

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

May 9, 2017

5:00 pm CLOSED SESSION

6:00 pm REGULAR SESSION

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

This meeting will be available for videoconferencing at Downieville School, 130 School St., 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 items.

E. CLOSED SESSION

The Board of Trustees, Superintendent Dr. Merrill M. Grant and Business Manager Nona Griesert will move in to 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: Sierra-Plumas Classified Employees

Confidential Employees

Administrative Employees

Superintendent

F. RETURN TO OPEN SESSION

ADJOURN FOR BREAK

G. 6:00 pm - RECONVENE

H. FLAG SALUTE

I. REPORT OUT FROM CLOSED SESSION

J. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report
 - a. Loyalton Elementary School Community Forum
 - b. Upcoming Community Forums
 - May 10, Loyalton High School
 - May 16, Downieville School
2. Business Report
 - a. Account Object Summary-Balance from 07/01/16 to 4/30/17**

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3. Staff Reports (5 minutes)
4. Board Members' Report (5 minutes)
5. 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

K. CONSENT CALENDAR

1. Approval of minutes of the Regular Board meeting held April 11, 2017**
2. Approval of Board Report – Checks Dated 4/1/2017 through 4/30/2017**
3. Review of BP/AR/E 5116.1, Intradistrict Open Enrollment** (The Board shall annually review this policy. Education Code 35160.5, 48980)
4. Authorization to enter into a Memorandum of Understanding between Sierra County Office of Education and Sierra-Plumas Joint Unified School District, #2018-02C*

L. ACTION ITEMS

1. New Business

PUBLIC HEARING-LCAP

1617-99 Public Hearing to receive public comment on the Proposed 2017-18 Local Control and Accountability Plan (Grant)

PUBLIC HEARING-SCOE Budget

1617-100 Public Hearing to receive public comment on the 2017-18 Proposed Budget (Grant)

PUBLIC HEARING-Proposition 30, Education Protection Account

1617-101 Public Hearing to receive public comment on the use of Proposition 30 funding for 2017-2018 (Grant)

PUBLIC HEARING-Collective Bargaining Disclosure Statement

1617-102 *This is an opportunity for members of the public to directly address the governing board on the Collective Bargaining Agreement, Item 1617-103 through and including 108 listed on this Agenda under Action Items.*

1617-103 Presentation of Classified Employees' Initial Proposal for the 2016-17 Academic Year**

1617-104 Completion of Bargaining Sierra-Plumas Teachers Association, 2016-2017 Negotiations*

1617-105 Completion of Bargaining, Administration, 2016-2017 Negotiations*

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- 1617-106 Completion of Bargaining, Sierra-Plumas Classified Employees, 2016-2017 Negotiations*
 - 1617-107 Completion of Bargaining, Classified Management Employees, 2016-2017 Negotiations*
 - 1617-108 Completion of Bargaining, Confidential Employees, 2016-2017 Negotiations*
 - 1617-109 Adoption of Resolution 17-001, Set Superintendent Salary**
 - 1617-110 Authorization for Certificated Employees to participate in up to three Staff Development Activities during 2017-18, designed by teachers for teachers pursuant to the provision of SB1193, at least six hours in length, to be compensated at the rate of \$200 per documented Staff Development Activity.
(SPTA Collective Bargaining Agreement Article 3.11)
 - 1617-111 Authorization to fill Bus Driver Position, .35 FTE
- APPROVAL OF BOARD POLICIES AND ADMINISTRATIVE REGULATIONS
- 1617-112 Board Policy 4034, School/Office Closure Due to Emergency Conditions (New)**
 - 1617-113 Exhibit 5145.6, Parental Notifications, revision**
 - 1617-114 Board Policy 6111, School Calendar, revision**
 - 1617-115 Board Policy 6144, Controversial Issues, revision**
 - 1617-116 Board Policy and Administrative Regulation 6174, Education for English Learners, revision**


M. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on June 13, 2017, at Downieville School, 130 School St., 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. _____

N. ADJOURN



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

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

Balances through April						Fiscal Year 2016/17
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund						
1100	Teachers Salaries	239,007.00	250,623.00	44,496.74	200,223.57	5,902.69
1120	Certificated Substitutes		1,200.00		4,870.00	3,670.00-
1200	Certificated Pupil Support Ser	63,839.00	60,613.00	12,116.22	48,516.88	20.10-
1300	Certificated Supervisor Admini	170,833.00	176,531.00	28,658.22	145,444.65	2,428.13
1310	Teacher in Charge				1,000.00	1,000.00-
	Total for Object 1000	473,679.00	488,967.00	85,271.18	400,055.10	3,640.72
2100	Instructional Aides' Salaries	91,496.00	94,976.00	19,557.80	73,471.51	1,946.69
2105	Per Diem - Same Day Travel		51.00		51.00	.00
2120	Classified Substitutes				172.71	172.71-
2200	Classified Support Salaries	22,358.00	15,850.00	2,226.21	9,244.42	4,379.37
2300	Classified Supervisors' Admini	101,356.00	89,925.00	13,904.00	94,241.12	18,220.12-
2400	Clerical Technical Office Staf	131,117.00	131,117.00	22,442.40	109,215.48	540.88-
2900	Other Classified Salaries	13,638.00	12,099.00		8,421.65	3,677.35
	Total for Object 2000	359,965.00	344,018.00	58,130.41	294,817.89	8,930.30-
3101	STRS Certificated Positions	59,287.00	86,923.00	10,613.88	49,542.89	26,766.23
3102	STRS Classified Positions	1,650.00	1,715.00	112.96	797.79	804.25
3201	PERS Certificated Positions				40.27	40.27-
3202	PERS Classified Positions	59,611.00	56,439.00	8,498.70	47,420.90	519.40
3301	OASDI Certificated Positions		74.00		49.60	24.40
3302	OASDI Classified Positions	21,633.00	20,535.00	3,432.59	18,272.19	1,169.78-
3311	Medicare Certificated Position	6,234.00	6,216.00	1,124.90	5,308.01	216.91-
3312	Medicare Classified Positions	5,157.00	4,901.00	815.80	4,370.56	285.36-
3401	Health & Welfare Benefits Cert	94,367.00	99,658.00	18,249.58	77,953.42	3,455.00
3402	Health & Welfare Benefits Clas	59,571.00	77,330.00	13,103.36	59,802.14	4,424.50
3501	SUI Certificated	329.00	234.00	42.64	200.20	8.84-
3502	SUI Classified	249.00	176.00	29.08	150.98	4.06-
3601	Workers' Compensation Certific	881.00	15,907.00	2,878.98	13,584.77	556.75-
3602	Workers' Compensation Classifi	1,590.00	11,997.00	2,087.81	11,511.55	1,602.36-
3902	Golden Handshake-Class	6,920.00	27,682.00		27,681.00	1.00
	Total for Object 3000	317,479.00	409,787.00	60,990.28	316,686.27	32,110.45
4100	Approved Textbooks Core Curric	410.00	2,237.00			2,237.00
4200	Library and Reference Material	444.00				.00
4300	Materials and Supplies	23,277.00	46,325.00	3,195.55	19,567.43	23,562.02
4320	Custodial Grounds Supplies	2,972.00	500.00			500.00
4330	Office Supplies	1,000.00	1,000.00	191.49	894.93	86.42-

