

AGENDA FOR THE REGULAR MEETING OF THE  
SIERRA COUNTY BOARD OF EDUCATION  
August 14, 2012  
6:00 pm  
Loyalton Middle School, Room 4, Loyalton, California

**This meeting will NOT be available for videoconferencing.**

*Any individual who requires disability-related accommodations or modifications including auxiliary aids and services in order to participate in the Board meeting should contact the Superintendent or designee in writing.*

*Public inspection of agenda documents that are distributed to the Board less than 72 hours before the meeting, will be made available at the Sierra County Board of Education, 305 S. Lincoln Street, Sierraville, CA 96126 and, when feasible, attached to the County's online agenda at <http://www.sierracountyofficeofeducation.org> (Government Code 54957.5)*

- A. CALL TO ORDER
- B. ROLL CALL
- C. FLAG SALUTE
- D. APPROVAL OF THE AGENDA
- E. BOARD ORGANIZATION
  - a. Nomination and appointment of Clerk for the Sierra County Board of Education
- F. INFORMATION/DISCUSSION ITEMS
  - 1. Correspondence
  - 2. Superintendent's Report
    - a. Employee Recognition – Marla Stock
    - b. Heidi Bethke, 2012-2013 Response to Intervention Coordinator, Loyalton High School
    - c. Secure Rural Schools
    - d. 2012-2013 Declaration of Need for Fully Qualified Educators\*\*
    - e. Adjourn to Loyalton High School Site, (700 Fourth St., Loyalton, CA) - Walk Through
  - 3. Business Report
    - a. Board Report-Expenditures by Object 07/01/12 to 7/31/12\*\*
  - 4. Staff Reports (5 minutes)
  - 5. SPTA Report (5 minutes)
  - 6. Board Members' Report (5 minutes)
    - a. Acknowledgement of receipt of resignation of Board Trustee Jeff Bosworth, Area 1, as of July 10, 2012 (\*\*under separate cover)
  - 7. Public Comment – This is an opportunity for members of the public to directly address the governing board on any item of interest that is within the subject matter jurisdiction of the governing board whether or not it is listed on the agenda. Five minutes may be allotted to each speaker and a maximum of twenty minutes to each subject matter. (Education Code 35145.5; Bylaw 9322; Government Code 54954.3)
    - a. Current location
    - b. Videoconference location

G. CONSENT CALENDAR

1. Approval of minutes of the Regular Board meeting held July 10, 2012\*\*
2. Approval of bill warrants for month of July 2012\*\*
3. BOARD POLICIES AND ADMINISTRATIVE REGULATIONS
  - a. Board Policy 4312.1, Contracts, Personnel, revision\*\*
  - b. Board Policy 5126, Awards for Achievement, Students, revision\*\*
  - c. Administrative Regulation 5126, Awards for Achievement, Students, revision\*\*
  - d. Board Policy 5141.6, Student Health Services, revision\*\*
  - e. Board Policy 5145.7, Sexual Harassment, Students, revision\*\*
  - f. Administrative Regulation 5145.7, Sexual Harassment, Students, revision\*\*
  - g. Board Policy 6178.1, Work Experience Education, revision\*\*
  - h. Administrative Regulation 6178.1, Work-Based Learning, revision\*\*
  - i. Board Policy 7110, Facilities Master Plan, revision\*\*

H. ACTION ITEMS

1. New Business
  - a. Adoption of Resolution No. 12-003, Fiscal Year End 2011-2012 Budget Revision\*\*
  - b. Adoption of Resolution No. 12-004, To Support Propositions 30 and 38\*\*
  - c. Approval of Academic Strategic Plan\*\*

I. ADVANCED PLANNING

1. The next Regular Board Meeting will be held on September 11, 2012, at Loyalton Middle School, Loyalton, California, at 6:00 pm.
2. Suggested Agenda Items
  - a. Unaudited Actuals
  - b. \_\_\_\_\_

J. ADJOURNMENT



Stanford J. Hardeman, Superintendent

- \*\*\* prior month handout
- \*\* enclosed
- \* handout



## DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

- Original Declaration of Need for year: 2012-13  
 Revised Declaration of Need for year: \_\_\_\_\_

### FOR SERVICE IN A SCHOOL DISTRICT

Name of District: \_\_\_\_\_ District CDS Code: \_\_\_\_\_  
 Name of County: \_\_\_\_\_ County CDS Code: \_\_\_\_\_

By submitting this annual declaration, the district is certifying the following:

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on \_\_\_/\_\_\_/\_\_\_ certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► **Enclose a copy of the board agenda item**

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, \_\_\_\_\_.

Submitted by (Superintendent, Board Secretary, or Designee):

Name	Signature	Title
Fax Number	Telephone Number	Date
Mailing Address		
Email Address		

### FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL OR AGENCY

Name of County SIERRA County CDS Code 4610462

Name of State Agency \_\_\_\_\_

Name of NPS/NPA \_\_\_\_\_ County of Location \_\_\_\_\_

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on 08 14 / 12, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, 2013.

► **Enclose a copy of the public announcement**

Submitted by Superintendent, Director, or Designee:

Stanford Hardeman

Name

*Stanford Hardeman*  
Signature

County Superintendent

Title

530 994-1045

Fax Number

530 994-1044

Telephone Number

8/14/2012

Date

Box 157, Sierraville, CA 96126

Mailing Address

shardeman@spjUSD.org

Email Address

► This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency

**AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS**

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subject(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Type of Emergency Permit	Estimated Number Needed
<input type="checkbox"/> CLAD/English Learner Authorization (applicant already holds teaching credential)	_____
<input type="checkbox"/> Bilingual Authorization (applicant already holds teaching credential)	_____
List target language(s) for bilingual authorization: _____	_____
<input checked="" type="checkbox"/> Resource Specialist	1
<input type="checkbox"/> Teacher Librarian Services	_____
<input type="checkbox"/> Visiting Faculty Permit	_____

**LIMITED ASSIGNMENT PERMITS**

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

TYPE OF LIMITED ASSIGNMENT PERMIT	ESTIMATED NUMBER NEEDED
Multiple Subject	
Single Subject	
Special Education	1
TOTAL	1

**EFFORTS TO RECRUIT CERTIFIED PERSONNEL**

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to [www.cde.ca.gov](http://www.cde.ca.gov) for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved intern program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

**EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL**

Has your agency established a District Intern program?  Yes  No

If no, explain. geographically isolated from IHE, limited staff resources, single district county

Does your agency participate in a Commission-approved college or university intern program?  Yes  No

If yes, how many interns do you expect to have this year? 1

If yes, list each college or university with which you participate in an intern program.

USC Chico, Alliant  
\_\_\_\_\_  
\_\_\_\_\_

If no, explain why you do not participate in an intern program.  
\_\_\_\_\_  
\_\_\_\_\_

Balances through July

Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 01 - Gen Fund</b>						
1100	Teachers Salaries	165,966.00	165,966.00	163,266.72	2,155.62	543.66
1120	Certificated Substitutes	4,833.00	4,833.00			4,833.00
1200	Certificated Pupil Support Ser	59,350.00	59,350.00	57,886.30		1,463.70
1300	Certificated Supervisor Admini	65,192.00	65,192.00	59,759.15	5,432.65	20
	<b>Total for Object 1000</b>	<b>295,341.00</b>	<b>295,341.00</b>	<b>280,912.17</b>	<b>7,588.27</b>	<b>6,840.56</b>
2100	Instructional Aides' Salaries	108,737.00	108,737.00	99,749.39		8,987.61
2120	Classified Substitutes	1,000.00	1,000.00			1,000.00
2200	Classified Support Salaries	4,888.00	4,888.00	4,887.12		.88
2300	Classified Supervisors' Admini	100,802.00	100,802.00	91,575.00	8,385.00	842.00
2400	Clerical Technical Office Staf	113,746.00	113,746.00	105,018.76	8,678.00	49.24
2900	Other Classified Salaries	6,144.00	6,144.00			6,144.00
	<b>Total for Object 2000</b>	<b>335,317.00</b>	<b>335,317.00</b>	<b>301,230.27</b>	<b>17,063.00</b>	<b>17,023.73</b>
3101	STRS Certificated Positions	24,366.00	24,366.00	23,175.13	626.03	564.84
3102	STRS Classified Positions	300.00	300.00	300.00		.00
3202	PERS Classified Positions	50,903.00	50,903.00	42,958.15	3,131.45	4,813.40
3302	OASDI Classified Positions	19,595.00	19,595.00	18,031.98	1,034.24	528.78
3311	Medicare Certificated Position	4,202.00	4,202.00	3,995.45	200.50	6.05
3312	Medicare Classified Positions	4,639.00	4,639.00	4,267.65	242.32	129.03
3401	Health & Welfare Benefits Cert	75,400.00	75,400.00	73,671.26	1,730.06	1.32
3402	Health & Welfare Benefits Clas	87,800.00	87,800.00	76,213.43	5,604.73	5,981.84
3501	SUI Certificated	3,249.00	3,249.00	3,090.07	154.74	4.19
3502	SUI Classified	3,666.00	3,666.00	3,313.42	187.02	165.56
3601	Workers' Compensation Certific	8,448.00	8,448.00	8,022.23	213.93	211.84
3602	Workers' Compensation Classifi	9,338.00	9,338.00	8,580.63	487.59	269.78
3701	OPEB, Allocated Certificated	27,730.00	27,730.00		6,479.22	21,250.78
3802	PERS Reduction Recapture	5,681.00	5,681.00	4,137.16	272.56	1,271.28
	<b>Total for Object 3000</b>	<b>325,317.00</b>	<b>325,317.00</b>	<b>269,756.56</b>	<b>20,364.39</b>	<b>35,196.05</b>
4100	Approved Textbooks Core Curric	532.00	532.00			532.00
4200	Library and Reference Material	4,250.00	4,250.00	337.93		3,912.07
4300	Materials and Supplies	14,275.00	14,275.00	1,622.85	206.02	12,858.17
4320	Custodial Supplies	1,300.00	1,300.00	531.79		768.21
4330	Office Supplies	2,000.00	2,000.00			2,000.00
4350	Vehicle Upkeep	7,000.00	7,000.00	1,800.00	911.59	6,111.59
	<b>Total for Object 4000</b>	<b>29,357.00</b>	<b>29,357.00</b>	<b>4,292.57</b>	<b>1,117.61</b>	<b>26,182.04</b>
5100	Subagreements for Services	50,000.00	50,000.00			50,000.00

ESCAPE

Selection Filtered by User Permissions, (Org = 1, Online/Offline = N, Fiscal Year = 2013, Period = 1, Unposted JEs? = N, Assets and Liabilities? = N, Restricted Accts? = Y, Object = 1-7, SACS Fund? = N, Fund Page Break? = N, Obj Lvl = 4, Obj Digits = 1, Page Break? = N)

