

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

August 8, 2017

6:00 pm

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

Video conferencing will be available at Sierra County Office of Education, 109 Beckwith Rd., Loyalton, CA 96118

*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 Sierra-Plumas Joint Unified School District, 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. FLAG SALUTE

D. APPROVAL OF AGENDA

E. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report

- a. Downieville School reduction in staff; Hillary Lozano, Instructional Aide, .9 FTE (5.4 hours daily), effective August 28, 2017
- b. SELPA Update
- c. Adapted Physical Education Contract with Lassen County, not to exceed \$5000
- d. California Agricultural Teachers' Induction Program
- e. California Service Region Annual Planning Meeting

2. Business Report

- a. Account Object Summary-Balance from 07/01/17 to 07/31/17\*\*
- b. Budget Transfer -Auditor's Email

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

F. CONSENT CALENDAR

1. Approval of the minutes of the Regular Board meeting held July 11, 2017\*\*
2. Approval of Board Report – Checks Dated 07/01/17 through 07/31/17\*\*

G. ACTION ITEMS

New Business

1. Approval of Expulsion Appeal Handbook Update\*\*
2. Presentation and Approval of Forty-Five Day Budget Revise\*\*

**APPROVAL OF BOARD POLICIES AND ADMINISTRATIVE REGULATIONS (President)**

3. Board Policy and Administrative Regulation 3551, Food Service, revision\*\*
4. Administrative Regulation 4112.2, Certification, revision\*\*
5. DELETE Board Policy 4112.61, 4212.61, 4312.61, Employment References\*\*
6. Administrative Regulations 4112.61, 4212.61, 4312.61, Employment References, revision\*\*
7. Board Policy & Administrative Regulations 4127, 4227 & 4327, Temp Athletic Team Coaches, revision\*\*
8. Board Policy 4154, Health and Welfare Benefits, revision\*\*
9. Board Policy 4312.1, Contracts, revision\*\*
10. Board Bylaw 9121, President, revision\*\*
11. Board Bylaw 9220, Governing Board Elections, revision (Choose Options)\*\*
12. Board Bylaw 9230, Orientation, revision\*\*
13. Board Bylaw 9250, Remuneration, Reimbursement and other Benefits, revision\*\*
14. Board Bylaw 9400, Discussion and Possible Deletion of Board Self-Evaluation\*\*

H. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on September 12, 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 following the Sierra County Board of Education meeting at 6 pm.
2. Suggested Agenda items
  - a. \_\_\_\_\_

I. ADJOURN



Dr. Merrill M. Grant, Superintendent

\*\*enclosed

\*handout

^^County agenda backup

Balances through July						Fiscal Year 2017/18
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 01 - Gen Fund</b>						
1100	Teachers Salaries	253,033.00	253,033.00	255,645.00	3,760.00	6,372.00-
1200	Certificated Pupil Support Ser	62,735.00	62,735.00	62,735.40		.40-
1300	Certificated Supervisor Admini	122,205.00	122,205.00	112,021.36	10,183.76	.12-
<b>Total for Object 1000</b>		<b>437,973.00</b>	<b>437,973.00</b>	<b>430,401.76</b>	<b>13,943.76</b>	<b>6,372.52-</b>
2100	Instructional Aides' Salaries	127,814.00	127,814.00	88,424.56	1,229.12	38,160.32
2200	Classified Support Salaries	11,472.00	11,472.00	11,032.60	538.69	99.29-
2300	Classified Supervisors' Admini	90,686.00	90,686.00	82,302.00	7,512.00	872.00
2400	Clerical Technical Office Staf	135,885.00	135,885.00	127,034.46	10,453.00	1,602.46-
2900	Other Classified Salaries	16,284.00	16,284.00		126.00	16,158.00
<b>Total for Object 2000</b>		<b>382,141.00</b>	<b>382,141.00</b>	<b>308,793.62</b>	<b>19,858.81</b>	<b>53,488.57</b>
3101	STRS Certificated Positions	79,671.00	79,671.00	61,392.69	1,947.16	16,331.15
3102	STRS Classified Positions			664.10		664.10-
3202	PERS Classified Positions	62,566.00	62,566.00	52,930.29	3,708.09	5,927.62
3302	OASDI Classified Positions	23,436.00	23,436.00	18,515.90	1,212.70	3,707.40
3311	Medicare Certificated Position	5,861.00	5,861.00	5,820.39	192.21	151.60-
3312	Medicare Classified Positions	5,484.00	5,484.00	4,397.00	284.05	802.95
3401	Health & Welfare Benefits Cert	100,460.00	100,460.00	84,936.89	1,680.59	13,842.52
3402	Health & Welfare Benefits Clas	73,741.00	73,741.00	91,454.40	6,722.72	24,436.12-
3501	SUI Certificated	218.00	218.00	215.30	6.98	4.28-
3502	SUI Classified	193.00	193.00	154.64	9.86	28.50
3601	Workers' Compensation Certific	15,002.00	15,002.00	14,934.89	502.12	435.01-
3602	Workers' Compensation Classifi	14,036.00	14,036.00	11,283.15	742.00	2,010.85
<b>Total for Object 3000</b>		<b>380,668.00</b>	<b>380,668.00</b>	<b>346,699.64</b>	<b>17,008.48</b>	<b>16,959.88</b>
4100	Approved Textbooks Core Curric	614.00	614.00			614.00
4300	Materials and Supplies	38,755.00	38,755.00	421.17		38,333.83
4320	Custodial Grounds Supplies	500.00	500.00			500.00
4330	Office Supplies	1,000.00	1,000.00			1,000.00
4350	Vehicle Upkeep	5,500.00	5,500.00	2,250.00		3,250.00
4400	Noncapitalized Equipment	22,766.00	22,766.00			22,766.00
<b>Total for Object 4000</b>		<b>69,135.00</b>	<b>69,135.00</b>	<b>2,671.17</b>	<b>.00</b>	<b>66,463.83</b>
5100	Subagreements for Services	44,000.00	44,000.00	42,415.98	565.62	1,018.40
5200	Travel and Conference	26,817.00	26,817.00	4,845.00		21,972.00
5300	Dues and Membership	19,205.00	19,205.00	8,961.25	510.50	9,733.25
5400	Insurance	9,300.00	9,300.00			9,300.00
5500	Operation Housekeeping Service	9,200.00	9,200.00	3,000.00		6,200.00

Balances through July						Fiscal Year 2017/18
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 01 - Gen Fund (continued)</b>						
5600	Rentals, Leases, Repairs, Nonc	3,100.00	3,100.00	622.99	48.26	2,428.75
5801	Legal Services	20,500.00	20,500.00			20,500.00
5803	Legal Publications	500.00	500.00			500.00
5805	Personnel Expense	613.00	613.00	100.00		513.00
5806	Negotiations	1,000.00	1,000.00			1,000.00
5808	Other Services & Fees	1,500.00	1,500.00	1,500.00		.00
5810	Contracted Services	445,615.00	445,615.00	54,348.32	23,443.48	367,823.20
5899	SPJUSD to Reimburse			3,560.24	22,839.29	26,399.53-
5900	Communications	1,900.00	1,900.00			1,900.00
	<b>Total for Object 5000</b>	<b>583,250.00</b>	<b>583,250.00</b>	<b>119,353.78</b>	<b>47,407.15</b>	<b>416,489.07</b>
6200	Building and Improvement of Bu	18,867.00	18,867.00			18,867.00
6400	Equipment	20,000.00	20,000.00			20,000.00
	<b>Total for Object 6000</b>	<b>38,867.00</b>	<b>38,867.00</b>	<b>.00</b>	<b>.00</b>	<b>38,867.00</b>
7141	Tuition, excess cost etc betwe	24,428.00	24,428.00			24,428.00
7310	Direct Support/Indirect Costs					.00
	<b>Total for Object 7000</b>	<b>24,428.00</b>	<b>24,428.00</b>	<b>.00</b>	<b>.00</b>	<b>24,428.00</b>
	<b>Total for Fund 01 and Expense accounts</b>	<b>1,916,462.00</b>	<b>1,916,462.00</b>	<b>1,207,919.97</b>	<b>98,218.20</b>	<b>610,323.83</b>
<b>Fund 16 - FOREST RES</b>						
7211	Transfers of Pass-through Rev	80,000.00	80,000.00			80,000.00
7619	Other Authorized Interfund Tra	13,360.00	13,360.00			13,360.00
	<b>Total for Fund 16, Expense accounts and Object 7000</b>	<b>93,360.00</b>	<b>93,360.00</b>	<b>.00</b>	<b>.00</b>	<b>93,360.00</b>
	<b>Total for Org 001 - Sierra County Office of Education</b>	<b>2,009,822.00</b>	<b>2,009,822.00</b>	<b>1,207,919.97</b>	<b>98,218.20</b>	<b>703,683.83</b>

MINUTES  
REGULAR MEETING OF THE  
SIERRA COUNTY BOARD OF EDUCATION  
July 11, 2017  
6:00 pm REGULAR SESSION  
Sierra County Office of Education, 109 Beckwith Rd., Loyalton, CA 96118  
**This meeting was not available for videoconferencing.**

A. CALL TO ORDER at 6 pm  
(Please be advised that this meeting will be recorded.)

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

VACANT: None

C. FLAG SALUTE

D. APPROVAL OF THE AGENDA  
DRISCOLL/HALL  
5/0

E. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report
  - a. Library Services Contract – Beginning 2017-18, we contracted with a credentialed librarian that will be servicing our County in order to meet the state requirement of staffing a Credentialed Librarian. This is in addition to our library aides, whose hours will remain the same. Cost: \$35 per hour/Max \$3500 annually.
  - b. SARB Annual Report - A handout was presented to the Board. This past year the hearings have reduced in number. Interactions with parents, Student Navigator and principals produced healthy communication. The "Watch List" provided represents active intervention.
  - c. CCESEA Quarterly Meeting- The meeting in late June focused on interventions for districts who need to work toward applying funding in accordance to the LCAP.
  - d. Dr. Grant mentioned that the 16-17 funding from Lassen County for the 'Rainbow' will be returned and allotted to the appropriate agency.
2. Business Report
  - a. Account Object Summary-Balance from 07/01/16 to 6/30/17
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

#### F. CONSENT CALENDAR

1. Approval of minutes of the Regular Board meeting held June 13, 2017
2. Approval of Board Report – Checks Dated 6/1/2017 through 6/30/2017
3. Approval of Quarterly Report on Williams Uniform Complaints for quarter ending June 30, 2017. It is required per Education Code 35186 section (d) *that a school district shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district.* No complaints regarding textbooks and instructional materials, teacher vacancy or misassignment or conditions of facilities were filed with Sierra County Office of Education during the quarter ending June 30, 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 2016-2017 school year.*
4. Approval of the 2017/18 Consolidated Application  
HALL/DRISCOLL  
5/0

#### G. ACTION ITEMS

1. New Business

- 1617-129 Adoption of Resolution No. 18-001, Budget Transfer  
MOORE motioned to approve Resolution No. 18-001 on the condition of receiving monthly budget transfer reports and approval of our auditors, HALL seconded  
DRISCOLL AYE  
DRYDEN AYE  
HALL AYE  
MOORE AYE  
WRIGHT AYE  
5/0
- 1617-130 Public Hearing opened at 6:25 pm to announce the Adoption of the Declaration of need for Fully Qualified Educators for the 2017-2018 school year and closed without comment.
- 1617-131 Adoption of Declaration of Need for Fully Qualified Educators for the 2017-2018 school year. A diligent search to recruit fully prepared teacher(s) was made and an insufficient number of certificated persons met the Sierra County Office of Education’s employment criteria for the position(s)  
MOORE/HALL  
5/0
- 1617-132 Approval of the CBEST Waiver for Substitute Teachers (*The Sierra County Office of Education has been unable to recruit enough day-to-day substitute teachers who have not had an*

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

*opportunity to take and pass all sections of the California Basic Educational Skills Test (CBEST). The District anticipates employing no greater than five (5) day-to-day substitutes on variable term CBEST waivers for the 2017-2018 school year*

DRISCOLL/HALL

5/0

- 1617-133 Discussion Only: 1.0 FTE Teaching Position, Special Education, Downieville School (Grant)  
Dr. Grant provided the Board with a handout and reviewed the expenses and benefits of hiring the full-time teacher.  
DRYDEN is concerned about the FTE per student ratio in Downieville.  
MOORE cautioned that hiring new staff is to be based on appropriate assignment.  
Dr. Grant will provide an update on this position at the November board meeting.
- 1617-134 Amend Previously Adopted Minutes of the May 9, 2017, Sierra County Board of Education Meeting  
MOORE/HALL  
5/0

APPROVAL OF BOARD POLICIES AND ADMINISTRATIVE REGULATIONS (President)

MOORE motioned to approve items 1617-135 through and including 1617-139.

HALL seconded.

