

AGENDA FOR THE REGULAR MEETING OF THE
SIERRA COUNTY BOARD OF EDUCATION

November 8, 2016

5:00 pm CLOSED SESSION / 6:00 pm REGULAR SESSION

Sierra County Office of Education, 109 Beckwith Rd., Room 4, Loyalton, CA 96118

This meeting will be available for videoconferencing at Downieville School, 130 School Street, Downieville CA 95936

In the case of a technological difficulty at either school site, videoconferencing will not be available.

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, 109 Beckwith Road, Room 3, Loyalton, CA, 96118, and posted with the online agenda at <http://www.sierracountyofficeofeducation.org> (Government Code 54957.5)

A. CALL TO ORDER

(Please be advised that this meeting will be recorded.)

B. ROLL CALL

C. APPROVAL OF THE AGENDA

D. PUBLIC COMMENT FOR CLOSED SESSION

At this time, the meeting opens for any public comments regarding the Closed Session item.

E. CLOSED SESSION

The Board of Trustees, Superintendent Dr. Merrill M. Grant and Rose Asquith, Business Manager will move into Closed Session to discuss the following item:

1. Government Code §54957.6, Conference with Labor Negotiators

Agency Negotiator for the Board: Dr. Merrill M. Grant, Superintendent
Employee Organizations:

Represented Employees: Sierra-Plumas Teachers' Association

Unrepresented Employees: Classified Employees

Confidential Employees

Administrative Employees

F. RETURN TO OPEN SESSION and ADJOURN FOR BREAK

6:00 pm - RECONVENE

G. FLAG SALUTE

H. REPORT OUT FROM CLOSED SESSION

I. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report

- a. California County Superintendents Educational Services Association (CCSESA) Quarterly Meeting
- b. Confidential Employees 2016-17 Initial Proposal for Salary and Health & Welfare benefits**
- c. Job Description #214, Instructional Aide, Special Education, revision**
- d. SmartWatt
- e. Facility Inspection Tool
- f. Local Control Accountability Plan Template
- g. The Sierra County Office of Education will be closed for
 - Thanksgiving Holiday, November 24 and 25, 2016
 - Winter Break from December 23, 2106 through January 2, 2017

Sierra County Board of Education
Regular Meeting Agenda
November 8, 2016

2. Business Report
 - a. Account Object Summary-Balance from 07/01/16 to 10/31/16
3. Staff Reports (5 minutes)
Presentation by Megan Meschery, Curriculum Coordinator
4. SPTA Report (5 minutes)
5. Board Members' Report (5 minutes)
6. 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

J. CONSENT CALENDAR

1. Approval of minutes of the Regular Board meeting held October 11 2016**
2. Approval of Board Report – Checks Dated 07/01/2016 through 10/31/2016**

K. ACTION ITEMS

1. New Business

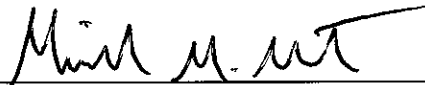
BOARD POLICIES AND ADMINISTRATIVE REGULATIONS (President)

- 1617-51 Approval of Board Policy 0410, Nondiscrimination in District Programs and Activities, revision**
- 1617-52 Approval of Board Policy 4151, 4251, 4351, Employee Compensation, revision**
- 1617-53 Approval of Administrative Regulation 4157.1, 4257.1, 4357.1, Work Related Injuries, revision**
- 1617-54 Approval of Administrative Regulation 6158, Independent Study, revision (retract section)**

L. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on December 13, 2016, at Downieville School, 130 School Street, Downieville CA 95936, beginning with Closed Session, as needed, at 5:00 pm and the Regular Board Meeting at 6:00 pm
2. Suggested Agenda Items
 - a. 2016-17 First Interim

M. ADJOURN



Dr. Merrill M. Grant, Superintendent
Secretary to the County Board of Education

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

MINUTES OF THE REGULAR MEEETING OF THE
SIERRA COUNTY BOARD OF EDUCATION
October 11, 2016
Downieville School, 130 School Street, Downieville CA 95936
5 pm for Closed Session
6 pm for Regular Session

A. CALL TO ORDER

President PATTY HALL called the meeting to order at 5:00 pm.

B. ROLL CALL

PRESENT: Ms. Patty Hall, President
Mr. Mike Moore, Vice President
Mr. Allen Wright, Clerk
Ms. Sharon Dryden, Member

ABSENT: Mr. Tim Driscoll, Member

C. APPROVAL OF THE AGENDA

MOORE/WRIGHT

4/0

D. PUBLIC COMMENT FOR CLOSED SESSION

At this time, the meeting opened at 5:05 pm and closed without public comment regarding the Closed Session item.

E. CLOSED SESSION

The Board of Trustees, Superintendent Dr. Merrill M. Grant and Business Manager Rose Asquith moved into Closed Session to discuss the following item

1. Government Code §54957.6, Conference with Labor Negotiators
Agency Negotiator for the Board: Dr. Merrill M. Grant, Superintendent
Employee Organizations:
Represented Employees: Sierra-Plumas Teachers' Association
Unrepresented Employees: Classified Employees
Confidential Employees
Administrative Employees

F. RETURN TO OPEN SESSION

ADJOURN FOR BREAK

RECONVENE FOR REGULAR MEETING at 6:14 pm.

G. FLAG SALUTE

H. REPORT OUT FROM CLOSED SESSION

The Board, Superintendent and Business Manager discussed labor negotiations and the Board gave superintendent direction. No action was taken.

I. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report
 - a. Instructional Aide, Loyalton High School, 1 FTE – Katie Campbell is hired for a one-on-one position
 - b. Robin Bolle, Caleb Dorsey, Pat Doyle and Erin Folchi assigned to 2016-17 After-School Tutor, Temporary Positions, Foster Youth funding
 - c. Sue Gressel assigned to 2016-17 Loyalton High School Friday Night Live Program Advisor, Temporary Position
 - d. State Superintendent of Public Instruction approval of the Local Control and Accountability Plan (LCAP) for the 2016-17 school year
2. Business Report
 - a. Account Object Summary-Balance 07/01/16 to 9/30/16
 - b. California Department Of Education Letter Affirming Budget Compliance
3. Staff Reports (5 minutes)
4. SPTA Report (5 minutes)
5. Board Members' Report (5 minutes)

DRYDEN reported that the demonstration by Perfection on Wheels was outstanding. Ms. Asquith answered a question by stating that the funding is through CTALF Funds (tobacco).
6. Public Comment – The public comment opened at 6:20 pm.

Mrs. Megan Meschery thanks everyone who supported the Sierra Schools Foundation through the golf tourney fundraiser which profited over \$12,000 for educational programs for SPJUSD students.

J. CONSENT CALENDAR

1. Approval of minutes of the Regular Board meeting held September 13, 2016
2. Approval of Board Report - Checks Dated 09/01/2016 through 09/30/2016
3. Approval of Quarterly Report on Williams Uniform Complaints for quarter ending 9/30/2016. It is required per Education Code 35186 section (d) *that a school district shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district.* 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 9/30/2016.
MOORE/WRIGHT
4/0

K. ACTION ITEMS

1. Unfinished Business and General Orders

1617-38 Approval of Board Policy and Administrative Regulation 5121, Grades/Evaluations of Student Achievement, revision
MOORE/DRYDEN
4/0

- 1617-39 SmartWatt Prop 39 Energy Expenditure Plan
Dr. Grant stated that he anticipated that the identified projects and their corresponding costs will be ready for review and approval in November.

2. New Business

- 1617-40 Public Hearing to allow comments on the sufficiency of textbooks and instructional materials for kindergarten through 12th grade in each subject and to assure that they are aligned with the state standards adopted pursuant to Ed. Code §60605 or 60605.8 and also meet the reporting and sufficiency requirements contained in Ed. Code §60119. The public hearing opened at 6:13 pm and there was a comment by Mrs. Megan Meschery, Curriculum Coordinator that some materials are still on order but anticipated soon. The public comment closed at 6:17 pm.

- 1617-41 Adoption of Resolution No. 16-005, Sufficiency of Textbooks and Instructional Materials
MOORE/WRIGHT
TRUSTEE MOORE AYE
TRUSTEE DRYDEN AYE
TRUSTEE HALL AYE
TRUSTEE WRIGHT AYE
4/0

- 1617-42 Adoption of Resolution No. 16-006, Permit AirMedCare Network Authorized Payroll Deduction
MOORE/WRIGHT
TRUSTEE DRYDEN AYE
TRUSTEE HALL AYE
TRUSTEE WRIGHT AYE
TRUSTEE MOORE AYE
4/0

BOARD POLICIES AND ADMINISTRATIVE REGULATIONS (President)
MOORE moved to approve Items 1617-43 through and including 1617-50.
Seconded by WRIGHT.
4/0

- 1617-43 Approval of Board Policy and Administrative Regulation 1312.3, Uniform Complaint Procedures, revisions
- 1617-44 Approval of Board Policy and Administrative Regulation 3230, Federal Grant Funds, new
- 1617-45 Approval of Minor Change, Board Policy 3270, Sales and Disposal of Books, Equipment and Supplies change as follows:
If the Board members who are in attendance at a meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed for ~~by dumping-recycling or disposal at a facility equipped for such purposes on order of~~

any employee of the district empowered for that purpose by the board. (Education Code 17546)

- 1617-46 Approval of Administrative Regulation 3440, Inventories, revision
- 1617-47 Approval of Administrative Regulation 3460, Financial Reports and Accountability
- 1617-48 Approval of Administrative Regulation 3512, Equipment, revision
- 1617-49 Approval of Board Policy and Administrative Regulation 5145.3, Nondiscrimination/Harassment, revision
- 1617-50 Approval of Board Policy and Administrative Regulation 5145.7, Sexual Harassment, revision

L. ADVANCED PLANNING

- 1. Next Regular Board Meeting will be held on November 8, 2016, at Sierra County Office of Education, 109 Beckwith Rd., Room 4, Loyalton, CA 96118, beginning with Closed Session, as needed, at 5 pm and the Regular Board Meeting following the Sierra County Board of Education meeting at 6:00 pm

2. Suggested Agenda Items

- a. _____

M. ADJOURN at 6:39 pm
MOORE/WRIGHT
4/0

Allen Wright, Clerk

Dr. Merrill M. Grant, Superintendent
Secretary of the Board of Education

**SIERRA COUNTY SUPERINTENDENT OF SCHOOLS
SIERRA COUNTY BOARD OF EDUCATION AND
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT GOVERNING
BOARD**

**Confidential Employees
2016-2017 INITIAL BARGAINING AGREEMENT PROPOSAL
Presented November 8, 2016**

The Sierra County Office of Education and the Sierra-Plumas Joint Unified School District Confidential Employees propose the following for 2016-2017 salary and benefits:

A. Article 19, Wages

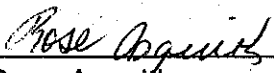
Salary schedule increase as granted as total compensation percentage to the Sierra-Plumas Joint Unified School District Teachers' Association (S-PTA) membership.

B. Article 12, Benefits

Increase employers' contribution for health insurance premiums to replicate compensation awarded to any other unit with an employer hard cap.

Employees of the
Sierra-Plumas Joint Unified School District
Sierra County Office of Education

Dated: November 8, 2016



Rose Asquith
Confidential Representative

Sierra County/Sierra-Plumas Joint USD

Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0410

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

Note: Government Code 11138 mandates districts to adopt rules and regulations to ensure that district programs and activities are free from unlawful discrimination. In accordance with various provisions of state and federal law, discrimination in education programs and activities is unlawful when it is based on certain actual or perceived characteristics of an individual. Education Code 220 prohibits discrimination based on race or ethnicity, nationality, sex, sexual orientation, gender, gender identity, gender expression, religion, or any other characteristic contained in the definition of hate crimes in Penal Code 422.55. Government Code 11135 prohibits discrimination based on all the foregoing characteristics and on age, disability, and an individual's genetic information. Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7) prohibits discrimination on the basis of race, color, and national origin. Title IX (20 USC 1681-1688) prohibits discrimination on the basis of sex. The Americans with Disabilities Act (ADA) (42 USC 12101-12213) and Section 504 of the Rehabilitation Act of 1973 (29 USC 794) prohibit discrimination on the basis of disability. For policy language protecting students against discrimination and harassment, see BP/AR 5145.3 - Nondiscrimination/Harassment and BP/AR 5145.7 - Sexual Harassment.