**Balances through July Fiscal Year 2012/13**

Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 01 - Gen Fund (continued)</b>						
5200	Travel and Conference	26,031.00	26,031.00	2,853.25	759.60	22,418.15
5300	Dues and Membership	16,321.00	16,321.00	4,619.00	4,250.00	7,452.00
5400	Insurance	10,200.00	10,200.00		9,862.00	338.00
5500	Operation Housekeeping Service	10,000.00	10,000.00	1,500.00	20.93-	8,520.93
5600	Rentals, Leases, Repairs, Nonc	3,100.00	3,100.00	586.62	14.24-	2,527.62
5800	Professional Consulting	9,000.00	9,000.00		600.00	8,400.00
5801	Legal Services	35,000.00	35,000.00			35,000.00
5803	Legal Publications	500.00	500.00	200.00		300.00
5805	Personnel Expense	700.00	700.00	250.00		450.00
5806	Negotiations	2,000.00	2,000.00			2,000.00
5808	Other Services & Fees	1,500.00	1,500.00	1,200.00	1.72-	301.72
5810	Contracted Services	196,694.00	196,694.00	13,512.60	20,900.00	162,281.40
5899	SPJUSD to Reimburse			2,438.38	19,811.29	22,249.67-
5900	Communications	2,000.00	2,000.00			2,000.00
	<b>Total for Object 5000</b>	<b>363,046.00</b>	<b>363,046.00</b>	<b>27,159.85</b>	<b>56,146.00</b>	<b>279,740.15</b>
7110	County Tuition Inter Dist Agre	133,586.00	133,586.00			133,586.00
7141	Tuition, excess cost etc betwe	99,264.00	99,264.00			99,264.00
7310	Direct Support/indirect Costs					.00
	<b>Total for Object 7000</b>	<b>232,850.00</b>	<b>232,850.00</b>	<b>.00</b>	<b>.00</b>	<b>232,850.00</b>
	<b>Total for Fund 01 and Expense accounts</b>	<b>1,581,228.00</b>	<b>1,581,228.00</b>	<b>883,351.42</b>	<b>100,044.05</b>	<b>597,832.53</b>
<b>Fund 16 - FOREST RES</b>						
7211	Transfers of Pass-through Rev	66,945.00	66,945.00			66,945.00
7619	Other Authorized Interfund Tra	8,465.00	8,465.00			8,465.00
	<b>Total for Fund 16, Expense accounts and Object 7000</b>	<b>75,410.00</b>	<b>75,410.00</b>	<b>.00</b>	<b>.00</b>	<b>75,410.00</b>
	<b>Total for Org 001 - Sierra Co Office of Education</b>	<b>1,656,638.00</b>	<b>1,656,638.00</b>	<b>883,351.42</b>	<b>100,044.05</b>	<b>673,242.53</b>

MINUTES OF THE REGULAR MEETING OF THE  
SIERRA COUNTY BOARD OF EDUCATION  
July 10, 2012  
Loyalton Middle School, Room 4, Loyalton, California  
This meeting was not videoconferenced.

**A. CALL TO ORDER**

President ALLEN WRIGHT called the meeting to order at 6:05 pm.

**B. ROLL CALL**

PRESENT: Mr. Allen Wright President  
Ms. Sharon Dryden, Vice President  
Mr. Todd York, Member

ABSENT: Mr. Mike Moore, Member

VACANT: Clerk

STAFF: Mr. Stan Hardeman, Superintendent  
Ms. Rose Asquith, Business Manager  
Ms. Hannah Tomatis, Administrative Assistant  
Ms. Marla Stock, Site Administrator  
Ms. Marlene Mongolo, SELPA Director

**C. FLAG SALUTE**

**D. APPROVAL OF THE AGENDA**  
MSCU/YORK/DRYDEN

**E. INFORMATION/DISCUSSION ITEMS**

**1. CORRESPONDENCE**

**2. SUPERINTENDENT'S REPORT**

- a. Community Recognition – Jesse Whitley
- b. Student Attendance Review Board 2011-12 Summary was reviewed.
- c. Secure Rural Schools – The bill achieved 95% of the 2011 appropriation. Upon realization of the exact amount, the District will examine the budget in July and August and prepare ourselves for secure financial footing. The National Coalition is focused on maintaining forest revenue. It is looking for a formula in which schools would receive a baseline of historical receipts. We will ask the federal government to backfill if the receipts are less than the budget.



- d. Approved and Signed by the County Superintendent:
  - i. Resolution No. 12-001, Health and Welfare Retired Board Member Benefit
  - ii. Resolution No. 12-002, Implement Internal Revenue Code (IRC) Section 125 Health Savings Account Plan (HSA)
  - iii. Memorandum of Understanding /Node Site Agreement with K-12 High Speed Network, Imperial County Office of Education

### 3. BUSINESS REPORT

Ms. Asquith presented the Board Report-Expenditures by Object 07/01/11 to 6/30/12. There were no comments or questions.

### 4. STAFF REPORT – No report

### 5. SPTA REPORT – No report

### 6. BOARD MEMBER'S REPORT – No report

### 7. PUBLIC COMMENT

President WRIGHT opened the meeting for public comment at 6:17 pm. There was no comment.

President WRIGHT closed the meeting for public comment at 6:17 pm.

## F. CONSENT CALENDAR

The following items were included in the consent calendar:

1. Approval of minutes of the Regular Board meeting held June 12, 2012.
2. Approval of bill warrants for month of June 2012.  
Approval of Quarterly Report on Williams Uniform Complaints for quarter ending June 30, 2012.  
No complaints regarding textbooks and instructional materials, teacher vacancy or misassignment or conditions of facilities were filed with Sierra County Office of Education during the quarter ending June 30, 2012. *No complaints regarding textbooks and instructional materials, teacher vacancy or misassignment or conditions of facilities were filed with Sierra County Office of Education during the 2011-2012 school year.*  
MSCU/YORK/DRYDEN

## G. ACTION ITEMS

THERE WERE NO ACTION ITEMS

**H. ADVANCED PLANNING**

The next regular meeting of the Board will be held on Tuesday, August 14, 2012, at Downieville School, Downieville, California at 6:00 pm.

Suggested Agenda Items

- a. Completion of Bargaining, 2012-13 school year, SPTA
- b. Local Educational Agency Plan
- c. Academic Strategic Plan

**I. ADJOURNMENT**

MSCU/YORK/DRYDEN  
Adjourned at 6:20 pm.

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Allen Wright, President

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Stanford J. Hardeman, Superintendent

**Checks Dated 07/01/2012 through 07/31/2012**

Check Number	Check Date	Pay to the Order of	Fund Object	Expensed Amount	Check Amount
00013514	07/09/2012	LIBERTY ENERGY	01-9500		112.00
00013515	07/09/2012	NORTHERN SPEECH SRV.	01-9500		497.20
00013516	07/09/2012	PITNEY BOWES, INC.	01-9500		193.05
00013517	07/09/2012	SIERRA COUNTY OFFICE OF EDUCATION	01-9500		131.39
00013518	07/09/2012	SIERRA VALLEY HOME CENTER	01-9500		98.42
00013519	07/09/2012	STATE BOARD OF EQUALIZATION	01-9502		52.77
00013520	07/09/2012	TRI COUNTY SCHOOLS INSURANCE GROUP	01-5400	9,862.00	
			01-9535	3,201.00	
			76-9576	11,223.10	24,286.10
00013521	07/09/2012	U.S. BANK	01-9500		19.69
00013522	07/09/2012	SUSAN VANDRUFF, OTR	01-9500		1,125.00
00013523	07/09/2012	VOYAGER	01-9500		259.18
00013524	07/09/2012	DR. LEE WALKER DDS	01-9500		150.00
00013525	07/25/2012	ACTEVA	01-5200		285.00
00013526	07/25/2012	CCSESA	01-5300		4,250.00
00013527	07/25/2012	ESCAPE TECHNOLOGY	01-5810	20,000.00	
			01-5899	20,000.00	40,000.00
00013528	07/25/2012	STAN HARDEMAN	01-5200		199.60
00013529	07/25/2012	HAWS, THEOBALD & AUMAN PC	01-9500		2,000.00
00013530	07/25/2012	HUMBOLDT COUNTY OFFICE OF ED ATTN: SCOTT KEELE	01-5810		120.00
00013531	07/25/2012	INSTITUTE FOR EDUCATIONAL DEV	01-9500		219.00
00013532	07/25/2012	RONALD M. MARTIN MARTIN SECURITY SYSTEMS	01-5810	780.00	
			01-5899	120.00	900.00
00013533	07/25/2012	NORTHEASTERN JOINT POWERS AUTHORITY	76-9571		4,731.25
00013534	07/25/2012	S I & A	01-5800		1,100.00
00013535	07/25/2012	T.C.S.S.F.	01-5200		50.00
00013536	07/25/2012	WORKABILITY REGION 4 /SHAWNA PACHECO	01-5200		225.00
<b>Total Number of Checks</b>				<b>23</b>	<b>81,004.65</b>

**Fund Summary**

Fund	Description	Check Count	Expensed Amount
01	County School Service Fund	22	65,050.30
76	Payroll Clearing	2	15,954.35
Total Number of Checks		<b>23</b>	<b>81,004.65</b>
Less Unpaid Sales Tax Liability			<b>.00</b>
<b>Net (Check Amount)</b>			<b>81,004.65</b>

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

ESCAPE ONLINE

Proposed

Administrative and Supervisory Personnel

A ✓  
Sue  
R  
8/3/12  
BP 4312.1(a)

CONTRACTS

Note: The following optional policy addresses employment contracts for individuals occupying certificated and classified administrative, supervisory, and management positions. For policy language regarding superintendent contracts, see BP 2121 - Superintendent's Contract.

New [The Governing Board recognizes the importance of qualified and competent individuals to lead district programs and to assist the Superintendent in coordinating efforts to achieve district goals and objectives. To that end, the Board may fill certificated administrative and supervisory positions and classified senior management positions on a contract basis.

- (cf. 0000 - Vision)
- (cf. 2121 - Superintendent's Contract)
- (cf. 4111/4211/4311 - Recruitment and Selection)
- (cf. 4300 - Administrative and Supervisory Personnel)
- (cf. 4313.2 - Demotion/Reassignment)
- (cf. 4314 - Transfers)

Note: Education Code 35031 authorizes continuing contracts, as specified below, for any deputy, associate, or assistant superintendent in a position requiring certification qualifications. Pursuant to Education Code 35030, the title of deputy, associate, or assistant superintendent may be assigned to a business management position.