Balances through April						Fiscal Year 2016/17
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund (continued)						
4350	Vehicle Upkeep	5,500.00	5,500.00	2,407.34	594.69	2,497.97
4400	Noncapitalized Equipment	9,561.00	22,765.00		16,614.06	6,150.94
	Total for Object 4000	43,164.00	78,327.00	5,794.38	37,671.11	34,861.51
5100	Subagreements for Services	42,000.00	91,000.00	14,760.90	29,123.30	47,115.80
5200	Travel and Conference	23,280.00	27,624.00	43,444.51	15,049.29	30,869.80-
5300	Dues and Membership	18,370.00	19,083.00	122.50	10,458.00	8,502.50
5400	Insurance	9,300.00	9,300.00		8,191.00	1,109.00
5500	Operation Housekeeping Service	9,200.00	9,200.00	689.76	6,529.53	1,980.71
5600	Rentals, Leases, Repairs, Nonc	2,600.00	3,100.00	583.35	548.96	1,967.69
5801	Legal Services	25,500.00	20,500.00	1,000.00		19,500.00
5803	Legal Publications	500.00	500.00			500.00
5805	Personnel Expense	613.00	613.00	100.00	71.15	441.85
5806	Negotiations	1,000.00	1,000.00			1,000.00
5808	Other Services & Fees	1,500.00	1,500.00	580.93	919.07	.00
5810	Contracted Services	444,507.00	483,873.00	107,096.41	280,159.19	96,617.40
5899	SPJUSD to Reimburse			3,582.93	2,330.33	5,913.26-
5900	Communications	1,600.00	1,900.00		894.89	1,005.11
	Total for Object 5000	579,970.00	669,193.00	171,961.29	354,274.71	142,957.00
6200	Building and Improvement of Bu	30,032.00	64,032.00	49,943.09	5,424.91	8,664.00
6400	Equipment	30,300.00	20,000.00			20,000.00
	Total for Object 6000	60,332.00	84,032.00	49,943.09	5,424.91	28,664.00
7141	Tuition, excess cost etc betwe	27,582.00	24,428.00			24,428.00
7299	All Other Transfers Out				20,000.00	20,000.00-
7310	Direct Support/Indirect Costs					.00
	Total for Object 7000	27,582.00	24,428.00	.00	20,000.00	4,428.00
	Total for Fund 01 and Expense accounts	1,862,171.00	2,098,752.00	432,090.63	1,428,929.99	237,731.38
Fund 16 - FOREST RES						
7211	Transfers of Pass-through Rev	80,000.00	80,000.00		86,209.41	6,209.41-
7619	Other Authorized Interfund Tra	13,360.00	13,360.00		15,213.42	1,853.42-
	Total for Fund 16, Expense accounts and Object 7000	93,360.00	93,360.00	.00	101,422.83	8,062.83-
	Total for Org 001 - Sierra County Office of Education	1,955,531.00	2,192,112.00	432,090.63	1,530,352.82	229,668.55

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

April 11, 2017

6:00 pm REGULAR SESSION

Downieville School, 130 School St., Downieville, CA 95936

This meeting was available for videoconferencing at Sierra County Office of Education, 109 Beckwith Rd., Loyalton, CA 96118

A. CALL TO ORDER

President SHARON DRYDEN called the meeting to order at 6:04 pm.

B. ROLL CALL

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

ABSENT: None

C. APPROVAL OF THE AGENDA

MOORE/HALL

5/0

D. FLAG SALUTE

A. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report
 - a. 2017-18 SELPA Director and Staff Reorganization – Dr. Grant will be the official SELPA Director and act as signatory for the program for the first year. Other duties will be dispersed among the new teacher, the psychologist will step up in leadership roles. The Board is asking for updates when the new plan is in place. Dr. Grant will provide the board with periodic evaluations.
 - b. Unpaid Leave of Absence request from Elizabeth Elorza, August-November 2017, for purpose of student teaching; instructional aide 4.25 hours daily
 - c. Local Control Accountability Plan Stakeholder Meeting Dates:
 - Loyalton Elementary School – May 2, 2017
 - Downieville Schools – May 10, 2017
 - Loyalton High School – May 16, 2017
2. Business Report
 - a. Account Object Summary-Balance from 07/01/16 to 03/31/17
 - b. Positive Certification Letter from California Department of Education
DRYDEN expressed appreciation and noted that the positive certification states: “To the extent that collective bargaining agreements result in additional ongoing costs, we advise you that such increased costs should be supported by additional ongoing revenues or ongoing reduction of expenditures.”
3. Staff Reports (5 minutes) - None
4. SPTA Report (5 minutes) - None

5. Board Members' Report (5 minutes) – Sierra Schools Foundation and the District sponsored *Screenagers*, an informational movie recently shows at district schools. The board discussed the dangers of constant use of cell phones for developing students.
6. Public Comment –
 - a. Current location-None
 - b. Videoconference location
 - A concerned parent – speaking on behalf of the working parents regarding school shortened days – expressed her concern with the proposed shortened school day, one per week, next year. She inquired if the district had considered all the students needing day care? She spoke to Sierra Kids and they do not have any additional room for after school kids. She drops her children off daily to the school and Sierra Kids and she expressed how doing so is creating a hardship. She indicated that *Screenagers* supported the fact that there is a concern for teenage students who are unsupervised.
 - Megan Meschery, Loyalton High School teacher: *Screenagers* in Downieville was well received and parents and students both expressed their concerns and appreciation for the need to become aware of the pitfalls of cell phone use.

B. CONSENT CALENDAR

1. Approval of Minutes of the Regular Board meeting held March 14, 2017
2. Approval of Board Report – Checks Dated 3/01/17 through 3/31/17
3. Approval of Quarterly Report on Williams Uniform Complaints for quarter ending March 31, 2017. 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 3/31/2017.
MOORE/WRIGHT
5/0

C. ACTION ITEMS

1. New Business

- 1617-88 **Discussion and Public Hearing** on 2017-2018 Shortened Instructional Days (School Days) opened at 6:23 pm and closed at 6:37 pm. Discussion centered on:
1. Child Care concerns-for an early release.
 2. Downieville parent – questions on release times and agendas for PLC days
 3. Possible release times a) 1:30, on the bus at 1:40, b) 1:40 and on the bus at 1:50. The teacher session would be just over an hour.
 4. DRYDEN- many districts have adopted shortened days to relieve the time constraints on teachers learning the new curriculum assigned by the state
 5. MOORE stated he is in favor of the Wednesday early release
Mrs. Meschery, Loyalton High School teacher, suggested to plan sport games early on Wednesday; provide music classes, such as Carnegie, on Wednesdays.
Ms. Ceresola, Loyalton Elementary School Administrator, informed the board that most parents who have commented on the shortened days inquire of the *purpose* of the early release days.
Ms. Robin Bolle, Downieville High School teacher, recommended seeking suggestions from Sierra County Children's Council/First Five

1617-89 Approval of 2017-2018 Shortened Instructional Days
WRIGHT commented that Downieville WASC team identified a need for increased staff development
Thank you to the parent who came forward with concerns.
DRISCOLL/WRIGHT
5/0

1617-90 Approval of 2017-2018 School Calendar
MOORE/HALL
5/0

1617-91 Adoption of Resolution No. 16-07, Changing Office of Public Construction Authorized Signatory
MOORE/WRIGHT
TRUSTEE DRISCOLL AYE
TRUSTEE DRYDEN AYE
TRUSTEE HALL AYE
TRUSTEE MOORE AYE
TRUSTEE WRIGHT AYE
5/0

APPROVAL OF BOARD POLICIES AND ADMINISTRATIVE REGULATIONS
MOORE motioned to approve Items 1617-92 through and including 1617-98
HALL seconded
5/0

- 1617-92 Board Policy 0460, Local Control and Accountability Plan
- 1617-93 Board Policy and Administrative Regulation 3260, Fees and Charges
- 1617-94 Exhibit 4112.9/4212.9/4312.9, Employee Notifications
- 1617-95 Board Policy 5111, Admission
- 1617-96 Board Policy 5111.1, District Residency
- 1617-97 Board Policy and Administrative Regulation 5113, Absences and Excuses
- 1617-98 Board Policy and Administrative Regulation 5141.52, Suicide Prevention

D. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on May 9, 2017, at Sierra County Office of Education, 109 Beckwith Rd., Loyalton, CA 96118, beginning with Closed Session, as needed, at 5 pm and the Regular Board Meeting at 6:00 pm
2. Suggested Agenda Items
 - a. Negotiations

