Policy Handbook

California Association for Bilingual Education

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CABE History

The California Association for Bilingual Education (CABE) is a non-profit organization incorporated in 1976 to promote bilingual education and quality educational experiences for every second language learner in California. CABE has a 14-member Board of Directors, along with a headquarter staff of 30 full and part-time staff and consultants all working to promote equity, social justice, and student achievement for students with diverse cultural, racial, and linguistic backgrounds. CABE is a membership organization with members, chapter, and affiliates throughout the state. CABE's members across California include parents, paraprofessionals, teachers, administrators, and researchers, who are committed to providing a voice for those who are silenced due to language, culture, or socioeconomic barriers.

CABE Vision

CABE's Vision: "Biliteracy, Multicultural Competency & Educational Equity for ALL" [1]

CABE Mission

To support the vision of biliteracy, multicultural competency and educational equity for all students, we will embody our shared values by implementing priorities, initiatives and services designed to increase California's capacity to create caring and highly effective learning environments that promote multiliteracy and support English Learners and all diverse populations to graduate college, career, and globally prepared to live their lives to their fullest potential.

THEORY OF ACTION

If we are an organization that believes in and is committed to Equity, Servant Leadership, Respect, Cultural & Linguistic Human Rights, Integrity THEN we will:

Exemplify Practices that distribute resources based on student need.

Promote a Sense of Community and share the power in decision-making and in developing leadership capacity within everyone.

Demonstrate Administration for organization members, staff, educators, students, community and for their achievements, abilities, qualities, and culture.

[1] Approved 4/4/2020

Advocate, Lead, Support and Empower culturally and linguistically diverse students, families teachers, and administrators with integrity and equity for all.

Be Respectful, inclusive, and Honest with the students, families, and organizations we serve.

Board Job Description

The purpose of the Board, on behalf of the moral ownership, is to see that the California Association for Bilingual Education: 1) fulfills its social compact with the community; and 2) in doing so, services as a wise steward of its resources while preventing unacceptable actions and situations.

The job of the Board is to present the moral ownership in determining and demanding appropriate organizational performance.

Board's Governance Responsibilities & Functions

As a board member of the California Association for Bilingual Education, I am fully committed and dedicated to the mission and have pledged to carry out this mission. I understand that my duties and responsibilities include the following:

a. Know and effectively articulate the mission, purpose, goals, policies, and programs of the California Association for Bilingual Education (CABE).

b. Attend all scheduled board meetings and committee meetings. Also, attend CABE events.

c. Chair and/or participate in at least one board committee.

d. Commit time, thought, and effort to CABE.

e. Participate in establishing and enforcing organizational policies.

f. Accept fiduciary responsibility for CABE financial accountability.

g. Make an annual direct or in-kind contribution according to personal means.

h. Participate in CABE fundraising activities in a variety of ways.

i. Identify friends and associates who might be prospective donors or board members.

j. Participate in hiring and periodic evaluation of CABE's chief executive.

k. Support and advise the chief executive as appropriate.

l. Participate actively in assessing CABE performance and setting its strategic goals and objectives.

m. Represent CABE actively and responsibly to the community.

n. Avoid conflicts of interest.

o. Maintain confidentiality of all CABE board meetings and communications.

Guidelines or policies for evaluating Board & Committee Members, if applicable (Board self-assessment)

Rationale

The board is committed to assessing its own performance as a board in order to identify its strengths and areas in which it may improve its functioning. While the board sees its role of assessing its performance as ongoing, it sets aside time at its annual retreat to conduct a self-evaluation among its members.

Purpose and Process

The purpose of the board self-evaluation is to identify those areas of board functions that are working well and those that may need improvement. The board self-evaluation speaks to the board as a whole, not to individual members. It is the evaluation process of the overall effectiveness of the board as a decision-making group.

a. A self-evaluation form will be distributed to all board members annually.

b. The completed self-evaluation forms shall be submitted to CABE Headquarters at least three weeks(s) prior to the regularly scheduled board retreat at which the self-evaluation will be discussed.

c. The self-evaluation results shall be included as an agenda item for review at a regularly scheduled board retreat.

Conflict of Interest [2]

The California Association for Bilingual Education (hereinafter called CABE) is a nonprofit, tax-exempt organization. Maintenance of its tax-exempt status is important both for its continued financial stability and for public support. Therefore, the IRS as well as state regulatory and tax officials view the operations of CABE as a public trust, which is subject to scrutiny by and accountable to such governmental authorities as well as to members of the public.

Consequently, there exists between CABE and its board, officers, and management employees and the public a fiduciary duty, which carries with it a broad and unbending duty of loyalty and fidelity. The board, officers, and management employees have the responsibility of administering the affairs of CABE honestly and prudently, and of exercising their best care, skill, and judgment for the sole benefit of CABE. Those persons shall exercise the utmost good faith in all transactions involved in their duties, and they shall not use their positions with CABE, or knowledge gained therefrom for their personal benefit. The interests of the organization must be the priority in all decisions and actions.

This statement is directed not only to directors and officers, but to all employees who can influence the actions of CABE. For example, this would include all who make purchasing decisions, all persons who might be described as "management personnel," and anyone who has proprietary information concerning CABE.

Conflicts of interest may arise in the relations of directors, officers, and management employees with any of the following third parties:

1. Persons and firms supplying goods and services to CABE.
2. Persons and firms from whom CABE leases property and equipment.
3. Persons and firms with whom CABE is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property.
4. Competing or affinity organizations.
5. Donors and others supporting CABE.
6. Agencies, organizations, and associations which affect the operations of CABE.
7. Family members, friends, and other employees.

A conflicting interest may be defined as an interest, direct or indirect, with any persons or firms. Such an interest might arise through:

1. Owning stock or holding debt or other proprietary interests in any third party dealing with CABE.
2. Holding office, serving on the board, participating in management, or being otherwise employed (or formerly employed) with any third party dealing with CABE.