Education Code 260 and 5 CCR 4900-4965 require the Governing Board of Education to monitor district compliance with these state and federal laws. The federal laws are enforced by the Office for Civil Rights of the U.S. Department of Education, and the California Department of Education may investigate complaints regarding discrimination pursuant to 5 CCR 4600-4687.

Similarly, Government Code 12940 provides protections for employees, job applicants, unpaid interns, and volunteers against unlawful discrimination and harassment. For policy language addressing these protections as they relate to volunteers, see BP 1240 - Volunteer Assistance, and in relation to employees, unpaid interns, and job applicants, see BP 4030 - Nondiscrimination in Employment.

The Governing Board is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; ~~the~~ perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 1240 - Volunteer Assistance)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

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

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

Note: Education Code 221.2-221.3 (the California Racial Mascot Act), as added by AB 30 (Ch. 767, Statutes of 2015), declare the use of racially derogatory or discriminatory school or athletic team names, mascots, or nicknames in public schools to be contrary to an equal education and specifically prohibit public schools from using the term "Redskins" as a school or athletic team name, mascot, or nickname beginning January 1, 2017. The following paragraph expands this prohibition to include any racially derogatory or discriminatory athletic team name, mascot, or nickname and may be revised to reflect district practice.

District programs and activities shall also be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

Note: Pursuant to Education Code 221.5, a district is required to permit a student to participate in sex-segregated school programs and activities, including athletic teams and competitions, and to use facilities consistent with the student's gender identity, regardless of his/her gender as listed on his/her educational records. See BP/AR 5145.3 - Nondiscrimination/Harassment. For further information, see CSBA's policy brief Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students and its Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination.

Annually, the Superintendent or designee shall review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Note: Many nondiscrimination laws and regulations contain a notification requirement. For example, pursuant to 34 CFR 104.8 and 106.9, a district that receives federal aid is required to take "continuing steps" to notify students, parents/guardians, employees, employee organizations, and applicants for admission and employment that it does not discriminate on the bases of disability and sex in its educational programs or activities. In addition, Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016), requires that, on or before July 1, 2017, districts must post specified information relating to Title IX on their web sites. To ensure consistent implementation of the laws, the same notification requirement should be adopted for all the protected categories as provided in the following paragraph.

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. ~~Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other recruitment materials distributed to these groups and, as applicable, to the public. As appropriate, such notification shall be posted in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations and shall be posted on the district's web site and, when available, district-supported social media.~~

~~*(cf. 1312.3 - Uniform Complaint Procedures)*~~ *1113 - District and School Web Sites)*

~~*(cf. 1114 - District-Sponsored Social Media)*~~

~~*(cf. 4031 - Complaints Concerning Discrimination in Employment)*~~

~~*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*~~

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to the parents/guardians of these students must also be written in the primary language and may be answered by the parent/guardian in English or the primary language. In addition, 20 USC 6311 and 6312 require that districts receiving Title I funds provide parent/guardian notices in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians understand.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand ~~and~~. In addition, when required by law, in 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

Note: Pursuant to the ADA and its implementing regulations, 28 CFR 35.150 and 35.151, district facilities must be accessible to and usable by individuals with disabilities. Compliance methods may include equipment redesign, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, and alteration of existing facilities and construction of new facilities. 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, pursuant to 28 CFR 35.151, all newly constructed facilities must comply with the 2010 ADA Standards for Accessible Designs issued by the U.S. Department of Justice.

In addition, pursuant to 28 CFR 35.136, a district must permit an individual with a disability to be accompanied by a service animal on district premises when, without the animal's assistance, the individual with a disability will not be able to access or participate in a district program or activity. For language addressing this mandate, see AR 6163.2 - Animals at School. Districts with questions about compliance with the ADA should consult with legal counsel as appropriate.

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

(cf. 6163.2 - Animals at School)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

Note: Pursuant to 28 CFR 35.130 and 35.160, the ADA requires districts to provide services and aids to ensure that a disabled individual is not excluded from participation or denied a benefit, service, or program on the basis of a disability. However, if the district can show that providing such aids and services would fundamentally alter the nature of the function, program, or meeting or would be an undue burden, then the district need not provide them.

In addition, Government Code 54953.2 requires that all Board meetings meet the protections of the ADA and implementing regulations (28 CFR 35.160 and 36.303). In effect, the district must ensure that such meetings are accessible to persons with disabilities and that, upon the request of any person with a disability, disability-related accommodations, such as auxiliary aids and services, are made available.

A U.S. Department of Justice technical assistance publication, Accessibility of State and Local Government Websites to People with Disabilities, affirms that the ADA applies to district-sponsored web sites. Examples of technical standards for web site accessibility are available from the World Wide Web Consortium, California Department of Education's standards for state web sites, and other sources; see BP 1113 - District and School Web Sites.

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and

services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. -These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, notetakers, written materials, taped text, and Braille or large print materials.

~~(cf. 6020 - Parent Involvement)~~

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. -Reasonable notification should be given prior to ~~thea~~ school-sponsored function, program, or meeting.

~~(cf. 6020 - Parent Involvement)~~

~~(cf. 9320 - Meetings and Notices)~~

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

Note: Pursuant to 28 CFR 35.107, a district that has 50 or more employees is required to designate at least one employee to coordinate the district's efforts to comply with the ADA. The designated employee could be the same individual or position responsible for the district's compliance with state and federal laws and regulations governing educational programs as identified in the district's uniform complaint procedures. The following paragraph, which identifies the person or position identified in the AR 1312.3 - Uniform Complaint Procedures as the responsible employee, may be modified if the district chooses to designate another person or position.