The Board may offer a continuing contract of up to four years to any deputy, associate, or assistant superintendent; any certificated employee holding a position requiring a supervision or administration credential; or any senior manager of the classified service. (Education Code 35031, 44929.20)

New [Prior to entering into any such contract, the Board and Superintendent shall consider the financial impact of the contract on the district. The proposed contract <sup>may</sup> shall also be reviewed by legal counsel to ensure that all legally required provisions are included in the contract and to address any potentially adverse obligations to the district.

- (cf. 3460 - Financial Reports and Accountability)

Note: Pursuant to Government Code 54957, personnel matters related to the appointment or employment of any employee may appropriately be discussed in closed session. However, pursuant to Government Code 54956, as amended by AB 1344 (Ch. 692, Statutes of 2011), the Governing Board is prohibited from calling a special meeting on the salary or other compensation of the Superintendent and other management employee. See BB 9320 - Meetings and Notices and BB 9321 - Closed Session Purposes and Agendas.

New [The Board shall deliberate in the closed session of a regular meeting about the terms of an employment contract for a deputy, associate, or assistant superintendent; other certificated employee holding a position requiring a supervision or administration credential; or a senior manager of the classified service. (Government Code 54957)

- (cf. 9320 - Meetings and Notices)
- (cf. 9321 - Closed Session Purposes and Agendas)
- (cf. 9321.1 - Closed Session Actions and Reports)

**CONTRACTS (continued)**

Any such employment contract shall be ratified by the Board during an open session of a regularly scheduled Board meeting and reflected in the Board's minutes. Copies of the contracts shall be available to the public upon request. (Government Code 53262)

*(cf. 1340 - Access to District Records)*

*(cf. 9322 - Agenda/Meeting Materials)*

*(cf. 9324 - Minutes and Recordings)*

**Extension of Contract and Reemployment**

Note: The following **optional** paragraph provides that any contract extension be based on Board action rather than automatic "rollover" or "evergreen" provisions. Government Code 3511.2, as added by AB 1344 (Ch. 692, Statutes of 2011), prohibits the automatic renewal of a contract with a provision for automatic increase that exceeds the cost-of-living adjustment.

*New* A contract shall be extended only by Board action and subsequent to a satisfactory evaluation of the employee's performance. No employment contract shall include a provision for automatic renewal of the contract.

*(cf. 4315 - Evaluation/Supervision)*

*New* During the term of the contract and with the consent of the employee involved, the Board may reelect or reemploy the employee starting on the next succeeding first day of July and based on terms and conditions mutually agreed upon by the Board and the employee. (Education Code 35031)

If the Board decides not to reelect or reemploy a deputy, associate, or assistant superintendent or a senior manager of the classified service upon the expiration of his/her term, it shall notify the employee in writing 45 days prior to the expiration of the term of the contract. (Education Code 35031)

**Termination of Contract**

Note: Pursuant to Government Code 53260-53264, employee contracts must include a provision limiting the maximum cash settlement the employee may receive upon termination of the contract to an amount equal to his/her monthly salary multiplied by the number of months left on the unexpired term of the contract. If the unexpired term is greater than 18 months, this maximum is equal to the monthly salary times 18. Cash settlements may be less than these caps. The cash settlement may not include any noncash items other than health benefits, which may be continued for the unexpired term up to 18 months or until the employee finds other employment, whichever occurs first. The district must make copies of termination agreements available to the public upon request. See AR 4117.5/ 4217.5/ 4317.5 - Termination Agreements.

*New* Every employee contract shall include a provision specifying the legal maximum cash settlement that the employee may receive in the event that the Board finds it necessary to terminate the contract prior to its expiration date. (Government Code 53260)

*(cf. 4117.5/4217.5/4317.5 - Termination Agreements)*

CONTRACTS (continued)

Note: Pursuant to Government Code 53243-53243.4, as added by AB 1344 (Ch. 692, Statutes of 2011), effective January 1, 2012, any management employee contract to be executed or renewed by the Board must contain a provision requiring the employee to fully reimburse the district in circumstances specified below.

New  
In addition, all employee contracts shall include a provision that, if the employee is convicted of a crime involving an abuse of his/her office or position, he/she shall fully reimburse the district for payments he/she receives as paid leave salary pending investigation or as cash settlement upon his/her termination and for any funds expended by the district in his/her criminal legal defense. (Government Code 53243-53243.4, 53260)

Legal Reference:

EDUCATION CODE

35030 Title of deputy, associate or assistant superintendent for certain positions

35031 Term of employment

44842 Automatic declining of employment

44843 Notice of employment to county superintendent

44929.20 Continuing contract

44951 Continuation in position unless notified

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

53243-53243.4 Abuse of office

53260-53264 Employment contracts

54954 Time and place of regular meetings

54956 Brown Act - Open meeting laws; special meetings

54957 Closed session, personnel matters

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: The Board's Relationship to District Staff, 2007

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

Policy  
adopted:

4/10/07  
8/14/12

CSBA MANUAL MAINTENANCE SERVICE  
March 2012

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Proposed  
**Sierra County/Sierra-Plumas Joint USD**  
**Board Policy**

**Awards For Achievement**

BP 5126  
**Students**

BP 5126(a)

**AWARDS FOR ACHIEVEMENT**

The Governing Board encourages excellence as a goal for all students and wishes to publicly recognize students for exemplary achievement in academic, athletic, extracurricular, or community service activities.

*(cf. 5121 - Grades/Evaluation of Student Achievement)*  
*(cf. 5127 - Graduation Ceremonies and Activities)*  
*(cf. 6142.4 - Service Learning/Community Service Classes)*

**District/School Awards**

Note: Education Code 44015 authorizes the Governing Board to give district-level awards to students for "excellence" and mandates that the district adopt rules and regulations implementing any such awards program. See the accompanying administrative regulation for language implementing this mandate.

Student awards may include verbal recognition, a letter, a certificate, a Board resolution, public ceremony, trophy, gift, plaque, or cash gift.

The Superintendent or designee shall develop criteria for the selection of student award recipients.

**Golden State Seal Merit Diploma**

Note: The following optional section is for use by districts that maintain high schools. Education Code 51450-51455 establish the Golden State Seal Merit Diploma which may be awarded by the Superintendent of Public Instruction (SPI) and the State Board of Education to students identified by the district as demonstrating mastery of the high school core curriculum. See the accompanying administrative regulation for eligibility criteria.

At graduation from high school, special recognition shall be awarded to those students whose academic achievements in core curriculum areas have been outstanding.

The Superintendent or designee shall identify high school students who have demonstrated mastery of the high school curriculum qualifying them for the Golden State Seal Merit Diploma. (Education Code 51454)

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

New Section

## Biliteracy Award

Note: The following **optional** paragraph is for use by districts maintaining one or more high schools. Education Code 51460-51464, as added by AB 815 (Ch. 618, Statutes of 2011), establish the State Seal of Biliteracy, a voluntary program which recognizes high school graduates who have attained a high level of proficiency in one or more languages in addition to English. The SPI will provide an insignia that can be affixed to the diploma or transcript of eligible students. See the accompanying administrative regulation for eligibility criteria for the award. Districts that choose to adopt their own criteria and present a district-level biliteracy award may revise the following paragraph.

The district shall present the State Seal of Biliteracy to each graduating high school student who has attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English. (Education Code 51460-51464)

*(cf. 6142.2 - World/Foreign Language Instruction)*  
*(cf. 6174 - Education for English Language Learners)*

Note: The following **optional** paragraph is for use by districts that choose to present biliteracy awards at other grade levels, and should be revised to reflect district practice. Californians Together, a statewide coalition working to enhance the success of English learners, recommends issuing local "pathway awards" recognizing benchmarks toward biliteracy at preschool, grade 3, end of elementary school, and end of middle school.

In order to affirm the value of bilingualism and encourage students' enrollment in world language programs, the Superintendent or designee may present awards at appropriate grade levels to recognize the pursuit and/or attainment of grade-level proficiency in one or more languages in addition to English.

*(cf. 1260 - Educational Foundation)*  
*(cf. 3290 - Gifts, Grants and Bequests)*

### Legal Reference:

#### EDUCATION CODE

- 220 Nondiscrimination
- 35160 Authority of governing boards
- 35310-35319 Scholarship and loan funds
- 44015 Awards to employees and students
- 51243-51245 Credit for private school foreign language instruction
- 51450-51455 Golden State Seal Merit Diploma
- 51460-51464 State Seal of Biliteracy
- 52164.1 Assessment of English language skills of English learners

#### CODE OF REGULATIONS, TITLE 5

- 876 Golden State Seal Merit Diploma
- 1632 Credit for private school foreign language instruction
- 11510-11516 California English Language Development Test

### Management Resources:

#### WEB SITES

- CSBA: <http://www.csba.org>
- California Department of Education: <http://www.cde.ca.gov>
- Californians Together: <http://www.californianstogether.org>

### Policy

adopted: April 10, 2007  
revised: July 8, 2008  
revised: August 14, 2012

Sierra County Office of Education  
Sierra-Plumas Joint Unified School District  
Sierraville CA 96126



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**Proposed**  
**Sierra County/Sierra-Plumas Joint USD**  
**Administrative Regulation**  
**Awards For Achievement**

AR 5126  
Students

AR 5126(a)

**AWARDS FOR ACHIEVEMENT**

**District/School Awards**

Note: Education Code 44015 authorizes the Governing Board to give district-level awards to students for "excellence." Before any awards are given under the authority of this law, the Board is **mandated** to adopt rules and regulations implementing the awards program. The following section should be revised to reflect any such rules and regulations adopted by the district.

The Superintendent or designee may appoint an awards committee at each school which may consist of school administrators, teachers, parents/guardians, community members, and student representatives. The committee shall submit recommendations for student awards to the Superintendent or designee for approval.

*(cf. 1220 - Citizen Advisory Committees)*

Individual awards in excess of \$200 must be expressly approved by the Governing Board. (Education Code 44015)

**Golden State Seal Merit Diploma**

Note: The following **optional** section is for use by districts that maintain high schools. Education Code 51450-51455 establish the Golden State Seal Merit Diploma which may be awarded by the Superintendent of Public Instruction (SPI) and the State Board of Education (SBE) to students identified by the district as demonstrating mastery of the high school curriculum according to the following criteria.

Education Code 51452 requires the SBE to determine the means, performance standards, and achievement levels that demonstrate mastery of the curriculum. Eligibility criteria are published on the California Department of Education (CDE) web site.