[2] Approved 10/24/09

3. Receiving remuneration for services with respect to individual transactions involving CABE.
4. Using CABE's time, personnel, equipment, supplies, or goodwill for other than CABE-approved activities, programs, and purposes.
5. Receiving personal gifts or loans from third parties dealing or competing with CABE. Receipt of any gift is disapproved except gifts of a value less than $50, which could not be refused without discourtesy. No personal gift of money should ever be accepted.

The areas of conflicting interest listed above, and the relations in those areas which may give rise to conflict are not exhaustive. Conflicts might arise in other areas or through other relations. It is assumed that the directors, officers, and management employees will recognize such areas and relation by analogy.

The fact that one of the interests described above exists does not necessarily mean that a conflict exists, or that the conflict, if it exists, is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances it is necessarily adverse to the interests of CABE.

However, it is the policy of the board that the existence of any of the interests shall be disclosed before any transaction is consummated. It shall be the continuing responsibility of the board, officers, and management employees to scrutinize their transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures.

Transactions with parties with whom a conflicting interest exist may be undertaken only if all the following are observed:

1. The conflicting interest is fully disclosed;
2. The person with the conflict of interest is excluded from the discussion and approval of such transaction;
3. A competitive bid or comparable valuation exists; and
4. The [board or a duly constituted committee thereof] has determined that the transaction is in the best interest of the organization.

Disclosure in the organization should be made to the chief executive officer (or if she or he is the one with the conflict, then to the board chair), who shall bring the matter to the attention of the board. Disclosure involving directors should be made to the board chair, (or if she or he is the one with the conflict, then to the board vice-chair) who shall bring these matters to the board.

The board shall determine whether a conflict exists and in the case of an existing conflict, whether the contemplated transaction may be authorized as just, fair, and reasonable to CABE. The decision of the board on these matters will rest in their sole discretion, and their concern must be the welfare of CABE and the advancement of its purpose.

The Conflict of Interest Disclosure statement is completed annually at the beginning of the fiscal year, July 1 by each board/staff member.

Gift Policy and Disclosure

As part of its Conflict of Interest policy, the California Association for Bilingual Education requires that directors, officers, and employees decline to accept certain gifts, consideration or remuneration from individuals or companies that seek to do business with CABE or are a competitor of it. This policy and disclosure form is intended to implement that prohibition on gifts.

Section 1. "Responsible Person" is any person serving as an officer, employee, or a member of the board of directors of CABE.

Section 2. "Family Member" is a spouse, domestic partner, parent, child or spouse of a child, or a brother, sister, or spouse of a brother or sister, of a Responsible Person.

Section 3. "Contract or Transaction" is any agreement or relationship involving the sale or purchase of goods, services or rights of any kind, receipt of a loan or grant, or the establishment of any other pecuniary relationship. The making of a gift to CABE is not a "contract" or "transaction."

Section 4. Prohibited gifts, gratuities, and entertainment. Except as approved by the Chairman of the Board or his designee or for gifts of a value less than $50 which could not be refused without discourtesy, no Responsible Person or Family Member shall accept gifts, entertainment or other favors from any person or entity which:

1. Does or seeks to do business with CABE or,
2. Does or seeks to compete with CABE or,
3. Has received, is receiving, or is seeking to receive a Contract or Transaction with CABE.

Confidentiality Policy

Confidentiality Policy [3]

Confidentiality is a basic element of the operation of the California Association for Bilingual Education (CABE). To protect the confidentiality of fellow employees and the organization, no information concerning other employees or CABE business is to be discussed with anyone except when necessary for the purpose of daily business.

Member information shall be kept strictly confidential. Only those authorized personnel directly responsible for services to the member shall discuss or have access to this information. Care shall be exercised to be certain that unauthorized individuals do not overhear discussion of confidential information.

Employees and directors of CABE understand and agree that during their employment and/or service they may obtain information and documents which are confidential and/or privileged and proprietary in nature and which must be kept confidential both during and after their term of employment or service. As such, all employees and directors are required to return any such documents containing privileged or confidential information at the time of the termination of employment or expiration of service.

Any such employee or director that divulges confidential or privileged information, whether during or after his term of employment or service, is subject to appropriate discipline. Employees and directors recognize that the employer has a proprietary interest in any such information and/or documents and would be irreparably damaged as a result of any disclosure or dissemination thereof.

Chapter Leaders may request the names and contact information for their chapter members for the purpose of contacting them regarding CABE meetings or business. Per the CABE Bylaws, members can inspect but not copy the lists. If anyone feels they have a need for specific contact information, they may contact the CEO to submit their request.[4]

[3] Approved 1/9/10

[4] Approved 4/4/2020

Investment Policy

All funds of CABE are held by the board as a fiduciary. Therefore, all restricted and unrestricted funds of the organization are held by the organization as a steward for the sake of carrying out CABE's mission and objectives. The following instructions are to be understood and employed with that sense of stewardship in mind. Further, this investment policy is set forth in order that:

1. There is a clear understanding of responsibilities and objectives of the board, its delegates, and chosen investment counselors (hereinafter "counselors"); and
2. The board will have a basis for evaluating the investment performance of each of the organization's investment funds.

CABE Approval

Any investment policy must be approved by the board.

Delegation of Responsibilities

The board of CABE has delegated supervisory authority over its financial affairs to the finance committee (hereinafter "committee") of the CABE board, as provided in CABE's bylaws. The committee will report on the status of CABE investments at the regularly scheduled board meetings to the board. In carrying out its responsibilities, the committee and its counselors will act in accord with this investment policy (hereinafter "policy"), and all applicable laws and state and federal regulations that apply to nonprofit agencies.

Specific duties of the board, as delegated, include

1. Selecting counselors, custodians, and brokers;
2. Developing investment objectives, investment performance criteria, and implementing policies consistent with the financial needs of CABE;
3. Determining asset allocation strategy and overall investment portfolio structure to meet CABE's objectives;
4. Providing for the prompt investment of cash received by CABE; and
5. Reviewing and evaluating investment results based on performance goals enumerated herein and taking corrective action as needed.