5/0

- 1617-135 Administrative Regulation 5145.3, Nondiscrimination/Harassment
- 1617-136 Board Policy 6142.93, Science Instruction
- 1617-137 Board Policy 6145, Extracurricular and Cocurricular Activities
- 1617-138 Board Policy and Administrative Regulation 6145.2, Athletic Competition
- 1617-139 Board Policy and Administrative Regulation 6178.1, Work-Based Learning

H. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on August 8, 2017, at Downieville School, 130 School St., Downieville, CA 95936, beginning with Closed Session, as needed, at 5 pm and the Regular Board Meeting at 6:00 pm
2. Suggested Agenda Items  
Budget Transfer Update (Item 1617-129)  
Downieville Special Education Teacher Update

- I. ADJOURN AT 7 pm  
MOORE/DRISCOLL  
5/0

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

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

Checks Dated 07/01/2017 through 07/31/2017

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00014715	07/12/2017	CASBO	01-5300	CASBO DUES		500.00
00014716	07/12/2017	ESCAPE TECHNOLOGY	01-5810	ESCAPE LICENSE/PROGRAMMING	22,694.50	
			01-5899	ESCAPE LICENSE/PROGRAMMING	22,694.50	45,389.00
00014717	07/12/2017	MERRILL GRANT	01-9500	MILEAGE	467.59	
				PER DIEM/HOTE REIMBURSE	805.50	1,273.09
00014718	07/12/2017	RONALD M. MARTIN MARTIN SECURITY SYSTEMS	01-5810	ANNUAL ALARM FEE		420.00
00014719	07/12/2017	BARBARA MCKURTIS	01-5100	CONTRACTED CONSULTANT AGREEMENT	565.62	
			01-5810	CONTRACTED CONSULTANT AGREEMENT	328.98	894.60
00014720	07/12/2017	NORTHEASTERN JOINT POWERS AUTHORITY	76-9571	WORKER'S COMPENSATION		7,286.25
00014721	07/12/2017	PITNEY BOWES, INC.	01-5600	POSTAGE MACHINE LEASE	48.26	
			01-5899	POSTAGE MACHINE LEASE	144.79	193.05
00014722	07/12/2017	SIERRA COUNTY OFFICE OF EDUCATION	01-9500	BANK SERVICE FEES		30.00
00014723	07/12/2017	TRI COUNTY SCHOOLS INSURANCE GROUP	01-9535	JULY 17 HEALTH INSURANCE	1,600.00	
			76-9576	JULY 17 HEALTH INSURANCE	15,118.10	16,718.10
<b>Total Number of Checks</b>					<b>9</b>	<b>72,704.09</b>

Fund Summary

Fund	Description	Check Count	Expensed Amount
01	County School Service Fund	8	50,299.74
76	Payroll Clearing	2	22,404.35
Total Number of Checks		<b>9</b>	72,704.09
Less Unpaid Sales Tax Liability			.00
<b>Net (Check Amount)</b>			<b>72,704.09</b>

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

ESCAPE ONLINE



# **Sierra County Office of Education**

## **Expulsion Appeal Handbook**

To assist expelled students and their parents or guardians  
in understanding the appeal process  
and the rights of the student.

**Contracting with:  
Plumas County Office of Education  
50 Church Street  
Quincy CA 95971  
(530) 283-6500  
(530) 283-6509 (FAX)**

**Sierra County Board of Education  
Sierra County Office of Education  
109 Beckwith Road  
P. O. Box 955  
Loyalton, CA 96118  
(530) 993-1660  
(530) 993-0828 FAX**

# INTRODUCTION

The Sierra County Board of Education has prepared this Handbook to assist expelled students and the parent(s) or guardians(s) of expelled students in understanding the appeal process and the rights of the student. The Handbook constitutes the official procedures adopted by the Board for conducting expulsion appeals.

This information must be reviewed in conjunction with the laws on student discipline and expulsion appeals within the California Education Code, Sections 48900-48924. You must also review the school district's policies and administrative regulations for suspension and expulsion. You are entitled to review the record of the school district's process hearing and supporting records or documents. You have the right to consult with and engage the services of an advocate or an attorney.

The Sierra County Board of Education governs a single school district. The trustees of the Sierra County Board of Education also sit on the Sierra-Plumas Joint Unified School District Governing Board. Therefore, the Sierra County Board of Education Governing Board cannot be used to give an appeal disposition on the expulsion decision of the Sierra-Plumas Joint Unified School District Governing Board. In order to serve students and parents in accordance with the California Education Code, we have contracted with the neighboring Plumas County Governing Board of Education (hereinafter known as "Contracted County Board") to hear your appeal.

For more information, please call: (530) 993-1160

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Sierra County Policy and Regulation .....	Attached

## What is the Purpose of an Appeal?

A County Board of Education has a limited authority under law to review the procedures followed by the school district prior to expelling a student to determine:

- whether the Education code was complied with;
- whether “due process” was afforded; and
- whether there is evidence to support the local governing board’s findings and decision supporting the expulsion.

The issues a board may consider are under “Scope and Limitations of Hearing”. The meeting at which the Contracted County Board of Education considers the Appeal is not a new hearing to consider evidence about whether the student should have *been expelled*. The Contracted County Board will “hear” evidence only in unusual circumstances. The purpose of the appeal meeting is to listen to argument as to whether the local school district procedures were proper.

The Contracted County Board of Education does not have any authority to agree or disagree with the local school district governing board’s decision to expel or to modify the expulsion on the basis that the penalty was too harsh for the misconduct.

The Contracted County Board of Education’s review of the appeal for the legal errors it has authority to review may result in:

- upholding the expulsion decision;
- reversing the decision and returning the student to attend in the local district as well as expunging the record of the expulsion; or
- in rare cases, returning the case to the local school district either to consider additional evidence or to revise the factual findings.

A decision to overturn the expulsion and return the student to the Sierra-Plumas Joint Unified School District does not order attendance at the former school or at any particular school. The local school district has authority to determine attendance within district programs.

*The Contracted County Board of Education’s decision will address only expulsion issues. It will not review or order any change in the student’s suspension pending expulsion.*

## When And Where To File An Appeal?

The parent of the expelled student may file an appeal with the Superintendent of the Sierra County Office of Education within thirty (30) calendar days following the decision by the school district's governing board to expel the student. The Sierra County Office of Education will then forward the documents to the Plumas County Office of Education (the Contracted County Board of Education) to complete the process. The Contracted County Board of Education has no jurisdiction to consider a late appeal. Any appeal filed after the deadline will be returned accompanied by a cover letter indicating that the appeal was not processed.

- "Parent" also includes guardian or legal counsel on behalf of the Parent. The student may also file an appeal independently of his/her Parents.
- The thirty (30) day period starts on the first day after the date the school district's governing board takes action even if notice of the decision is not mailed to the parent immediately. The appeal must be actually received within the thirty (30) days, not just mailed. If the deadline is on a Saturday, Sunday or County Office holiday, the appeal may be filed on the next business day.
- Only the Governing Board of a school district may expel a student. The Principal of the student's school or the Superintendent of the school district may only recommend the expulsion to the Governing Board. A hearing officer or an administrative panel may conduct the expulsion hearing, develop findings of fact, and make a recommendation to the Governing Board. However, there is no expulsion until the school district's board takes formal action to expel.
- An expulsion or a suspended expulsion (where the student is returned to school with condition of probation) may be appealed. The thirty (30) day time line applies from the initial suspended expulsion decision, not at a later date if the student is expelled from violating probation.

A parent considering whether to file an expulsion appeal and/or having any questions should contact by telephone, facsimile or mail, the Office of the Superintendent of Sierra County Schools at:

Sierra County Office of Education  
P. O. Box 955, 109 Beckwith Road  
Loyalton CA 96118  
Telephone (530) 993-1660 FAX (530) 993-0828

The Superintendent will answer questions and clarify the procedures outlined in this Handbook. The Sierra County Office of Education will also contact the administration of the local school district which implemented the expulsion in order to coordinate the processing of the appeal.

## Submitting the Expulsion Appeal

This packet includes an "Expulsion Appeal and Request for Hearing" form which must be completed and submitted to the Sierra County Superintendent of Schools.

The written notice of appeal must contain all of the following information:

- Name, address, and date of birth of the expelled student;
- Names, addresses and telephone numbers of the parent(s) or guardian(s) of the student and the person, if any, representing the student;
- School district, school, and grade from which the student was expelled;
- The date of the school district Governing Board's decision to expel and the effective date of the expulsion;
- A brief statement or set of statements which explains why, in your opinion or belief, the decision of the school district Governing Board should be reversed. The statement(s) must relate to one or more of the four (4) conditions described in this Handbook under "Scope and Limitations of the Hearing". It is your responsibility to explain as clearly as you can and provide specific information about why you believe the school district Governing Board's decision should be reversed;
- Attach a copy of the notice of expulsion sent by the local school district;
- Identifying new evidence - You must clearly indicate whether you plan to offer new evidence which was not raised at the time the original expulsion hearing was held, describe such evidence, and indicate why it was not presented at the original expulsion hearing. (See Scope and Limitations of the Hearing, Page 9, #4.)

PARENTS ARE ASKED TO USE THE "EXPULSION APPEAL AND REQUEST FOR HEARING" FORM AVAILABLE IN THIS PACKET TO SUBMIT THEIR APPEAL INFORMATION. THIS FORM, WHEN COMPLETED, CONTAINS ALL OF THE INFORMATION REQUIRED TO BEGIN THE APPEAL PROCESS. THE SUPERINTENDENT'S OFFICE WILL SUPPLY ALL FORMS NECESSARY TO FILE AN EXPULSION APPEAL IN ACCORDANCE WITH THE EDUCATION CODES FOR THE STATE OF CALIFORNIA.

## EXPULSION APPEAL TIMELINE

	PROCEDURE	RESPONSIBILITY	TIMELINE
1	Parent or parent representative makes initial contact with Sierra County Office of Education	Parent	As soon as possible after local school district Governing Board's decision to expel
2	Parent is mailed packet of appeal information certified mail, email or fax	Sierra County Superintendent	After contact by parent or representative
3	Parent files expulsion appeal form with Sierra County Superintendent's Office.	Parent	Within thirty (30) calendar days of school district expulsion hearing
4	Parent submits written request for student's transcript from district and completes "Inability to Pay" form if applicable	Parent	Concurrently with submission of expulsion appeal form with Sierra County Superintendent's Office
5	District submits to Contracted County Office of Education student's transcript and other pertinent documents, incl. attendance registers, discipline actions, grades, etc.	School District	Within ten (10) schools days of the receipt of written request from parent
6	Sierra County Office of Education submits Expulsion Appeal & Request for Hearing to Contracted County Office of Education	Sierra County Superintendent	Within ten (10) schools days of the receipt of written request from parent
7	Appeal hearing is set and Notice of Hearing is mailed. Parents and school district will receive notice at least ten (10) calendar days before the hearing	Contracted County Superintendent	Within twenty (20) school days after receipt of transcript and other documents
8	Parents submit to Sierra County Office of Education any written argument of documents not delivered previously and Sierra COE forwards those documents to the Contracted County Office of Education	Parent	Ten (10) calendar days prior to appeal hearing date
9	District submits to Contracted County Office of Education written argument and/or response to parent	School District	Five (5) calendar days prior to appeal hearing date
10	Packets are prepared for Contracted County board to include all documentation submitted	Contracted County Superintendent	Approximately four (4) days before appeal hearing
11	Expulsion appeal hearing, conducted in closed session unless public hearing requested in writing five (5) days prior	Contracted County Board of Education	As scheduled by the Contracted County Board of Education
12	Closed deliberation by the Contracted County Board	Contracted County Board and Counsel	Following the appeal hearing
13	Decision is announced in public session following deliberation	Contracted County Board President	Following deliberation
14	Written decision is mailed to all parties	Contracted County Superintendent	Within three (3) working days after the hearing

## Scope and Limitations of the Hearing

Contracted County Board decides an appeal after:

- Reviewing the expulsion record, the transcript and documents considered at the original expulsion hearing;
- Considering the issues raised by the parent in the appeal as well as issues apparent from the record itself and the school district's arguments; and
- Determining which issues it has authority under law to address.

Please keep in mind that the Contracted County Board's charge is to determine if the student's due process rights were violated in a manner which resulted in the student receiving an unfair hearing. It is not the charge of the Contracted County Board to agree or disagree with the Sierra-Plumas Joint Unified School District Governing Board's decision to expel the student, but to ensure that procedures were followed and that a fair hearing was conducted. When deciding whether or not to appeal to the Contracted County Board, you should be able to identify one of the following four items as evidence that an appeal is necessary.