E. ADJOURN
DRISCOLL/HALL
6:48 pm

Allen Wright, Clerk

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

Checks Dated 04/01/2017 through 04/30/2017

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00014624	04/07/2017	HEIDI BETHKE	01-4350	MILEAGE REIMBURSE	52.97	
			01-5200	PER DIEM	78.00	130.97
00014625	04/07/2017	CASBO	01-5200	WORKSHOP REGISTRATION	76.25	
			01-5899	WORKSHOP REGISTRATION	228.75	305.00
00014626	04/07/2017	CDW GOVERNMENT, INC.	01-4400	WORKABILITY COMPUTER		662.44
00014627	04/07/2017	AMY FILIPPINI	01-5200	PER DIEM	65.00	
				PER DIEM/PARKING	102.00	167.00
00014628	04/07/2017	JANIS HARDEMAN	01-5810	NURSE SERVICES		3,200.00
00014629	04/07/2017	KIDS, INC	01-5200	ONLINE TRAINING MODULE		150.00
00014630	04/07/2017	JANE V. LEE, M.A., LMFT	01-5810	COUNSELING SERVICES		1,600.00
00014631	04/07/2017	LES SCHAWB	01-4350	VEHICLE SERVICE	20.00	
			01-5600	VEHICLE SERVICE	10.00	
			01-5899	VEHICLE SERVICE	10.00	40.00
00014632	04/07/2017	LIBERTY UTILITIES CPEC	01-5500	ELECTRICAL SERVICE		275.97
00014633	04/07/2017	MARY LOWE, MFT	01-5810	COUNSELING SERVICES		1,440.00
00014634	04/07/2017	BARBARA MCKURTIS	01-5100	CONTRACTED CONSULTANT AGREEMENT		8,946.00
00014635	04/07/2017	OFFICE DEPOT	01-4300	CLASSROOM SUPPLIES		53.17
00014636	04/07/2017	RESIDENCE INN SACRAMENTO DOWNTOWN AT CAPITOL PARK	01-5200	HOTEL ACCOMODATIONS		160.20
00014637	04/07/2017	SIERRA BOOSTER	01-5810	ADVERTISING		52.50
00014638	04/07/2017	SIERRA VALLEY HOME CENTER	01-4300	MISC. SHOP SUPPLIES		98.79
00014639	04/07/2017	SMARTWATT ENERGY, INC.	01-6200	LIGHTING	5,424.91	
			01-9515	LIGHTING	271.25-	5,153.66
00014640	04/07/2017	TRI COUNTY SCHOOLS INSURANCE GROUP	01-9535	MAR 17 HEALTH INSURANCE	1,104.00	
			76-9576	MAR 17 HEALTH INSURANCE	16,961.90	18,065.90
00014641	04/07/2017	U.S. BANK	01-5200	CSR/EARLY ADPT NETWORK MTG	102.08	
			01-5899	MTSS TRAINING	124.22	226.30
00014642	04/07/2017	VOYAGER	01-4350	FUEL EXPENSE	112.23	
			01-5200	FUEL EXPENSE	168.64	
			01-5810	FUEL EXPENSE	23.80	
			01-5899	FUEL EXPENSE	15.62	320.29
00014643	04/07/2017	WPS	01-4300	DIAGNOSTIC OBSERVATION SCALE		3,591.16
00014644	04/07/2017	ALLEN WRIGHT	01-5200	PER DIEM		20.07
Total Number of Checks					21	44,659.42

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

Checks Dated 04/01/2017 through 04/30/2017

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
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Fund Summary

<u>Fund</u>	<u>Description</u>	<u>Check Count</u>	<u>Expensed Amount</u>
01	County School Service Fund	21	27,697.52
76	Payroll Clearing	1	16,961.90
	Total Number of Checks	21	44,659.42
	Less Unpaid Sales Tax Liability		.00
	Net (Check Amount)		44,659.42

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

Sierra County/Sierra-Plumas Joint USD

Board Policy

Intradistrict Open Enrollment

BP 5116.1

Students

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also maximizing the efficient use of district facilities. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

(cf. 5117 - Interdistrict Attendance)

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of their residence within the district. (Education Code 35160.5)

(cf. 5111.1 - District Residency)

The Board shall annually review this policy. (Education Code 35160.5, 48980)

Enrollment Priorities

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (Education Code 35160.5)

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall grant priority to any district student to attend another district school, including a charter school, outside of his/her attendance area as follows:

1. Any student enrolled in a district school that has been identified on the state's Open Enrollment Act list (Education Code 48354)

(cf. 5118 - Open Enrollment Act Transfers)

2. Any student enrolled in a district school designated by the California Department of Education as "persistently dangerous" (20 USC 7912; 5 CCR 11992)

(cf. 0450 - Comprehensive Safety Plan)

3. Any student who is a victim of a violent crime while on school grounds (20 USC 7912)

4. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code 35160.5)

a. A written statement from a representative of an appropriate state or local agency, including, but not necessarily limited to, a law enforcement official, social worker, or a properly licensed or registered professional such as a psychiatrist, psychologist, or marriage and family therapist

b. A court order, including a temporary restraining order and injunction

5. Any sibling of a student already in attendance in that school

6. Any student whose parent/guardian is assigned to that school as his/her primary place of employment

Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for intradistrict open enrollment shall be submitted between May 1 and June 30 of the school year preceding the school year for which the transfer is requested.

The Superintendent or designee shall calculate each school's capacity in a nonarbitrary manner using student enrollment and available space. (Education Code 35160.5)

Except for priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school's capacity. (Education Code 35160.5)

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

Transportation

Except as required for students who transferred out of a Title I program improvement school, the district shall not be obligated to provide transportation for students who attend school outside their attendance area.

(cf. 3250 - Transportation Fees)

(cf. 3540 - Transportation)

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

Policy SIERRA COUNTY OFFICE OF EDUCATION

adopted: April 10, 2007 Sierraville, California

revised: May 10, 2011 Loyalton, California

revised: September 13, 2016

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Intradistrict Open Enrollment

AR 5116.1

Students

Transfers for Victims of a Violent Criminal Offense

Within a reasonable amount of time, not to exceed 14 days, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. In making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and his/her parent/guardian in making the offer. If the parent/guardian elects to transfer his/her child, the transfer shall be completed as soon as practicable.

Transfers from a "Persistently Dangerous" School

Upon receipt of notification from the California Department of Education (CDE) that a district school has been designated as "persistently dangerous," the Superintendent or designee shall provide parents/guardians of students attending the school with the following notifications:

1. Within 10 days of receipt of the notification from CDE, notice of the school's designation
2. Within 20 days of receipt of the notification from CDE, notice of the option to transfer their child

(cf. 0450 - Comprehensive Safety Plan)

Parents/guardians who desire to transfer their child out of a "persistently dangerous" school shall provide a written request to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students. The Superintendent or designee may establish a reasonable timeline, not to exceed seven school days, for the submission of parent/guardian requests.

The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. For students whose parents/guardians accept the offer, the transfer shall generally be made within 30 school days of receiving the notice of the school's designation from the CDE. If parents/guardians decline the assigned school, the student may remain in his/her current school.

The transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous." The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

The Superintendent or designee shall cooperate with neighboring districts to develop an interdistrict transfer program in the event that space is not available in a district school.

(cf. 5117 - Interdistrict Attendance)

Other Intradistrict Open Enrollment

Except for transfers for victims of a violent crime and from a "persistently dangerous school," the following procedures shall apply to intradistrict open enrollment:

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of those schools and open enrollment applications shall be available at each school site, the district office, and on the district's web site.
2. After the enrollment priorities have been applied in accordance with Board policy, if there are more requests for a particular school than there are spaces available, a random drawing shall be held from the applicant pool. A waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Late applicants shall not be added to the waiting list for the current year but shall instead wait for a subsequent lottery.
3. The Superintendent or designee shall provide written notification to applicants as to whether their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.