Objectives

The primary investment objective of CABE is to preserve and protect its assets by earning a total return of each fund (e.g., operating reserve, charitable trust funds, annuity reserve, etc.) appropriate to each fund's time horizon, liquidity needs, and risk tolerance, as herein below set forth under "Performance Goals."

Mission and Social Investing Considerations
CABE desires to invest in/with companies whose business conduct is consistent with CABE's goals and beliefs. Therefore, CABE CFO/Accounting Manager will use their best efforts to avoid investing directly in the securities of any company known to participate in businesses the board deems to be morally offensive. Further, CABE will make every attempt possible to invest at least 50 percent of CABE's aggregate investment funds in minority-controlled firms.

Reporting Requirements

1. Quarterly — CABE CFO/Accounting Manager will provide the Finance committee with detailed reports concerning
    a. Asset allocation;
    b. Investment performance;
    c. Future investment strategies; and
    d. Any other matters of interest to the committee.

2. Annually — CABE CFO/Accounting Manager will provide the committee and Board an annual summary of all transactions in each fiscal year, together with a report of investment performance for each year of its management tenure.

Conflicts of Interest

The board and committee will not invest CABE funds with any firm or in any vehicle that may, as a result of the transaction, monetarily benefit a member of the board or CABE staff.

Procedures for Revising Guidelines

All investment policies will be reviewed and, if necessary, revised at least annually or when deemed necessary by the committee. All revisions will be submitted to the CABE board for review and approval.

Partnership Criteria [5]

The following indictors are to be used by the CABE's Board of Directors when considering entering into a formal partnership with another organization. These criteria are to be used in evaluating the merits of the partnership and do not exclude the possibility of other agreements (i.e., Memorandum of Understanding, etc.) The process for considering a partnership includes review and discussion the Board of Directors of their designee(s) followed by official action at the meeting of the Board.

4=Strong Evidence

3=Acceptable Evidence

2=Weal Evidence

1=Poor Evidence

Indicator	4	3	2	1
The organization explicitly promotes educational excellence.				
The organization promotes educational equity in its own mission & vision.				
The organization's partnership proposal reflects alignment with CABE's mission and priorities.				
The partnership proposal is mutually beneficial.				
The partnership will promote the accomplishment of CABE's vision and mission.				

[5] Approved on 11/24/03

Annual Conference Roles

Executive Board Members' Role at the Annual Conference

- The President gives a presentation of the state of the association General Session or meeting;
- The Board Members are introduced at the General Sessions.
- Review minutes of the Conference Committee;
- Approve initial budget, contracts, chairs, site, keynotes, awards, and fundraising plans; [6]
- Provide board liaison to Conference Committee;
- Review and update conference policies; and
- Fulfill individual board assignments and schedules.

Chapter Presidents' Role at the Annual Conference

- Introduced on a rotating basis at either a general session or meal function;
- Attend JDA
- Provided with reserved seating when introduced.
- Chapter officers may represent each chapter at JDA.
- Transportation, conference registration and a one-night lodging to JDA will be paid and/or reimbursed by CABE for one (1) chapter representative.

Planning Committee's Role at the Annual Conference

- Provided with reserved seating when introduced;
- Fulfill planning committee responsibilities;
- Attend CABE receptions.

[6] Amended on 8/27/88

Conference Registration

- Complimentary passes for VIP's, Keynote Speakers, essay contest winners, and other awardees as approved by CEO.
- Conference Committee Honorary Chairs and Co-chairs can receive free registration only if their agency will not pay their registration fee.
- Executive Board members receive complimentary registration and all travel expenses unless their agency will cover their costs.
- CABE employees receive a complimentary registration.
- Exhibitors and Job Career Fair booths are eligible for up to two complimentary exhibit hall passes.
- Interpreters receive a pass for the day(s) they interpret.
- All awardees will receive the full conference registration.

Hotel Accommodations

- Executive Board members and conference co-chairs will receive complimentary hotel room unless their agency is able to sponsor them. NOTE: All rooms are for single occupancy
- Honorary Chairs and Co-chairs will receive complimentary hotel rooms if they are bit sponsored by their agency. NOTE: All rooms are for single occupancy.
- Keynote speakers receive hotel accommodations for the night prior to and/or the night of their address, if necessary.
- CABE employees will be provided hotel rooms, signal occupancy for the occupancy during conference week.
- All CABE awardees will receive one complimentary hotel room night.
- The "Teachership" winner will receive one hotel room night.

Meal and event tickets

- Executive Board Members receive complimentary meal tickets.
- VIP's and Keynote Speakers and planning committee members are left at the discretion of the CEO.
- CABE employees receive tickets to all functions.
- Interpreters receive meal ticket(s) when they interpret for that meal speaker.
- Essay contest winners will receive 4 meal tickets when they present their essays and receive their awards.
- All other awardees will receive 2 meal tickets when they receive their awards.

- NABE Board Members will receive complimentary tickets to selected CABE Conference events, excluding meals. [7]

Awards

- Names of proposed awardees should be submitted to the CABE Board of Directors and/or subcommittees.

Membership Reception

- The Reception is in honor of CABE members and all CABE members are admitted without charge.
- Free entrance to representatives of sponsoring agency in limited numbers up to the discretion of the CEO.
- Member's guests can enter for a $25 fee.
- Nonmembers are invited to join CABE at the door and enter and pay an entrance fee of $25.
- NABE Executive Board members and approved partners will be admitted to the Membership Reception with no charge.

Meal Functions

- Tables will be reserved front and center for CABE Executive Board Members, Staff, Keynote Speakers, VIP's, Award Winners, and Conference Planning Committee Members.
- Tables at meals and seats at the general sessions will be reserved on the front sides for translations until just before the function begins. At that time, the convener will release empty seats for general use.

Committee Members

- Committee members need to be (or become) CABE members.

Honorariums and Expense Allowances

- Keynote Speakers will receive an honorarium and expenses as approved by CEO.
- All Contracts must be approved by CEO.