1. Explain how the Governing Board acted, without or in excess of its jurisdiction, in expelling the student. (Education Code §48900, 48900.2, 48900.3, 48900.4 or 48915)  
*Examples: A student may not be expelled unless the offense is a violation of the California Education Code or school rules adopted under Education Code Section 35291.5. If the expulsion was based on a local board rule, was the rule a reasonable and valid one and not inconsistent with the state law? Did the situation involve conduct related to a school activity or to school attendance? Was the expulsion hearing commenced and a final decision issued within the time limits prescribed by law?*
2. Explain how the student was not afforded a fair hearing before the district Governing Board. (Education Code §48918, 48922)  
*Examples: Was the student denied the right to be represented by an advocate or by legal counsel? Was the student prohibited from introducing testimony of witnesses on his/her behalf? Was the evidence submitted in support of the expulsion the kinds of evidence upon which reasonable persons are accustomed to rely in conduct of serious affairs? Was there a failure to introduce any evidence to support the decision to expel? Was the student or student's representative, if any, given an opportunity to confront and question any witnesses who testified at the hearing except as provided in Education Code section 48918(f)? Was the parent adequately advised of his/her rights for fully participating in the hearing?*



## Scope and Limitations of the Hearing

3. Explain how there was a prejudicial abuse of discretion by the district Governing Board in the hearing. (Education Code §48900, 48900.2, 48900.3, 48900.4, or 48915, 48918, 48922) A student is afforded a hearing from prejudicial abuse. An abuse of discretion could be established under the following, for example:
- a) *If the school district Governing Board did not proceed with the expulsion required by law (hearing panel member is from same school as student, failure of Governing Board to issue subpoena for witness in a timely manner, parent received notice of hearing less than ten (10) days in advance, Governing Board issues expulsion decision with no date set to consider readmission of the student); or*
  - b) *If the decision to expel is not supported by the findings prescribed by Education Code §48915; (The finding must spell out the facts – who, when, what – sufficiently to verify that the student engaged in misconduct. The finding Board must also indicate that other means of correction are not feasible or have repeatedly failed to bring about proper conduct; or due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.); or*
  - c) *Misconduct must be proven by reliable “first-hand” evidence offered during the expulsion hearing. (Observance of the misconduct, admission of the student involved, statements made and or written down at the time the misconduct occurred and determined to be reliable. Misconduct may not be proven solely on “hearsay” evidence.); or*
  - d) *The Contracted County Board must find that an abuse of discretion was prejudicial to the outcome of the expulsion decision. (Did a statutory error or clerical inaccuracy impact the outcome of the expulsion hearing? Did pertinent information regarding the expulsion hearing not reach the student according to the education code guidelines?)*
4. Explain if there is relevant evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the Governing Board. (Education Code §48918, 48922.)

The Contracted County Board will hear no evidence other than the information that has already been provided to the District Board in the form of witness testimony, written witness statements and documents from the original expulsion hearing. The Contracted County Board may vote to allow new evidence if, for example:

- a) Relevant, material evidence, with due diligence could not be produced at original hearing;
- b) Relevant, material evidence was improperly excluded at original hearing;
- c) Evidence is significant to Board’s jurisdictional issues.

Information the Contracted County Board will not accept as new evidence:

- a) Facts surrounding student’s misconduct;
- b) Student’s prior good behavior;
- c) Incidents occurring during the district’s investigation of the original hearing.

## **Conducting The Hearing**

### **CLOSED SESSION**

Expulsion appeals are heard by a Contracted County Board in closed session, unless the parent requests in writing five days prior to the hearing date, an open session hearing. In closed session, only the parents, any representative, the student and representatives of the local school district are permitted in the room with the Contracted County Board Members and their staff. In public session, any member of the public may attend the hearing.

### **HEARING PROCEDURE**

The Board President, or the designated presiding officer for the hearing, will call the hearing to order and describe the hearing procedures. Each person in the room will be asked to identify himself or herself for the records. A tape recorder may be in operation throughout the hearing.

The parent (or parent's representative) will be asked to indicate whether he/she noted on the expulsion appeal form a request to offer "new evidence" as part of the appeal hearing. If so, the Contracted County Board will listen to an "offer of proof" and decide whether new evidence should be allowed.

Next, the parent will be asked by the Contracted County Board President to present an opening statement. This is an opportunity for the parent to summarize or provide an overview of the issues in the appeal or to provide any background information which will be helpful to Contracted County Board members.

The representative of the Sierra-Plumas Joint Unified School District will then be asked to make a statement reflecting the school district's position.

The parent will then be allowed to identify the first issue identified in the appeal and to provide an argument in support of the appeal. The school district representative will be allowed to respond. Each issue will be identified in order by the parent with equal time for the school district to respond.

It is important here to remember to remain focused upon the record of the expulsion hearing provided to each participant and on the four (4) questions over which the Contracted County Board has authority to rule.

Parents need not be concerned about making a polished presentation. It is important to prepare the presentation in advance by having notes or a prepared script.

## Conducting the Hearing

### ISSUES RAISED BY CONTRACTED COUNTY BOARD MEMBERS

During and after each presentation, members of the Contracted County Board of Education may ask questions of the parent and of the school district's representative(s). Contracted County Board members may raise issues during the hearing based upon their own review of the hearing record. The appeal decision may be based upon these issues even if they are not raised by the parent. Examples of issues commonly raised by Contracted County Board Members are:

*Has the additional finding been made that either the student has previously received lesser corrections which have not been effective, or the student presents a danger to the physical safety of others or him/herself because of the nature of the misconduct? If such finding has been made, has the school district described the evidence in the record which supports the finding? Was the misconduct proven by evidence which shows first-hand knowledge or which is not hearsay (or an exception)?*

You and the school district representative should review the entire hearing record prior to attending the hearing and be prepared to discuss any issue raised at the appeal. If the school district representative demonstrates that he/she cannot reasonably respond to an issue raised by the Board Member because of surprise, a continuance of the appeal hearing may be granted at the discretion of the Contracted County Board.

### CONTRACTED COUNTY BOARD DELIBERATION

When the presentations and questioning are completed, the Contracted County Board will either retire to another room to deliberate or excuse from the board room all present except the Contracted County Board, the Board's legal advisor, the Contracted County Superintendent and any necessary staff. No representative of the school district or the parent will be allowed to attend the deliberations. In making its decision, the Contracted County Board will take into consideration all of the following:

The Contracted County Board of Education may not substitute its judgment for the judgment of the school district Governing Board;

The Contracted County Board may not reverse a school district Governing Board's decision because of technical inadequacies in the hearing process unless it first determines that the error was prejudicial.

The Contracted County Board may not consider evidence other than that contained in the record of the proceedings of the school district Governing Board except as noted in these rules.

## **What the Board May Decide**

**The Contracted County Board may decide one of the following actions:**

- a. Uphold the local district's decision to expel the student;
- b. Reverse the local district Board's decision to expel the student and order expungement of all expulsion records.
- c. Remand the matter to the local district for reconsideration of new information, which could not have been reasonably produced during the original hearing or was improperly excluded or order that a new hearing be conducted. The Board may order the student reinstated during this time.
- d. If the Contracted County Board determines there is evidence to support the expulsion but required findings have not been made, remand the matter for adoption of the required findings.
- e. The Contracted County Board may conduct its own hearing considering new and original information and render its own decision. If the Contracted County Board decides to conduct a hearing, it shall notify the student and his/her parents/guardian and the district of the time, date, and place for such a hearing and their procedural rights.

## **Appeal of the Contracted County Board Decision**

The decision by the Contracted County Board of Education is a final decision. Under some circumstances, review of the Board's decision in Superior Court may be available.

## **Special Education Consideration**

Listed below are mandatory conditions, which must be met for special education students prior to an expulsion order.

- a. Was there a pre-expulsion meeting of the individualized education team prior to the expulsion hearing?
- b. Was an invitation to attend the pre-expulsion hearing extended at least 48 hours prior to the hearing?
- c. Was it determined during the pre-expulsion hearing meeting that:
  - the misconduct was not caused by a manifestation of the student's handicap?
  - the student was appropriately placed at the time the misconduct occurred?

## **What Are the Next Steps?**

### **What are the Parental Options/Responsibilities Under the Compulsory Education Law if the Expulsion is Upheld?**

1. Contact the Sierra-Plumas Joint Unified School District and ask for copy of its procedures to review and readmit the expelled student.
2. A student expelled from school for any of the offenses listed in subdivision (a) and (c) of the Education Code Section 48915 shall not be permitted to enroll in any other school or district during the period of expulsion unless it is a Continuation School or Juvenile Court School.
3. If a student who has been expelled for an act other than described in Education Code 48915(a) and (c) has moved to another district, the law requires that the new district be notified of the expulsion, or any pending expulsion, and is required to hold a hearing to determine if the student is a threat to students and staff.
4. A student may apply for admission to a local charter school.
5. A student may apply for admission to a private or parochial school at the parent/guardian's cost.

### **What Happens to Student Records?**

If the Contracted County Board of Education upholds the District decision, all expulsion documentation will remain in the student's records.

If the Contracted County Board of Education overturns the District decision, all expulsion documentation will be expunged from the student's records.

If the Contracted County Board of Education remands the matter back to the District, all expulsion documentation will return to the District for reconsideration.

If the Contracted County Board of Education conducts its own hearing, all expulsion documentation will remain with the Contracted County Board until a decision is made.

# Sierra County Board of Education

EXPULSION APPEAL AND REQUEST FOR HEARING  
TO: SUPERINTENDENT  
SIERRA COUNTY BOARD OF EDUCATION  
P. O. BOX 955  
109 Beckwith Rd.  
Loyalton CA 96118  
530 993-1660

In accordance with Education Code §48919-48924, the Sierra County Board of Education, and the Plumas County Board of Education, an Expulsion Appeal Hearing is hereby requested.

1. Expelled student's name: \_\_\_\_\_
2. Age: \_\_\_\_\_ Grade: \_\_\_\_\_
3. Parent/legal guardian: \_\_\_\_\_
4. Home address: \_\_\_\_\_
5. Telephone number (home): \_\_\_\_\_(work) \_\_\_\_\_

Name, address and phone number of legal counsel or other designated representative of the appellant (if any):

6. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_
7. Name of expelling school district: \_\_\_\_\_
8. Date Respondent Board voted to expel: \_\_\_\_\_
9. The Contracted County Board's review of the Respondent district decision shall be limited to the following:

*See Expulsion Appeal Handbook for Parents for explanation. (Please check one or more, and describe in detail how each applies to your case.)*

- A. *Explain how the governing board acted without or in excess of its jurisdiction in expelling the student. (See Expulsion Appeal Handbook for Parents; Education Code § 48900, 48900. 2, 48900.4, or 48915.)*

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B. Explain how the student was not afforded a fair hearing before the district governing board. (See *Expulsion Appeal Handbook for Parents; Education Code §48918, 48922.*)

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C. Explain how there was a prejudicial abuse of discretion by the district governing board in the hearing. (See *Expulsion Appeal Handbook for Parents; Education Code § 48900, 48900.2, 48900.3, 48900.4, or 48915,48918, 48922.*)

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D. Explain if there is relevant evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the governing board. (See *Expulsion Appeal Handbook for Parents; Education Code § 48918, 48922.*)

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**(Please use another sheet of paper for additional comments, if necessary.  
Attach documentation, if any.)**

10. Expulsion hearings are closed to the public unless you request a session open to the public at least five (5) days before the hearing

I am requesting an open (public) session.

11. I hereby certify that I requested that the district superintendent prepare a transcript of the expulsion hearing and supporting documents on \_\_\_\_\_.

12. I further certify that I have received and read the *Expulsion Appeal Handbook for Parents* and understand there are certain requirements that I must comply with in proceeding with this appeal. I understand that this form must be filed with the Secretary (County Superintendent) to the Sierra County Board of Education within thirty (30) days from the date the district board voted to expel my student. I understand that the Sierra County Superintendent will forward the appeal documents to the Plumas County Board of Education.

I further certify that this information is true and correct to the best of my knowledge.

\_\_\_\_\_  
Parent/Legal Guardian Signature  
(or student, if 18 years or older)

\_\_\_\_\_  
Date

# Request for Transcripts Form

Date: \_\_\_\_\_  
To Superintendent Dr. Merrill M. Grant  
School District: Sierra-Plumas Joint Unified School District  
Address: P. O. Box 955, 109 Beckwith Rd. St.  
Loyalton CA 96118

This is to inform you that I am filing an Expulsion Appeal and Request for Hearing with the Sierra County Board of Education relative to the district's expulsion of my daughter/son. Education Code Sections 48919 and 48921 require that I request from you a written transcription of the expulsion hearing and supporting documents certified by you or by the Clerk of the Board to be a true and complete copy.

I understand that these documents will be prepared within ten (10) school days of this request and the filing of the Expulsion Appeal and Request for Hearing with the Plumas County Board of Education, provided my request is within 30 days of the school board's decision to expel. Plumas County Board of Education procedure requires either that

- (1) your office will send a copy of the written transcription and supporting documents directly to the Plumas County Board of Education, or
- (2) that I take responsibility for the delivery of the written transcription and documents within one (1) day of the completion by your office.

I am requesting:

That you send a copy of the documents directly to the Plumas County Board of Education and a copy to me at the following address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### OR

That I be informed immediately when these documents are ready. I will then arrange for them to be picked up at your office, duplicated, and delivered to the Plumas County Board of Education office within one (1) working day of their availability from your office. You may contact me regarding this request at:

\_\_\_\_\_  
Telephone number

Sincerely, \_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Note: This letter must be received by the School District Superintendent on or before the date you file the Expulsion Appeal and Request for Hearing with the County Superintendent.



# Cost Of Transcript Form

## Certification of Inability to Afford Cost of Transcript

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

To Superintendent: \_\_\_\_\_

School District: \_\_\_\_\_

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

Dear \_\_\_\_\_,

This is to certify that I, the parent of \_\_\_\_\_, for the reasons listed below, cannot reasonably afford the cost of the district's expulsion hearing transcript. I request that the transcript be provided to me without cost because of:

Limited income (explain):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exceptional necessary expenses (explain):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sincerely,

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# Sierra County Office of Education Rules and Regulations

## STUDENT EXPULSION APPEAL FROM DISTRICT

The Sierra County Board of Education recognizes that student discipline is primarily the prerogative of the local district. The Contracted County Board also recognizes, however, that the rights to due process and the rights to a fair and just resolution of behavior issues are supported by Education Code §48919-48924 which provide for expulsion appeals to the Contracted County Board of Education.