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws is hereby designated as the district's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

(title or position)

(address)

(telephone number)

(email)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

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

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Notice of Non-Discrimination, January 1999

Protecting Students from Harassment and Hate Crime, January 1999

Nondiscrimination in Employment Practices in Education, August 1991

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

2010 ADA Standards for Accessible Design, September 2010

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

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

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

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Safe Schools Coalition: <http://www.casafeschools.org>

Pacific ADA Center: <http://www.adapacific.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

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

Policy

adopted: April 10, 2007

revised: June 12, 2012

revised: November 8, 2016

Sierra County/Sierra-Plumas Joint USD

Board Policy

Administrative Regulation

All Personnel

AR 4157.1
4257.1
4357.1

WORK-RELATED INJURIES

~~The Board of Education desires to~~ In order to provide its medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process ~~in order to reduce that reduces~~ costs and ~~facilitate facilitates~~ employee recovery.

(cf. 3320 - Claims and Actions Against the District)

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

~~*(cf. 4261.11 - Industrial Accident/Illness Leave)*~~

~~An employee shall report any work-related injury or illness to his/her supervisor as soon as practicable. Upon learning of an injury, a supervisor shall promptly report the incident to the Superintendent or designee and the insurance carrier as appropriate.~~

The Superintendent or designee shall ~~ensure that notify~~ every new employee ~~is notified of,~~ at the time of hire or by the end of the first pay period, of his/her right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

~~*(cf. -and that injured employees are given 4112.9/4212.9/4312.9 - Employee Notifications)*~~

In addition, a notice of rights in accordance with law regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, he/she shall report the work-related injury or illness to the Superintendent or designee as soon as practicable.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the

employee's death, to his/her dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

Note: Pursuant to Labor Code 3550, 3551, and 5401, all employee notices described above (i.e., the notice provided to all employees at the time of hire, the notice that must be posted in a conspicuous place, and the notice and claim form provided when an employee is injured) must be in a form prescribed by the California Department of Industrial Relations (DIR) Division of Workers' Compensation (DWC). These notices are available on the DWC's web site or through the district's insurer. For districts that employ Spanish-speaking employees, the information must be made available in English and Spanish.

The Superintendent or designee shall ensure that ~~notifications regarding workers' compensation~~ all employee notices described above are posted in accordance in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

Note: Pursuant to Labor Code 6409.1, the district must file a report concerning any injury or illness which has, or is alleged to have, arisen out of and in the course of employment. The report is required to be filed with the DIR or, if the district is insured through a third party insurer, with ~~law~~ the insurer. The district should select the option below that corresponds to the manner in which it insures for workers' compensation.

OPTION 1: (Districts insured for workers' compensation through a third party insurer)

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the district's insurance carrier within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death must be filed with the insurance carrier within five days after being notified of or learning about the death. (Labor Code 6409.1)

OPTION 2: (Districts insured for workers' compensation through self-insurance)

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the DIR within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death must be filed with the DIR within five days after being notified of or learning about the death. (Labor Code 6409.1)

Note: The following paragraph is for use by districts that selected either Option 1 or 2 above.

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report by telephone or email to the Division of Occupational Safety and Health. (Labor Code 6409.1)

Legal Reference:

EDUCATION CODE

44984 Industrial accident and illness leaves, certificated employees

45192 Industrial accident and illness leaves, classified employees

LABOR CODE

3200-4855 Workers' compensation, especially:

3550-3553 Employee notice

3600-3605 Conditions of liability

3760 Report of injury to insurer

4600 Provision of medical and hospital treatment by employer

4906 Disclosures and statements

5400-5413 Notice of injury or death

6409.1 Reports

CODE OF REGULATIONS, TITLE 8

15596 Notice of employee rights

Management Resources:

DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

A Guidebook for Injured Workers, 2016

Notice to Employees -- Injuries Caused by Work

Time of Hire Pamphlet

Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility

WEB SITES

California Department of Industrial Relations-- Division of Occupational Safety and Health:

<http://www.dir.ca.gov/dosh>

California Department of Industrial Relations, Division of Workers Compensation:

<http://www.dir.ca.gov/dwc>

Policy

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

adopted: April 10, 2007

revised: November 8, 2016

Policy Reference UPDATE Service

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Sierra County/Sierra-Plumas Joint USD

Board Policy

All Personnel

BP 4151

4251

EMPLOYEE COMPENSATION

4351

Note: Districts that include provisions related to employee compensation in their collective bargaining agreements should modify or delete the following **optional** policy accordingly.

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board of Education recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)

(cf. 3400 - Management of Districts Assets/Accounts)

(cf. 4000 - Concepts and Roles)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

Note: Education Code 45023 and 45162 require the Governing Board to adopt salary schedules for certificated and classified employees, respectively. For districts operating under a merit system, Education Code 45268 specifies that the personnel commission will recommend a salary schedule for classified employees to the Board for approval and that the Board may not amend the schedule without first giving the commission an opportunity to respond to the amendments.

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. ~~These~~ schedules shall comply with law and negotiated collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45028, 45160, 45162)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for years of training and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. ~~4312.1 - Contracts~~ 4140/4240/4340 - Bargaining Units)

(cf. 4312.1 - Contracts)

Note: Pursuant to Education Code 45038, certificated employees may be paid once every two weeks, twice a month, or once every four weeks. The Board may also choose to pay certificated employees, or one or more individual employees, in 10, 11, or 12 equal payments instead of by the school month. Education Code 45039 provides that, if the Board arranges to pay certificated employees in 12 equal payments for the year, it may pay each monthly installment at the end of each calendar month, whether or not the employees are engaged in teaching during the month. Education Code 45165 addresses salary payments for classified employees who are employed 9-11 months per year.