[7] Amended on 1/13/89

CABE CHAPTERS[8]

The California Association of Bilingual Education ("CABE") Board of Directors ("Board") encourages the participation of groups of individual volunteers at the local level who desire to assist CABE with its overall objectives ("Chapters"). The purpose of this policy ("Chapter Policy") is to identify the process and terms under which CABE will recognize and assist Chapters.

1) Chapters are encouraged to offer suggestions and advice to the Board in order to assist it in the decision-making process. The final responsibility for all decisions, however, rests with the Board alone. Chapters have no authority to bind CABE or its Board to any commitments with third parties.

2) Chapters will consist of individuals representing a broad range of people who have demonstrated interest in, and concern for, the mission, activities, and operations of CABE. Each Chapter may organize itself in such fashion and with such structure as it determines appropriate. Decisions regarding day-to-day operations, regular and special meetings of the Chapters will be conducted in accordance with the procedures or by laws approved by the individual Chapter.

3) The purpose and objectives of Chapters may include, but will not be limited to:

    - Work with CABE to advocate for policies and practices that lead to English Learners' educational success by participating in action alerts, testifying supporting legislation, etc.
    - Function in an advisory capacity to the CABE Board and staff.
    - Be knowledgeable of CABE's educational programs and services.
    - Contribute suggestions concerning long-range establishment of CABE's goals and objectives, setting of policies and priorities, and evaluation of programs.
    - Serve in an advisory capacity to interpret the needs of the community.

[8] Approved on April 28, 2012

- Improve public information by serving as a liaison to the community and to disseminate information about CABE.

- Serve as a community resource that the Board or staff may call upon in defining and addressing specific community educational needs.

4) Chapter members are volunteers, and not employees, of CABE, and therefore are not entitled to compensation or benefits as an employee.

5) Funding of Chapter activities will be provided solely by CABE from funds which it determines, in its sole discretion, to provide for specific pre-approved purposes. Each Chapter member must acknowledge that only CABE or a CABE Affiliate is permitted to solicit funds which are tax-deductible or which further CABE's tax-exempt purpose.

6) Any chapter with more than $5,000 in proceeds from chapter events shall be subject to an annual audit and must submit complete financial records of income and expenses (documented with receipts and purpose for expenditure). Bank accounts must have two signatures on file (president and treasurer)

7) CABE will be judged, in large part, by the individual and collective performance of its volunteers. CABE Chapters must recognize the importance of a volunteer's duty to act in a manner that merits public trust and confidence. Chapter members must refrain from engaging in any transaction in which personal interests' conflict, potentially conflict or appear to conflict with those of CABE. An actual or potential conflict of interest occurs when a volunteer is able to influence a decision that may result in a personal gain for the Chapter member or for a relative as a result of the Chapter's or CABE's business dealings. For the purposes of this policy, a relative is a person who is related by blood or marriage, or whose relationship with the volunteer is similar to that of persons who are related by blood or marriage. Participation in any activity prohibited by this Policy can result in the termination of volunteer service.

Compensation Policy [9]

This Policy on the Process for Determining Compensation of the California Association for Bilingual Education applies to the compensation of the following persons employed by the Organization:

____ The Organization's **chief employed executive**[10]
____ Other **Officers**[11]**--** Chief Financial Officer

The process includes all these elements: (1) review and approval by the board of directors or compensation committee of the Organization; (2) use of data as to comparable compensation; and (3) contemporaneous documentation and recordkeeping.

1. **Review and approval**. The compensation of the person is reviewed and approved by the board of directors or compensation committee of the Organization, provided that persons with conflicts of interest with respect to the compensation arrangement at issue are not involved in this review and approval.

2. **Use of data as to comparable compensation**. The compensation of the person is reviewed and approved using data as to comparable compensation for similarly qualified persons in functionally comparable positions at similarly situated organizations.

3. **Contemporaneous documentation and recordkeeping**. There is contemporaneous documentation and recordkeeping with respect to the deliberations and decisions regarding the compensation arrangement.

[9] Approved on 11/11/11

[10] **Chief employed executive** – The CEO (i.e., Chief Executive Officer), executive director, or top management official (i.e., a person who has ultimate responsibility for implementing the decisions of the Organization's governing body or for supervising the management, administration, or operations of the Organization).

[11] **Officer** – A person elected or appointed to manage the Organization's daily operations, such as a president, vice-president, secretary, or treasurer. The officers of the Organization are determined by reference to its organizing document, bylaws, or resolutions of its governing body, or as otherwise designated consistent with state law, but at a minimum include those officers required by applicable state law. Include as officers the Organization's top management official and top financial official (the person who has ultimate responsibility for managing the Organization's finances).

COMPUTER ACCESS AND SECURITY CONTROLS POLICY

Computer Access and Security Controls Policy [12]

Overview and Purpose

The California Association for Bilingual Education must balance employees' needs to access systems and information with the need to control access for the purposes protecting information confidentiality, integrity, and availability. Account passwords are a mainstay of information security controls. This policy establishes management controls for granting, changing, and terminating access to automated information systems, controls that are essential to the security of the California Association for Bilingual Education information systems.

Coverage

All full and part-time employees, contractors, and other personnel who use the California Association for Bilingual Education's system(s) and Information Resources.

Roles and Responsibilities

Information Technology Specialist

- Oversees password administration for the California Association for Bilingual Education
- Publishes and maintains policy guidelines for the creation, safeguarding, and control of the passwords
- Reviews and validates access and rights records at least once per year to confirm continuing need for access
- Approves access rights and passwords for privileged accounts for the California Association for Bilingual Education.
- Communicates system access and password requirements to the user community

System Users

- Protect password confidentiality
- Immediately notify supervisor if a password is known or suspected to be compromised

Password Rights Administration

- Access to the California Association for Bilingual Education Information Resources must be controlled
- Access rights are granted based on the principle of "least privilege": Access is granted only to systems and application necessary for the performance of official duties.