Expulsion is the most severe form of discipline which a local district may invoke. The Contracted County Board of Education is vested with the responsibility of serving as the final appeal body through a hearing process intended to safeguard the rights of students.

Attached to this Handbook are the following from Sierra County Office of Education:

- *Board Policy 5144.1 Suspension and Expulsion/Due Process*
- *Administrative Regulation 5144.1 Suspension and Expulsion/Due Process*

This Handbook approved by the Sierra County Board of Education on August 8, 2017.

08/2017

# Sierra County/Sierra-Plumas Joint USD Administrative Regulation

Students AR 5144.1(a)

## SUSPENSION AND EXPULSION/DUE PROCESS

### Definitions

*Suspension* means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

*Expulsion* means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

### Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

### Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars,

cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))  
*Imitation firearm* means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))
13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))  
*Hazing* means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. *Hazing* does not include athletic events or school-sanctioned events. (Education Code 48900(q))
17. Engaged in an act of bullying (Education Code 48900(r))

*Bullying* means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

*Electronic act* means the creation or transmission of a communication originated on or off school site, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

*Reasonable student* means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A *terrorist threat* includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

### **Additional Grounds for Suspension and Expulsion: Grades 4-12**

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - *Student Disturbances*)

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that he/she:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

*Sexual harassment* means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - *Sexual Harassment*)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

*Hate violence* means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - *Hate-Motivated Behavior*)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 - *Nondiscrimination/Harassment*)

### **Suspension from Class by a Teacher**

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which he/she was suspended. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

## **Suspension by Superintendent, Principal or Principal's Designee**

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" and for which he/she is required to recommend expulsion. (Education Code 48915(c))

The Superintendent, principal, or designee may impose a suspension for a first offense if he/she determines that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

*(cf. 5125 - Student Records)*

## **Length of Suspension**

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

*(cf. 6184 - Continuation Education)*

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

## **Due Process Procedures for Suspension**

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the available evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school.

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)
  - a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
  - b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)
  - c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

*(cf. 6173.1 - Education for Foster Youth)*

- d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

*(cf. 6173 - Education for Homeless Children)*

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

### **Suspension by the Board**

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

*(cf. 9321 - Closed Session Purposes and Agendas)*

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

### **On-Campus Suspension**

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.

2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing. (Education Code 48911.1)

### **Principal's Authority to Recommend Expulsion**

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

### **Right to Expulsion Hearing**

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

### **Stipulated Expulsion**

After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or his/her parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of his/her right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.



A stipulated expulsion agreed to by the student and his/her parent/guardian shall be effective upon approval by the Board.

### **Rights of Complaining Witness**

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

### **Written Notice of the Expulsion Hearing**

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

*(cf. 5119 - Students Expelled from Other Districts)*

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser

*Legal counsel* means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

*Nonattorney adviser* means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

### **Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students**

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

## Conduct of Expulsion Hearing

1. **Closed Session:** Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. **Presentation of Evidence:** Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. **Testimony by Complaining Witnesses:** The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
  - a. Any complaining witness shall be given five days' notice before being called to testify.
  - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
  - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
  - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
  - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
  - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
    - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
    - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
    - (3) The person conducting the hearing may:
      - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
      - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
      - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
6. **Decision:** The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

**Alternative Expulsion Hearing: Hearing Officer or Administrative Panel**

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by his/her parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

**Final Action by the Board**

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative

panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

*(cf. 9321.1 - Closed Session Actions and Reports)*

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

### **Written Notice to Expel**

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

### **Decision to Suspend Expulsion Order**

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary

status. (Education Code 48917)

3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

### **Appeal**

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

### **Notification to Law Enforcement Authorities**

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

### **Placement During Expulsion**

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

*(cf. 6158 - Independent Study)*

*(cf. 6185 - Community Day School)*

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

### **Readmission After Expulsion**

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

### **Maintenance of Records**

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

*(cf. 5119 - Students Expelled from Other Districts)*

Regulation  
approved: April 10, 2007  
revised: August 9, 2011  
revised: June 12, 2012  
revised: April 9, 2013  
revised: June 18, 2014  
revised: March 10, 2015

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

Loyalton, California

# Sierra County/Sierra-Plumas Joint USD

## Administrative Regulation

### Suspension And Expulsion/Due Process (Students With Disabilities)

AR 5144.2

#### Students

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as otherwise specified in this administrative regulation.

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

#### Suspension

The Superintendent or designee may suspend a student with a disability for up to 10 consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year, as long as the suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530)

The principal or designee shall monitor the number of days, including portions of days, in which a student with a valid individualized education program (IEP) has been suspended during the school year.

(cf. 6159 - Individualized Education Program)

The Superintendent or designee shall determine, on a case-by-case basis, whether a pattern of removals of a student from his/her current educational placement for disciplinary reasons constitutes a change of placement. A change of placement shall be deemed to have occurred under either of the following circumstances: (34 CFR 300.536)

1. The removal is for more than 10 consecutive school days.
2. The student has been subjected to a series of removals that constitute a pattern because of all of the following:
  - a. The series of removals total more than 10 school days in a school year.
  - b. The student's behavior is substantially similar to his/her behavior in previous incidents that resulted in the series of removals.
  - c. Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another, indicate a change of placement.

If a student's removal is determined to be a change of placement as specified in items #1-2 above, or the student is suspended for more than 10 school days in the same school year, the

student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in his/her IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If the IEP of a student with a disability requires the district to provide the student with transportation, the district shall provide the student with an alternative form of transportation at no cost to him/her or to his/her parent/guardian when he/she is to be excluded from school bus transportation. (Education Code 48915.5)

(cf. 3541.2 - Transportation for Students with Disabilities)

#### Interim Alternative Educational Placement Due to Dangerous Behavior

The district may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.530)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

The student's interim alternative educational setting shall be determined by his/her IEP team. (20 USC 1415(k)(1)(G); 34 CFR 300.531)

On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

A student who has been removed from his/her current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow him/her to participate in the general education curriculum and to progress toward meeting the

goals set out in his/her IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

#### Manifestation Determination

The following procedural safeguards shall apply when a student with a disability is suspended for more than 10 consecutive school days, when a series of removals of a student constitutes a pattern, or when a change of placement of a student is contemplated due to a violation of the district's code of conduct:

1. Notice: On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR



300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

(cf. 5145.6 - Parental Notifications)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

2. **Manifestation Determination Review:** Immediately if possible, but in no case later than 10 school days after the date the decision to take disciplinary action is made, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

At the manifestation determination review, the district, the student's parent/guardian, and relevant members of the IEP team (as determined by the district and parent/guardian) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine whether the conduct in question was either of the following: (20 USC 1415(k)(1)(E); 34 CFR 300.530)

a. Caused by or had a direct and substantial relationship to the student's disability

b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

If the manifestation review team determines that either of the above conditions applies, the student's conduct shall then be determined to be a manifestation of his/her disability. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

3. **Determination that Behavior is a Manifestation of the Student's Disability:** When the student's conduct has been determined to be a manifestation of his/her disability, the IEP team shall conduct a functional behavioral assessment, unless one had been conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student. If a behavioral intervention plan has already been developed, the IEP team shall review the behavioral intervention plan and modify it as necessary to address the behavior. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

The student shall be returned to the placement from which he/she was removed, unless the parent/guardian and Superintendent or designee agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

4. **Determination that Behavior is Not a Manifestation of the Student's Disability:** When it has been determined that the student's conduct was not a manifestation of his/her disability, the student may be disciplined in accordance with the procedures for students without disabilities. However, the student's IEP team shall determine services necessary to enable him/her to participate in the general education curriculum in another setting and to allow him/her to progress toward meeting the goals set out in his/her IEP. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

As appropriate, the student also shall receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

(cf. 6158 - Independent Study)  
(cf. 6185 - Community Day School)

### Due Process Appeals

If the parent/guardian disagrees with any district decision regarding placement under 34 CFR 300.530 (suspension and removal for dangerous circumstances) or 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), he/she may appeal the decision by requesting a hearing. The district may request a hearing if the district believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. In order to request a due process hearing, the requesting party shall file a complaint pursuant to 34 CFR 300.507 and 300.508(a) and (b). (20 USC 1415(k)(3); 34 CFR 300.532)

Whenever a hearing is requested as specified above, the parent/guardian or the district shall have an opportunity for an expedited due process hearing consistent with requirements specified in 34 CFR 300.507, 300.508 (a)-(c), and 300.510-300.514.

If the student's parent/guardian or the district has initiated a due process hearing under 34 CFR 300.532 as detailed above, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise. (20 USC 1415(k)(4); 34 CFR 300.533)

### Readmission

Readmission procedures for students with disabilities shall be the same as those adopted for students without disabilities. Upon readmission of a student with disabilities, an IEP team meeting shall be convened to review and, as necessary, modify the student's IEP.

### Decision Not to Enforce Expulsion Order

The Governing Board's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

### Notification to Law Enforcement Authorities

Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in AR 5144.1 - Suspension and Expulsion/Due Process.

When giving any required notification concerning a student with disabilities to any law enforcement official, the principal or designee shall require the law enforcement official to certify in writing that he/she will not disclose the student's information or records to any other person without the prior written consent of the student's parent/guardian. (Education Code 49076)

(cf. 5131.7 - Weapons and Dangerous Instruments)

### Report to County Superintendent of Schools

The Superintendent or designee shall report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. The report shall

include the student's name, last known address, and the reason for the action. (Education Code 48203)

#### Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been determined to be eligible for special education and related services and who has violated the district's code of student conduct may nevertheless assert any of the protections under IDEA, if the district had knowledge of the student's disability. (20 USC 1415(k)(5); 34 CFR 300.534)

Knowledge means that, before the occurrence of the behavior that precipitated the disciplinary action, one of the following occurred: (20 USC 1415(k)(5); 34 CFR 300.534)

1. The parent/guardian, in writing, has expressed concern to district supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education or related services.
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311.

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

3. The teacher of the student or other district personnel has expressed specific concerns directly to the district's director of special education or other supervisory district personnel about a pattern of behavior demonstrated by the student.

However, the district shall not be deemed to have knowledge of a student's disability if the student's parent/guardian has not allowed him/her to be evaluated for special education services or has refused services or, after evaluating the student pursuant to 34 CFR 300.300-300.311, the district determined that he/she was not an individual with a disability.

When the district is deemed to not have knowledge of a student's disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior. (20 USC 1415(k)(5); 34 CFR 300.534)

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures pursuant to 34 CFR 300.530, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k)(5); 34 CFR 300.534)

#### Legal Reference:

##### EDUCATION CODE

35146 Closed sessions re: suspensions

35291 Rules of governing board

48203 Reports of severance of attendance of disabled students

48900-48925 Suspension and expulsion

49076 Access to student records

56000 Special education; legislative findings and declarations

56320 Educational needs; requirements

56321 Development or revision of individualized education program

56329 Independent educational assessment  
56340-56347 Individualized education program teams  
56505 State hearing  
PENAL CODE  
245 Assault with deadly weapon  
626.2 Entry upon campus after written notice of suspension or dismissal without permission  
626.9 Gun-Free School Zone Act  
626.10 Dirks, daggers, knives, razors, or stun guns  
UNITED STATES CODE, TITLE 18  
930 Weapons  
1365 Serious bodily injury  
UNITED STATES CODE, TITLE 20  
1412 State eligibility  
1415 Procedural safeguards  
UNITED STATES CODE, TITLE 21  
812 Controlled substances  
UNITED STATES CODE, TITLE 29  
706 Definitions  
794 Rehabilitation Act of 1973, Section 504  
CODE OF FEDERAL REGULATIONS, TITLE 34  
104.35 Evaluation and placement  
104.36 Procedural safeguards  
300.1-300.818 Assistance to states for the education of students with disabilities, especially:  
300.530-300.537 Discipline procedures  
COURT DECISIONS  
Schaffer v. Weast, (2005) 546 U.S. 549  
Parents of Student W. v. Puyallup School District, (1994 9th Cir.) 31 F.3d 1489  
M.P. v. Governing Board of Grossmont Union High School District, (1994) 858 F.Supp. 1044  
Honig v. Doe, (1988) 484 U.S. 305

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education Programs:

