and/or telephone conversations.

F. The School's methods to protect employees from wildfire smoke when the AQI for PM2.5 is 151 or greater include:

- a. Locating work in enclosed structures or vehicles where the air is filtered if at all possible.
- b. Changing procedures such as moving workers to a place with a lower current AQI for PM2.5 if possible.
- c. Reducing the time that an employee is exposed to outdoor smoke.
- d. Increasing rest time and frequency, and providing a rest area with filtered air if possible.
- e. Reducing the physical intensity of the work to help lower the breathing and heart rates.

## APPENDIX D



Confirmation and acknowledgement of receipt and review of the Injury and Illness Prevention Program (IIPP).

I have received and reviewed the Plan Date: \_\_\_\_

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Job Title: \_\_\_\_\_

Job site location: \_\_\_\_\_

**Return the signed form to the IIPP Administrator a copy will be kept on file with HR.**

## **FIRST AMENDED BYLAWS**

### **OF**

## **EMPOWER GENERATIONS**

### **a California Nonprofit Public Benefit Corporation**

#### **ARTICLE I**

##### **OFFICES**

Section 1. PRINCIPAL OFFICE. The board of directors shall fix the location of the principal executive office of the corporation at any place within or outside the State of California. If the principal executive office is located outside the State of California, and the corporation has one or more offices in the State of California, the board of directors shall likewise fix and designate a principal office in the State of California.

Section 2. OTHER OFFICES. The corporation may also establish offices at such other places, both within and outside the State of California, as the board of directors may from time to time determine or the activities of the corporation may require.

#### **ARTICLE II**

##### **OBJECTIVES AND PURPOSES**

The specific objectives and purposes of this corporation are described in its articles of incorporation.

#### **ARTICLE III**

##### **NONPARTISAN ACTIVITIES**

The corporation has been formed under the California Nonprofit Public Benefit Corporation Law (the "Law") for the public, nonprofit, nonpartisan, and charitable purposes described in its articles of incorporation. Notwithstanding any other provision in these bylaws, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation, and the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, as amended ("IRC"), or (b) by a corporation contributions to which are deductible under IRC Section 170(c)(2).

#### **ARTICLE IV**

##### **DEDICATION OF ASSETS**

The properties and assets of this corporation are irrevocably dedicated to the charitable purposes described in Article III above and in the articles of incorporation of this corporation. No part of the net earnings, properties, or assets of this corporation, on dissolution or



otherwise, shall inure to the benefit of its directors or officers, or to any individual. On liquidation or dissolution of this corporation, all remaining assets of this corporation shall be distributed as set forth in its articles of incorporation.

## **ARTICLE V MEMBERSHIP**

Section 1. NO MEMBERS. The corporation shall not have any members.

Section 2. ASSOCIATES. Nothing in this Article V shall be construed as limiting the right of the corporation to refer to persons associated with it as “members” even though such persons are not members of the corporation, and no such reference shall make anyone a member within the meaning of Section 5056 of the California Corporations Code (the “Code”), including honorary or donor members. Such individuals may originate and take part in the discussion of any subject that may properly come before any meeting of the board of directors, but may not vote. The corporation may confer by amendment of its articles of incorporation or these bylaws some or all of the rights of a member, as set forth in the Law, upon any person who does not have the right to vote for the election of directors, on a disposition of substantially all of the corporation’s assets, on the merger or dissolution of it, or on changes to its articles of incorporation or bylaws, but no such person shall be a member within the meaning of Section 5056. The board of directors may also, in its discretion, without establishing memberships, establish an advisory council or honorary board or such other auxiliary groups as it deems appropriate to advise and support the corporation.

Section 3. AUTHORITY VESTED IN THE BOARD. Any action that would otherwise require approval by a majority of all members or approval by the members requires only approval of the board of directors. All rights that would otherwise vest under the Law in the members will vest in the board of directors.

## **ARTICLE VI DIRECTORS**

Section 1. POWERS. Subject to the provisions of the Law and any limitations in the articles of incorporation and these bylaws, the activities and affairs of the corporation shall be managed and all corporate powers shall be exercised by or under the direction of the board of directors. Without prejudice to such general powers, but subject to the same limitations, it is hereby expressly declared that the board of directors shall have the following powers in addition to the other powers enumerated in these bylaws:

(a) To approve personnel policies and monitor their implementation; to select and remove certain officers, agents, and employees of the corporation; prescribe any powers and duties for them that are consistent with law, with the articles of incorporation, and with these bylaws; and fix their compensation.