4. Approved applicants must confirm their enrollment within 10 school days.

Any student who, prior to the 2016-17 school year, was granted a transfer out of a Title I school that had been identified for program improvement shall be allowed to remain in the school of enrollment until he/she completes the highest grade offered at that school.

(cf. 0520.2 - Title I Program Improvement Schools)

A student granted intradistrict enrollment under other circumstances shall not be required to reapply for readmission but may be subject to displacement due to excessive enrollment.

Any complaints regarding the open enrollment process shall be submitted in accordance with the applicable complaint procedure.

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (Education Code 35160.5, 48980)

1. All options for meeting residency requirements for school attendance

(cf. 5111.1 - District Residency)

(cf. 5118 - Open Enrollment Act Transfers)

2. Program options offered within local attendance areas

3. A description of any special program options available on both an interdistrict and intradistrict basis

4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied

5. A district application form for requesting a change of attendance

6. The explanation of attendance options under California law as provided by the CDE

(cf. 5145.6 - Parental Notifications)

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
Regulation SIERRA COUNTY OFFICE OF EDUCATION
approved: April 10, 2007 Sierraville, California
revised: May 10, 2011 Loyalton, California
revised: September 13, 2016

Sierra County/Sierra-Plumas Joint USD

Exhibit

Intradistrict Open Enrollment

E 5116.1
Students

PARENTAL NOTIFICATION: OPTION TO TRANSFER FROM A PERSISTENTLY DANGEROUS SCHOOL

Dear Parents/Guardians:

The California Department of Education has designated the _____ School as a "persistently dangerous" school based on state criteria which include expulsion rates for certain types of offenses, gun-free schools violations and violent criminal offenses committed on school property.

Federal law requires that all parents/guardians of students in this school be offered an opportunity to transfer their children to another eligible district school or charter school which has not been so designated. Such transfers would take effect on [date].

The following schools are available to accept transfers:

Other district schools may not appear on this list because either (1) they also have been identified as "persistently dangerous," or (2) the Superintendent has determined that all transfer requests can be accomplished among the above schools.

Information about each available school is enclosed, including information on academic achievement.

If you decide you want to transfer your child, please submit your top [number] choices of schools on the enclosed form by [date] to the [district office or the principal at your child's school]. It cannot be guaranteed that your first choice will be available, but your preferences will be considered.

If you choose to transfer your child, you will be expected to provide or arrange for transportation to and from the child's school. As funds and space permit, transportation may be provided upon request, with priority given to students with the greatest financial need.

Exhibit SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
version: April 10, 2007 Sierraville, California

PARENT/GUARDIAN TRANSFER REQUEST FROM A "PERSISTENTLY DANGEROUS" SCHOOL

Instructions: To request a transfer for your child out of a school that has been designated as "persistently dangerous," please complete the following form and return it by [return date] to the [district office or to your child's school]. You will be notified by [date] regarding your child's school assignment for the next school year and your options if you decide to decline the school assignment at that time.

Child's Name: _____

Parent/Guardian's Name: _____ Signature: _____

School Child Currently Attends: _____

Please write numbers in the boxes below to rank your top [number] choices of available schools:

_____ [school name] _____
? _____ [school name] _____
_____ [school name] _____

If you have any questions, please contact [name] at [phone number].

Exhibit SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
version: April 10, 2007 Sierraville, California

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

**SIERRA-PLUMAS CLASSIFIED EMPLOYEES ASSOCIATION (S-PCEA)
2016-2017 INITIAL BARGAINING AGREEMENT PROPOSAL**

Presented May 9, 2017

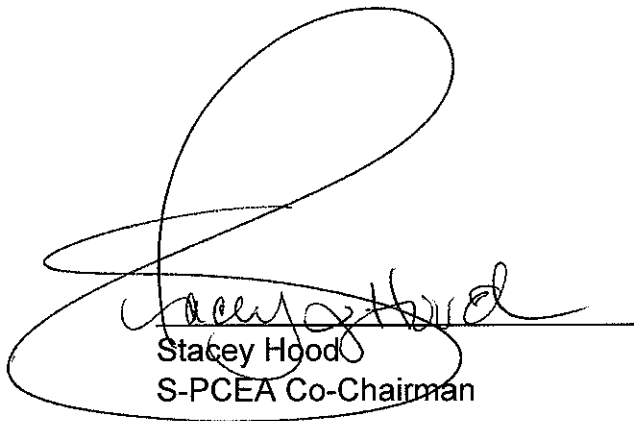
The Sierra County Office of Education and the Sierra-Plumas Joint Unified School District Classified Employees propose the following for 2016-2017 salary and benefits:

A. Article 19, Wages

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

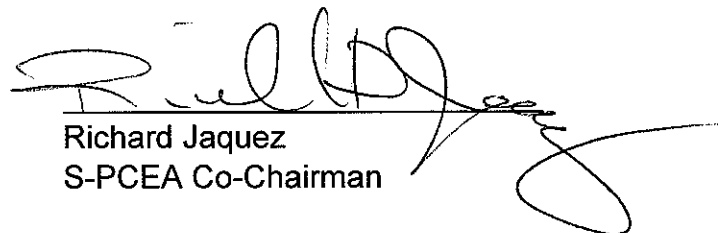
B. Article 12, Benefits

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



Stacey Hood
S-PCEA Co-Chairman

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



Richard Jaquez
S-PCEA Co-Chairman

Dated: May 2, 2017

SIERRA COUNTY OFFICE OF EDUCATION

RESOLUTION NO. 17-001

SET SUPERINTENDENT SALARY

WHEREAS, the County Superintendent of Schools shall be appointed by the Sierra County Board of Education; and

WHEREAS, the California Constitution, Article 9, Section 3.1(b) authorizes the County Board to set the County Superintendent’s salary; and

WHEREAS, pursuant to Education Code §35034 and §35035 the County Superintendent may serve as District Superintendent, Chief Executive Officer and Secretary of the District Governing Board; and

WHEREAS, the County Superintendent of Schools may serve as both County and District Superintendent; and

WHEREAS, the County Superintendent salary will be set at \$_____ per annum, effective July 1, 2017; and

NOW, THEREFORE, BE IT RESOLVED that effective upon being appointed County Superintendent of Schools effective July 1, 2017, the Sierra County Superintendent of Schools shall be paid \$_____ for services July 1, 2017, through June 30, _____.

PASSED AND ADOPTED by the Sierra County Board of Education on this 13th day of June, 2017, by the following votes:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____
VACANT: _____

Tim Driscoll, Clerk

Sierra County/Sierra-Plumas Joint USD

Board Policy

Personnel

BP 4034

School/Office Closure Due to Emergency Conditions

School/Office Closures Due to Emergency Conditions

There will be times due to power outage, inclement weather or other causes beyond human control that the Superintendent, or designee, may determine that continuing to work at the Sierra County Office of Education (County) and/or a Sierra-Plumas Joint Unified School District (District) facility would pose a danger to personnel. The Superintendent will make the final decision in school and/or office closures.

If a crises or emergency occurs at a County or District site, all employees will follow the site Safety Plan procedures and the Administrator, or designee, will contact the Superintendent. The Superintendent will coordinate with Administrators, appropriate staff, and law enforcement when applicable, to plan and implement a response to the specific crises.

School closures, i.e. “snow days” or “late start” days due to inclement weather or other emergencies, will be determined by the Superintendent in a timely manner. If the Superintendent closes a facility during a work day, all employees working at the time would count that day as a full work day.

Employees who lost time by late arrival to the facility, early departure, or chose to stay home for safety concerns, may elect leave day(s) as follows:

1. Vacation, if available;
2. County/District leave, if available;
3. Personal Necessity, if emergency qualifies;
4. Leave Without pay

Classified and Confidential employees may request from his/her supervisor a means of allowing them to make up the time and lost wage. An Administrator or supervisor must approve how and when an employee will make up the time. An employee who has approval to make up time, will mark on a timesheet, “EC” for Emergency Conditions. An employee must make up approved time within the same school year calendar.