Pursuant to 26 CFR 1.409A-1, the practice of paying employees who work 10 months per year is a form of "deferred compensation." If the district allows employees to "elect" whether to receive their paychecks in such a manner, then according to the IRS, such employees must submit written election forms to the district in order to avoid any additional tax on the deferred compensation. If the district requires employees to receive their paychecks in such a manner without offering them an option, then the employees do not need to complete election forms, but the district must develop a written document describing how the employees will be paid, including the dates, schedule, and amounts of payment.

Education Code 45048 and 45165 provide specific timelines for issuing salary payments depending on the frequency of payments. If payments are not made in a timely manner, the district is required to pay the employee interest on the unpaid amount.

The following paragraph may be revised to reflect the payroll schedule determined by the Board.

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

Note: Pursuant to 29 CFR 516.4, districts are required to post a notice of the minimum wage provisions of the Fair Labor Standards Act (29 USC 201-219) in a conspicuous place at all work sites. The poster that must be used by state and local governments is available on the web site of the U.S. Department of Labor's Wage and Hour Division.

The Superintendent or designee shall ~~ensure that the district's payroll system complies~~ post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

Note: Pursuant to the federal Fair Labor Standards Act (FLSA) (29 CFR 553.20), employees who are not specifically exempted by law must receive overtime pay at a rate not less than one and one-half times their regular rate of pay for hours worked in excess of 40 hours per work week. Furthermore, state law (Labor Code 510) entitles employees to an overtime pay rate after working eight hours in one day, unless an alternative schedule allowed by law is approved.

Pursuant to 29 CFR 541.0-541.710, employees are exempt from the FLSA overtime rules if they are executive, administrative, or professional staff, as defined, and their salary is at or above the salary level established in 29 CFR 541.600, as amended by 81 Fed. Reg. 32391. This salary level will automatically be updated every three years beginning January 1, 2020 according to the method specified in 29 CFR 541.607. Because the federal salary limit qualifying for exemption is higher than the California salary test, the federal limit prevails.

When calculating the overtime rate of pay, 29 USC 207 requires that all remuneration for employment paid to or on behalf of the employee, with all specified exclusions, be considered as part of the employee's regular rate of pay. In Flores v. City of San Gabriel, the appeals court ruled that cash payments made in lieu of benefits must be included in the calculation.

Overtime pay requirements are not applicable ~~laws and~~ to school administrators or teachers in elementary or secondary schools under specific exemptions in 29 USC 213 and 29 CFR 541.303. Pursuant to 29 CFR 541.303 and 541.600, teachers do not need to meet the salary level requirement to be exempt from overtime rules. 29 CFR 541.204 provides that administrators must either meet the salary level requirement or be compensated on a salary basis that is at least equal to the entrance salary for teachers in the administrator's school to be exempt from overtime rules.

A district employee shall be paid an overtime rate of not less than one and one-half times his/her regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a fixed salary at or above the salary level established by federal regulations. (Labor Code 510; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

Note: The following **optional** paragraph is for use by districts that allow employees to take compensatory time off in lieu of overtime compensation as authorized by 29 USC 207 and 29 CFR 553.20-553.25. Time off in lieu of overtime compensation is allowed only if provided for in a collective bargaining ~~agreements, including, but not limited to, timelines regarding payment of compensation and deductions of dues for employee organizations.~~ agreement or other agreement and must be provided at the rate of at least one and one-half hours for each hour of overtime work.

Pursuant to 29 CFR 553.21, an employee must be allowed to use earned compensatory time within a "reasonable period" after making the request. 29 CFR 553.25 provides that a "reasonable period" is determined on a case-by-case basis by considering customary work practices such as the normal work schedule, anticipated peak workloads based on past experience, emergency requirements for staff and services, and the availability of qualified substitute staff.

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided he/she has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference:

EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

510 Overtime compensation; length of work day and week; alternative schedules

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

UNITED STATES CODE, TITLE 29

201-219 Fair Labor Standards Act, especially:

203 Definitions

207 Overtime

213 Exemptions from minimum wage and overtime requirements

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

CODE OF FEDERAL REGULATIONS, TITLE 29

516.4 Notice of minimum wage and overtime provisions

516.5-516.6 Records

541.0-541.710 Exemptions for executive, administrative, and professional employees

553.1-553.51 Fair Labor Standards Act; applicability to public agencies

COURT DECISIONS

Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:

WEB SITES

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

Internal Revenue Service: <http://www.irs.gov>

School Services of California, Inc.: <http://www.sscal.com>

U.S. Department of Labor, Wage and Hour Division: <https://www.dol.gov/whd>

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

SIERRA COUNTY OFFICE OF EDUCATION

Sierraville, California

Policy

adopted: April 10, 2007

revised: August 9, 2011

revised: November 8, 2016

Loyalton, California

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Independent Study

AR 6158

Instruction

Educational Opportunities

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

1. Special assignments extending the content of regular courses of instruction
(cf. 6143 - Courses of Study)
2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum
3. Individualized alternative education designed to teach the knowledge and skills of the core curriculum, but not provided as an alternative curriculum
4. Continuing and special study during travel
(cf. 5112.3 - Student Leave of Absence)
5. Volunteer community service activities and leadership opportunities that support and strengthen student achievement
(cf. 0420.4 - Charter School Authorization)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6181 - Alternative Schools/Programs of Choice)

In addition, when requested by a parent/guardian due to an emergency, vacation, or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in his/her regular classes.
(cf. 5113 - Absences and Excuses)

No course required for high school graduation shall be offered exclusively through independent study. (Education Code 51745)
(cf. 6146.1 - High School Graduation Requirements)

Equivalency

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)
(cf. 0410 - Nondiscrimination in District Programs and Activities)

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

Provided that experienced certificated staff are available to effectively supervise students in independent study, the Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)
(cf. 5111.1 - District Residency)

For a student with disabilities, as defined in Education Code 56026, participation in independent study shall be approved only if his/her individualized education program specifically provides for such participation. (Education Code 51745)
(cf. 6159 - Individualized Education Program)