(b) To conduct, manage, and control the affairs and activities of the corporation and to make such rules and regulations that are consistent with law, the articles of incorporation, and these bylaws, as they deem to be appropriate and in the best interests of the corporation.

(c) To adopt, make, and use a corporate seal; and to alter the form of such seal.

(d) To borrow money and to incur indebtedness on behalf of the corporation, and to cause to be executed and delivered for the purposes of the corporation, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, or other evidences of debt and securities.

(e) To change the principal executive office or the principal office in the State of California from one location to another; to cause the corporation to be qualified to conduct its activities in any other state, territory, dependency, or country and conduct its activities within or outside the State of California; and to designate a place within the State of California for the holding of any board of directors meeting or meetings.

(f) To act as a trustee under any trust incidental to the principal objects of the corporation, and to receive, to hold, to administer, to exchange, and to expend funds and property subject to such trust.

(g) To receive endowments, devises, bequests, gifts, and donations of all kinds of property for its own use, or in trust, in order to carry out or to assist in carrying out, the objects and purposes of the corporation and to do all things and acts necessary or proper to carry out each and all of the purposes and provisions of such endowments, devises, bequests, gifts, and donations with full power to mortgage, sell, lease, or otherwise to deal with or dispose of the same in accordance with the terms thereof.

(h) To acquire by purchase, exchange, lease, gift, devise, bequest, or otherwise, and to hold, improve, lease, sublease, mortgage, transfer in trust, encumber, convey, or otherwise dispose of real and personal property.

## Section 2. NUMBER AND ELECTION OF DIRECTORS.

(a) The board of directors shall be comprised of between three (3) and five (5) members, with the exact number to be determined from time to time by the board, unless and until changed by amendment of these Bylaws. Directors shall be elected by the vote of a majority of directors then in office. All directors shall have full voting rights, including any representative appointed by the Acton-Agua Dulce Unified School District under Education Code Section 47604(c).

(b) The qualifications for directors are generally the ability to attend board meetings, a willingness to actively support and promote the corporation, and a dedication to its

charitable endeavors. The board shall strive for members to represent the general community, to have legal, financial and pedagogical experience, or other skills and expertise, to effectively govern the charter school.

(c) The Board of Trustees of the Acton-Agua Dulce Unified School District may appoint one representative to serve on the board pursuant to Education Code Section 47604(c).

Section 3. RESTRICTION ON INTERESTED PERSONS AS DIRECTORS. No more than 49 percent of the persons serving on the board of directors may be interested persons (as defined in this Section 3). An “interested person” is (a) any person compensated by the corporation for services rendered to it within the previous 12 months, whether as a full- or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation, if any, paid to a director as director; or (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of any such person.

Section 4. TERM OF OFFICE; EVENTS CAUSING VACANCIES ON BOARD. Each director shall hold office for three (3) years and until a successor is elected. A director may serve multiple terms. A vacancy or vacancies on the board of directors shall occur in the event of (a) the death, resignation, or removal of any director; (b) the declaration by resolution of the board of directors of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court to have breached a duty under the Law, Chapter 2, Article 3; and (c) the increase of the authorized number of directors.

Section 5. RESIGNATION OF DIRECTORS. Except as provided below, any director may resign by giving written notice to the chairman of the board, if any, or to the president, or the secretary, or to the board of directors. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If a director’s resignation is effective at a later time, the board of directors may elect a successor to take office as of the date when the resignation becomes effective. Except upon notice to the Attorney General of California, no director may resign if the corporation would then be left without a duly elected director or directors in charge of its affairs.

Section 6. REMOVAL OF DIRECTORS. A director may be removed at any time with or without cause by a majority of the directors then in office.

Section 7. VACANCIES. Vacancies on the board of directors shall be filled by the existing board of directors. Each director elected to fill a vacancy shall hold office until the expiration of the term of the replaced director and until a successor is elected.

Section 8. PLACE OF MEETINGS AND MEETINGS BY TELEPHONE. Any meeting of the board of directors may be held at any place within or outside the State of California that has been designated from time to time by resolution of the board or in the notice of the meeting. In the absence of such designation, meetings shall be held at the principal executive office of the

corporation. Any meeting, including annual, regular or special, may be held by conference telephone or similar communication equipment, so long as all directors participating in the meeting can hear one another. All such directors shall be deemed to be present in person at such telephonic meeting. Notwithstanding anything in these bylaws to the contrary, for so long as the corporation is authorized to and operates a California charter school, all meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act and Education Code section 47604.1, as amended from time to time.