<http://www.ed.gov/about/offices/list/osers/osep>

SIERRA COUNTY OFFICE OF EDUCATION

Regulation SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

approved: April 10, 2007 Sierraville, California

revised: June 12, 2012

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

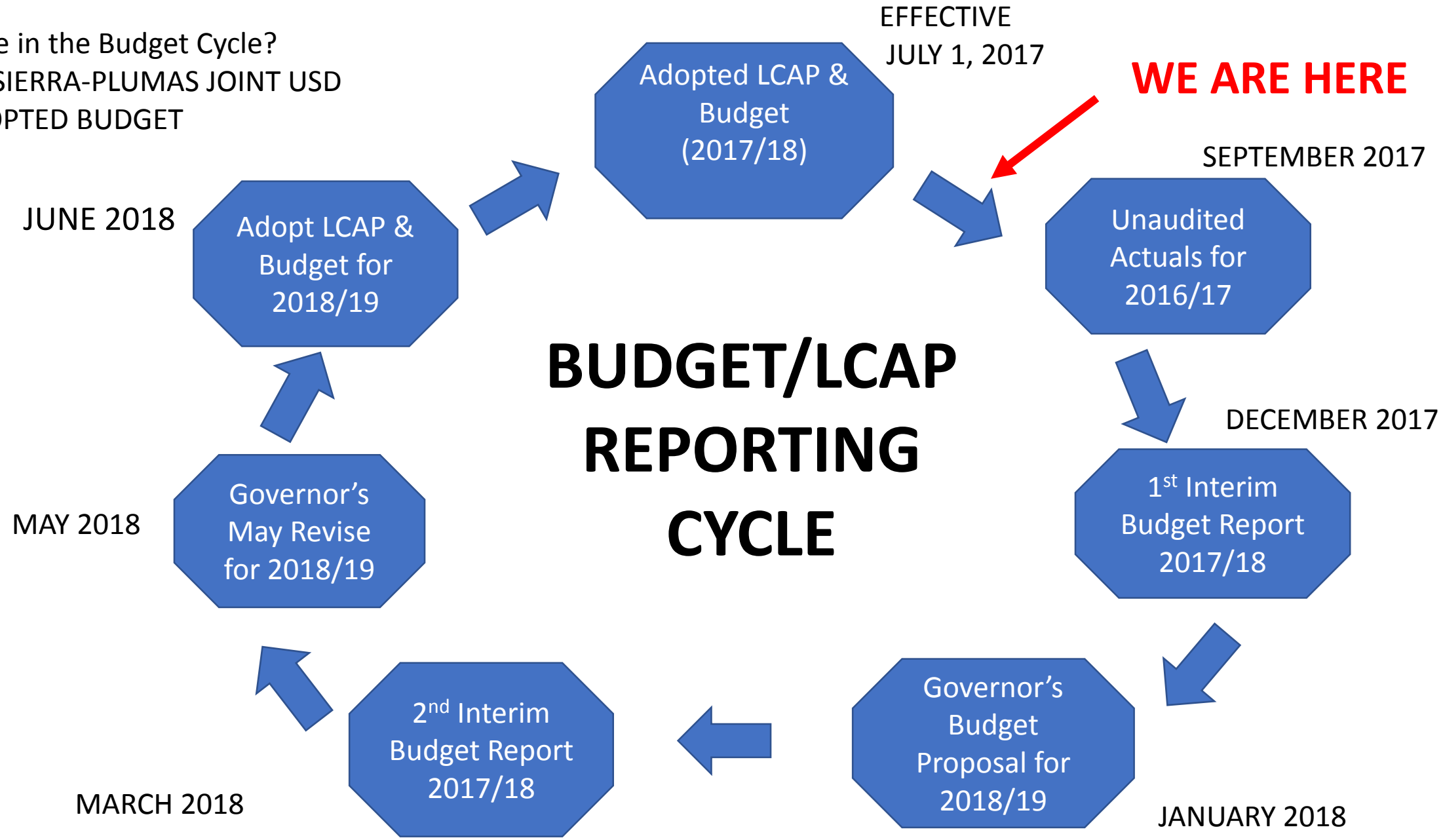
# 45-DAY BUDGET REVISE 2017/2018

Presented to the Governing Board on August 8, 2017

# What is a 45-Day Budget Revision?

- Education Code Section 42127 (i)(4) states that not later than 45 days after the Governor signs the annual Budget Act, the school district shall make available for public review any revisions in revenues and expenditures that it has made to its budget to reflect the funding made available by that Budget Act.
- The 2017/2018 State Budget was signed on 06/27/2017; therefore any revisions will be made available to the public by 08/11/2017.
- The Sierra COE and Sierra-Plumas Joint USD made the revisions available on 08/08/2017.

Where are we in the Budget Cycle?  
SIERRA COE/SIERRA-PLUMAS JOINT USD  
2017/18 ADOPTED BUDGET



# One-Time Discretionary Funds

- Departure from the Governor's May Revision proposals to delay payment of these funds to LEAs until May 2019.
- \$147 per 16/17 P2 ADA
- Intent is for these funds to be prioritized for Deferred Maintenance, Professional Development, Beginning Teacher induction, Instructional Materials, Technology Infrastructure and any other expenditure to support implementation of academic standards
- Approximately:    **SCOE: \$2,455**            **SPJUSD: \$53,117**



# McKinney-Vento (Homeless) Grant

## SIERRA COUNTY OFFICE OF EDUCATION

- One-Time Grant Funds
- Focus is to education countywide community members, school district homeless liaison, staff and principals on the needs and rights of homeless youth.
- Increase collaboration with local non-profits and county services to better serve homeless youth.
- Increase support of homeless youth by increasing services of psychologists and counselors
- Provide homework assistance, tutoring, supervision of educational activities of homeless children and youth.
- Provide professional development to select liaisons to include travel & attendance at the National Association for Homeless Youth scheduled in Chicago, IL conference – October 2017
- Professional development to liaisons working with traumatized/dramatized youth. Heighten educators understanding and sensitivity to homeless youth needs.
- New Grant Funding (Sierra COE): **\$35,000**

# WHAT'S NEXT?

- California's revenues are fragile and volatile.
  - Dependent upon top 1% taxpayers, a group that is not growing.
- The Governor's Budget and forecast for the out years rely on California's most volatile, least stable tax (capital gains) having back-to-back near record years.
- The Budget this year from the Governor has more aggressive revenue assumptions and carries more risk. He assumes no recession over the next 3 years.
- Adjustments may be necessary as actual revenues evolve.

Thank you

Prepared and presented by: Nona Griesert, Business Manager

### Gen Fund Budget Comparison Worksheet

Materiality Threshold		Unrestricted				Restricted				Total			
		17/18 Adopted Budget	17/18 45-Day Budget Revise	Pos (Neg) Difference	% Change	17/18 Adopted Budget	17/18 45-Day Budget Revise	Pos (Neg) Difference	% Change	17/18 Adopted Budget	17/18 45-Day Budget Revise	Pos (Neg) Difference	% Change
\$:													
%:													
<b>Revenues</b>													
Revenue Limit Funding	8010-8099	807,673	807,673	-	0.00%	-	-	-	-	807,673	807,673	-	0.00%
Federal Revenues	8100-8299	-	-	-	-	162,340	197,340	35,000	21.56% 2	162,340	197,340	35,000	21.56%
State Revenues	8300-8599	2,964	5,419	2,455	82.83% 1	651,123	651,123	-	0.00%	654,087	656,542	2,455	0.38%
Local Revenues	8600-8799	301,793	301,793	-	0.00%	4,500	4,500	-	0.00%	306,293	306,293	-	0.00%
<b>Total Revenues</b>		1,112,430	1,114,885	2,455	0.22%	817,963	852,963	35,000	4.28%	1,930,393	1,967,848	37,455	1.94%
<b>Expenditures</b>													
Certificated Salaries	1000-1999	170,708	170,708	-	0.00%	267,265	286,065	18,800	7.03% 2	437,973	456,773	18,800	4.29%
Classified Salaries	2000-2999	242,939	242,939	-	0.00%	139,202	141,002	1,800	1.29% 2	382,141	383,941	1,800	0.47%
Benefits & Taxes	3000-3999	193,162	193,162	-	0.00%	187,506	191,700	4,194	2.24% 2	380,668	384,862	4,194	1.10%
Materials & Supplies	4000-4999	16,377	18,832	2,455	14.99%	52,758	54,955	2,197	4.16% 2	69,135	73,787	4,652	6.73%
Operating Expenditures	5000-5999	357,595	357,595	-	0.00%	225,655	233,242	7,587	3.36% 2	583,250	590,837	7,587	1.30%
Capital Outlay	6000-6599	20,000	20,000	-	0.00%	18,867	18,867	-	0.00%	38,867	38,867	-	0.00%
Other Outgo	7xxx's	24,428	24,428	-	0.00%	-	-	-	-	24,428	24,428	-	0.00%
Other Outgo	7300-7399	(9,571)	(9,993)	(422)	4.41%	9,571	9,993	422	4.41% 2	-	-	-	-
<b>Total Expenditures</b>		1,015,638	1,017,671	2,033	0.20%	900,824	935,824	35,000	3.89%	1,916,462	1,953,495	37,033	1.93%
<b>Rev less Exp</b>		96,792	97,214	422	0.44%	(82,861)	(82,861)	-	0.00%	13,931	14,353	422	3.03%
<b>Other Sources/Uses</b>													
Transfers In	8910-8979	13,360	13,360	-	0.00%	-	-	-	-	13,360	13,360	-	0.00%
Contributions	8980-8999	(82,861)	(82,861)	-	0.00%	82,861	82,861	-	0.00%	-	-	-	-
Transfers Out	7610-7699	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Other Sources</b>		(69,501)	(69,501)	-	0.00%	82,861	82,861	-	0.00%	13,360	13,360	-	0.00%
<b>Change in Fund Bal</b>		27,291	27,713	422	1.55%	-	-	-	-	27,291	27,713	422	1.55%
<b>Beg Fund Bal</b>													
Adjustments		-	-	-	-	-	-	-	-	-	-	-	-
Adj Beg Fund Bal		-	-	-	-	-	-	-	-	-	-	-	-
<b>End Fund Bal</b>		27,291	27,713	422	1.55%	-	-	-	-	27,291	27,713	422	1.55%
<b>Non Spendable</b>													
Restricted		500	500	-	-	24,574	24,574	-	0.00%	500	500	-	0.00%
Comitted		118,735	127,319	8,584	7.23%	-	-	-	-	118,735	127,319	8,584	7.23%
Assigned		-	-	-	-	-	-	-	-	-	-	-	-
REU		216,180	195,000	(21,180)	-	-	-	-	-	216,180	195,000	(21,180)	-
Unassigned		(308,124)	(295,106)	(8,162)	2.65%	(24,574)	(24,574)	-	0.00%	(332,698)	(319,680)	(8,162)	2.45%

Tickmark Legend

REU is: 11.3% 10.0%

1 One Time Mandated Cost per ADA increase. \$147 per 16/17 P2 ADA (\$147\*16.7)

2 One Time McKinney-Vento Grant award. \$35,000

**CSBA POLICY GUIDE SHEET**  
**July 2017**

**BP/AR 3551 – Food Service Operations/Cafeteria Plan**

(BP/AR Revised)

Policy and regulation updated to reflect NEW FEDERAL GUIDANCE (U.S. Department of Agriculture Memorandum SP46-2016 and SP 2302017) which mandates any district participating in the National School Lunch and/or Breakfast Program to adopt a written policy on meal charges, including the collection of delinquent meal charge debt, no later than July 1, 2017, and to annually communicate that policy to parents/guardians. Policy and regulation also reflect NEW STATE GUIDANCE (California Department of Education Management Bulletin SNP-03-2017) which requires district policy to ensure that students with unrecovered or delinquent meal charge debt are not overtly identified, requires that debt collection efforts are consistent with specified cost principles, and establishes conditions for reclassifying unpaid debt as bad debt. Policy also revised to reflect the Buy American provision of federal regulations which requires district, to the maximum extent practicable, to purchase domestically grown and processed foods.

**AR 4112.2 - Certification**

(AR revised)

Regulation updated to (1) add verification of temporary certificates for employees whose credential applications are being processed by the Commission on Teacher Credentialing; (2) add section reflecting requirements for the Teaching Permit for Statutory Leave, as added by **NEW STATE REGULATIONS** (Register 2016, No. 34); and (3) add authorization for the holder of the Teaching Permit for Statutory Leave, Provisional Internship Permit, or Short-Term Staff Permit to provide substitute teaching services as specified.

**BP/AR 4112.61/4212.61/4312.61 - Employment References**

(BP deleted; AR revised)

Policy deleted and key concepts incorporated into regulation. Regulation also updated to more directly reflect state law regarding the authority of employers to communicate certain information about current or former employees to prospective employers.

**BP/AR 4127/4227/4327 – Temporary Athletic Team Coaches**

(BP/AR revised)

Policy and regulation updated to reflect NEW LAW (AB 1639, 2016) which requires coaches, beginning July 1, 2017, to complete a training course related to the nature and warning signs of sudden cardiac arrest and to retake such course every two years thereafter. Policy also allows a coach to submit either the Activity Supervisor Clearance Certificate or the Department of Justice and Federal bureau of Investigation criminal background check. Material regarding certification of coaches' qualifications to the board and the State Board of Education moved from AR to BP.

**BP 4312.1 – Contracts**

(BP revised)

Policy updated to reflect NEW LAW (SB 1436, 2016) which requires the board, prior to taking final action on the salary or benefits of employees whose position within the district is established through an employment contract, to orally report a summary of the recommended action during open session of a board meeting. Updated policy also clarifies the limited circumstances under which salary and benefits may be discussed in closed session and the prohibition against discussing salary or other compensation during a special meeting of the board.

**BB 9121 - President**

(BB revised)

Bylaw updated to reorganize and revise the duties of the board president for consistency with information provided in CSBA's Board President's Workshop, and to add an optional component on providing training for the president to enhance his/her leadership skills.