To be eligible to receive the Golden State Seal Merit Diploma upon high school graduation, a student shall complete all requirements for a high school diploma and demonstrate, in accordance with the means adopted by the State Board of Education, mastery of the curriculum in at least six subject areas, four of which shall be mathematics, English language arts, science, and United States history, with the remaining two subject matter areas selected by the student. (Education Code 51451, 51452; 5 CCR 876)

*(cf. 6143 - Courses of Study)*  
*(cf. 6146.1 - High School Graduation Requirements)*  
*(cf. 6146.11 - Alternative Credits Toward Graduation)*

(cf. 6162.52 - High School Exit Examination)

Note: Items #1-5 below reflect the means adopted by the SBE for students to demonstrate mastery of the curriculum for purposes of awarding the Golden State Seal Merit Diploma.

To demonstrate mastery of these subject areas, the student shall earn a scaled score of 370 or above on six separate high school California Standards Tests (CST), including:

- New*
1. One mathematics exam, including Algebra II, Geometry, Summative High School Mathematics, or Integrated Mathematics 2 or 3
  2. One English language arts exam at grade 9, 10, or 11
  3. One science exam, including Biology, Chemistry, Physics, Earth Science, or Integrated/Coordinated Science 1, 2, 3, or 4
  4. The grade 11 History-Social Science exam (United States history)
  5. Two CSTs of the student's choice, which may include World History or any additional exams listed in items #1-4 above which have not already been used to establish eligibility

(cf. 6162.51 - Standardized Testing and Reporting Program)

The Superintendent or designee shall maintain appropriate records to identify students who are eligible for the merit diploma and shall affix an insignia to the diploma and transcript of each student awarded the merit diploma. (Education Code 51454)

(cf. 5125 - Student Records)

Note: The CDE requires each district to annually submit one districtwide insignia request on a form provided by the CDE. The CDE's web site encourages districts to submit the request far enough in advance of the graduation ceremony date to allow sufficient time for processing by the CDE and for district staff to place the insignias on the diplomas. The CDE begins mailing requested insignias the first week of April.

*New*

The Superintendent or designee shall submit an insignia request form to the California Department of Education in sufficient time to allow processing of the request prior to the high school graduation ceremony.

### Biliteracy Award

*New Section*

Note: The following **optional** section is for use by districts that maintain high schools and choose to recognize graduating students' bilingual/multilingual proficiency with the State Seal of Biliteracy pursuant to Education Code 51460-51464, as added by AB 815 (Ch. 618, Statutes of 2011); see the accompanying Board policy. Districts that choose to present district-level biliteracy awards to students at other grade levels may revise the following section to add eligibility criteria for those awards.

To be eligible to receive the State Seal of Biliteracy upon graduation, a student shall meet all the following criteria: (Education Code 51461)

1. Complete all English language arts requirements for high school graduation with an overall grade point average (GPA) of 2.0 or above in those classes
2. Pass the CST in English language arts administered in grade 11 at the proficient level or above
3. Demonstrate proficiency in one or more foreign languages, which may include American sign language, by fulfilling one of the following criteria:

Note: Education Code 51461, as added by AB 815 (Ch. 618, Statutes of 2011), authorizes the SPI to provide a list of equivalent summative tests that districts may use in place of an Advanced Placement examination for the purpose described below when an Advanced Placement examination is not available in a particular language.

- a. Pass a foreign language Advanced Placement examination with a score of 3 or higher or an International Baccalaureate examination with a score of 4 or higher

*(cf. 6141.5 - Advanced Placement)*

Note: Pursuant to Education Code 51243-51245 and 5 CCR 1632, districts are required to grant credit toward high school graduation for foreign language studies completed in a private school; see BP/AR 6146.11 - Alternative Credits Toward Graduation.

- b. Successfully complete a four-year high school course of study in a foreign language, attaining an overall GPA of 3.0 or above in that course of study

*(cf. 6142.2 - World/Foreign Language Instruction)*

Note: Pursuant to Education Code 51461, when an Advanced Placement or off-the-shelf language test does not exist in a particular language, the district may develop a foreign language test for the purpose of determining eligibility for the State Seal of Biliteracy, provided the district certifies to the SPI that the exam meets the rigor of a four-year high school course of study in that language. When an Advanced Placement or off-the-shelf test is available, the district may only offer a district-developed foreign language test if it first receives approval from the SPI.

- c. Pass a district language examination that meets the rigor of a four-year high school course of study in that language, provided the test has been certified to or approved by the Superintendent of Public Instruction
- d. Pass the SAT II foreign language examination with a score of 600 or higher

In addition to meeting the criteria in items #1-3 above, a student in any of grades 9-12 whose primary language is other than English shall attain the early advanced proficiency level or higher on the California English Language Development Test (CELDT). As necessary for this purpose, the district may administer the CELDT an additional time outside of the regularly scheduled administration specified in AR 6174 - Education for English Language Learners. (Education Code 51461)

*(cf. 6174 - Education for English Language Learners)*

Note: The CDE requires each district to submit one districtwide insignia request on a form provided by the CDE. The CDE begins mailing requested insignias the first week of April.

The Superintendent or designee shall maintain appropriate records to identify high school students who qualify for the award and shall affix the insignia to the diploma or transcript of each student who earns the award. (Education Code 51463)

### **Notifications**

*New* The Superintendent or designee shall annually distribute information about eligibility requirements for the Golden State Seal Merit Diploma, State Seal of Biliteracy, and/or any district awards programs to students at the applicable grade levels.

Policy

adopted: April 10, 2007

revised: July 8, 2008

revised: August 14, 2012

Sierra County Office of Education  
Sierra-Plumas Joint Unified School District  
Sierraville CA 96126

Proposed

# Sierra County/Sierra-Plumas Joint USD

## Board Policy

### Student Health And Social Services

Students

BP 5141.6

#### SCHOOL HEALTH SERVICES

The Governing Board recognizes that good physical and mental health is critical to a student's ability to learn and believes that all students should have access to comprehensive health services. The district may provide access to health services at or near district schools.

The Board and the Superintendent or designee may collaborate with local and state agencies and health care providers to assess the health needs of students in district schools and the community. Based on the results of this needs assessment and the availability of resources, the Superintendent or designee shall recommend for Board approval the types of health services to be provided by the district.

- (cf. 5131.6 - Alcohol and Other Drugs)*
- (cf. 5131.61 - Drug Testing)*
- (cf. 5131.62 - Tobacco)*
- (cf. 5131.63 - Steroids)*
- (cf. 5141 - Health Care and Emergencies)*
- (cf. 5141.21 - Administering Medication and Monitoring Health Conditions)*
- (cf. 5141.22 - Infectious Diseases)*
- (cf. 5141.23 - Asthma Management)*
- (cf. 5141.24 - Specialized Health Care Services)*
- (cf. 5141.25 - Availability of Condoms)*
- (cf. 5141.26 - Tuberculosis Testing)*
- (cf. 5141.3 - Health Examinations)*
- (cf. 5141.31 - Immunizations)*
- (cf. 5141.32 - Health Screening for School Entry)*
- (cf. 5141.33 - Head Lice)*
- (cf. 5141.4 - Child Abuse Prevention and Reporting)*
- (cf. 5141.52 - Suicide Prevention)*
- (cf. 6145.2 - Athletic Competition)*
- (cf. 6159 - Individualized Education Program)*
- (cf. 6164.6 - Identification and Education Under Section 504)*

Board approval shall be required for any proposed use of district resources and facilities to support school health services. The Superintendent or designee shall identify funding opportunities available through grant programs, private foundations, and partnerships with local agencies and organizations.

Begin New Section

- (cf. 1260 - Educational Foundation)*
- (cf. 1330.1 - Joint Use Agreement)*
- (cf. 3100 - Budget)*
- (cf. 7000 - Facilities Master Plan)*

School health services shall be provided or supervised by a licensed health care professional. The Board may employ or contract with health care professionals or partner with community health centers to provide the services under the terms of a written contract or memorandum of understanding.

*(cf. 1020 - Youth Services)*  
*(cf. 3312 - Contracts)*

If a school nurse is employed by the school or district, he/she shall be involved in planning and implementing the school health services as appropriate.

### **Consent and Confidentiality**

Note: Family Code 6920-6929 specify exceptions under which minors do not need parent/guardian consent prior to receiving services. As amended by AB 499 (Ch. 652, Statutes of 2011), Family Code 6926 authorizes a minor age 12 years or older to consent to medical care related to the prevention of a sexually transmitted disease. In addition, Health and Safety Code 124260 allows a minor age 12 or older to consent to outpatient mental health services if, in the opinion of a professional person, as defined, the minor is mature enough to participate intelligently in the mental health treatment or counseling services. In this case, the child's parent/guardian must be involved unless the professional person determines it would be inappropriate.

The Superintendent or designee shall obtain written parent/guardian consent prior to providing services to a student, except when the student is authorized to consent to the service pursuant to Family Code 6920-6929, Health and Safety Code 124260, or other applicable law.

The Superintendent or designee shall maintain the confidentiality of student health records in accordance with law.

*(cf. 5125 - Student Records)*

### **Payment/Reimbursement for Services**

To further encourage student access to health care services, the Superintendent or designee shall develop and implement outreach strategies to increase enrollment of eligible students from low-to moderate-income families in affordable, comprehensive state or federal health coverage programs and local health initiatives. Such strategies may include, but not be limited to, providing information about the Medi-Cal program on the application for free and reduced-price meals in accordance with law and providing students and parents/guardians with information about the low-cost Healthy Families insurance program.