Certificated employees who work a designated number of days tied to a school instructional day calendar, will be paid their normal monthly paycheck but will make up the day(s) within the remaining instructional days for current school year as determined by the Superintendent. If the day cannot be made up, the employees will be paid for the time they would have worked.

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

Adopted: May 9, 2017

Sierra County/Sierra-Plumas Joint USD

Exhibit

Students

E 5145.6

PARENTAL NOTIFICATIONS

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	Education Code 310	BP 6174 AR 6142.2	Information on the district's language acquisition programs
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides, integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules
Beginning of each school year	Education Code 46010.1	BP AR 5113	Absence for confidential medical services
Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	District policy authorizing transfer
Beginning of each school year	Education Code 48980	BP 6111	Schedule of minimum days and student-free staff development days
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917	AR 5145.7	Copy of ss sexual harassment policy as related to students
Beginning of each school year	Education Code 48980, 32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	BP 5113 AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	BP 5113 AR 5113 AR BP 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code 48980, 49403	BP 5141.31	School immunization program
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication
Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year	Education Code 49013; 5 CCR 4622	AR 1312.3	Uniform complaint procedures, available appeals, civil law remedies
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Free and reduced price meals
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools
Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR 200.61	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

II. At Specific Times During the Student's Academic Career

Beginning in grade 7, at least once prior to course +selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
Upon a student's enrollment	Education Code 310	BP 6174 AR 6142.2	Information on the district's language acquisition programs
When child first enrolls in a public school, if school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program
When participating in driver training courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	AR 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria
Upon a student's enrollment	Education Code 49063	AR 5125 AR 5125.3	Specified rights related to student records
When students entering grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education; right to view A/V materials, who's teaching whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse
Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release name, address, phone number of child to military recruiters without prior written consent
In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur			
When student is identified as English learner and district receives Title I or Title III funds for English learner programs , not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	Education Code 440; 20 USC 7012 6312	AR 6174	Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, option to remove student from program at any time , exit requirements of program
When homeless or foster youth applies for enrollment in before/after school program	Education Code 8483	AR 5148.2	Right to priority enrollment; how to request priority enrollment
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options
If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP 3412 3312	Advertising will be used in the classroom or learning center
At least six months before uniform policy	Education Code 35183	AR 5132	Dress code policy requiring implementing schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved	Education Code 46601	AR 5117	Appeal process
Before early entry to kindergarten, if offered	Education Code 48000	AR 5111	Effects, advantages and disadvantages of early entry
When student identified as being at risk of retention	Education Code 48070.5	AR 5123	Student at risk of retention

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur			
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2 BP 5141.33	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When a student is classified as truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
When a school is identified on the state's Open Enrollment List	Education Code 48354; 5 CCR 4702	AR 5118	Student's option to transfer to another school
Within 60 days of receiving application for transfer out of open enrollment school	Education Code 48357; 5 CCR 4702	AR 5118	Whether student's transfer application is accepted or rejected; reasons for rejection
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education
Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation
When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	AR 5125.2	Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur			
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension
When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures
At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing
When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	Right to request a meeting with principal or designee
One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur			
When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course
When student transfers from another district or private school	Education Code 49068	AR 5125	Right to receive copy of student's record and to challenge its content
When parent/guardian's challenge of student record is denied and parent/guardian appeals	Education Code 49070	AR 5125.3	If board sustains allegations, the correction or destruction of record; if denied, right to submit written objection
When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity, and annually thereafter	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections, destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition
Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries
To person holding educational rights, within 30 days of foster youth, or homeless youths, or former juvenile court school student being transferred between high schools	Education Code 51225.1	BP 6146.1 AR 6173 AR 6173.1 AR 6173.3	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur			
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs
Within 14 days of instruction At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey regarding health risks and behaviors to students in 7-12	Education Code 51938	AR 5022	Notice that the survey will be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	BP 6175 AR 6175	Parent advisory council membership composition
When child participates in licensed child care and development program	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to enter facility
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures
When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave school premises	Penal Code 627.5	AR 3515.2	Notice of hearing
When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur			
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
Upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection
When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation
For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.2	Timely notice to parent/guardian of child's assignment
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6316	AR 6020	Notice of policy
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur			
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures
IV. Special Education Notices			
Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who in attendance will attend , participation of others with special knowledge, transition statements if appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice

Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district actions, procedural safeguards

V. Classroom Notices

In each classroom in each school	Education Code 35186	AR 1312.4 E 1312.4	Complaints re: sufficiency of instructional materials, teacher vacancy or misassignment, maintenance of facilities
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**SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT**

Exhibit

version: June 10, 2012
revised: June 19, 2013
revised: June 18, 2014
revised: June 17, 2015
revised: June 14, 2016
revised: May 9, 2017

Sierraville, California
Loyalton, California

Policy Reference UPDATE Service

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Sierra County/Sierra-Plumas Joint USD

Board Policy

Instruction

BP 6111

SCHOOL CALENDAR

Note: The following optional policy may be subject to collective bargaining agreements and should be modified to reflect district practice. The Public Employment Relations Board has determined that school calendar issues related to the work of employees, such as beginning and ending dates, summer vacations, and school holidays, are negotiable.

For each district school, the ~~Governing Board of Education~~ shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the district's employee organization(s). ~~As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the district's goals for student achievement.~~

(cf. 0200 - Goals for the School District)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 6162.51 - ~~Standardized Testing and Reporting Program~~ State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.

(cf. 6112 - School Day)

(cf. 6115 - Ceremonies and Observances)

(cf. 6117 - Year-Round Schedules)

(cf. 6177 - Summer ~~School~~ Learning Programs)

~~The district shall offer 180 days of instruction per school year, except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2.~~

Note: Education Code 41420 establishes 175 days of instruction as the minimum requirement to receive full average daily attendance (ADA) reimbursement. Education Code 46200 provides incentive funding for districts to increase to 180 days of instruction and imposes financial penalties, by way of withholding from the district's local control funding formula (LCFF) apportionment, upon districts that offer fewer than 180 days of instruction after receiving the incentive funding. However, pursuant to Education Code 46208, once a district meets or exceeds its LCFF funding target, it will be required to offer 180 days or more of instruction or will have a portion of its apportionment withheld. For more information about the impact of the LCFF on instructional time, see the California Department of Education's "LCFF and Instructional Time FAQs" located on its web site.

Before any reduction in the number of working days, the district must first negotiate with employee organizations. In addition, constitutional equity issues may have to be considered. In Butt v. State of

California, the California Supreme Court held that a district violated students' fundamental right to basic equality in public education when it shortened the school year by six weeks because of a lack of funds. Districts seeking to reduce instructional time should proceed cautiously and consult with legal counsel.

The district shall offer a minimum of 175 days of instruction per school year, until it equals or exceeds the local control funding formula target established for it pursuant to Education Code 42238.02, at which time it shall offer 180 days or more of instruction per school year. (Education Code 41420, 46208)

(cf. 1431 - Waivers)

Note: Education Code 46300 identifies educational activities that are included in the computation of ADA. School districts may not receive ADA reimbursement for staff development programs conducted on regular school days.

Staff development days shall not be counted as instructional days.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Notification of the schedule of minimum days and student-free staff development days shall be sent to all parents/guardians at the beginning of the school year. If any minimum days or student-free staff development days are added to the schedule, the Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least one month before the scheduled minimum day. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Elections Code 12283, the Governing Board may determine whether to keep a school open or closed on an election day when the school will be used as a polling place. In some cases, districts have closed the school for safety reasons, as a precaution against the large number of visitors on school grounds. Elections officials are required to request the use of the school within sufficient time in advance of the school year so that the Board can make this determination before school calendars are printed and distributed to parents/guardians.