**BB 9220 - Governing Board Elections**

(BB revised)

Bylaw updated to reflect **NEW LAW** (SB 415, 2015) which, effective January 1, 2018, requires a district to move the date of its board election to be concurrent with a statewide election whenever holding an election on a nonconcurrent date has resulted in a significant decrease in voter turnout, as defined. Bylaw encourages districts to review recent voter turnout and, if necessary, adopt a plan before the January 1, 2018 deadline in order to delay consolidation until November 8, 2022. Bylaw also reflects **NEW LAWS** which require public hearings before and after drawing maps of proposed trustee areas (AB 350, 2016), authorize districts to permit board candidates to submit candidate statements for electronic distribution (AB 2010, 2016), allow districts to establish a dedicated fund to make public funds available to persons seeking elective office under specified conditions (SB 1107, 2016), and require prospective plaintiffs who allege that the election method violates the California Voting Rights Act to notify the district before filing a complaint (AB 350, 2016).

**BB 9230 - Orientation**

(BB revised)

Bylaw updated to delete section on "Board Candidate Orientation" and move that material to BB 9220 - Governing Board Elections. Bylaw also clarifies that an orientation meeting must be conducted in open session if a majority of the members of the board will be discussing district business, provides examples of topics and materials to be addressed in the orientation, and provides information about CSBA trainings for new and first-term board members.

**BB 9400 - Board Self-Evaluation**

(BB revised)

Bylaw updated for consistency with CSBA's online board self-evaluation tool and facilitator services. Bylaw also links board self-evaluation to the identification of strategies for strengthening board performance, including board trainings.

# Sierra County/Sierra-Plumas Joint USD

## Administrative Regulation

### Food Service Operations/Cafeteria Fund

AR 3551

#### Business and Noninstructional Operations

#### Payments for Meals

\*\*\*Note: State and federal law (Education Code 49550; 42 USC 1758, 1773) require that all students eligible for free and reduced-price meals receive a reimbursable meal during each school day, which must be the same meal choice offered to noneligible students; see BP/AR 3553 - Free and Reduced Price Meals. California Department of Education (CDE) Management Bulletin SNP-06-2015 clarifies that districts therefore cannot serve an alternate meal (i.e., a meal that is different than the day's advertised meal) to a student eligible for reduced-price meals who does not have the ability to pay or who fails to provide a meal ticket or other medium of exchange on a given day. Payment policies for full-price meals are at the discretion of the district and may include decisions on whether or not to extend credit or provide an alternate meal to students in the event of nonpayment. \*\*\*

\*\*\*Note: In addition to providing meals at no cost to students who are eligible, the district may offer meals at no cost to students who qualify for reduced-price benefits. Districts that choose to eliminate reduced-price meal charges may still claim the meals at the reduced-price rate, but the cost difference between the reduced-price meal and the no-cost meal must be covered by the district's cafeteria fund. Districts that choose to do so may modify the following paragraph accordingly. For more information, see the U.S. Department of Agriculture's (USDA) Memorandum SP 17-2014. \*\*\*

\*\*\*Note: The following section includes recommendations of the CDE's Management Bulletin and the USDA's "FAQs About School Meals" on the USDA's web site and may be revised to reflect district practice. \*\*\*

With the exception of students who are eligible to receive meals at no cost, students may pay on a per-meal basis or may submit payments in advance. –The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

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

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

\*\*\*Note: The CDE's program monitoring process (the Administrative Review) requires districts to continually notify parents/guardians of district policies regarding meal payments, including charge accounts and alternate meals if applicable. Districts should, at a minimum, inform parents/guardians at the beginning of the school year and on an ongoing basis of district practices for students who have lost or forgotten their meal payment. In addition, districts should set up a parent notification system for when a student's meal payment account has a low or negative balance. \*\*\*

\*\*\*Note: According to the USDA's Memorandum SP-23-2017, beginning in the 2017-18 school year and

each year thereafter, the district's policy on delinquent meal payments must be communicated in writing to all households at the start of each school year and to households transferring to the school during the school year. CDE Management Bulletin SNP-03-2017 states that, at a minimum, districts should use the methods specified below to communicate the district's meal policy. \*\*\*

At the beginning of the school year, and whenever a student enrolls during the school year, parents/guardians shall be notified of the district's meal payment policies and be encouraged to prepay for meals whenever possible. The Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications at the start of the school year
4. Posting the policy on the district's web site
5. Establishing a system to notify parents/guardians when a student's meal payment account has a low or negative balance

(cf. 1113 - District and School Web Sites)  
(cf. 5145.6 - Parental Notifications)

\*\*\*Note: The following optional paragraph may be revised to reflect district practice. According to the USDA's "FAQs About School Meals," any district that participates in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773) and has one or more schools which use a system of meal tickets (or tokens, cards, or other similar medium of exchange) may limit the number of lost or stolen tickets it will replace for students each school year, as long as the limit is set at three or more. However, such a limit may only be established if the school (1) advises students and parents/guardians of the district's rules regarding replacement tickets at the beginning of the school year and/or when applications for free and reduced-price meals are distributed or approved; (2) issues at least one advance warning to the student or his/her parent/guardian prior to refusing to issue a replacement ticket; and (3) does not deny meals to prekindergarten or younger primary students or students with disabilities who may be unable to take full responsibility for their meal tickets. Although these requirements apply only to students who qualify for free or reduced-price meals, the USDA recommends that districts apply the same limits for students who pay full price for their meals in order to ensure that needy students are not overtly identified because of a disparate ticket replacement policy. \*\*\*

In any school that uses a system of meal tickets or other similar medium of exchange rather than an electronic point-of-sale system, the Superintendent or designee shall develop a process for providing replacement tickets to any student who reports his/her tickets as lost or stolen. However, whenever any student reports an excessive number of lost or stolen tickets, the Superintendent or designee shall notify the parent/guardian and may provide an alternative method of tracking meal usage for that student.

In order to avoid potential misuse of a student's food service account by someone other than the student in whose name the account has been established, the Superintendent or designee shall verify a student's identity when setting up the account and when charging any meal to the account. The Superintendent or designee shall investigate any claim that a bill does not belong to a student or is inaccurate, shall not require a student to pay a bill that appears to be the result of identity theft, and shall open a new account with a new account number for a student who appears to be the subject of identity theft.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

\*\*\*Note: Pursuant to CDE Management Bulletin SNP-03-2017, districts must ensure that students who are approved for reduced-price meals receive all meals that are paid for. Any excess payments must be either carried over or refunded to the parents/guardians. The following paragraph extends this provision to also apply to students paying for full-price meals. \*\*\*

Any payments made to a student's food service account shall, if not used within the school year, be carried over into the next school year or be refunded to the student's parents/guardians.

#### Unpaid and Delinquent Meal Charges

\*\*\*Note: Pursuant to USDA Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast program are mandated to have a written and clearly communicated meal charge policy which includes, but is not limited to, policy on the collection of delinquent meal charge debt. Such policy may allow students to charge all types of reimbursable meals, impose a limit on charges, provide students paying full price with alternate meals, and/or allow neither meal charges nor alternative meals. Such policy may be consistent for all students or vary by grade level. The follow paragraphs should be revised to reflect district practice. Also see the accompanying Board policy. \*\*\*

Students and their parents/guardians shall be notified whenever their account has a low or negative balance. Whenever a student's account has an unpaid balance of \$25 or more, parents/guardians shall be notified in writing that full payment is due within seven school days from the date of the notice.

In cases of repeated nonpayment by a student, the Superintendent or designee may contact parents/guardians to discuss the reasons for the nonpayment. The Superintendent or designee may evaluate individual circumstances to determine if the student's parents/guardians need assistance completing an application for free or reduced-price meals or need referral to social services.

\*\*\*Note: The following optional paragraph reflects CDE guidance in its Management Bulletin SNP-03-2017. \*\*\*

The Superintendent or designee may enter into a repayment plan with a student's parents/guardians for payment of the student's unpaid meal charge balance over a period of time. As necessary, the repayment plan may allow the unrecovered or delinquent debt to carry over into the next fiscal year.

\*\*\*Note: CDE Management Bulletin SNP-03-2017 requires that the district's unpaid meal policy conform with the cost principles set forth in 2 CFR 200.426, as provided below. \*\*\*

The district's efforts to collect debt shall be consistent with district policies and procedures, California



Department of Education (CDE) guidance, and 2 CFR 200.426. The district shall not spend more than the actual debt owed in efforts to recover unpaid meal charges.

\*\*\*Note: Pursuant to CDE Management Bulletins SNP 06-2015 and SNP-03-2017, delinquent debt must be reclassified as bad debt and written off as an operating loss if it is not paid by the end of the fiscal year in which the debt was incurred, unless the district enters into a repayment plan with the parent/guardian prior to the end of the fiscal year or the debt occurs fewer than 90 days prior to the end of the fiscal year. Federal funds are not available to reimburse the district for bad debt. Districts are required to maintain related records in accordance with 7 CFR 210.9 and 210.15. \*\*\*

The Superintendent or designee shall maintain records of the efforts made to collect unpaid meal charges and, if applicable, financial documentation showing when the unpaid meal balance has become an operating loss.

#### Reimbursement Claims

\*\*\*Note: To streamline administration of state and federal meal programs, the CDE has developed an online Child Nutrition Information and Payment System which must be used to submit reimbursement claims and to submit and track the status of applications and USDA food requests. \*\*\*

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free, reduced-price, and full-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to the [California Department of Education \(CDE\)](#) using the online Child Nutrition Information and Payment System.

#### Cafeteria Fund

\*\*\*Note: Education Code 38091 authorizes the Governing Board to establish one or more cafeteria revolving accounts to be treated as revolving cash accounts of the cafeteria fund. \*\*\*

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. The income and expenditures of any cafeteria revolving account established by the [Governing Board](#) shall be recorded as income and expenditures of the cafeteria fund. (Education Code 38090, 38091)

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

The cafeteria fund shall be used only for those expenditures authorized by the Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR [225 Part 200 Appendix VII](#), and the California School Accounting Manual. ~~(Education Code 38091, 38101; 2 CFR 225)~~

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the expenditure's purpose and basis. (Education Code 38101)

(cf. 3110 - Transfer of Funds)

\*\*\*Note: The following optional paragraph may be revised to reflect district practice. 2 CFR Part 200 Appendix VII and USDA guidance, Indirect Costs: Guidance for State Agencies and School Food Authorities, provide information regarding allowable indirect costs that may be charged to the nonprofit school food service account. Indirect costs are those that are incurred for the benefit of multiple programs or objectives and typically support administrative overhead functions (e.g., accounting, payroll, purchasing, utilities, janitorial services). Each program or objective that benefits from the indirect cost bears a commensurate portion of the cost. Costs may be charged to the nonprofit food service account only if properly documented. \*\*\*

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

\*\*\*Note: Pursuant to 7 CFR 210.7 and 220.14, net cash resources (i.e., all monies that have accrued to the nonprofit school food service at any given time, less cash payable) should not exceed three months average expenditures. If there is a surplus, then according to USDA guidance, Indirect Costs: Guidance for State Agencies and School Food Authorities, the district must lower the price of paid lunches, improve food quality, or make other improvements to school meal operations. The spending plan developed by the district under such circumstances must be approved by the CDE. \*\*\*

Net cash resources in the nonprofit school food service shall not exceed three months average expenditures. (2 CFR ~~210~~220.14)

U.S. Department of Agriculture Foods

\*\*\*Note: The following optional section is for use by districts that participate in the National School Lunch Program and receive foods from the USDA pursuant to 42 USC 1755 and 7 CFR 250.1-250.70. The CDE is responsible for ordering and distributing USDA foods for use in California schools. Pursuant to 42 USC 1758, the USDA must ensure that foods offered through this program reflect the most recent Dietary Guidelines for Americans. \*\*\*

The Superintendent or designee shall ensure that foods received through the U.S. Department of Agriculture (USDA) are handled, stored, and distributed in facilities which: (7 CFR 250.14)

1. Are sanitary and free from rodent, bird, insect, and other animal infestation
2. Safeguard foods against theft, spoilage, and other loss
3. Maintain foods at proper storage temperatures
4. Store foods off the floor in a manner to allow for adequate ventilation
5. Take other protective measures as may be necessary

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be

used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR 250.6059)

#### Contracts with Outside Services

\*\*\*Note: The following optional section is for use by districts that contract for food service management services pursuant to Education Code 49554, 42 USC 1758, or 7 CFR 210.16 or consulting services pursuant to Education Code 45103.5, and should be modified to reflect the type(s) of contracts in the district; see the accompanying Board policy. \*\*\*

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services, including prices to be charged to students for meals, and shall monitor the food service operation through periodic on-site visits. The district shall not enter into a contract with a food service company to provide a la carte food services only, unless the company agrees to offer free, reduced-price, and full-price reimbursable meals to all eligible students. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. –All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

(cf. 3312 - Contracts)  
 (cf. 3515.6 - Criminal Background Checks for Contractors)  
 (cf. 3600 - Consultants)  
 (cf. 4112.4/4212.4/4312.4 - Health Examinations)  
 (cf. 4212 - Appointments and Conditions of Employment)

#### SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

Regulation SIERRA COUNTY OFFICE OF EDUCATION  
 approved: April 10, 2007  
 revised: June 14, 2011  
 revised: February 11, 2014  
 revised: August 8, 2017

Sierraville, California  
 Loyalton, California

# Sierra County/Sierra-Plumas Joint USD

## Board Policy

### Food Service Operations/Cafeteria Fund

BP 3551

### Business and Noninstructional Operations

\*\*\*Note: The following policy may be revised to reflect district practice. Pursuant to U.S. Department of Agriculture (USDA) Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast program (42 USC 1751-1769j, 1773) are mandated to adopt policy addressing delinquent meal charges; see the section "Meal Sales" below and the accompanying administrative regulation. \*\*\*

\*\*\*Note: Pursuant to 7 CFR 210.9, 210.14, and 220.7, districts participating in the National School Lunch and/or Breakfast program must maintain a nonprofit school food service program. Revenues received through the program may be used for the operation or improvement of the food service program, but not to construct buildings. Revenues also may not be used to purchase land or buildings, unless otherwise approved by the USDA. Authorized expenditures are defined in the California Department of Education's (CDE) California School Accounting Manual. \*\*\*

The Governing Board intends that school food services shall be a self-supporting, nonprofit program.– To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

(cf. 3100 - Budget)  
 (cf. 3300 - Expenditures and Purchases)  
 (cf. 3311 - Bids)  
 (cf. 3550 - Food Service/Child Nutrition Program)  
 (cf. 3552 - Summer Meal Program)  
 (cf. 5030 - Student Wellness)

The Superintendent or designee shall ensure that all food service personnel possess appropriate the required qualifications and receive ongoing professional development related to the effective management and implementation of the district's food service program in accordance with law.