[12] Approved on 11/11/11

- Supervisor must approve employee access rights to the California Association for Bilingual Education Information Resources.
- Privileged-access passwords (such as those belonging to Systems Administrators) must be changed at least once every six months or when necessary, due to employment termination, actual or suspected password compromise
- Contractor accounts and access privileges must be terminated on the contract expiration date. Supervisors are required to inform IT Specialist of new and changed contract effective dates that are likely to affect account access permissions.
- Vendor or service accounts included in acquired software or used for software development must be deleted prior to software deployment.
- Any default passwords must be changed on all systems prior to connection to any network, even in pre-deployment testing.
- Administrative account passwords must be changed promptly upon departure of personnel or suspected compromise.
- User accounts must be disabled promptly upon departure of personnel. If a user knows or suspects that the confidentiality of their password has been compromised, they must immediately change the password.

Password requirement

- Passwords (login) are required on all California Association for Bilingual Education information systems
- Each individual user is assigned unique login credentials comprising, at minimum, at unique username and password
- Passwords must conform to the following criteria:
    - At least eight characters in length
    - Consist of a mix of alpha, numeric, and special characters
    - Exclude dictionary words
    - Exclude portions of associated account names (e.g., user ID, log-in name)
    - Exclude common sequential character strings (e.g., “abc” or “1234”)
    - Exclude simple keyboard patterns (e.g., “asdf”)

Automated Controls

- To reduce the risk that an unauthorized party can gain system access by guessing a user's password, the California Association for Bilingual Education shall limit invalid login attempts to three. After three unsuccessful login attempts, the California Association for Bilingual Education must automatically “lock out” the attempting user for not less than [*variable: time period*].
- Accounts that have not been accessed for at least three months will be disabled and reviewed for deletion. Accounts disabled for six months will be automatically deleted.

Password Protection

- Users must not disclose or otherwise allow third-party use of their unique account credentials (User IDs and Passwords)
- Passwords must be changed at least once every year.
- Passwords may not be reused for at least two consecutive login-change cycles

- Passwords must not be embedded in automated programs, utilities, or applications, such as autoexec.bat files, batch job files, or terminal hot keys
- Passwords must not be rendered in readable form through publicly visible media by any application, printer, Web server, or other mechanism
- Passwords must not be stored in readable form in any application, file, or database

Enforcement

Gross negligence or willful disclosure leading to illicit exposure of the California Association for Bilingual Education's information may result in prosecution for misdemeanor or felony resulting in fines, imprisonment, civil liability, and/or dismissal as specified under the personnel manual.

Policy Support Contact

- The CEO and IT Coordinator are *responsible for overseeing this procedure.*

Document Retention Policy (DRP)[13]

To ensure the most efficient and effective operation of the California Association for Bilingual Education (hereinafter called CABE), we are implementing this Document Retention Policy. The records of CABE are important to the proper functioning of CABE. Our records include all of the records you produce as a CABE employee. Such records can be in electronic or paper form. Thus, items that you may not consider important, such as interoffice emails, desktop calendars and printed memoranda, are records that are considered important under this policy. If you are ever uncertain as to any procedures set forth in this policy (e.g., what records to retain or destroy, when to do so, or how) it is your responsibility to seek answers from CABE's Chief Executive Officer.

The goals of this Document Retention Policy are to:

1. Retain important documents for reference and future use;
   a. Delete documents that are no longer necessary for the proper functioning of CABE;
   b. Organize important documents for efficient retrieval; and
   c. Ensure that you, as a CABE employee, know what documents should be retained, the length of their retention, means of storage, and when and how they should be destroyed.

The law requires CABE to maintain certain types of corporate records, usually for a specified period of time. Failure to retain those records for those minimum periods could subject you and CABE to penalties and fines, cause the loss of rights, obstruct justice, spoil potential evidence in a lawsuit, place CABE in contempt of court, or seriously disadvantage CABE in litigation.

CABE expects all employees to fully comply with any published records retention or destruction policies and schedules, provided that all employees should note the following general exception to any stated destruction schedule: If you believe, or CABE informs you, that its records are relevant to litigation, or potential litigation, i.e., a dispute that could result in litigation), then you must preserve those records until the CABE legal counsel determines the records are no longer needed. That exception supersedes any previously or subsequently established destruction schedule for those records. If you believe that exception may apply or have any question regarding the possible applicability of that exception, please contact CABE CEO or legal counsel.

From time-to-time CABE establishes retention or destruction policies or schedules for specific categories of records in order to ensure legal compliance, and to accomplish other objectives, such as preserving intellectual property and cost management. Several categories of documents that bear special consideration are identified below. While minimum retention periods are suggested, the retention of the documents identified below and of documents not included in the identified categories should be determined primarily by the application of the general guidelines affecting document retention identified above, as well as any other pertinent factors.

1. Tax Records. Tax records include, but may not be limited to, documents concerning payroll, expenses, proof of deductions, business costs, accounting procedures, and other

[13] Approved on 10/24/09

documents concerning CABE's revenues. Tax records should be retained for at least six years from the date of filing the applicable return.

2. Employment Records/Personnel Records. State and federal statutes require CABE to keep certain recruitment, employment, and personnel information. CABE should also keep personnel files that reflect performance reviews and any complaints brought against CABE or individual employees under applicable state and federal statutes. CABE should also keep all final memoranda and correspondence reflecting performance reviews and taken by or against personnel in the employee's personnel file. Employment and personnel records should be retained for six years.

3. Board and Board Committee Materials. Meeting minutes should be retained in perpetuity in CABE's records. A clean copy of all Board and Board Committee materials should be kept for no less than three years by CABE.

4. Press Releases/Public Filings. CABE should retain permanent copies of all press releases and publicly filed documents under the theory that CABE should have its own copy to test the accuracy of any document a member of the public can theoretically produce against CABE.

5. Legal Files. Legal counsel should be consulted to determine the retention period of documents, but legal documents should be maintained for a period of ten years.

6. Marketing and Sales Documents. CABE should keep final copies of marketing and sales documents for the same period it keeps other corporate files, three years.

   An exception to the three-year policy may be sales invoices, contracts, leases, licenses, and other legal documentation. These documents should be kept for at least three years beyond the life of the agreement.