If a school will be used as a polling place on an election day, the Board shall determine whether to continue school in session, designate the day for staff training and development, or close the school to students and nonclassified staff. (Elections Code 12283)

(cf. 1400 - Relations Between Governmental Agencies and the Schools)

(cf. 5113 - Absences and Excuses)

Legal Reference:

EDUCATION CODE

37200-37202 *School calendar*

37220-37223 *Holidays*

~~37252-37254.1 Summer school~~

~~37300-37307 Year Round School Demonstration Project~~

37600-37672 Continuous school programs: year-round schools, especially:

37618 School calendar

37700-~~37711~~37712 Four-day week

41420 Apportionment withholding, schools not maintained for 175 days

41422 Schools not maintained for 175 days

~~41530-41532 Professional Development Block Grant~~

42238.02 Local control funding formula

46200-~~46206~~46208 Incentives for longer instructional day and year

46300 Method of computing ADA

48980 Notice at beginning of term

~~REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS~~

~~44579-44579.6 Instructional Time and Staff Development Reform Program~~

ELECTIONS CODE

12283 School closures, election days

COURT DECISIONS

Butt v. State of California, (1992) 4 Cal 4th 668

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Davis Joint Unified School District, (1984) PERB Decision No. 474

Management Resources:

WEB SITES

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

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

California Public Employment Relations Board: <http://www.perb.ca.gov>

Secretary of State's Office: <http://www.sos.ca.gov>

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

Policy

Reference UPDATE Service

adopted: April 10, 2007

revised: October 11, 2011

revised: May 9, 2017

Sierraville, California

Loyalton, California

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Sierra County/Sierra-Plumas Joint USD

Board Policy

Instruction

BP 6144(a)

CONTROVERSIAL ISSUES

The Governing Board recognizes that the district's educational program may sometimes include instruction related to controversial issues that may arouse strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students' critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.3 - Civic Education)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.94 - History-Social Science Instruction)
(cf. 6143 - Courses of Study)

Note: Recommended criteria for determining the appropriateness of supplementary instructional materials and/or the circumstances under which materials should be submitted to the principal or other designee for review prior to their use (e.g., when materials relate to controversial issues or are presented in a controversial manner or context, such as when materials contain nudity, sexual content, graphic violence, or extensive profanity) are addressed in BP 6161.11 - Supplementary Instructional Materials.

The Board expects administrators and teachers to exercise professional judgment when deciding whether or not a particular issue is suitable for study or discussion. They shall consult with the Superintendent or designee as necessary to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)

When providing instruction related to a controversial issue, the following guidelines shall apply:

- 1.- The topic shall be suitable to the age and maturity of the students.
- 2.- Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.

~~3. The teacher may express a personal opinion provided he/she identifies it as a personal opinion and clarifies that he/she is not speaking on behalf of the school or district. The teacher shall not express an opinion for the purpose of persuading students to his/her point of view.~~

3. In the classroom, teachers act on behalf of the district and are expected to follow the adopted curriculum. In leading or guiding class discussions about issues that may be controversial, a teacher may not advocate his/her personal opinion or viewpoint. When necessary, the Superintendent or designee may instruct teachers to refrain from sharing personal views in the classroom on controversial topics.

Note: The First Amendment of the U.S. Constitution and Article 1, Section 2 of the California Constitution guarantee freedom of speech, including freedom of speech for students. However, under court decisions and Education Code 48950, discipline may be imposed upon students for speech or conduct that constitutes harassment, threats, or intimidation. See BP 5145.2 - Freedom of Speech/Expression.

4. ~~No student's viewpoint shall be suppressed, provided such expression is not malicious or abusive toward others.~~ Students shall be assured of their right to form and express an opinion without jeopardizing their ~~relationship with the teacher or school~~ grades or being subject to discrimination, retaliation, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, or bullying or is otherwise unlawful.

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6145.5 - Student Organizations and Equal Access)

- 5.- Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)

- 6.- Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.

- 7.- The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

- 8.- The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation related to a controversial issue, the ~~Board requires that he/she be notified~~ Superintendent or designee shall notify him/her of this policy and the expectations and goals

regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

(cf. 6145.8 - Assemblies and Special Events)

Note: The following optional paragraph permits parents/guardians to excuse their child from certain types of instruction. For example, pursuant to Education Code 51938, districts must notify parents/guardians of the opportunity to request that their child not receive comprehensive sexual health and HIV prevention instruction. Districts must use a "passive consent" or "opt out" process in which the student receives the instruction unless the parent/guardian notifies the district in writing that the student should not receive the instruction; see BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. In addition, Education Code 51240 provides that parents/guardians may request in writing that their child be excused from any part of health instruction that conflicts with their religious training or beliefs; see AR 6142.8 - Comprehensive Health Education. Pursuant to Education Code 51513, districts may not administer exams, surveys, or questionnaires containing questions about a student's or his/her family's personal beliefs or practices in sex, family life, morality, and religion unless the student's parent/guardian has provided prior written consent. See AR 5022 - Student and Family Privacy Rights.

When required by law ~~or otherwise deemed appropriate by the teacher or administrator, such as in regards to comprehensive sexual health and HIV prevention education,~~ parents/guardians shall be notified prior to instruction ~~related to any controversial issue and parent/guardian consent shall be obtained for student participation that they may request in writing that their child be excused from the instruction.~~ Students whose parents/guardians decline such instruction may be offered ~~the option to participate in~~ an alternative activity of similar educational value.

A student or parent/guardian with concerns regarding instruction about controversial issues ~~shall be directed to~~ may communicate directly with the teacher or principal and/or use appropriate district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

48950 Freedom of speech

51240 Excuse from health instruction due to religious beliefs

51500 Prohibited instruction or activity

51510 Prohibited study or supplemental materials

51511 Religious matters properly included in courses of study

51513 Materials containing questions about beliefs or practices

51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate

~~51933 Sex education courses~~

~~51938 Right of parent/guardian to excuse child from~~ 51930-51939 California Healthy Youth

Act; comprehensive sexual health instruction and HIV prevention education

60040 Portrayal of cultural and racial diversity

60044 Prohibited instructional materials

60045 Criteria for instructional materials

COURT DECISIONS

Johnson v. Poway Unified School District, (2011) 658 F.3d 954 (9th Cir.)
Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)
Garcetti v. Ceballos, (2006) 547 U.S. 410

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

Policy

adopted: April 10, 2007

revised: October 8, 2013

revised: May 9, 2017

Sierraville, California

Loyalton, California

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Sierra County/Sierra-Plumas Joint USD

Board Policy

Instruction _____

BP 6174

EDUCATION FOR ENGLISH LEARNERS

Note: The following policy may be revised to reflect district practice. State and federal law establish requirements for the identification, placement, and education of English learners.

Proposition 58 (November 2016) amended Education Code 305-310 to authorize parents/guardians to select a language acquisition program that best suits their child and repealed Education Code 311 thereby eliminating the requirement that parents/guardians request a waiver from the district if they want to enroll their child in a program other than a structured English immersion program. See the section on "Language Acquisition Programs" below.

20 USC 6801-7014 (Title III) provide grant funds that may be used to supplement, but not supplant, funding from other sources for the purpose of ensuring that English learners attain English proficiency and meet the same challenging academic standards that are applicable to all students. During the Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will expect to see evidence that the district has complied with state and federal requirements. See the CDE web site for FPM compliance monitoring instruments.

The Governing Board intends to provide English learners with challenging curriculum and instruction that develop proficiency in English ~~as rapidly and effectively as possible~~ while facilitating student achievement in the district's regular course of study.

Note: Pursuant to Education Code 42238.02 and 42238.03, the local control funding formula provides additional funding based on the number and concentration of unduplicated counts of students who are English learners, foster youth, and/or eligible for free or reduced-price meals. Such funds must be used to increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number or concentration of unduplicated students; see BP 3100 - Budget.