Section 9. ANNUAL AND REGULAR MEETINGS. The annual meeting of the board of directors shall be held each year on the date and time as may be fixed by the board of directors. At such annual meeting, officers shall be elected and any other proper business may be transacted. Other regular meetings of the board of directors shall be held at such time as shall from time to time be fixed by the board of directors. Notice of regular meetings shall be given in accordance with the Ralph M. Brown Act.

Section 10. SPECIAL MEETINGS. Special meetings of the board of directors for any purpose or purposes may be called at any time by the chairman of the board, the president, any vice president, the secretary, or any two directors. Notice of the time and place of special meetings shall be given in accordance with the Ralph M. Brown Act.

Section 11. QUORUM. A majority of the authorized number of directors then in office shall constitute a quorum for the transaction of business, except to adjourn as provided in Section 13 below. Every act or decision done or made by a majority of the directors present at a meeting duly held at which a quorum is present shall be regarded as the act of the board of directors, subject to the more stringent provisions of the Law or other applicable laws

Section 12. WAIVER OF NOTICE; CONSENT. Notice of a meeting need not be given to any director who, either before or after the meeting, signs a waiver of notice, a consent to holding the meeting, or an approval of the minutes of the meeting. The waiver of notice or consent need not specify the purpose of the meeting. All such waivers, consents, and approvals shall be filed with the corporate records or made a part of the minutes of the meeting. Notice of meeting shall also be deemed given to any director who attends the meeting without protesting, before or at the commencement of the meeting, the lack of notice to that director.

Section 13. ADJOURNMENT. A majority of the directors present, whether or not constituting a quorum, or if all Directors are absent then the clerk or Secretary, may adjourn any meeting to another time and place in compliance with Section 54955 of the Ralph M. Brown Act.

Section 14. FEES AND COMPENSATION. Directors and members of committees shall receive no compensation for their services; provided however, that directors and members of committees may receive reimbursement of actual and necessary out-of-pocket expenses incurred when conducting the corporation's business.

## **ARTICLE VII COMMITTEES**

Section 1. COMMITTEES OF DIRECTORS. The board of directors may, by resolution adopted by a majority of the directors then in office, designate one or more committees, each consisting of two or more directors, to serve at the pleasure of the board. Appointments to such committees shall be by a majority vote of the directors then in office. The board may designate alternate members of any committee, who may replace any absent member at any meeting of the committee. Any committee exercising the authority of the board must be comprised only of directors then in office. No committee may do any of the following::

- (a) undertaking any final action on any matter that, under the Law, also requires approval of the board of directors;
- (b) the filling of vacancies on the board of directors or in any committee;
- (c) the amendment or repeal of bylaws or the adoption of new bylaws;
- (d) the amendment or repeal of any resolution of the board of directors that by its express terms is not so amendable or repealable; or
- (e) the appointment of any other committees of the board of directors or the members thereof.

Section 2. MEETINGS AND ACTION. Meetings and action of standing committees of the board shall be governed by, and held and taken in accordance with, the provisions of Article VI of these bylaws, Sections 8 (place of meetings and meetings by telephone), 9 (annual and regular meetings), 10 (special meetings), 11 (quorum), 12 (waiver of notice), and 13 (adjournment), with such changes in the context of those bylaws as are necessary to substitute the committee and its members for the board of directors and its members, except for the following: (a) the time of regular and annual meetings of committees may be determined by resolution of the board of directors as well as the committee; (b) special meetings of committees may also be called by resolution of the board of directors; and (c) notice of special meetings of committees shall also be given to any alternate members, who shall have the right to attend all meetings of the committee. Minutes of each meeting of any committee shall be kept and filed with the corporate records. The board of directors may adopt rules for the government of any committee not inconsistent with the provisions of these bylaws.

## **ARTICLE VIII OFFICERS**

Section 1. OFFICERS. The officers of the corporation shall be a president, a secretary, and a treasurer. The corporation may also have, at the discretion of the board of directors, a chairman of the board, one or more vice presidents, one or more assistant secretaries, one or more assistant treasurers, and such other officers as may be appointed in

accordance with the provisions of Section 3 of this Article VIII. Any number of offices may be held by the same person, except that neither the secretary nor the treasurer may serve concurrently as the president or the chairman of the board.

Section 2. ELECTION. The officers of the corporation, except such officers as may be appointed in accordance with the provisions of Section 3 or Section 5 of this Article VIII, shall be chosen by the board of directors, and each shall serve at the pleasure of the board, subject to the rights, if any, of an officer under any contract of employment.