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code 51745)
(cf. 6183 - Home and Hospital Instruction)

Students age 21 or older, and students age 19 or older who have not been continuously enrolled in school since their 18th birthday, may participate in independent study only through the adult education program for the purpose of enrolling in courses required for a high school diploma by Education Code 51225.3 or the Board of Education. (Education Code 46300.1, 46300.4)
(cf. 6200 - Adult Education)

No more than 10 percent of the students enrolled in a continuation high school or opportunity school or program, not including pregnant students and parenting students who are primary caregivers for one or more of their children, shall be enrolled in independent study. (Education Code 51745)

(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6184 - Continuation Education)

Master Agreement

A written agreement shall be developed and implemented for each student participating in independent study for five or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but not be limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The manner, time, frequency, and place for submitting the student's assignments and for reporting his/her progress
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources, including materials and personnel, which will be made available to the student
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion and the number of missed assignments, by grade level and type of program, which will trigger an evaluation of whether the student should be allowed to continue in independent study

5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for an elementary student, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. A statement that independent study is an optional educational alternative in which no student may be required to participate
8. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction (cf. 5144.1 - Suspension and Expulsion/Due Process)
9. Signatures of the student, the parent/guardian or caregiver of the student if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

~~Course-Based Independent Study~~

~~The district shall offer a course-based independent study program for students in grades K-12 subject to the following requirements: (Education Code 51749.5)~~

- ~~1. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject-matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction. (cf. 4112.2 - Certification)~~
- ~~2. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality as equivalent classroom-based courses and shall be aligned to all relevant local and state content standards. This certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses.~~
- ~~3. Students enrolled in these courses shall meet the applicable age requirements established pursuant to Education Code 46300.1 and 46300.4 and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 48204, and 51747.3.~~
- ~~4. Teachers shall communicate with each student in person, by telephone, or by any other live visual or audio-connection at least twice per calendar month to assess whether the student is making satisfactory educational progress. For this purpose, satisfactory educational progress includes, but is not limited to, applicable statewide accountability measures and the completion of assignments, examinations, or other indicators that the student is working on assignments, learning required concepts, and progressing toward successful completion of the course, as determined by the teacher providing instruction.
~~Written or computer-based evidence of satisfactory educational progress shall be retained for each course and student, including, at a minimum, a grade book or summary document that lists all assignments, examinations, and associated grades for each course.
If satisfactory educational progress is not being made, the teacher shall notify the student and, if the student is under age 18 years, his/her parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether he/she should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school. (cf. 5125 - Student Records)~~~~
- ~~5. Examinations shall be administered by a proctor.~~
- ~~6. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be~~

~~included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom based courses.~~

~~(cf. 6162.51—State Academic Achievement Tests)~~

~~7. — A student shall not be required to enroll in courses included in this program.~~

~~8. — The student teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6.~~

~~9. — For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208.~~

~~(cf. 6111—School Calendar)~~

~~(cf. 6112—School Day)~~

~~10. — Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.~~

~~11. — A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011.~~

~~(cf. 3260—Fees and Charges)~~

~~12. — A student shall not be prohibited from participating in independent study solely on the basis that he/she does not have the materials, equipment, or Internet access necessary to participate in the course.~~

Before enrolling a student in a course within this program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, his/her parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the district's policies and procedures related to this program
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to item #2 above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
5. The specific resources, including materials and personnel, which will be made available to the student
6. A statement that the student is not required to enroll in courses in this program
7. Signatures of the student, the student's parent/guardian if the student is under age 18 years, and all teachers providing instruction

The student's or parent/guardian's signature shall constitute permission for the student to receive instruction through independent study. (Education Code 51749.6)

The Superintendent or designee shall retain a physical or electronic copy of the signed learning agreement for at least three years and as appropriate for auditing purposes. (Education Code 51749.6)

Monitoring Student Progress

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of his/her written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor

3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate
4. An increase in the amount of time the student works under direct supervision

When the student has missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether or not independent study is appropriate for the student. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program.

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation. (Education Code 51747)

Independent study students who are late, miss scheduled conferences, or do not submit assigned work on time shall not be reported as tardy or truant.

Responsibilities of Independent Study Administrator

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
2. Approving or denying the participation of students requesting independent study
3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a certificated employee who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with item #4 in the section on "Records" below

5. Providing direct instruction and counsel as necessary for individual student success
6. Regularly meeting with the student to discuss the student's progress
7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.
(cf. 4131 - Staff Development)

Records

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that he/she has personally evaluated the work or that he/she has personally reviewed the evaluations made by another certificated teacher
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
(cf. 3580 - District Records)

The Superintendent or designee also shall maintain a record of grades and other evaluations issued to each student for independent study assignments.

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

Regulation

approved: April 10, 2007

California

revised: August 9, 2011

revised: April 14, 2015

minor revision: June 14, 2016

minor revision: September 13, 2016

revision: November 8, 2016

Sierraville,

Loyalton, California

INSTRUCTIONAL AIDE, SPECIAL EDUCATION

DEFINITION: Under the general or direct supervision of certificated ~~staff member(s)~~, *personnel*, the Special Education Instructional Aide provides para-professional educational services to individuals or small groups of students, assists in meeting the academic and/or special needs of students.