In addition, Education Code 52060 requires the district's local control and accountability plan (LCAP) to include annual goals and specific actions, aligned to state and local priorities, for all students and for each "numerically significant" student subgroup as defined in Education Code 52052, including English learners; see BP/AR 0460 - Local Control and Accountability Plan.

The district shall identify in its local control and accountability plan (LCAP) goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

Note: The following paragraph may be revised to reflect district strategies for parent/guardian and community involvement. Education Code 305, as amended by Proposition 58 (November 2016), requires the district to solicit input on language acquisition programs as part of the parent and community engagement process during the development of the LCAP; see section on "Language Acquisition Programs" below. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, Education Code 52063 requires the establishment of an English learner parent advisory committee to review and comment on the district's LCAP; see the accompanying administrative regulation and BP 0460 - Local Control and Accountability Plan.

The Superintendent or designee shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners.

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with the state content standards and curriculum framework. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, and -assist students in accessing the full educational program.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6171 - Title I Programs)

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Learners)

The following paragraph is for use by districts that receive federal Title III funds to improve the education of English learners. 20 USC 6825 lists the required uses of such funds, including the provision of professional development of sufficient intensity and duration to have a positive and lasting impact on teachers' performance in the classroom. Pursuant to 20 USC 6825, such professional development must not include one-day or short-term workshops and conferences. Districts that do not receive Title III funds may delete or adapt the following paragraph to reflect district practice.

The district shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

To support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.

Identification and Assessment

Note: Education Code 313 requires any district that has one or more students who are English learners to assess the English language proficiency of those students using a state assessment designated by the SBE. The state is transitioning from the California English Language Development Test (CELDT) to the English Language Proficiency Assessments for California (ELPAC), which are aligned with the 2012 state standards for ELD. The ELPAC will include a summative assessment, operational in spring 2018, for determining English learners' level of English proficiency and their progress in acquiring the skills of listening, speaking, reading, and writing in English. The ELPAC's initial screening test for identifying students who may be English learners will be operational July 1, 2018. The CDE also provides a home language survey to be used to identify students who should be tested for English proficiency. See the accompanying administrative regulation for further information about test administration and identification and reclassification criteria.

The Superintendent or designee shall maintain procedures ~~which provide~~ for the accurate identification of English learners and an assessment of their proficiency and needs in the areas of listening, speaking, reading, and writing in English.

Once identified as an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on criteria specified in the accompanying administrative regulation.

Note: In addition to testing the level of English proficiency of English learners, districts are required pursuant to Education Code 60640 to administer the California Assessment of Student Performance and Progress to English learners; see BP/AR 6162.51 - State Academic Achievement Tests. As needed, English learners may be provided with the testing resources (i.e., universal tools, designated supports, and accommodations) specified in 5 CCR 853.5 and 853.7 during test administration.

Education Code 60640 also authorizes districts to administer a primary language assessment to English learners in grades 2-11 for the purpose of assessing students' competency in reading, writing, and listening in their primary language. The Standards-Based Test in Spanish may be used for this purpose until a test is available that is aligned with the most recent state ELD standards. The new California Spanish Assessment is expected to be operational in the 2018-19 school year.

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with ~~allowable~~ testing variations in accordance with 5 CCR 853.5 and 853.7. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853.5, 853.7)

(cf. 6152.51 - State Academic Achievement Tests)

Language Acquisition Programs

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. He/she shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

Language acquisition programs are educational programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. The language acquisition programs provided to students shall be informed by research and shall lead to grade-level proficiency and academic achievement in both English and another language. (Education Code 306)

The district shall offer English learners a structured English immersion program ~~shall be~~ to ensure that English learners have access to the core academic content standards, including the English language development standards, and become proficient in English. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning ~~the language~~ English. (Education Code 305-306)

The following optional paragraph may be revised to reflect district practice. The Education Code does not define the term "nearly all" for purposes of ensuring that nearly all instruction in the structured English immersion program is provided in English pursuant to Education Code 306. The following paragraph defines "nearly all" as to provide that all classroom instruction be conducted in English except for clarification, explanation, and support as needed. The district

could instead establish a minimum percentage of classroom instructional time to be conducted in English or specify the types of courses to be conducted in English and the courses (e.g., science, algebra) to be taught in the student's primary language.

For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

Note: Items #1-2 below are **optional** and may be revised to reflect district practice.

In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (Education Code 305-306)

1. The district may offer a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.

-6142.2 - World/Foreign Language Instruction)

2. The district may offer a transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking skills, including critical thinking, in order to meet state academic content standards.

Parents/guardians of English learners may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310)

Note: The following paragraph is for use by districts that maintain any of grades K-3. Education Code 310, as amended by Proposition 58 (November 2016), requires that language acquisition programs in grades K-3 comply with class size requirements specified in Education Code 42238.02. For further information, see BP 6151 - Class Size.

The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

Note: Education Code 310, as amended by Proposition 58 (November 2016), requires any district that implements a language acquisition program to distribute the following notification when a student enrolls in school or as part of the annual notification issued pursuant to Education Code 48980.

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program. (Education Code 310)

(cf. 5145.6 - Parental Notifications)

Note: As amended by Proposition 58 (November 2016), Education Code 305 no longer specifies that enrollment in a structured English immersion program is "not normally intended to exceed one year," nor does it address a timeline for students to be transferred

from any other language acquisition program into an English language mainstream classroom. However, an English learner may transfer to an English language mainstream classroom when he/she has developed the English language skills necessary to succeed in an English-only classroom and, based on criteria established pursuant to Education Code 313 and 52164.6, is reclassified as fluent English proficient. See the accompanying administrative regulation. Furthermore, pursuant to 20 USC 6312, 34 CFR 100.3, and 5 CCR 11301, parents/guardians have a right to decline or opt their child out of a language acquisition program.

When an English learner is determined pursuant to state and district reclassification criteria to have acquired a "reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

Program Evaluation

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. Progress toward any other goals for English learners identified in the district's LCAP
6. A comparison of current data with data from at least the previous year.

The Superintendent or designee also shall provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Legal Reference:

EDUCATION CODE

300-340 English language education, especially:
 305-310 Language acquisition programs
 313-313.5 Assessment of English proficiency
 430-446 English Learner and Immigrant Pupil Federal Conformity Act
 33050 State Board of Education waiver authority
 42238.02-42238.03 Local control funding formula
 44253.1-44253.11 Qualifications for teaching English learners
 48980 Parental notifications
 48985 Notices to parents in language other than English
 52052 Numerically significant student subgroups
 52060-52077 Local control and accountability plan
 52130-52135 Impacted Languages Act of 1984
 52160-52178 Bilingual Bicultural Act
 56305 CDE manual on English learners with disabilities
 60603 Definition, recently arrived English learner
 60605.87 Supplemental instructional materials, English language development
 60640 California Assessment of Student Performance and Progress
 60810-60812 Assessment of language development
 62005.5 Continuation of advisory committee after program sunsets

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853.5-853.7 Test administration; universal tools, designated supports, and accommodations
 11300-11316 English learner education
 11510-11517 California English Language Development Test
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1412 *Individuals with Disabilities Education Act; state eligibility*
 1701-1705 *Equal Educational Opportunities Act*
 6311 *Title I state plan*
 6312 *Title I local education agency plans*
 6801-7014 *Title III, language instruction for English learners and immigrant students*

7801 Definitions

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100.3 Discrimination prohibited

200.16 Assessment of English learners

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Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments

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Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

Assessment and Accountability for Recently Arrived and Former Limited English Proficient (LEP) Students, May 2007

WEB SITES

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

California Association for Bilingual Education: <http://www.gocabe.org>

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

National Clearinghouse for English Language Acquisition: <http://www.ncela.us>

U.S. Department of Education: <http://www.ed.gov>

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

Policy

adopted: April 10, 2007

revised: February 12, 2013

revised: June 17, 2015

revised: May 9, 2017

Sierraville, California

Loyalton, California

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Instruction _____

AR 6174

EDUCATION FOR ENGLISH LEARNERS

Definitions

~~English learner, also known as a limited English proficient student, means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)~~

~~English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)~~

~~English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in~~ Note: The following section reflects definitions in Education Code 306, as amended by Proposition 58 (November 2016).