*(cf. 0500 - Accountability)*

#### *Legal Reference:*

##### EDUCATION CODE

8800-8807 *Healthy Start support services for children*

49073-49079 *Privacy of student records*

49423.5 *Specialized physical health care services*

49557.2-49558 *Eligibility for free and reduced-price meals; sharing information with Medi-Cal FAMILY*

##### CODE

6920-6929 *Consent by minor for medical treatment*

GOVERNMENT CODE

95020 Individualized family service plan

HEALTH AND SAFETY CODE

104830-104865 School-based application of fluoride or other tooth decay-inhibiting agent

121020 HIV/AIDS testing and treatment; parental consent for minor under age 12

123110 Minor's right to access health records

123115 Limitation on parent/guardian access to minor's health records

123800-123995 California Children's Services Act

124025-124110 Child Health and Disability Prevention Program

124172-124174.6 Public School Health Center Support Program

124260 Mental health services; consent by minors age 12 and older

130300-130317 Health Insurance Portability and Accountability Act (HIPAA)

WELFARE AND INSTITUTIONS CODE

14059.5 Definition of "medically necessary"

14100.2 Confidentiality of Medi-Cal information

14115 Medi-Cal claims process

14124.90 Third-party health coverage

14132.06 Covered benefits; health services provided by local educational agencies

14132.47 Administrative claiming process and targeted case management

CODE OF REGULATIONS, TITLE 10

2699.6500-2699.6905 Healthy Families Program

CODE OF REGULATIONS, TITLE 17

2951 Testing standards for hearing tests

6800-6874 Child Health and Disability Prevention Program

CODE OF REGULATIONS, TITLE 22

51009 Confidentiality

51050-51192 Definitions of Medi-Cal providers and services

51200 Requirements for providers

51231.2 Wheelchair van requirements

51270 Local educational agency provider; conditions for participation

51304 Limitations on specified benefits

51309 Psychology, physical therapy, occupational therapy, speech pathology, audiological services

51323 Medical transportation services

51351 Targeted case management services

51360 Local educational agency; types of services

51491 Local educational agency eligibility for payment

51535.5 Reimbursement to local educational agency providers

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act (FERPA)

UNITED STATES CODE, TITLE 42

1320c-9 Prohibition against disclosure of records

1397aa-1397jj State Children's Health Insurance Program

CODE OF FEDERAL REGULATIONS, TITLE 42

431.300 Use and disclosure of information on Medicaid applicants and recipients

CODE OF FEDERAL REGULATIONS, TITLE 45

164.500-164.534 Health Insurance Portability and Accountability Act (HIPAA)

## Management Resources:

CSBA PUBLICATIONSExpanding Access to School Health Services: Policy Considerations for Governing Boards, Policy Brief, November 2008Promoting Oral Health for California's Student: New Role, New Opportunities for Schools, Policy Brief, November 2008Providing School Health Services in California: Perceptions, Challenges and Needs of District Leadership Teams, 2008CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES PUBLICATIONS

LEA Medi-Cal Provider Manual

California School-Based Medi-Cal Administrative Activities Manual

DEPARTMENT OF HEALTH SERVICES POLICY LETTERS

00-06 Managed Care Plan Relationships with Local Education Agency Providers, December 11, 2000

NATIONAL ASSEMBLY ON SCHOOL-BASED HEALTH CARE PUBLICATIONS

A Guidebook for Evaluating School-Based Health Centers

NATIONAL CENTER FOR YOUTH LAW PUBLICATIONS

Minor Consent, Confidentiality, an Child Abuse Reporting in California, October 2006

WEB SITES

CSBA: <http://www.csba.org>

CSBA, PractiCal Program: <http://www.csba.org/Services/Services/DistrictServices/PractiCal.aspx>

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

California Department of Education, Health Services and School Nursing: <http://www.cde.ca.gov/ls/he/hn>

California Department of Health Care Services: <http://www.dhcs.ca.gov>

California Department of Public Health: <http://www.cdph.ca.gov>

California School Health Centers Association: <http://www.schoolhealthcenters.org>

California School Nurses Organization: <http://www.csno.org>

Center for Health and Health Care in Schools: <http://www.healthinschools.org>

Centers for Disease Control and Prevention, School Health Policies and Programs (SHPPS) Study:

<http://www.cdc.gov/HealthyYouth/shpps>

Centers for Medicare and Medicaid Services: <http://www.cms.hhs.gov>

Healthy Families Program: <http://www.healthyfamilies.ca.gov>

National Assembly on School-Based Health Care: <http://www.nasbhc.org>

National Center for Youth Law: <http://www.youthlaw.org>

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

SIERRA COUNTY OFFICE OF EDUCATION

Sierraville, California

Policy

adopted: April 10, 2007

revised: August 14, 2012



*Proposed*  
**Sierra County/Sierra-Plumas Joint USD**  
**Board Policy**  
**Sexual Harassment**

BP 5145.7

**Students**

The Board of Education is committed to maintaining an educational safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students by other students, employees, or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against personsany person who complain, testify, assistfiles a complaint, testifies, or otherwise partieipateparticipates in district complaint processes.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

**Instruction/Information**

Note: In its April 2011 Dear Colleague Letter: Sexual Violence, OCR restates the requirement that a district's procedure for investigating sexual harassment complaints must be widely disseminated and be written in language appropriate to the age of the school's students so that students understand how it works. Examples include having copies of the procedure available throughout the school, publishing the procedure in the student handbook, and identifying individuals who can explain how the procedure works. The following **optional** section is based on OCR recommendations and may be revised to better accommodate student needs and district practice.

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment.— Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence

*Added*

Note: In its April 2011 Dear Colleague Letter: Sexual Violence, OCR acknowledges that possible rule violations by victims or other students may affect their willingness to report sexual harassment or violence. For example, a victim who is sexually harassed while he/she is away from school without permission may be reluctant to file a complaint if he/she believes that he/she may be disciplined for the violation. Thus, OCR suggests that, in

communicating items #2 and #3 below, districts should emphasize that student safety is the primary concern and that any other rule violation will be addressed separately from the sexual harassment or violence issue.

2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

*(cf. 5131.5 – Vandalism and Graffiti)*

*(cf. 5. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable*

*~~5137 – Positive School Climate)~~*

*(cf. 5145.3 – Nondiscrimination/Harassment)*

*(cf. 6142.1 – Sexual Health and HIV/AIDS Prevention Instruction)*

## Complaint Process

Note: Pursuant to Education Code 231.5, the district's policy must contain information on where to obtain a specific procedure for reporting charges of sexual harassment and pursuing available remedies. In addition, 34 CFR 106.8 requires a district to adopt and publish a grievance procedure providing for a prompt and equitable resolution of student complaints alleging sexual harassment. Because courts have held that a district may be liable for student-on-student harassment if an employee with authority to take corrective action has actual knowledge of the harassment, it is recommended that the district's instruction to its students include examples of employees who may have such authority (e.g., principals, teachers, and coaches). In addition, even if the matter has been referred to law enforcement for investigation, a district still has a responsibility to investigate the complaint as a matter of sex discrimination.

The accompanying administrative regulation details a site-level complaint procedure, including timelines, conduct of the investigation, and remedies. However, districts may instead consider using the uniform complaint procedures, pursuant to 5 CCR 4600-4687, to resolve such complaints; see BP/AR 1312.3 - Uniform Complaint Procedures.

Any student who feels that he/she is being or has been sexually harassed ~~by a school employee, another student, or a non-employee on school grounds or at a school-sponsored or school-related activity (e.g., by a visiting athlete or coach)~~ shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.

*(cf. 1312.1 - Complaints Concerning District Employees)*

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. —When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

*4900-4965 Nondiscrimination in elementary and secondary education programs*

UNITED STATES CODE, TITLE 20

*1681-1688 Title IX, discrimination*

UNITED STATES CODE, TITLE 42

*1983 Civil action for deprivation of rights*

*2000d-2000d-7 Title VI, Civil Rights Act of 1964*

*2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended*

CODE OF FEDERAL REGULATIONS, TITLE 34

*106.1-106.71 Nondiscrimination on the basis of sex in education programs*

COURT DECISIONS

*Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567*

*Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130*

*Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736*

*Davis v. Monroe County Board of Education, (1999) 526 U.S. 629*

*Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274*

*Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473*

*Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447*

Management Resources:

CSBA PUBLICATIONS

*Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011*

*Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010*

OFFICE FOR CIVIL RIGHTS PUBLICATIONS

*Dear Colleague Letter: Sexual Violence, April 4, 2011*

*Sexual Harassment: It's Not Academic, September 2008*

*Revised Sexual Harassment Guidance, January 2001*

WEB SITES

*CSBA: <http://www.csba.org>*

*California Department of Education: <http://www.cde.ca.gov>*

*U.S. Department of Education, Office for Civil Rights:*

*<http://www.ed.gov/about/offices/list/ocr/index.html>*

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

Policy

adopted: April 10, 2007

revised: August 9, 2011

revised: August 14, 2012

SIERRA COUNTY OFFICE OF EDUCATION

Sierraville, California

## Disciplinary Actions

Note: Pursuant to Education Code 48900.2, a student in grades 4-12 may be suspended and/or expelled from school for sexual harassment. However, districts should note that Education Code 48915(c) requires the Superintendent or designee to recommend expulsion for any student, irrespective of grade, who commits sexual assault or battery as defined in the Penal Code. See AR 5144.1 - Suspension and Expulsion/Due Process.

Any student who engages in sexual harassment of anyone or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5131 - Conduct)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

## Confidentiality and Record-Keeping

Note: Pursuant to 5 CCR 4964, districts are required to keep complaints and allegations of sexual harassment confidential, except when disclosure is necessary to further the investigation, other needed remedial action, or ongoing monitoring. In its April 2011 Dear Colleague Letter: Sexual Violence, OCR counsels districts to respond to sexual harassment that comes to their attention even when a victim requests anonymity.

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in the schools.

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

#### CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

#### GOVERNMENT CODE

12950.1 Sexual harassment training

#### CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

*Proposed*  
**Sierra County/Sierra-Plumas Joint USD**  
**Administrative Regulation**  
**Sexual Harassment**

**Students**

AR 5145.7

**SEXUAL HARASSMENT**

Note: For purposes of suspension and expulsion, Education Code 48900.2 defines sexual harassment as conduct, when considered from the perspective of a reasonable person of the same gender as the victim, that is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. See AR 5144.1 - Suspension and Expulsion/Due Process.

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

Note: The following list contains common examples of sexual harassment from the U.S. Department of Education's Office for Civil Rights' (OCR) April 2011 Dear Colleague Letter: Sexual Violence, its January 2001 publication Revised Sexual Harassment Guidance, and definitions specified in 5 CCR 4916.

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions

3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion

### **School-Level Complaint Process/Grievance Procedure**

Note: In its April 2011 Dear Colleague Letter: Sexual Violence and January 2001 Revised Sexual Harassment Guidance, OCR acknowledges that procedures adopted by districts to address student harassment complaints will vary considerably depending on a number of factors, including the size of the district. Items #1-8 below reflect the factors relied on by OCR to ensure that a district's procedures are "prompt and equitable" and are effective in remedying sexual harassment and preventing recurrence.

While OCR requires prompt resolution of complaints, neither the law nor OCR delineates specific time frames. OCR also recommends that the district's procedure include designated and reasonably prompt timelines for the major stages of the complaint process. The timelines suggested below will normally be sufficient to comply with OCR's Guidance; however, OCR acknowledges that whether a complaint is considered "prompt" may vary depending on the seriousness and complexity of the circumstances.

Pursuant to 34 CFR 106.8, the district is required to designate a person(s) responsible for the overall implementation of the requirements of Title IX, including the receipt of complaints. For language designating a district Coordinator for Nondiscrimination, see BP 5145.3 - Nondiscrimination/Harassment. Depending on the size and structure of the district, sexual harassment complaints may be investigated either by the Coordinator or principal at the applicable school site, in which case the Coordinator would be responsible for overall coordination and oversight to ensure consistency across the district. The following section should be revised to reflect the title of the position responsible for investigation of sexual harassment complaints.