(cf. 4231 - Staff Development)  
 (cf. 4331 - Staff Development)

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the California Department of Education (CDE). (42 USC 1776)

### Meal Sales

Meals may be sold to students, district employees, Board members, and employees or members of the

fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

~~In addition, meals may be sold to other individuals and organizations that are on campus during meal times for a legitimate purpose, such as classroom volunteers, parents/guardians, or students' siblings.~~

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

\*\*\*Note: Education Code 49557 requires the Board to approve a plan that ensures students eligible to receive free or reduced-price meals are not treated differently from other students, including, but not limited to, assurance that eligible students will not be overtly identified by the use of special tokens, tickets, or any other means. For additional language addressing this requirement, see BP/AR 3553 - Free and Reduced Price Meals. \*\*\*

Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation. Such students shall not be overtly identified or treated differently from other students.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 3553 - Free and Reduced Price Meals)  
(cf. 5145.3 - Nondiscrimination/Harassment)

~~Meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose.~~

\*\*\*Note: Pursuant to USDA Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast program are mandated to have a written and clearly communicated meal charge policy which includes, but is not limited to, policy on the collection of delinquent meal charge debt. Pursuant to CDE Management Bulletin SNP-03-2017, the district's unpaid meals policy must ensure that students with unrecovered or delinquent debt are not overtly identified. See the accompanying administrative regulation for additional language fulfilling this mandate. \*\*\*

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments, and shall clearly communicate these procedures and related district policies to students and parents/guardians. The procedures adopted by the Superintendent or designee shall conform with 2 CFR 200.426 and any applicable CDE guidance, and shall not overtly identify students with unrecovered or delinquent debt or treat them differently than other students.

#### Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.

(cf. 3230 - Federal Grant Funds)  
 (cf. 3400 - Management of District Assets/Accounts)  
 (cf. 3460 - Financial Reports and Accountability)

#### Contracts with Outside Services

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

(cf. 3312 - Contracts)  
 (cf. 3600 - Consultants)

#### Procurement of Foods

\*\*\*Note: The following section is for districts participating in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773). Pursuant to 7 CFR 210.21, districts are required to comply with all requirements for purchasing commercial food products served in the school meals programs, including those outlined in the Buy American provision. This provision indicates that a district participating in the National School Lunch and/or Breakfast Program or any entity purchasing food on its behalf must, to the maximum extent practicable, purchase domestically grown and processed foods, as defined. According to USDA Memorandum SP-24-2016, a domestic commodity or product is deemed to be "substantially using" domestic agricultural commodities when over 51 percent of the final processed product consists of agricultural commodities produced in the United States. \*\*\*

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

\*\*\*Note: The following paragraph reflects limited exceptions to the Buy American requirement, as described in USDA Memorandum SP-24-2016. If the district is using one of these exceptions, it must maintain documentation justifying the exception(s). \*\*\*

A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonable quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the exception.

## Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the district's food service program with federal requirements related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

(cf. 3555 - Nutrition Program Compliance)

### Legal Reference:

#### EDUCATION CODE

38080-38086 Cafeteria, establishment and use  
 38090-38095 Cafeterias, funds and accounts  
 38100-38103 Cafeterias, allocation of charges  
 42646 Alternate payroll procedure  
 45103.5 Contracts for management consulting services; restrictions  
 49490-49493 School breakfast and lunch programs  
 49500-49505 School meals  
 49554 Contract for services

49550-49562 Meals for needy students

#### HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

#### CODE OF REGULATIONS, TITLE 5

15550-15565 School lunch and breakfast programs

#### UNITED STATES CODE, TITLE 42

1751-1769j School lunch programs  
 1771-1791 Child nutrition, including:

1773 School breakfast program

#### CODE OF FEDERAL REGULATIONS, TITLE 2

200.56 Indirect costs, definition

200.400-200.475 Cost principles

200 Appendix VII Indirect cost proposals

#### CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program  
 220.1-220.21 National School Breakfast Program  
 250.1-250.70 USDA foods

### Management Resources:

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Food Distribution Program Administrative Manual

Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, Management Bulletin, SNP-03-2017, April 2017

Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast

Programs, Bad Debt Policies, and the Handling of Unpaid Meal Charges, Management Bulletin USDA-

SNP-06-2015, May 2015

Cafeteria Funds--Allowable Uses, Management Bulletin NSD-SNP-07-2013, May 2013

Paid Lunch Equity Requirement, Management Bulletin USDA-SNP-16-2012, October 2012

Storage and Inventory Management of United States Department of Agriculture (USDA) Donated Foods, Management Bulletin USDA-FDP-02-2010, August 2010

Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, Management Bulletin 00-111, July 2000

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

FAQs About School Meals

Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017

Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016

Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, September 2016

Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016

Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 24-2016, February 2016

Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California School Nutrition Association: <http://www.calsna.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

Policy SIERRA COUNTY OFFICE OF EDUCATION

adopted: April 10, 2007

revised: June 14, 2011

revised: February 11, 2014

revised: August 8, 2017

Sierraville, California

Loyalton, California



# Sierra County/Sierra-Plumas Joint USD

## Administrative Regulation

All Personnel

AR 4112.61

4212.61

### EMPLOYMENT REFERENCES

4312.61

The Superintendent or designee shall ~~process all~~ be responsible for processing requests for employment references, letters of recommendation, or information about the reasons for separation regarding all district employees other than himself/herself. ~~All~~ letters of recommendation to be issued on behalf of the district for current or former employees ~~must~~ shall be approved by the Superintendent or designee. At his/her discretion, the Superintendent or designee may refuse to give a recommendation.

~~At his/her discretion, the Superintendent or designee may refuse to give a recommendation. Any recommendation he/she gives shall provide a careful, truthful and complete~~Note: Civil Code 47 authorizes an employer to communicate the job performance or qualifications of a current or former employee when such information is given to a prospective employer without malice and at the prospective employer's request. This authorization does not extend to information about speech or other activities that are constitutionally protected or otherwise protected by law, including those found in the Code of Civil Procedure 527.3 pertaining to the rights of workers to engage in concerted activities for the purpose of collective bargaining.

The district should consult with legal counsel in determining whether or not it is advisable to reveal negative information concerning an employee. In Randi W. v. Muroc Unified School District et al., the California Supreme Court held that school authorities who recommend a former employee for hiring at another school could be held liable for physical harm to a student molested by the employee when their recommendations failed to disclose known or reasonably suspected acts of sexual misconduct previously committed by the employee.

The Superintendent or designee may communicate information about the job performance or qualifications of a current or former district employee when such information is based upon credible evidence and is given to a prospective employer without malice and at the prospective employer's request. (Civil Code 47)

Any reference, letter of recommendation, or information provided about the reasons for separation issued on behalf of the district shall provide a truthful and accurate account of the employee's job performance and qualifications.

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

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

Note: 5 CCR 80332 prohibits a certificated employee from intentionally omitting significant facts regarding a person's qualifications or stating facts which he/she does not know to be true. In addition, pursuant to Labor Code 1050 and 1052, it is a misdemeanor, punishable by a fine and/or imprisonment, for a person to make misrepresentations which prevent or attempt to prevent a former employee from obtaining employment, or for an employer to cause or permit an employee to so misrepresent facts or to fail to take reasonable steps to prevent such misrepresentations. Labor Code 1054 provides that the employer also may be liable for treble damages in a civil action for misrepresentation.

No certificated employee shall write or sign any letter or memorandum which intentionally omits significant facts, or which states as facts matters which the writer does not know of his/her own knowledge to be true, relating to the professional qualifications or personal fitness to perform certificated services of any person who the writer knows will use the letter or memorandum to obtain professional employment. (5 CCR 80332)

No certificated employee shall agree to provide a positive letter of recommendation which misrepresents facts as a condition of another employee's resigning or withdrawing action against the district. (5 CCR 80332)

*Legal Reference:*

LABOR CODE

*1050-1054 Reemployment privileges*

CIVIL CODE

*47 Privileged communication*

CODE OF CIVIL PROCEDURE

*527.3 Labor disputes*

CODE OF REGULATIONS, TITLE 5

*80332 Professional candor and honesty in letters or memoranda of employment recommendation*

COURT DECISIONS

*Randi W. v. Muroc Joint Unified School District et al., (1997) 14 Cal. 4th 1066*

Policy  
adopted: April 10, 2007  
revised: August 8, 2017

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

Reference UPDATE Service

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# Sierra County/Sierra-Plumas Joint USD

## Administrative Regulation

### Temporary Athletic Team Coaches

AR 4127 4227, 4327

#### Personnel

#### Qualifications

Minimum qualifications for temporary athletic team coaches shall include, but are not necessarily ~~be~~ limited to, competencies in the following areas: (5 CCR 5593)

1. Care and prevention of athletic injuries, basic sports injury first aid, and emergency procedures, as evidenced by one or more of the following:
  - a. Completion of a college-level course in the care and prevention of athletic injuries and possession of a valid cardiopulmonary resuscitation (CPR) card
  - b. A valid sports injury certificate or first aid card, and a valid CPR card
  - c. A valid Emergency Medical Technician (EMT) I or II card
  - d. A valid trainer's certification issued by the National or California Athletic Trainers' Association (NATA/CATA)
  - e. Possession of both valid CPR and first aid cards and practical experience under the supervision of an athletic coach or trainer or experience assisting in team athletic training and conditioning
2. Coaching theory and techniques in the sport or game being coached, as evidenced by one or more of the following:
  - a. Completion of a college course in coaching theory and techniques
  - b. Completion of inservice programs arranged by a school district or county office of education
  - c. Prior service as a student coach or assistant athletic coach in the sport or game being coached
  - d. Prior coaching in community youth athletic programs in the sport being coached
  - e. Prior participation in organized competitive athletics at the high school level or above in the sport being coached

3. Knowledge of the rules and regulations pertaining to the sport or game being coached, the league rules, and, at the high school level, regulations of the California Interscholastic Federation (CIF)
4. Knowledge of child or adolescent psychology, as appropriate, as it relates to sport participation, as evidenced by one or more of the following:
  - a. Completion of a college-level course in child psychology for elementary school positions and adolescent or sports psychology for secondary school positions
  - b. Completion of a seminar or workshop on human growth and development of youth
  - c. Prior active involvement with youth in school or community sports program

The Superintendent or designee may waive competency requirements for persons enrolled in appropriate training courses leading to acquisition of the competency, provided such persons serve under the direct supervision of a fully qualified coach until the competencies are met. (5 CCR 5593)

~~Following the selection of a temporary athletic team coach, the Superintendent or designee shall certify to the Board of Education, at the next regular Board meeting or within 30 days, whichever is sooner, that the coach meets the qualifications and competencies required by 5 CCR 5593. By April 1 of each year, the Board shall certify to the State Board of Education that the provisions of 5 CCR 5593 have been met. (5 CCR 5594)~~

Volunteers who supervise or direct an athletic program shall meet the qualification criteria specified in 5 CCR 5593 required for temporary athletic team coaches employed by the district. Any volunteer who does not meet such criteria shall serve only under the supervision of a fully qualified coach and shall not be given charge of an athletic program.