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

~~Native speaker of English means a student who has learned and used English. (Ed Code 306)~~

~~Structured in his/her home from early childhood and English immersion (also known as "sheltered English immersion") means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)~~

~~Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language.~~ has been his/her primary means of concept formation and communication. (Education Code 306)

Identification and Assessments

Note: Education Code 52164.1 and 5 CCR 11307 require the district to administer a home language survey to all enrolled students. A sample home language survey form in English and Spanish is available on the California Department of Education's (CDE) web site.

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code 52164.1; 5 CCR 11307)

Note: When the home language survey indicates that a student's proficiency in English should be tested, Education Code 313 requires the district to administer a state assessment of English language proficiency. When fully operational in 2018, the English Language Proficiency Assessments for California (ELPAC) will be used for initial identification of language proficiency and subsequently for annual assessment of language proficiency.

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English proficiency using the state's designated English language proficiency test: for initial identification. (Education Code 313, 52164.1; 5 CCR 11511)

Each year after a student is identified as an English learner and until he/she is redesignated as English proficient, the summative assessment of the state's designated English language proficiency test shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

Note: 5 CCR 11516-11516.6 specify allowable variations and accommodations in the administration of the state English language proficiency assessment. These variations and accommodations are generally the same as those allowed for other state assessments; see AR 6162.51 - State Academic Achievement Tests.

The state assessment shall be administered in accordance with test publisher instructions and 5 CCR 11511-11516.7.6. Variations and accommodations in test administration may be provided to English learners pursuant to 5 CCR 11516-11516.7.6.

Note: The Individuals with Disabilities in Education Act (20 USC 1412) requires that students with disabilities be included in all state assessments, including the annual assessment of English language proficiency as appropriate. English learners with disabilities must be allowed to take the test with accommodations as specified in their individualized education program or Section 504 plan. Pursuant to 5 CCR 11516.7, students with the most significant cognitive disabilities who cannot participate in the assessment, even with appropriate accommodations, must be given an alternate assessment of English proficiency. 34 CFR 200.16, as amended by 81 Fed. Reg. 86076, provides that, if an English learner with a disability is unable to take the assessment with accommodations, the state accountability system must include the student's score on any part(s) of the test for which it is possible to assess the student (i.e., speaking, reading, listening, writing).

Education Code 56305, as added by AB 2785 (Ch. 579, Statutes of 2016), requires the CDE to develop, by July 1, 2018, a manual providing guidance on identifying, assessing, supporting, and reclassifying English learners with disabilities.

Any student with a disability who is identified as an English learner shall be allowed to take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan ~~that are appropriate and necessary to address~~. ~~If the student's individual needs~~. ~~If he/she student~~ is unable to participate in the assessment or a portion of the assessment even with such accommodations, ~~he/she shall be administered~~ an alternate assessment for English language proficiency shall be administered to the student as set forth in his/her IEP. (5 CCR 11516-11516.7; 20 USC 1412)

(cf. 6152.51 - State Academic Achievement Tests)

(cf. 6159 - Individualized Education Program)

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

Note: The remainder of this section specifies notifications that must be sent to parents/guardians regarding assessment results and available programs for English learners. The CDE has developed sample notification letters, available on its web site in multiple translations, to notify parents/guardians of the initial identification of a student as an English learner or as initially fluent English proficient and to notify them of the results of an annual assessment.

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 their parents/guardians must be written in English and in the primary language and may be answered by the parent/guardian in either language.

The Superintendent or designee shall notify parents/guardians of their child's results on the state's English language proficiency assessment within 30 calendar days following receipt of the results from the test contractor. (Education Code 52164.1; 5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

~~2.Placement Notification: At the beginning of each school year, parents/guardians shall be informed of the placement of their child in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)~~

: The following paragraph is for use by districts that receive federal funds under either Title I or Title III for services to English learners. Such districts are required to provide parents/guardians with notification of their child's identification as an English learner and placement in a language acquisition program. The Every Student Succeeds Act (P.L. 114-95) repealed 20 USC 7012 and moved the notification requirement to 20 USC 6312.

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of his/her child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 440; 20 USC ~~7012~~6312)

- a1. The reason for the ~~student's classification~~identification of the student as an English learner and the need for placement in a language acquisition program
- b2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
- e3. A description of the ~~program for English~~ language ~~development instruction~~acquisition program in which the student is, or will be, participating, including a description of all of the following:
 - ~~(1)~~a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction
 - b. The manner in which the program will meet the educational strengths and needs of the student _____
 - ~~(2)~~c. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards for grade promotion and graduation
 - ~~(3)~~d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable

~~(4)~~e. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

~~4~~. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request

5. Information regarding a parent/guardian's option to decline to allowenroll the student ~~to be enrolled~~ in the program or to choose ~~to allow the student to be enrolled in an alternative program~~ another program or method of instruction, if available

e6. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Reclassification/Redesignation

The district shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they: (5 CCR 11302)

1. Demonstrate English language proficiency comparable to that of the district's average native English language speakers
2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

Note: Education Code 313 and 52164.6 and 5 CCR 11303 require that the district's reclassification process include, at a minimum, the criteria specified in items #1-4 below. The district may expand the following list to reflect any additional criteria it has established. The CDE's CELDT Information Guide includes recommendations for assessing each of the following criteria and states that, for a student with disabilities, the student's IEP team or Section 504 team should determine any supplemental criteria to be used.

The measures ~~shall be~~ used to determine whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to: (Education Code 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the state's English language proficiency assessment
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian opinion and consultation

The Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.

Note: Pursuant to Education Code 313, the fourth criterion requires comparison of student performance on an objective assessment of basic skills that provides an empirically established range of performance of English proficient students of the same age. A letter from the CDE to district superintendents (Academic Criterion for Reclassification) dated August 11, 2014 clarifies that, when a state test of basic skills is unavailable, districts must select another measure which may include a local assessment. The CDE correspondence provides examples of appropriate measures and is available on the CDE web site.

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

Note: The following optional paragraph may be revised to reflect district practice.

The Superintendent or designee shall monitor students for at least two years following their reclassification to determine whether the student needs any additional academic support to ensure his/her language and academic success.

Advisory Committee

Note: The following section should be revised to reflect district practice. Pursuant to 5 CCR 11308, a parent/guardian advisory committee is required for any district with over 50 English learners and for each school with over 20 English learners. Duties of the advisory committee are specified in 5 CCR 11308.

A parent/guardian advisory committee shall be established at the district level when there are more than 50 English learners in the district and at the school level when there are more than 20 English learners at the school. Parents/guardians of English learners shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. (Education Code 52176; 5 CCR 11308)

The district's English language advisory committee shall advise the Governing Board on at least the following tasks: (5 CCR 11308)

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals, and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures

~~7. Review of and comment on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316~~

(cf. 1220 - Citizen Advisory Committees)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

LCAP Advisory Committee

Note: The following section is applicable if the district's student enrollment includes at least 15 percent English learners, with at least 50 students who are English learners. Education Code 52063 requires that such districts establish an English learner parent advisory committee to review and comment on the district's local control and accountability plan; see BP 0460 - Local Control and Accountability Plan. 5 CCR 15495 requires this committee to include a majority of parents/guardians of English learners.

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

(cf. 0460 - Local Control and Accountability Plan)

The advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could serve as the LCAP English learner advisory committee if its composition includes a majority of parents/guardians of English learners.

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

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Loyalton, California