7. Development/Intellectual Property and Trade Secrets. Development documents are often subject to the intellectual property protection in their final form (e.g., patents and copyrights). The documents detailing the development process are often also of value to CABE and are protected as a trade secret where CABE:
   a. Derives independent economic value from the secrecy of the information and
   b. CABE has taken affirmative steps to keep the information confidential
   c. CABE staff should keep all documents designated as containing secret trade information for at least the life of the trade secret.
8. Contracts. Final execution copies of all contracts entered by CABE should be retained. CABE should retain copies of the final contracts for at least three years beyond the life of the agreement, and longer in the case of publicly filed contracts.

9. Electronic Mail. E-mail that needs to be saved should either:

   a. Printed in hard copy and kept in the appropriate file; or

b. Downloaded to a computer file and kept electronically or on a disc as a separate file.
c. The retention period depends upon the subject matter of the e-mail, as covered elsewhere in this policy.

Failure to comply with this Document Retention Policy may result in punitive action against the employee, including suspension or termination. Questions about this policy should be referred to CEO who oversees administering, enforcing, and updating this policy.

Employee Protection (Whistleblower) Policy [14]

If any employee reasonably believes that some policy, practice, or activity of the California Association for Bilingual Education (hearinafter called CABE) is in violation of law, a written complaint must be filed by that employee with the Chief Executive Officer or the Board President.

It is the intent of CABE to adhere to all laws and regulations that apply to the organization and the underlying purpose of this policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieving compliance with vaious laws and regulations. An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy or practice to the attention of CABE and provides CABE with a reasonable opportunity to investigate and correct the alleged unlawful activity. The protection described below is only available to employees that comply with this requirement.

CABE will not retaliate against an employee who in good faith, has made a protest or raised a complaint against some practice of CABE, or of another individual or entity with whom CABE has a business relationship, on the basis of a reasonable belief that the practice is in violation of law, or a clear mandate of public policy.

CABE will not retaliate against employees who disclose or threaten to disclose to a superviosr or a public body, any activity, policy, or practice of CABE that the employee reasonably believes is in violation of a law, or a rule, or regulation mandated pursuant to law or is in violation of a clear mandate or public policy concerning the health, safety, welfare, or protection of the enviornment.

My signature below indicates my receipt and understanding of this policy. I also verify that I have been provided with an opportunity to ask questions about the policy.

_____ _____

Employee Signature Date

[14] Approved on 10/24/09

Electronic Media Policy [15]

1. Privacy: CABE respects the privacy of each visitor to the CABE Web site. Any personal information provided by a visitor will be used solely by CABE for internal purposes and, where appropriate, to contact individuals directly. Personal information will be sold and will be shared only with those third-party service providers who perform functions on our behalf, including processing credit card payments, providing customer service, removing repetitive information from customer lists, analyzing data, and providing marketing assistance unless member opts out.
2. Copyright: The contents of all materials contained on CABE's Web site are owned by the organization (unless otherwise indicated) and are protected by U.S. and international copyright laws. All rights are reserved by CABE, and visitors may not copy, reproduce, download, upload, republish, disseminate, post, distribute, or transmit by any means the contents of the Web site, except with the prior express written permission of CABE. Copyright infringement is a violation of U.S. federal law, and violators are subject to criminal and civil penalties.
3. The information contained on CABE's Web site is provided by the organization for general informational purposes only. None of the information on the Web site is intended or should be construed to be legal advice or a legal opinion. While every effort has been made to ensure that the information contained on the Web site is as accurate as possible, omissions and errors may occur. Also, because of the nature of Web site development, maintenance, and updating, the information contained on the Web site may not reflect the most current developments. CABE and its contributing authors expressly disclaim all liability to any person with respect to the consequences of any act or omission committed based upon reliance, in whole or in part, on any of the contents of the Web site.
4. At certain places on the Web site, live links to other Internet addresses ("third-party sites") can be accessed. Such third-party sites contain information created, published, maintained, or otherwise posted by institutions or organizations independent of CABE. CABE does not endorse, approve, certify, or control these third-party sites and therefore cannot guarantee the accuracy, completeness, efficacy, timeliness, or correct sequencing of information located at such addresses. The information on CABE's Web site and third-party sites is provided "as is" and without warranties of any kind, either express or implied. To the fullest extent permissible pursuant to applicable law, CABE disclaims all warranties, express or implied, including, but not limited to, implied warranties of merchantability and fitness for a particular purpose. Use of any information obtained from such third-party sites is voluntary, and reliance upon it should only be undertaken after an independent review of its accuracy, completeness, efficacy, and timeliness. Reference therein to any specific commercial product, process, or service by trade name, trademark, service mark, manufacturer, or otherwise does not constitute or imply endorsement, recommendation, or favoring by CABE.

[15] Approved on 1/9/10

5. The Web site, its contents and any links provided in the Web site are provided on an "as is" basis, and CABE disclaims all warranties, express or implied, including without limitation the warranties of title, non-infringement, merchantability, and fitness for a particular purpose. Your use of the Web site is at your own risk, and you assume full responsibility for all costs that arise out of its use. Neither CABE nor any of its officers, directors, partners, employees, affiliates, subsidiaries, agents, representatives, or licensors shall be liable to you or any third party for any compensatory, direct, indirect, incidental, special, exemplary, punitive, or consequential damages, or attorneys' fees, arising out of your use of the Web site or inability to gain access to or use the Web site or out of any breach of any warranty, even if such parties have been advised of the possibility of such damages or such damages were foreseeable.

E-mail Privacy

1. Through membership in CABE, members are establishing a business relationship with CABE and authorizing use of the e-mail addresses provided to the organization.
2. CABE may utilize the e-mail addresses provided by its members for communication and promotion of CABE events, meetings, education programs, products, and services, unless specifically instructed otherwise by an individual member.
3. CABE shall provide recipients of all mass e-mail communications the opportunity to unsubscribe from e-mail distribution lists.
4. CABE may provide the e-mail addresses of primary member contacts to third parties through the CABE Web site, sale of mailing lists and directories, and direct communication, unless specifically instructed otherwise by an individual member.