The following **optional** grievance procedure, including any applicable timelines, is based on OCR recommendations and may be revised to reflect district practice.

Complaints of sexual harassment, or any behavior prohibited by the district's Nondiscrimination/Harassment policy - BP 5145.3, shall be handled in accordance with the following procedure:

1. **Notice and Receipt of Complaint:** Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the Site

Administrator . In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Site Administrator, whether or not the victim files a complaint.

In any case of sexual harassment involving the Site Administrator to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead report to the Superintendent.

Note: In its April 2011 Dear Colleague Letter: Sexual Violence, OCR cautions that districts may have an obligation to respond to student-on-student sexual harassment which occurs off school grounds or outside school-sponsored or school-related programs or activities, since the sexual harassment may still create a hostile environment for the victim at school.

2. **Initiation of Investigation:** The Site Administrator shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

Note: According to the OCR's Guidance, while the nature and extent of the district's investigation may be limited if the student wishes to remain anonymous or decides to not file a complaint, the district must still take all feasible steps to respond to harassment of which it has notice.

If the Site Administrator receives an anonymous complaint or media report about alleged sexual harassment, he/she shall ~~consider~~determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment ~~in determining whether it is reasonable to pursue an investigation.~~

3. **Initial Interview with Student:** When a student or parent/guardian has complained or provided information about sexual harassment, the Site Administrator shall describe the district's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the district's ability to investigate.
4. **Investigation Process:** —The Site Administrator shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Site Administrator shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Site Administrator may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.

When necessary to carry out his/her investigation or to protect student safety, the Site Administrator also may discuss the complaint with the Superintendent or designee, the

parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

5. **Interim Measures:** The Site Administrator shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. **Optional Mediation:** In cases of student-to-student harassment, when the student who complained and the alleged harasser so agree, the Site Administrator may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.
7. **Factors in Reaching a Determination:** In reaching a decision about the complaint, the Site Administrator may take into account:
  - a. Statements made by the persons identified above
  - b. The details and consistency of each person's account
  - c. Evidence of how the complaining student reacted to the incident
  - d. Evidence of any past instances of harassment by the alleged harasser
  - e. Evidence of any past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Site Administrator may take into consideration:

- a. How the misconduct affected one or more students' education
  - b. The type, frequency, and duration of the misconduct
  - c. The identity, age, and sex of the harasser and the student who complained, and the relationship between them
  - d. The number of persons engaged in the harassing conduct and at whom the harassment was directed
  - e. The size of the school, location of the incidents, and context in which they occurred
  - f. Other incidents at the school involving different students
8. **Written Report on Findings and Follow-Up:** No more than 30 days after receiving the complaint, the Site Administrator shall conclude the investigation and prepare a written report of



his/her findings. This timeline may be extended for good cause. If an extension is needed, the Site Administrator shall notify the student who complained and explain the reasons for the extension.

Note: In its September 2008 publication, *Sexual Harassment: It's Not Academic*, OCR states that the appropriate steps and responsive measures to remedy a violation should be tailored to the specific situation. Examples of appropriate measures might include the development of new policies, counseling, training, separating the victim and the harasser, or providing services to the student who was harassed, such as tutoring or grade adjustment.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If sexual it is determined that harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.

In addition, the Site Administrator shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems.- The Site Administrator shall also make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

### **Enforcement of District Policy**

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

*(cf. 5131.5 - Vandalism and Graffiti)*

Note: Government Code 12950.1 requires any district with 50 or more employees to provide two hours of sexual harassment training and education to supervisory employees once every two years. See AR 4119.11/4219.11/4319.11 - Sexual Harassment. In addition, in its April 2011 Dear Colleague Letter: Sexual Violence, OCR underlies the importance of training in preventing and responding to sexual harassment and encourages districts to provide training to all segments of the school community.

2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5125 - Student Records)*

5. Taking appropriate disciplinary action

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

- (cf. 4118 - Suspension/Disciplinary Action)
- (cf. 4218 - Dismissal/Suspension/Disciplinary Action)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

**Notifications**

Note: In its January 2001 Revised Sexual Harassment Guidance, OCR states that a procedure for sexual harassment complaints cannot be prompt or equitable unless it is widely disseminated and written in language appropriate to the age of the school's students so that students understand how it works. Examples include having copies of the procedures available throughout the school, publishing the procedures in the student handbook, and identifying individuals who can explain how the procedure works.

A copy of the district's sexual harassment policy and regulation shall:

- 1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

- 2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted, including school web sites (Education Code 231.5)
- 3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
- 4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
- 5. Be included in the student handbook
- 6. Be provided to employees and employee organizations

Done!

Advise

Done

FDP

FDP

yes

yes

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT  
 SIERRA COUNTY OFFICE OF EDUCATION  
 Sierraville, California

Regulation  
 approved: April 10, 2007  
 revised: August 9, 2011  
 revised: August 14, 2012

Proposed

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Sue ✓  
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# Sierra County/Sierra-Plumas Joint USD

## Board Policy

### Work Experience Education

BP 6178.1

Instruction

BP 6178.1(a)

#### WORK-BASED LEARNING

Under the state plan for career technical education (CTE), each district receiving funds under the Carl D. Perkins Career and Technical Education Act (20 USC 2301-2414) is required to include specified components in its CTE program, including practical application and experience through actual or simulated work-based learning assignments. Other districts may offer work-based learning opportunities at their discretion. Also see BP/AR 6178 - Career Technical Education.

The Governing Board desires to facilitate the preparation of secondary school students for college and career by providing work-based learning opportunities which link classroom learning with real-world experiences. Work-based learning opportunities offered by the district shall be designed to teach the skills, attitudes, and knowledge necessary for successful employment and to reinforce mastery of both academic and career technical education (CTE) standards.

- (cf. 6000 - Concepts and Roles)*
- (cf. 6011 - Academic Standards)*
- (cf. 6143 - Courses of Study)*
- (cf. 6178 - Career Technical Education)*
- (cf. 6178.2 - Regional Occupational Center/Program)*

Work-based learning opportunities offered by the district may include paid and/or unpaid work experiences, including, but not limited to, work experience education as defined in Education Code 51764, cooperative CTE or community classrooms as defined in Education Code 52372.1, job shadowing as defined in Education Code 51769, student internships, apprenticeships, service learning, employment in social/civic or school-based enterprises, and technology-based or other simulated work experiences.

- (cf. 6142.4 - Service Learning/Community Service Classes)*

The Superintendent or designee shall involve local businesses or business organizations in planning and implementing work-based learning opportunities that support the district's vision and goals for student learning and local workforce development efforts. He/she also may work with postsecondary institutions, community organizations, and others to identify opportunities for work-based learning.

- (cf. 0000 - Vision)*
- (cf. 0200 - Goals for the School District)*
- (cf. 1220 - Citizen Advisory Committees)*
- (cf. 1700 - Relations Between Private Industry and the Schools)*
- (cf. 6020 - Parent Involvement)*

Note: Districts that offer WEE programs are required by 5 CCR 10070-10071, as amended by Register 2011, No. 12, to develop a written training agreement with each employer with specified components and assurances. 5 CCR 10087 and

Revised

New

New

10108 require the development of a training agreement and individual student training plans for community classrooms and cooperative CTE programs. Districts that do not offer these specific programs may delete or revise the following paragraph.

*New*  
When required by law, the Superintendent or designee shall develop a written training agreement with the employer that describes the conditions and requirements to be met by all parties and shall develop an individual training plan for each student which outlines the objectives or competencies that the student is expected to accomplish at the work site. (5 CCR 10070-10071, 10087, 10108)

District staff shall coordinate with the workplace supervisor or mentor to ensure appropriate guidance and supervision of participating students and maximum educational benefit from placement in the program.

Note: Education Code 49160 prohibits any person, firm, or corporation from employing a minor under age 18 without a work permit issued by the proper education authority, with specified exceptions. See BP/AR 5113.2 - Work Permits. Work permits are not required for unpaid work-based learning opportunities. Districts that offer only unpaid programs should delete the following paragraph.

A minor student shall be issued a work permit before beginning employment through a paid work-based learning program in accordance with law, Board policy, and administrative regulation. (Education Code 49113, 49160)

*(cf. 5113.2 - Work Permits)*

All laws or rules applicable to minors in employment relationships shall be applicable to students enrolled in work-based learning programs. (Education Code 51763)

*Added*  
The Superintendent or designee shall ensure that any student participating in a work-based learning program off school grounds is covered under the employer's or district's insurance, as applicable, in the event the student is injured.

*(cf. 3530 - Risk Management/Insurance)*  
*(cf. 5143 - Insurance)*

Note: 5 CCR 10075 establishes requirements related to the qualifications of WEE teacher-coordinators. As amended by Register 2011, No. 12, 5 CCR 10075 provides that the teacher-coordinator may possess any valid preliminary, professional clear, or life credential or other nonintern teaching credential that authorizes the teacher to teach in California K-12 schools. Pursuant to 5 CCR 10080 and 10100, teachers of community classrooms and cooperative CTE programs must be certificated CTE teachers.

The Superintendent or designee shall ensure that any teacher/coordinator of a work-based learning program possesses the appropriate credential issued by the Commission on Teacher Credentialing. (5 CCR 10075, 10080, 10100)

*(cf. 4112.2 - Certification)*

The Superintendent or designee shall maintain records for each student's participation in the program, including, but not limited to, the student's individualized training plan, his/her employment hours and job site, work permit if applicable, employer's report of student's attendance and job performance, the teacher/coordinator's consultations and observations, and the student's grade and credits earned.

*(cf. 5125 - Student Records)*

*Act 1*  
The Superintendent or designee shall periodically report to the Board regarding program implementation and effectiveness, including, but not limited to, rates of student participation in work-based learning programs and assessment results of participating students.