Section 3. OTHER OFFICERS. The board of directors may appoint, and may empower the president to appoint, such other officers as the activities of the corporation may require, each of whom shall hold office for such period, have such authority, and perform such duties as are provided in the bylaws or as the board of directors may from time to time determine.

Section 4. REMOVAL AND RESIGNATION. Subject to the rights, if any, of any officer under any contract of employment, any officer may be removed, either with or without cause, by the board of directors or, except in case of an officer chosen by the board of directors, by any officer upon whom such power of removal may be conferred by the board of directors.

Any officer may resign at any time by giving written notice to the corporation. Any such resignation shall take effect at the date of the receipt of such notice or at any later time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Any such resignation is without prejudice to the rights, if any, of the corporation under any contract to which the officer is a party.

Section 5. VACANCIES. A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for regular appointments to such office.

Section 6. CHAIRMAN OF THE BOARD. The chairman of the board, if such an officer be elected, shall, if present, preside at meetings of the board of directors and exercise and perform such other powers and duties as may be from time to time assigned to him or her by the board of directors or prescribed by the bylaws. If there is no president, the chairman of the board will in addition be the chief executive officer of the corporation and shall have the powers and duties prescribed in Section 7 of this Article VIII.

Section 7. PRESIDENT. Subject to such supervisory powers, if any, as may be given by the board of directors to the chairman of the board, if there be such an officer, the president shall have general supervision, direction, and control of the activities and the officers of the corporation. He or she shall preside, in the absence of the chairman of the board, or if there be none, at all meetings of the board of directors. He or she shall have the general powers and duties of management usually vested in the office of president of the corporation and shall have such other powers and duties as may be prescribed by the board of directors or the bylaws.

Section 8. VICE PRESIDENTS. In the absence or disability of the president, the vice presidents, if any, in order of their rank as fixed by the board of directors or, if not ranked, a vice president designated by the board of directors, shall perform all the duties of the president, and when so acting shall have all the powers of, and be subject to all the restrictions upon, the president. The vice presidents shall have such other powers and perform such other duties as from time to time may be prescribed for them respectively by the board of directors or the bylaws and the president or the chairman of the board.

Section 9. SECRETARY. The secretary shall keep, or cause to be kept, at the principal executive office or such other place as the board of directors may direct, a book of minutes of all meetings and actions of directors, and committees of directors, with the time and place of holding, whether regular or special, and, if special, how authorized, the notice thereof given, the names of those present at directors and committee meetings, and the proceedings thereof.

The secretary shall give, or cause to be given, notice of all meetings of the board of directors required by the bylaws or by law to be given, and he or she shall keep, or cause to be kept, the seal of the corporation, if one be adopted, in safe custody, and shall have such other powers and perform such other duties as may be prescribed by the board of directors or by the bylaws.

Section 10. TREASURER. The treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and records of accounts of the properties and business transactions of the corporation, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, retained earnings, and other matters customarily included in financial statements. The books of account shall at all reasonable times be open to inspection by any director.

The treasurer shall deposit, or cause to be deposited, all monies and other valuables in the name and to the credit of the corporation with such depositaries as may be designated by the board of directors. He or she shall distribute, or cause to be disbursed, the funds of the corporation as may be ordered by the board of directors, shall render to the president and directors, whenever they request it, an account of all financial transactions and of the financial condition of the corporation, and shall have such other powers and perform such other duties as may be prescribed by the board of directors or the bylaws.

## **ARTICLE IX**

### **INDEMNIFICATION OF DIRECTORS, OFFICERS, EMPLOYEES**

Section 1. DEFINITIONS. For the purposes of this Article IX, the definition of the terms “agent”, “proceeding”, and “expenses” shall be governed by Section 5238 of the Code.

Section 2. INDEMNIFICATION IN ACTIONS BY THIRD PARTIES. To the fullest extent permitted by law, the corporation shall have power to indemnify any person who was or is a party or is threatened to be made a party to any proceeding (other than an action by or in the right of the corporation to procure a judgment in its favor, an action brought under Section



5233 of the Code, or an action brought by the Attorney General of California or a person granted relator status by the Attorney General of California for any breach of duty relating to assets held in charitable trust) by reason of the fact that such person is or was an agent of the corporation, against expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with such proceeding if such person acted in good faith and in a manner such person reasonably believed to be in the best interests of the corporation and, in the case of a criminal proceeding, had no reasonable cause to believe the conduct of such person was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which the person reasonably believed to be in the best interests of the corporation or that the person had reasonable cause to believe that the person's conduct was unlawful.