Fax Privacy

1. Through membership in CABE, members are establishing a business relationship with CABE and authorizing use of the fax numbers provided to the organization.
2. CABE may utilize the numbers provided by its members for communication and promotion of CABE events, meetings, education programs, products, and services, unless specifically instructed otherwise by an individual member.
3. CABE may provide the fax numbers of its members to third parties through the CABE Web site, sale of mailing lists and directories, and direct communication, unless specifically instructed otherwise by an individual member.

Opt-Out

CABE will provide each member with equal opportunity to opt out of any communication method utilized by CABE. Members will be notified regarding these policies on an annual basis.

ELECTIONS[16]

a. Election by Ballot. If there are one or more nominees for any office, an election shall be held by written/electronic ballot in accordance with the provisions of this Section. The contestant with the highest vote count in the election shall be the winner. A write in line will be included. The election shall be completed before [June 15]. The successful candidate shall take office on [July 1] in the year of the election or alternate

b. Be approved by the CABE board for appointment

The committee's responsibilities shall include:

1. Supervising the election process to ensure its integrity and transparency
    a. Ensuring that there are candidates for each position that is up for election and/or for filling board vacancies;
    b. Supervising the development of election materials;
    c. Reviewing and recommending policies pertaining to the conduct of vote tabulation;
    d. Establishing procedures for informing candidates;
    e. Updating Election Policy; and
    f. Under this category the election committee shall review any matter brought to them in the course of an election that may be viewed as CABE favoring one candidate over another to determine when and determine whether CABE's action may impact the election outcome. If so, the election committee shall take such action as necessary to ensure that CABE's election remains fair to all candidates.
2. Ensuring that the following requirements are followed by each candidate:
    a. All candidates nominated support the CABE Vision;
    b. All candidates meet the requirements for each position;
    c. All candidates are 21 years of age or older;
    d. All candidates nominated will have full instructions on their participation in board elections;
    e. Candidates will submit a candidate statement with no more than 175 words. Any statement that has more than the allowed number of words will have their statement shortened to fulfill this requirement. This will be done by ending the statement at the last complete sentence prior to the maximum allowed number of 175 words. There will be no editing of candidate statement;

[16] Approved on 1/28/17

f. Candidates shall only include factual statements about opponents without negative or positive qualifiers or assumptions; They shall only write about themselves, not the person they are running against;

g. Candidate statements will be randomly assigned. Names will be placed in a container and will be selected by an impartial person or persons that may include members of the election committee and/or candidates in attendance. Candidates and/or election committee members have the right to be present when this assignment is made. When present they will sign and date certifying the process.

EXPENSES REIMBURSEMENT

Expense Reimbursement [17]

Travel

Travel of the board will be reimbursed under the following circumstances and according to these provisions:

1. Board Meetings
   The board meets at least quarterly to transact the business of CABE.
   a. CABE will pay for round-trip air travel from the board member's home to the site of the meeting. Round-trip airfare for CABE board member up to a maximum of economy coach class, and local transportation to and from the airport. In the event that a board member wishes to travel by personal automobile, the member will be reimbursed at the rate of .585 cents per mile, or the round-trip airfare.
   b. CABE will pay for hotel (when not provided at meetings) for one-night, single occupancy, for board meeting in conjunction with board meetings and up to four nights for the annual conference.
   c. Per Diem**:** Actual expenses up to a maximum of $70.00 a day will be allowed.
   d. All expenses incurred in attending CABE meetings must be presented in voucher form with original receipts.
   e. Any hotel charges that result from non-cancelation when a board member does not attend meeting will be assumed by the board member. All board members will submit credit card numbers to CABE Headquarters for reservations to be made, if not, each board member will make their own travel arrangements.
   f. If an individual accompanies the traveler, it is the responsibility of the board member to determine the added cost for double occupancy and related expenses and to make the appropriate adjustment in the reimbursement request.

2. CABE Board Business
   Travel and other authorized expenses incurred in carrying out CABE business may be reimbursed via properly executed travel reimbursement forms. Travel made at CABE expense should be authorized by the board, for a specific travel purpose, or in an approved CABE budget.

3. CABE Board Member - Reimbursement and Fees for Service
   CABE will pay board members for professional services they provide to the organization, such as grant writing accounting, investment, legal and public relations. Payment for board members for professional services must follow the rebuttable presumption procedures that are applicable to community foundations and other public charities.

   a. Approval by Disinterested Governing Board: The transaction must be approved in advance (before any payment) by the governing body composed entirely of individuals who do not have a conflict of interest with respect to the arrangement.

[17] Approved on 6/25/2022

b. Reliance on Comparable Data: The board must obtain and rely on appropriate comparability data prior to making its determination. Relevant information for compensation arrangements includes, but is not limited to, current compensation surveys compiled by independent firms, compensation levels paid by similarly situated organizations for functionally comparable positions, and written offers from similar institutions competing for the services of the person under consideration.
c. Concurrent Documentation: The board must document the basis for its determination concurrently with making that determination (within 60 days of the decision or the date of the next meeting of the board, whichever is later). To qualify as concurrent documentation, written or electronic records of the board (such as meeting minutes) must note: 1) The terms of the transaction and the date it was approved. 2) The Board members who were present during the debate and those who voted on it. 3) The comparability data used and how the data were obtained. 4) Any actions taken with respect to consideration of the transaction by anyone who is board member, but who had a conflict of interest with respect to the transaction.

CABE's Board reimbursement policy shall be reviewed annually by the Director of Financial Affairs, and the board. The organization's travel mileage reimbursement shall be equal to the current IRS reimbursement amount.