(cf. 0500 - Accountability)

*Legal Reference:*

EDUCATION CODE

35208 Liability insurance

46144 Minimum school day for work experience program

46147 Exception for minimum day; students in last semester or quarter of grade 12

46300 Method of computing ADA

48402 Enrollment in continuation education, minors not regularly employed

49110-49119 Permits to work

49160 Permits to work, duties of employer

51760-51769.5 Work-based learning

52300-52499.66 Career technical education

54690-54697 Partnership academies

56026 Students with exceptional needs

52372.1 Community classrooms and cooperative career technical education programs

LABOR CODE

1285-1312 Employment of minors

1391-1394 Working hours for minors

3070-3099.5 Apprenticeship

3200-6002 Workers' compensation and insurance

CODE OF REGULATIONS, TITLE 5

1635 Credit for work experience education

10070-10075 Work experience education

10080-10090 Community classrooms

10100-10111 Cooperative career technical education programs

UNITED STATES CODE, TITLE 20

2301-2414 Carl D. Perkins Career and Technical Education Act of 2006

CODE OF FEDERAL REGULATIONS, TITLE 29

570.35a Work experience programs

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Multiple Pathways to Student Success: Envisioning the New California High School, 2010

2008-2012 California State Plan for Career Technical Education, 2008

Career Technical Education Framework for California Public Schools: Grades Seven Through Twelve, 2007

Work Experience Education Guide

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Child Labor Laws, 2000

WEST ED PUBLICATIONS

Work-Based Learning in California: Opportunities and Models for Expansion, 2009

WEB SITES

CSBA: <http://www.csba.org>

California Association of Work Experience Educators: <http://www.cawee.org>

California Department of Education, Work Experience Education: <http://www.cde.ca.gov/ci/ct/we>

California Department of Industrial Relations: <http://www.dir.ca.gov>

Linked Learning Alliance: <http://www.linkedlearning.org>

WestEd: <http://www.wested.org>

Policy

adopted: April 10, 2007

revised: August 14, 2012

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT  
Sierraville, California

Proposed

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# Sierra County/Sierra-Plumas Joint USD

## Administrative Regulation

Instruction

AR 6178.1(a)

### WORK-BASED LEARNING

#### Work Experience Education

The district's work experience education (WEE) program shall consist of one or more of the following types of unpaid and paid on-the-job experiences: (Education Code 51764; 5 CCR 10071)

1. *Exploratory WEE* which provides students with a combination of classroom instruction in WEE and unpaid opportunities to observe and sample systematically a variety of conditions of work for the purpose of ascertaining their interest and suitability for the occupation they are exploring

The length of exploratory work experience assignments may vary depending on the aptitude of the student, the occupation being explored, the facilities of the work station, and the job classification. A student may not participate in an exploratory work experience assignment if he/she receives pay for like work at the same work station or similar job outside of the WEE program.

2. *General WEE* which has as its purpose the application of basic skills of reading, writing, and computation and which enables students to acquire general and specific occupational skills through a combination of supervised paid employment in any occupational field and related classroom instruction in WEE
3. *Career technical WEE* which reinforces and extends career learning opportunities for students through a combination of related classroom instruction in WEE and supervised paid or unpaid employment in the occupation for which their career technical course in school prepares them

(cf. 6011 - Academic Standards)  
(cf. 6143 - Courses of Study)  
(cf. 6178 - Career Technical Education)

The Superintendent or designee shall develop and present to the Governing Board for approval a district plan for WEE in accordance with 5 CCR 10070.

Employment opportunities may be provided by any public or private employer in areas within or outside the district, either within California or in a contiguous state. (Education Code 51768)

The student-teacher ratio in the WEE program shall not exceed 125 students per full-time equivalent certificated teacher-coordinator. (Education Code 46300)

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The minimum day for students enrolled in a WEE program shall be four periods totaling at least 180 minutes in duration, unless the school or student meets one of the conditions specified in Education Code 46144 or 46147. (Education Code 46144, 46147)

A minor student shall be issued a work permit before beginning employment through a paid Work Experience Education program in accordance with law, Board policy, and administrative regulation. (Education Code 49113, 49160)

A WEE program offered during the summer shall be conducted in the same time period as the regular summer school program and shall conform to all appropriate laws and regulations applicable to WEE.

*(cf. 6177 - Summer School)*

The teacher-coordinator shall make at least two on-site contacts per semester with each work supervisor or at least one on-site contact during summer school to evaluate student performance. (5 CCR 10074)

Participating students shall receive at least the equivalent of one instructional period per week of related classroom instruction or counseling by a certificated employee, in sessions scheduled intermittently throughout the semester. (Education Code 51760.3)

A student shall be granted up to 40 semester periods of credit for WEE within the following limits: (Education Code 51760.3; 5 CCR 1635)

1. For exploratory WEE, the student may earn 10 semester periods for each semester, with a maximum of 20 semester periods earned in two semesters.
2. For either general or career technical WEE, the student may earn 10 semester periods for each semester, with a maximum of 40 semester periods.

*(cf. 6146.1 - High School Graduation Requirements)*  
*(cf. 6146.11 - Alternative Credits Toward Graduation)*

In order to receive credit for satisfactory completion of a general or career technical WEE program, a student shall be age 16 years or older. However, a student who is under age 16 may be granted credit under any of the following conditions: (Education Code 51760.3)

1. At the time of enrollment, the student is at least 16 years of age or, if under the age of 16 years, fulfills one of the following criteria:
  - a. The student is enrolled in grade 11 or higher.
  - b. The principal certifies that the student needs the program in order to pursue employment opportunities or to encourage the student's continuing enrollment as a full-time student.

*(cf. 5147 - Dropout Prevention)*

- c. The student is a student with disabilities who has an individualized education program prescribing the type of training for which participation in a WEE program is deemed appropriate.

(cf. 6159 - Individualized Education Program)

- d. The student is participating in exploratory Work Experience Education.
2. During the course of the student's enrollment in the program, the student receives at least the equivalent of one instructional period per week, in sessions scheduled intermittently throughout the semester of related classroom instruction or counseling by a certificated employee.
3. The Work Experience Education program meets all of the requirements of law.

#### Minimum Day

The minimum day for students enrolled in a Work Experience Education program shall be four periods totaling at least 180 minutes in duration, with the following exceptions:

1. When a school's regularly scheduled period is greater than 60 minutes, the minimum day shall be one or more periods totaling at least 180 minutes in duration. (Education Code 46144)
2. A different schedule may be established for students who are enrolled in a continuation school or class pursuant to Education Code 48402 . (Education Code 46144)

(cf. 6184 - Continuation Education)

3. Upon written request of the student or his/her parent/legal guardian, the Superintendent or designee may permit the student to attend school for less than a minimum day of 180 minutes if the student is in grade 12, in his/her last semester or quarter before graduation, and would complete all the requirements for graduation, except physical education courses, by attending high school for less than 180 minutes per day.

(cf. 6112 - School Day)

#### Responsibilities of Teacher-Coordinator

The Work Experience Education teacher-coordinator shall possess a valid California secondary-level credential, have two years of occupational experience outside the field of education, and have knowledge of the educational purposes, standards, laws, and rules and regulations applicable to the program. (5 CCR 10075)

(cf. 4112.2 - Certification)

The teacher-coordinator shall:

1. If so designated by the Superintendent, issue work permits in accordance with law (Education Code 49110)



2. Select and approve work assignments for individual students that enable them to accomplish meaningful learning objectives (5 CCR 10072)
3. Conduct the related classroom instruction (5 CCR 10073)
4. Provide for supervision of students by preparing individual training plans, observing and consulting with students, and making at least two on-site contacts per semester with each work supervisor or at least one on-site contact during summer school to evaluate student performance (5 CCR 10074)

The student-teacher ratio in the Work Experience Education program shall not exceed 125 students per full-time equivalent certificated teacher-coordinator. (Education Code 46300)

#### Records

The Superintendent or designee shall maintain records for each student's participation in the program, including:

1. The type of Work Experience Education program in which the student is enrolled, where the student is employed, the type of job held or observation sites, and hours
4. Work permit issued, if applicable
5. Employer's report of the student's hourly work record and performance on the job
6. Report of each consultation between the teacher-coordinator and the employer
7. Ratings of the student, including his/her grade
8. Formal training agreement for each student that describes the responsibilities of the employer, student, school, and parent/guardian and contains a statement of nondiscrimination

(cf. 0410 - Nondiscrimination in District Programs and Activities)

9. Individual training plan for the student

(cf. 5125 - Student Records)

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT  
SIERRA COUNTY OFFICE OF EDUCATION  
Sierraville, California

Regulation

approved: April 10, 2007

revised: March 8, 2011

revised: August 14, 2012

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Proposed

# Sierra County/Sierra-Plumas Joint USD

## Board Policy

### Facilities Master Plan

BP 7110

#### Facilities

May

The Governing Board recognizes the importance of long-range planning for school facilities in order to address changes in student enrollment and in the district's educational program needs. The Superintendent or designee shall develop, for Board approval, a master plan for district facilities which describes the district's anticipated short- and long-term facilities needs and priorities.

(cf. 7000 - Concepts and Roles)

(cf. 7160 - Charter School Facilities)

(cf. 7210 - Facilities Financing)

#### Plan Development

The district's facilities master plan shall be based on an assessment of the condition and adequacy of existing facilities, a projection of future enrollments, and alignment of facilities with the district's vision for the instructional program.

(cf. 7111 - Evaluating Existing Buildings)

Revised

To solicit broad input into the planning process, the Superintendent or designee may establish a facilities advisory committee that may consist of staff, parents/guardians, and business, local government, and other community representatives. He/she also shall ensure that the public is informed of the need for construction and modernization of facilities and of the district's plans for facilities. The committee may consult local governmental and state planning agencies in order to ensure compliance with local and state standards.

(cf. 1220 - Citizen Advisory Committees)

✓

At least 45 days prior to completion of any facilities plan that relates to the potential expansion of existing school sites or the necessity to acquire additional school sites, the Superintendent or designee shall notify and provide copies of the plan or any relevant and available information to the planning commission or agency of the city or county with land use jurisdiction within the district. (Government Code 65352.2)

(cf. 7131 - Relations with Local Agencies)

✓

If the city or county commission or agency requests a meeting, the Superintendent or designee shall meet with the commission or agency within 15 days following the notification. Items that the parties may discuss at the meeting include, but are not limited to, methods of coordinating planning with proposed revitalization efforts and recreation and park programs, options for new school sites, methods of maximizing the safety of persons traveling to and from the site, and opportunities for financial assistance. (Government Code 65352.2)

Note: The following **optional** paragraph may be revised to reflect district practice. In its Public School Construction Cost Reduction Guidelines, the SAB recommends that facilities master plans be reevaluated whenever a new construction project is initiated or at intervals not exceeding five years.

The master plan shall be regularly reviewed and updated as necessary to reflect changes in the educational program, existing facilities, finances, or demographic data.

### Plan Components

Note: Items #1-8 below are **optional** and may be revised to reflect district practice.