Section 3. OTHER INDEMNIFICATION. No provision made by the corporation to indemnify its directors or officers for the defense of any proceeding, whether contained in the articles of incorporation, bylaws, a resolution of directors, an agreement, or otherwise, shall be valid unless consistent with this Article IX and the Law. Nothing contained in this Article IX shall affect any right to indemnification to which persons other than such directors and officers may be entitled by contract or otherwise.

Section 4. INSURANCE. The corporation shall have the power to purchase and maintain insurance to the full extent permitted by law on behalf of any agent of the corporation against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status as such.

## **ARTICLE X RECORDS AND REPORTS**

Section 1. MAINTENANCE OF CORPORATE RECORDS. The corporation shall keep (a) adequate and correct books and records of account kept either in written form or in any other form capable of being converted into written form and (b) minutes, in written form, of the proceedings of the board of directors and committees of the board. All such records shall be kept at the corporation's principal executive office, or if its principal executive office is outside the State of California, at its principal office in this state.

Section 2. MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS. The corporation shall keep at its principal executive office, or if its principal executive office is not in the State of California, at its principal office in this state, the original or a copy of its articles of incorporation and bylaws, as amended to date, that shall be open to inspection by the directors at all reasonable times during office hours. If the principal executive office of the corporation is outside the State of California and the corporation has no principal office in this state, the Secretary shall, upon the written request of any director, furnish to such director a copy of the articles of incorporation or bylaws, as amended to date.



Section 3. INSPECTION. Every director shall have the absolute right at any reasonable time, and from time to time, to inspect all books, records, and documents of every kind and the physical properties of the corporation. Such inspection by a director may be made in person or by agent or attorney and the right of inspection includes the right to copy and make extracts. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents.

Section 4. ANNUAL REPORTS. The board of directors shall cause an annual report to be sent to the directors within 120 days of the corporation's fiscal year end. That report shall contain the following information, in appropriate detail, for the fiscal year:

- (a) The assets and liabilities, including the trust funds, of the corporation as of the end of the fiscal year;
- (b) The principal changes in assets and liabilities, including trust funds;
- (c) The revenue or receipts of the corporation, both unrestricted and restricted to particular purposes;
- (d) The expenses or disbursements of the corporation for both general and restricted purposes; and
- (e) Any information required by Section 5 of this Article X.

The annual report shall be accompanied by any report thereon of independent accountants or, if there is no such report, by the certificate of an authorized officer of the corporation that such statements were prepared without audit from the books and records of the corporation.

Section 5. ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS. As part of the annual report to all directors, the corporation shall annually prepare and mail or deliver to each director within 120 days after the corporation's fiscal year end, a statement containing any information required by Section 6322 of the Code with respect to the preceding year.

## **ARTICLE XI GENERAL MATTERS**

Section 1. CHECKS, DRAFTS, EVIDENCES OF INDEBTEDNESS. All checks, drafts, or other orders for payment of money, notes, or other evidences of indebtedness, issued in the name of or payable to the corporation, shall be signed or endorsed by such person or persons and in such manner as, from time to time, shall be authorized by the board of directors.

Section 2. CORPORATE CONTRACTS AND INSTRUMENTS; HOW EXECUTED. Except as otherwise provided in these bylaws, the board of directors may authorize any officer or officers,

agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances; and, unless so authorized or ratified by the board of directors or within the agency power of an officer, no officer, agent or employee shall have any power or authority to bind the corporation by any contract or engagement or to pledge its credit or to render it liable for any purpose or for any amount.

Section 3. CONSTRUCTION AND DEFINITIONS. Unless the context requires otherwise, the general provisions, rules of construction, and definitions in the Law shall govern the construction of these bylaws. Without limiting the generality of the foregoing, the singular number includes the plural, the plural number includes the singular, the masculine gender includes the feminine and neuter, and the term "person" includes both a corporation and a natural person. All references in these bylaws to the Law or to the Code shall be deemed to be those in effect from time to time.

## **ARTICLE XII AMENDMENTS**

New bylaws may be adopted or these bylaws may be amended or repealed by the board of directors.

### **CERTIFICATE OF SECRETARY**

The undersigned, being the duly elected and acting Secretary of Empower Generations, a California nonprofit public benefit corporation, does hereby certify that the foregoing First Amended Bylaws constitute the Bylaws of this corporation as duly adopted at a meeting of the Board of Directors on May 21, 2020.

IN WITNESS WHEREOF, the undersigned has executed this Certificate this 21st of May, 2020.



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Secretary