FACEBOOK POSTING POLICY

Policy on Facebook Posting [18]

The California Association for Bilingual Education Facebook page is where our members and community can connect with CABE™ and receive timely, helpful information on activities professional development, programs, and various other topics. We ask users to be aware of the images, video, text, or other posted content in their posts and respect the following guidelines:

- Be safe and mindful of publishing your personal information
- Be polite to fellow users
- Remain on point with discussion and posts
- Do not solicit

Disclaimer: Images, video, text, or other posted content made by the public do not necessarily reflect CABE's thoughts, views, policies, or procedures. Through your use of this page you agree to (1) accept personal jurisdiction in the United States of America, State of California and be governed exclusively by the laws of the United States of America, State of California; (2) grant CABE the complete, irrevocable, fully transferable, and permanent right to use and reproduce images, video, text, or other posted content for business purposes; and (3) agree to hold CABE harmless from claims against CABE related to your images, video, text, or other posted content or use or participation on this page. CABE may modify or change these guidelines without notice and delete any images, video, text, or other posted content or ban any user at any time and for any reason.

In addition, we ask that you follow our posting guidelines. If your message does not abide by the guidelines, it will be removed:

- We cannot allow graphic, obscene, explicit, or racial comments or submission nor do we allow comments that are abusive, hateful, or intended to defame anyone or any organization.
- We will not allow solicitations or advertisements. This includes promotion or endorsement of any financial, commercial, or non-governmental agency and government agency.
- We do not allow comments that suggest or encourage illegal activity.
- You participate at your own risk, taking personal responsibility for your comments, your username and any information provided.
- Also, the appearance of external links on this site does not constitute official endorsement on behalf of the California Association for Bilingual Education.

For questions about this page, or to report misuse, please contact: norma@gocabe.org

[18] Approved on 6/23/12

Joint Venture Policy [19]

This Joint Venture Policy of the California Association for Bilingual Education requires that the Organization evaluate its participation in joint venture arrangements under Federal tax law and take steps to safeguard the Organization's exempt status with respect to such arrangements. It applies to any joint ownership or contractual arrangement through which there is an agreement to jointly undertake a specific business enterprise, investment, or exempt-purpose activity as further defined in this policy.

A. **Joint ventures or similar arrangements with taxable entities**. For purposes of this policy, a joint venture or similar arrangement (or a "venture or arrangement") means any joint ownership or contractual arrangement through which there is an agreement to jointly undertake a specific business enterprise, investment, or exempt-purpose activity without regard to: (1) whether the Organization controls the venture or arrangement; (2) the legal structure of the venture or arrangement; or (3) whether the venture or arrangement is taxed as a partnership or as an association or corporation for federal income tax purposes. A venture or arrangement is disregarded if it meets both of the following conditions:

(a) 95% or more of the venture's or arrangement's income for its tax year ending within the Organization's tax year is excluded from unrelated business income taxation [including but not limited to: (i) dividends, interest, and annuities; (iii) royalties; (iii) rent from real property and incidental related personal property except to the extent of debt-financing; and (iv) gains or losses from the sale of property]; and
(b) the primary purpose of the Organization's contribution to, or investment or participation in, the venture or arrangement is the production of income or appreciation of property.

2. **Safeguards to ensure exempt status protection**. The Organization will: (a) negotiate in its transactions and arrangements with other members of the venture or arrangement such terms and safeguards adequate to ensure that the Organization's exempt status is protected; and (b) take steps to safeguard the Organization's exempt status with respect to the venture or arrangement. Some examples of safeguards include:

(i) control over the venture or arrangement sufficient to ensure that it furthers the exempt purpose of the organization;
(ii) requirements that the venture or arrangement gives priority to exempt purposes over maximizing profits for the other participants;
(iii) that the venture or arrangement does not engage in activities that would jeopardize the Organization's exemption; and
(iv) that all contracts entered with the organization are on terms that are arm's length or more favorable to the Organization.

[19] Approved on 11/11/11

Sick Leave Pool Policy[20]

The Sick Leave Pool is a benefit that provides eligible employees with additional sick leave in the event of a catastrophic injury, or illness that exhausts all other accrued paid. Employees must complete a Sick Leave Donation form and contribute annual leave for continued eligibility for Sick Leave Pool benefits. The policy is intended to benefit regular employees of CABE who normally work 40 or more hours per week. The Sick Leave Pool shall be administered by Coordinating Council (composed of CEO and Department Managers).

Granting of leave from the Sick Leave Pool, or use of such leave, will not change the terms of employment, nor will it alter policies that regulate employment, including Section 6 *information on CABE's Leave of Absence Policy as stated in Employee Handbook*.

[20] Approved on 5/15/10

W-4 Employees Withholding Allowance Certificate

At the time of hiring, a CABE employee is required to fill out a W-4 Employees Withholding Allowance Certificate. This information will be submitted to HR and used for processing payroll. An employee may change his or her withholding depending on specific events such as change in marital status, or exemptions, adjustments, deductions, or credit s/he expects to claim.

If an event changes the employee's withholding status or the number of allowances the employee is claiming, s/he must give the employer a new W-4 form within 10 days after the event. If the submission of a W-4 adjustment includes exemption of state and federal income tax, a CABE Personal Action Notification form needs to be processed by HR.

As an employer, CABE normally will allow up to four W-4 adjustments per year to support clear and accurate HR and payroll procedures. New W-4s submitted with become effective on the first payment of wages after the next status determination date (January 1, May 1, July 1, and September 1). While the employee has the right to change their withholding status, CABE as an employer, also is required to monitor that all W-4 forms submitted are valid per IRS Guidelines: *If an employee claims exemption from withholding, CABE will not withhold federal income tax from their wages. The exemption applies only to income tax, not to Social Security or Medicare tax. An employee can claim exemption from withholding for the current year only if the employee verifies that both of the following situations apply.*

- *For the prior year, she/he had a right to a refund of all federal income tax withheld because she/he had no tax liability.*
- *For the current year, the employee expects to a refund of all federal income tax withheld because she/he expects to have no tax liability.*

(IRS Guidelines-http://www.irs.gov/Individuals/Employees/Tax-Withholding)

Supervision Policy

Relatives of current employees may not be occupying a position that will be working directly for or supervising their relatives. For purpose of this policy, “relatives” are any persons who are related to each other by blood or marriage or whose relationship is similar to that of persons who are related by blood or marriage or whose relationship is similar to that of persons who are related by blood or marriage. CABE also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions. If a relative relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management. In other cases, where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship should refrain from excessive personal conversation.