The facilities master plan shall include:

1. A statement of purpose, including district goals, philosophy, and related policies
2. A description of the planning process
3. Demographics of the community, such as economic trends, migration patterns, employment base, residential base, socioeconomic makeup, historical school enrollments, and inventory of physical resources and needs
4. A description of the educational program, such as grade-level organization, class size, staffing patterns, technology plans, special programs and support services, and other educational specifications
5. Analysis of the safety, adequacy, and equity of existing facilities and potential for expansion, including the adequacy of classrooms, school cafeterias and food preparation areas, physical activity areas, playgrounds, parking areas, and other school grounds

*(cf. 3514 - Environmental Safety)*

*(cf. 3517 - Facilities Inspection)*

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 5030 - Student Wellness)*

*(cf. 5141.7 - Sun Safety)*

*(cf. 5142 - Safety)*

*(cf. 6142.7 - Physical Education and Activity)*

6. Site selection criteria and process
7. Development of a capital planning budget and identification of potential funding sources
8. Policy for reviewing and updating the plan

Planning shall ensure that school facilities meet the following minimum standards: (5 CCR 14001)

1. Are aligned with the district's educational goals and objectives

*(cf. 0000 - Vision)*

2. Provide for maximum site enrollment at school facilities

3. Are located on a site that meets California Department of Education standards as specified in 5 CCR 14010

*(cf. 7150 - Site Selection and Development)*

4. Are designed for the environmental comfort and work efficiency of the occupants
5. Are designed to require a practical minimum of maintenance
6. Are designed to meet federal, state, and local statutory requirements for structure, fire, and public safety
7. Are designed and engineered with flexibility to accommodate future needs

Note: 5 CCR 14030 delineates detailed standards for developing plans for the design and construction of school facilities. All school districts must comply with these standards, whether a project is state funded or locally funded. Other legal requirements for facilities plans, including Education Code 16011, 16322, and 17251, vary depending on the funding source and type of project.

Pursuant to the Americans with Disabilities Act (ADA) (42 USC 12101-12213) and 28 CFR 35.150 and 35.151, district facilities must be accessible to and usable by individuals with disabilities. In achieving compliance, a district need not make structural changes to existing facilities if other methods are effective and the district can demonstrate that the structural change would result in a fundamental alteration in the nature of the activity or an undue financial or administrative burden. However, starting March 15, 2012, all newly constructed facilities must comply with the 2010 ADA Standards for Accessible Designs pursuant to 28 CFR 35.151, as amended by 75 Fed. Reg. 178. CSBA's ADA Compliance Program offers a variety of accessibility services including, but not limited to, facilities inspections and planning to transition facilities into full ADA compliance.

24 CCR 101 et seq. ("CalGreen") establishes both mandatory requirements and voluntary standards for "green" building which apply to all new construction and are applicable to K-12 schools. CalGreen addresses five major areas: (1) planning and design, (2) energy efficiency, (3) water efficiency, (4) material conservation and resource efficiency; and (5) indoor environmental quality.

Plans for the design and construction of new school facilities also shall meet the standards described in 5 CCR 14030, green building standards pursuant to 24 CCR 101 et seq., the Americans with Disabilities Act pursuant to 42 USC 12101-12213, and any other requirements applicable to the funding source and type of project.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 3510 - Green School Operations)*

Note: Subject to the availability of funds, districts may apply pursuant to Education Code 17077.40-17077.45 to fund joint use projects which are part of (1) a qualifying new construction project that will either increase the size and/or create extra costs beyond that necessary for school use of the multipurpose room, gymnasium, child care facility, library, or teacher education facility; or (2) a modernization project or a stand-alone project to provide for a multipurpose room, gymnasium, child care facility, library, or teacher education facility at a school that does not have the type of facility needed or has an inadequate facility.

To facilitate the efficient use of public resources when planning for new construction or modernization of school facilities, the district may consider designs that facilitate joint use of the facility with a local governmental agency, public postsecondary institution, or nonprofit organization.

*(cf. 1330.1 - Joint Use Agreements)*

*Legal Reference:*EDUCATION CODE

16011 Long-range comprehensive master plan  
 16322 California Department of Education services  
 17017.5 Approval of applications for projects  
 17070.10-17079.30 Leroy F. Greene School Facilities Act  
 17251 Powers and duties of California Department of Education  
 17260-17268 Plans and specifications for school facilities  
 17280-17317 Field Act  
 17365-17374 Fitness for occupancy  
 17405 Relocatable structures; lease requirements  
 35275 New school planning; cooperation with recreation and park authorities

GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities  
 65352.2 Communicating and coordinating of school sites  
 65995.6 School facilities needs analysis

CODE OF REGULATIONS, TITLE 2

1859-1859.199 Leroy F. Greene School Facilities Act

CODE OF REGULATIONS, TITLE 5

14001 Minimum standards  
 14010 Site selection standards  
 14030-14036 Standards, planning, and approval of school facilities

CODE OF REGULATIONS, TITLE 24

101 et seq. Green building standards code

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

*Management Resources:*CSBA PUBLICATIONS

*Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, September 2009*

*Facilities Master Planning, Fact Sheet, November 2007*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Schools of the Future Report, September 2011*

*Educational Specifications: Linking Design of School Facilities to Educational Program, 1997*

*Guide for the Development of a Long-Range Facilities Plan, 1986*

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

*An Overview of the State School Facility Programs, rev. October 2011*

*School Facility Program Handbook, 2008*

STATE ALLOCATION BOARD PUBLICATIONS

*Public School Construction Cost Reduction Guidelines, 2000*

WEB SITES

CSBA: <http://www.csba.org>

Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

California Department of Education: <http://www.cde.ca.gov/lr/fa>

Policy SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT  
 Sierraville, California

adopted: April 10, 2007  
 revised: August 14, 2012

**Sierra County Office of Education  
RESOLUTION NO. 12-003**

**Fiscal Year End 2011-2012 Budget Revision**

**WHEREAS**, the 2011-2012 budget was adopted June 14, 2011, and

**WHEREAS**, unanticipated income and liabilities providing changes to the budget expenditures necessitate intrafund transfers,

**WHEREAS**, it is necessary from time to time during a fiscal year to amend the Budget in accordance with Section 42600 of the California Education Code, and

**WHEREAS**, it is necessary at the close of any school year to transfer between funds to permit payment of obligations at close of year in accordance with Section 42601 of the California Education Code, and

**WHEREAS**, it is necessary from time to time during a fiscal year to use unbudgeted fund in accordance with Section 42602 and make appropriation of excess funds in accordance with Section 42610 of the California Education Code, and

**NOW, THEREFORE, BE IT RESOLVED**, that the attached year end 2011-2012 Budget Revision is made in accordance with California Education Code 42600, 42601, 42602, and 42610.

Passed and adopted at a regular meeting of the Sierra County Office of Education Governing Board, August 14, 2012, by the following vote:,

AYES:

NOES:

ABSTENTIONS:

ABSENT:

VACANT:           ONE

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Allen Wright, President

Budget Transfer Link # 7132

Budget Transfer # BR12-00007		Status Posted	Type BudRev	Transaction Date 06/30/2012	
Created RASQUITH, 8/3/2012		Posted RASQUITH, 8/3/2012			
Requisition #		Location	Department	Source Manual	
Comment YE Categorical Adj, Presented Aug. 14, 2012					
Line Seq	Account #	Comments	Acct Type	Increase	Decrease
1	16-0000-0000-9300-7619-002	YE Categorical Adj, increase trf to general fund	E	22.00	
2	16-0000-0000-0000-8660-600	YE Categorical Adj, increase revenue received	R	22.00	
3	01-0003-3400-1000-1120-030	YE Categorical Adj, excess substitute exp.	E	1,900.00	
4	01-0003-3400-1000-4400-041	YE Categorical Adj, trf to cover substitute exp.	E		1,900.00
5	01-6500-5770-1120-1120-002	YE Categorical Adj, excess substitute exp.	E	4,000.00	
6	01-6500-5770-1190-4399-002	YE Categorical Adj, cover substitute exp.	E		4,000.00
7	01-0002-0000-0000-8011-200	YE Categorical Adj, increase revenue	R	500.00	
8	01-0002-1110-9200-7110-002	YE Categorical Adj, increase exp.	E	500.00	
				<b>522.00</b>	
				<b>522.00</b>	

BT # BR12-00007 Net Change to Expense  
 BT # BR12-00007 Net Change to Revenue  
 BT # BR12-00007 Net Change to Starting Balance  
 BT # BR12-00007 Net Change to Fund Balance

SIERRA COUNTY OFFICE OF EDUCATION

Resolution No: 12-004

To Support Schools & Local Public Safety Protection Act (Proposition 30) and Our Children Our Future:  
Local Schools and Early Education Investment Act (Proposition 38)

WHEREAS, the SIERRA COUNTY Board of Education is committed to making policy and financial decisions that enable the school district to provide quality educational programs and services to the school-age children of our community; and

WHEREAS, since the onset of the state's fiscal crisis in 2008, public schools statewide have experienced unprecedented funding reductions and apportionment deferrals totaling more than \$20 billion; and

WHEREAS, California public schools now rank 47<sup>th</sup> out of the 50 states in per-pupil spending. Moreover, more than 40,000 educators have been laid off from California public schools since 2008, impacting the quality of the educational programs delivered to students; and

WHEREAS, the SIERRA COUNTY BOARD OF EDUCATION has implemented the following cuts in order to stay fiscally solvent: (cuts adopted since 2008-09 fiscal year will be listed on final draft); and

WHEREAS, the school funding crisis is at historic proportions with 188 school districts certifying possible difficulty in meeting their financial obligations over the next two years; and

WHEREAS, the 2012-13 state budget is predicated on voter approval in November 2012 of the Schools & Local Public Safety Protection Act (Prop 30), without which schools will receive additional mid-year funding reductions that will result in additional cuts in services and programs to students; and

WHEREAS, Proposition 30 and Proposition 38 will direct billions of dollars to public schools, providing an important short-term funding solution that may allow for the restoration of some student programs and services; and

WHEREAS, the California School Boards Association, representing nearly 1,000 school district governing boards and regional educational agencies, supports the passage of both Proposition 30 (Schools & Local Public Safety Protection Act) and Proposition 38 (Our Children Our Future: Local Schools and Early Education Investment Act); and

BE IT RESOLVED that the SIERRA COUNTY Board of Education joins CSBA and school districts around the state in supporting both funding measures and proudly joins the **Stand Up For Education** campaign to urge the Legislature to work with CSBA and other education leaders to identify long-term adequate funding solutions for public schools; and

BE IT FURTHER RESOLVED, that this body, the SIERRA COUNTY BOARD OF EDUCATION supports the passage of both Proposition 30 and Proposition 38 because each provides needed revenue to public schools.

Adopted by the Governing Board of the SIERRA COUNTY OFFICE OF EDUCATION on August 14, 2012, by the following vote of the Board:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  
VACANT: ONE

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Allen Wright, President