EXAMPLES OF DUTIES:

Duties include, but are not limited to, the following:

- Assist certificated personnel in providing individualized educational services to individuals or small groups of students who have been identified as emotionally, educationally and/or physically handicapped, or who have behavior disorders
- Assist certificated personnel in providing specialized academic support services in a variety of academic subjects and learning disciplines
- Assist students by providing positive role modeling, emotional support, and general guidance, including social skills
- Assist with meeting the Individualized Education Program (IEP) goals of students; participate in IEP meetings and parent conferences as requested
- Assist certificated personnel in the development and preparation of lesson plans
- As directed by the certificated staff, implement lesson plans, prepares instructional materials, and maintains work areas and displays
- Under the direct supervision of certificated personnel, may review/assess student homework and/or tests
- Assist the teacher *and support staff*, in supervision of students for periods of time ~~inside and outside~~ *in the classroom, in the cafeteria, on the playground, or other designated areas as assigned*
- Establish rapport and positive relationship with students and staff members
- Assist in maintaining the assigned classroom/school area in an orderly condition
- Assist the teacher in preparing and maintaining a variety of records, files and reports related to student progress
- Operate instructional equipment, personal computer and office equipment

-
- Perform clerical duties
 - Participate in periodic in-service as directed by certificated staff
 - Perform other related duties as assigned

MINIMUM QUALIFICATIONS:

Knowledge of:

- Basic mathematics, spelling and grammar usage as demonstrated by passage of the District Proficiency Test or the California Basic Educational Skills Test (CBEST)
- Interpersonal relationship skills using tact, patience and courtesy
- Appropriate grade-level student classroom procedures and student conduct/behavior rules
- Behavior management theory and techniques
- Age appropriate academic grade-level standards and curriculum
- Age appropriate games and activities
- Record-keeping techniques
- Verbal and written communication skills
- *District and school codes of conduct and ability to enforce those rules*
- *Basic first aid*
- Mandated child abuse reporting policies and procedures
- Safe work environment practices

ABILITY TO:

- Establish and maintain effective working relationships with others
- Effectively communicate verbally and in writing with students, teachers, support staff and parents
- Understand and follow oral and written directions
- Implement IEP's as designed by certificated and support staff
- Use proper speech articulation, give clear directions, and maintain eye contact
- Work confidentially and with discretion; demonstrate flexibility and work independently
- Learn the procedures, limitations and functions of assigned duties
- Learn to assist with students' specialized needs; relate effectively to students who are educationally, physically, or emotionally challenged

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- Work under the direction of certificated personnel and support staff both in and out of the classroom
 - Maintain accurate records and files
 - Perform clerical duties
 - Operate instructional equipment, personal computer and office equipment

WORKING CONDITIONS:

Diversified classroom settings subject to position assignment, grade-level or location. Instructional Aide may accompany students between classes, recess, lunch break, or on the bus. May experience exposure to abusive *aggressive* behavior from student. *May be assigned to outdoor supervision and exposed to occasional moderate weather conditions.*

PHYSICAL REQUIREMENTS:

- Physical abilities include standing and walking for extended periods of time; sitting/squatting, lifting/carrying, reaching/handling, bending/twisting, talking/hearing, near and far visual acuity/depth perception
- Moderate lifting; may assist with lifting 30-40 pounds
- Dexterity of arms, hands and fingers to operate specialized equipment or assistive devices and to operate office equipment and computer

EDUCATION AND EXPERIENCE:

Possess a high school diploma or education equivalent to graduation from high school and passing score on District Proficiency Test or CBEST. Prefer one year experience working with educationally and/or handicapped students in an organized/educational setting and/or school environment and knowledge of behavior management theory and techniques. Tuberculin test, ~~physical fitness clearance and fingerprint, scan~~ *clearance and medical history questionnaire* required. *Physical fitness clearance may be required.*

First Reading and Adoption: November 10, 2009

Revision: November 8, 2016

z:job description/SCOE Instructional Aide 214

Checks Dated 10/01/2016 through 10/31/2016

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00014483	10/10/2016	CALIFORNIA SCHOOL NURSES ORGANIZATION	01-4300	NURSE SUPPLIES		263.20
00014484	10/10/2016	AMY FILIPPINI	01-5200	PER DIEM/PARKING		72.00
00014485	10/10/2016	JANIS HARDEMAN	01-5810	NURSE SERVICES		3,350.00
00014486	10/10/2016	JANE V. LEE, M.A., LMFT	01-5810	COUNSELING SERVICES		1,280.00
00014487	10/10/2016	LIBERTY UTILITIES CPEC	01-5500	ELECTRICAL SERVICE		212.70
00014488	10/10/2016	MARY LOWE, MFT	01-5810	COUNSELING SERVICES		1,600.00
00014489	10/10/2016	BARBARA MCKURTIS	01-5100	CONTRACTED CONSULTANT AGREEMENT	1,646.06	
			01-5810	CONTRACTED CONSULTANT AGREEMENT	5,510.74	7,156.80
00014490	10/10/2016	MARLENE MONGOLO	01-5899	PER DIEM		91.00
00014491	10/10/2016	NORTHEASTERN JOINT POWERS AUTHORITY	76-9571	WORKER'S COMPENSATION		5,937.50
00014492	10/10/2016	PITNEY BOWES, INC.	01-5600	POSTAGE MACHINE	53.12	
			01-5899	POSTAGE MACHINE	159.38	212.50
00014493	10/10/2016	QUILL CORPORATION	01-4300	OFFICE SUPPLIES		860.25
00014494	10/10/2016	SIERRA COUNTY OFFICE OF EDUCATION	01-5808	BANK SERVICE FEES		60.00
00014495	10/10/2016	TRI COUNTY SCHOOLS INSURANCE GROUP	01-9535	OCT 16 HEALTH INSURANCE	1,873.00	
			76-9576	OCT 16 HEALTH INSURANCE	14,221.10	16,094.10
00014496	10/10/2016	U.S. BANK	01-4300	DESKS	5,223.21	
			01-5899	ADMIN MTG BRKFST	51.93	
				ADMIN MTG LUNCH	100.70	
				DVL WATER	11.10	
				Unpaid Tax	364.41-	5,022.53
00014497	10/10/2016	VOYAGER	01-4350	FUEL EXPENSE	93.22	
			01-5200	FUEL EXPENSE	133.74	
			01-5899	FUEL EXPENSE	78.75	305.71
Total Number of Checks					15	42,518.29

Fund Recap

Fund	Description	Check Count	Expensed Amount
01	County School Service Fund	14	22,724.10
76	Payroll Clearing	2	20,158.60

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.

Checks Dated 10/01/2016 through 10/31/2016

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
			Total Number of Checks	15	42,882.70	
			Less Unpaid Tax Liability		364.41	
			Net (Check Amount)		42,518.29	

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

Balances through October						Fiscal Year 2016/17
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund						
1100	Teachers Salaries	239,007.00	239,007.00	177,986.96	55,581.13	5,438.91
1120	Certificated Substitutes				1,500.00	1,500.00-
1200	Certificated Pupil Support Ser	63,839.00	63,839.00	48,464.88	12,126.22	3,247.90
1300	Certificated Supervisor Admini	170,833.00	170,833.00	114,632.88	59,469.99	3,269.87-
	Total for Object 1000	473,679.00	473,679.00	341,084.72	128,677.34	3,916.94
2100	Instructional Aides' Salaries	91,496.00	91,496.00	65,924.72	21,623.97	3,947.31
2105	Per Diem - Same Day Travel				22.00	22.00-
2200	Classified Support Salaries	22,358.00	22,358.00	7,949.49	3,521.14	10,887.37
2300	Classified Supervisors' Admini	101,356.00	101,356.00	67,089.60	33,664.80	601.60
2400	Clerical Technical Office Staf	131,117.00	131,117.00	88,987.02	42,129.54	.44
2900	Other Classified Salaries	13,638.00	13,638.00		735.00	12,903.00
	Total for Object 2000	359,965.00	359,965.00	229,950.83	101,696.45	28,317.72
3101	STRS Certificated Positions	59,287.00	59,287.00	42,455.52	15,881.90	949.58
3102	STRS Classified Positions	1,650.00	1,650.00	451.84	112.96	1,085.20
3201	PERS Certificated Positions				9.72	9.72-
3202	PERS Classified Positions	59,611.00	59,611.00	41,344.32	18,643.96	377.28-
3301	OASDI Certificated Positions				4.34	4.34-
3302	OASDI Classified Positions	21,633.00	21,633.00	13,570.94	6,135.82	1,926.24
3311	Medicare Certificated Position	6,234.00	6,234.00	4,499.36	1,707.65	26.99
3312	Medicare Classified Positions	5,157.00	5,157.00	3,225.96	1,450.83	480.21
3401	Health & Welfare Benefits Cert	94,367.00	94,367.00	71,375.92	22,803.48	187.60
3402	Health & Welfare Benefits Clas	59,571.00	59,571.00	50,646.76	20,793.24	11,869.00-
3501	SUI Certificated	329.00	329.00	170.56	64.48	93.96
3502	SUI Classified	249.00	249.00	114.88	50.39	83.73
3601	Workers' Compensation Certific	881.00	881.00	11,515.60	4,370.33	15,004.93-
3602	Workers' Compensation Classifi	1,590.00	1,590.00	8,255.79	3,712.87	10,378.66-
3902	Golden Handshake-Class	6,920.00	6,920.00		13,840.50	6,920.50-
	Total for Object 3000	317,479.00	317,479.00	247,627.45	109,582.47	39,730.92-
4100	Approved Textbooks Core Curric	410.00	410.00			410.00
4200	Library and Reference Material	444.00	444.00			444.00
4300	Materials and Supplies	23,277.00	23,277.00	4,388.26	9,136.47	9,752.27
4320	Custodial Grounds Supplies	2,972.00	2,972.00			2,972.00
4330	Office Supplies	1,000.00	1,000.00			1,000.00
4350	Vehicle Upkeep	5,500.00	5,500.00	2,111.15	108.86	3,279.99
4400	Noncapitalized Equipment	9,561.00	9,561.00	547.38	2,909.22	6,104.40

Balances through October						Fiscal Year 2016/17
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund (continued)						
Total for Object 4000		43,164.00	43,164.00	7,046.79	12,154.55	23,962.66
5100	Subagreements for Services	42,000.00	42,000.00	40,063.88	3,820.32	1,884.20-
5200	Travel and Conference	23,280.00	23,280.00	41,513.91	3,144.62	21,378.53-
5300	Dues and Membership	18,370.00	18,370.00	490.00	9,991.50	7,888.50
5400	Insurance	9,300.00	9,300.00		8,191.00	1,109.00
5500	Operation Housekeeping Service	9,200.00	9,200.00	2,448.14	551.86	6,200.00
5600	Rentals, Leases, Repairs, Nonc	2,600.00	2,600.00	249.98	142.48	2,207.54
5801	Legal Services	25,500.00	25,500.00	1,000.00		24,500.00
5803	Legal Publications	500.00	500.00			500.00
5805	Personnel Expense	613.00	613.00	100.00		513.00
5806	Negotiations	1,000.00	1,000.00			1,000.00
5808	Other Services & Fees	1,500.00	1,500.00	1,236.40	263.60	.00
5810	Contracted Services	444,507.00	444,507.00	93,607.82	61,589.46	289,309.72
5899	SPJUSD to Reimburse			3,504.76	729.36	4,234.12-
5900	Communications	1,600.00	1,600.00	302.65		1,297.35
Total for Object 5000		579,970.00	579,970.00	184,517.54	88,424.20	307,028.26
6200	Building and Improvement of Bu	30,032.00	30,032.00			30,032.00
6400	Equipment	30,300.00	30,300.00			30,300.00
Total for Object 6000		60,332.00	60,332.00	.00	.00	60,332.00
7141	Tuition, excess cost etc betwe	27,582.00	27,582.00			27,582.00
7310	Direct Support/Indirect Costs					.00
Total for Object 7000		27,582.00	27,582.00	.00	.00	27,582.00
Total for Fund 01 and Expense accounts		1,862,171.00	1,862,171.00	1,010,227.33	440,535.01	411,408.66
Fund 16 - FOREST RES						
7211	Transfers of Pass-through Rev	80,000.00	80,000.00			80,000.00
7619	Other Authorized Interfund Tra	13,360.00	13,360.00			13,360.00
Total for Fund 16, Expense accounts and Object 7000		93,360.00	93,360.00	.00	.00	93,360.00
Total for Org 001 - Sierra County Office of Education		1,955,531.00	1,955,531.00	1,010,227.33	440,535.01	504,768.66