(cf. 1240 - Volunteer Assistance)

#### Additional Qualifications of Noncertificated Personnel and Volunteers

In addition to the qualifications listed above, any noncertificated employee or volunteer assigned as a temporary athletic team coach shall: (5 CCR 5592)

1. Be free from tuberculosis and any other contagious disease that would prohibit certificated teachers from teaching, as verified by a written statement, renewable every four years, from a licensed physician or other person approved by the district

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

2. Not have been convicted of any offense referred to in Education Code 44010, 44011, or 44424, or any offense involving moral turpitude or evidencing unfitness to associate with children

Any noncertificated employee or volunteer assigned as a temporary athletic team coach shall obtain an Activity Supervisor Clearance Certificate or a criminal background check in accordance with Board policy. (Education Code 49024)

(cf. 1240 - Volunteer Assistance)

#### ~~High School Coaching Education Program~~

~~Each high school athletic team coach or volunteer coach shall complete a coaching education program that meets the standards developed by the CIF, including internet on-line courses approved by the district.~~

#### Training

Each employee or volunteer high school athletic team coach shall complete, at his/her expense, a coaching education program that meets the standards developed by the CIF and includes, but is not limited to, training in regard to sport psychology, sport pedagogy, sport physiology, sport management, statewide and school regulations, and CPR and first aid, including the signs, symptoms, and appropriate response to concussions. A high school coach who has completed the education program in another California school district shall be deemed to have met the requirement for this district. ~~(Education Code 49032)~~

An individual who has not completed the education program may be assigned as a coach for no longer than one season of interscholastic competition. (Education Code 35179.1, 49032)

In addition, prior to coaching an athletic activity and every two years thereafter, athletic coaches shall complete an approved training course on the nature and warning signs of sudden cardiac arrest. (Education Code 33479.2, 33479.6, 33479.7)

#### Code of Ethical Conduct

Employees providing supervisory or instructional services in interscholastic athletic programs and activities shall: (5 CCR 5596)

1. Show respect for players, officials, and other coaches
2. Respect the integrity and judgment of game officials
3. Establish and model fair play, sportsmanship, and proper conduct
4. Establish player safety and welfare as the highest priority
5. Provide proper supervision of students at all times
6. Use discretion when providing constructive criticism and when reprimanding players

7. Maintain consistency in requiring all players to adhere to the established rules and standards of the game
8. Properly instruct players in the safe use of equipment
9. Avoid exerting undue influence on a student's decision to enroll in an athletic program at any public or private postsecondary educational institution
10. Avoid exerting undue influence on students to take lighter academic course(s) in order to be eligible to participate in athletics
11. Avoid suggesting, providing, or encouraging any athlete to use nonprescription drugs, anabolic steroids, or any substance to increase physical development or performance that is not approved by the U.S. Food and Drug Administration, U.S. Surgeon General, or the American Medical Association  
  
(cf. 5131.63 - Steroids)
12. Avoid recruitment of athletes from other schools
13. Follow the rules of behavior and the procedures for crowd control as established by the district and the league in which the district participates

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT		
Regulation	SIERRA COUNTY OFFICE OF EDUCATION	
approved:	April 10, 2007	Sierraville, California
revised:	July 12, 2011	
revised:	August 8, 2017	Loyalton, California

# Sierra County/Sierra-Plumas Joint USD

## Board Policy

### Temporary Athletic Team Coaches

BP 4127 4227, 4327

#### Personnel

The Governing Board ~~of Education~~ desires to employ highly qualified ~~temporary athletic team~~ coaches for the district's sports and interscholastic athletic programs in order to enhance the knowledge, skills, motivation, and safety of student athletes.

(cf. 6142.7 - Physical Education and Activity)  
(cf. 6145.2 - Athletic Competition)

The Superintendent or designee may employ~~hire~~ a certificated or noncertificated employee, other than a substitute employee, to supervise or instruct interscholastic athletic activities as a temporary employee in a limited assignment capacity. (5 CCR 5590)

(cf. 4121 - Temporary/Substitute Personnel)

\*\*\*Note: When hiring a temporary athletic team coach, Education Code 44919 requires districts to first make the position available to a credentialed teacher employed by the district. In CTA v. Rialto Unified SD, the California Supreme Court held that the law is intended to grant a current certificated employee a limited advantage in the hiring process over a noncertificated employee or a nonemployee, provided that the applicant applies for the position and meets qualification criteria established by the district. \*\*\*

When hiring a person to fill a position as a temporary athletic team coach, the position shall first be made available to qualified certificated teachers currently employed by the district. (Education Code 44919)

\*\*\*Note: 5 CCR 5596 specifies a code of ethical conduct for athletic coaches; see the accompanying administrative regulation. In addition, the California Interscholastic Federation (CIF) has adopted a set of principles to guide the conduct of coaches and other participants in interscholastic athletic competitions; see BP 6145.2 - Athletic Competition. \*\*\*

All coaches shall be subject to Board policies, administrative regulations, and California Interscholastic Federation bylaws and codes of ethical conduct.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
(cf. 5131.1 - Bus Conduct)  
(cf. 5131.63 - Steroids)  
(cf. 5141.1 - Child Abuse Prevention and Reporting)

Noncertificated coaches shall have no authority to give~~assign~~ grades to students. (5 CCR 5591)

(cf. 5121 - Grades/Evaluation of Student Achievement)

Qualifications and Training

The Superintendent or designee shall establish qualification criteria for all athletic coaches in accordance with law and district standards. These criteria shall ensure that coaches possess an appropriate level of competence, knowledge, and skill.

\*\*\*Note: Pursuant to Education Code 49024, any noncertificated employee or volunteer who works with students in a district-sponsored student activity program, such as an interscholastic athletic program, is required to obtain an Activity Supervisor Clearance Certificate (ASCC) from the Commission on Teacher Credentialing, unless the district requires the candidate to clear a Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) criminal background check. See BP/AR 1240 - Volunteer Assistance and AR 4112.5/4212.5/4312.5 - Criminal Record Check. Thus, the Governing Board may (1) choose to require a temporary athletic team coach to obtain the ASCC or a DOJ/FBI criminal background check; (2) permit an individual, at his/her discretion, to obtain either the ASCC or DOJ/FBI check; or (3) apply different requirements to different positions in the district (e.g., head coaches vs. assistant coaches; employees vs. volunteers). The following paragraph should be modified to reflect district practice. \*\*\*

\*\*\*Note: In addition, Education Code 45125.01 allows multiple districts within a county or within contiguous counties to share criminal record information of noncertificated employees and volunteers working in a student activity program. \*\*\*

Any noncertificated employee or volunteer who works with students in a district-sponsored interscholastic athletic program shall, prior to beginning his/her duties, ~~obtain~~submit to the Superintendent or designee either an Activity Supervisor Clearance Certificate issued by the Commission on Teacher Credentialing or a Department of Justice and Federal Bureau of Investigation criminal background check through the district clearance. (Education Code 49024)

~~An individual who possesses a current Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing, issued prior to July 9, 2010, shall have satisfied district requirements for the criminal background check.—(Education Code 49024)~~

(cf. 1240 - Volunteer Assistance)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

Following the selection of a temporary athletic team coach, the Superintendent or designee shall certify to the Board, at the next regular Board meeting or within 30 days, whichever is sooner, that the coach meets the qualifications and competencies required by 5 CCR 5593. By April 1 of each year, the Board shall certify to the State Board of Education that the provisions of 5 CCR 5593 have been met. (5 CCR 5594)

\*\*\*Note: Education Code 49032 requires that all high school coaches complete a district or CIF-developed coaching education program that meets the guidelines of Education Code 35179.1 and includes training on the signs, symptoms, and appropriate response to concussions. Additionally, Education Code 33479.6, as added by AB 1639 (Ch. 792, Statutes of 2016), requires coaches, beginning July 1, 2017, to complete a training course related to the nature and warning signs of sudden cardiac arrest and to retake such a course every two years thereafter. See the accompanying administrative regulation. \*\*\*

In addition, the Superintendent or designee shall regularly report to the Board regarding the extent to which the district's coaches have completed the trainings required by law, including those required pursuant to Education Code 33479.6 and 49032, and by district policy.

~~(cf. 4112.62/4212.62/4312.62—Maintenance of Criminal Offender Records)~~

~~(cf. 4212.5—Criminal Record Check)~~



Legal Reference:

EDUCATION CODE

35179-35179.7 Interscholastic athletics

[33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act](#)

44010 Sex offense

44011 Controlled substance offense

44332-44332.5 Temporary certificates

44424 Conviction of a crime

44808 Liability when students are not on school property

[44916 Written statement indicating employment status](#)

44919 Classification of temporary employees

45125.01 Interagency agreements for criminal record information

45347 Instructional aides subject to requirements for classified staff

45349 Use of volunteers to supervise or instruct students

49024 Activity Supervisor Clearance Certificate

49030-49034 Performance-enhancing substances

49406 Examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

5531 Supervision of extracurricular activities

5590-5596 Duties of temporary athletic team coaches

COURT DECISIONS

[Neily v. Manhattan Beach Unified School District, \(2011\) 192 Cal. App. 4th 187](#)

[Kavanaugh v. West Sonoma County Union High School District, \(2003\) 29 Cal. 4th 911](#)

CTA v. Rialto Unified School District, (1997) 14 Cal. 4th ~~627~~

[San627San](#) Jose Teachers Association, CTA, NEA v. Barozzi, (1991) 230 Cal.App.3d 1376

Management Resources:

CSBA PUBLICATIONS

Steroids and Students: What Boards Need to Know, Policy Brief, July 2005

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

California Interscholastic Federation Constitution and Bylaws

[Pursuing Victory with Honor, 1999](#)

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), July 20, 2010

WEB SITES

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

California Athletic Trainers' Association: <http://www.ca-at.org>

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

California Interscholastic Federation: <http://www.cifstate.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

National Athletic Trainers' Association: <http://www.nata.org>

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

Policy SIERRA COUNTY OFFICE OF EDUCATION

adopted: April 10, 2007 Sierraville, California

revised: April 8, 2011

revised: July 12, 2011

revised: August 8, 2017

# Sierra County/Sierra-Plumas Joint USD

## Board Policy

### All Personnel

BP 4154, 4254, 4354

### HEALTH AND WELFARE BENEFITS

The Governing Board recognizes that health and welfare benefits are essential to promote employee health and productivity and are an important part of the compensation offered to employees. The district shall provide health and welfare benefits for employees in accordance with state and federal law and subject to negotiated employee agreements.

*(cf. 4140/4240/4340 - Bargaining Units)*

*(cf. 4141/4241 - Collective Bargaining Agreement)*

*(cf. 4151/4251/4351 - Employee Compensation)*

Employees who are not in bargaining units shall receive health and welfare benefits as negotiated with the Board of Education.

For purposes of granting benefits, a registered domestic partner and his/her child shall have the same rights, protections, and benefits as a spouse and spouse's child. (Family Code 297.5, 300)

The district shall offer full-time certificated employees who work fifty (50%) or greater full time equivalent an average of 27.5 hours or more per week and their dependents up to age 26 years a health insurance plan that includes coverage for essential health benefits, pays at least 60 percent of the medical expenses covered under the terms of the plan, and meets all other requirements of the federal Patient Protection and Affordable Care Act.

With respect to eligibility to participate in the health benefits plan or the level of health benefits provided, the district shall not discriminate in favor of employees who are among the highest paid 25 percent of all district employees. (26 USC 105; 42 USC 300gg-16)

### Continuation of Coverage

Retired certificated employees, other employees who would otherwise lose coverage due to a qualifying event specified in law and administrative regulation, and their qualified beneficiaries may continue to participate in the district's group health and welfare benefits in accordance with state and federal law.

Unless otherwise provided for in the applicable collective bargaining agreement, covered employees and their qualified beneficiaries may receive continuation coverage by paying the premiums, dues, and other charges, including any increases in premiums, dues, and costs incurred by the district in administering the program.

### Confidentiality

The Superintendent or designee shall not use or disclose any employee's medical information the district possesses without the employee's authorization obtained in accordance with Civil Code 56.21, except for the purpose of administering and maintaining employee benefit plans and for other purposes specified in law. (Civil Code 56.20)

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

*Legal Reference:*

#### EDUCATION CODE

7000-7008 Health and welfare benefits, retired certificated employees

17566 Self-insurance fund

35208 Liability insurance

35214 Liability insurance (self-insurance)

44041-44042 Payroll deductions for collection of premiums

44986 Leave of absence, state disability benefits

45136 Benefits for classified employees

CIVIL CODE

56.10-56.16 Disclosure of information by medical providers

56.20-56.245 Use and disclosure of medical information by employers

FAMILY CODE

297-297.5 Rights, protections and benefits under law; registered domestic partners

GOVERNMENT CODE

12940 Discrimination in employment

22750-22944 Public Employees' Medical and Hospital Care Act

53200-53210 Group insurance

HEALTH AND SAFETY CODE

1366.20-1366.29 Cal-COBRA program, health insurance

1367.08 Disclosure of fees and commissions paid related to health care service plan

1373 Health services plan, coverage for dependent children who are full-time students

1373.621 Continuation coverage, age 60 or older after five years with district

1374.58 Coverage for registered domestic partners, health service plans and health insurers

INSURANCE CODE

10116.5 Continuation coverage, age 60 or older after five years with district

10128.50-10128.59 Cal-COBRA program, disability insurance

10277-10278 Group and individual health insurance, coverage for dependent children

10604.5 Annual disclosure of fees and commissions paid

12670-12692.5 Conversion coverage

LABOR CODE

2800.2 Notification of conversion and continuation coverage

4856 Health benefits for spouse of peace officer killed in performance of duties

UNEMPLOYMENT INSURANCE CODE

2613 Education program; notice of rights and benefits

UNITED STATES CODE, TITLE 1

7 Definition of marriage, spouse

UNITED STATES CODE, TITLE 26

105 Self-insured medical reimbursement plan; definition of highly compensated individual

4980B COBRA continuation coverage

4980H Penalty for noncompliance with employer-provided health care requirements

5000A Minimum essential coverage

6056 Report of health coverage provided to employees

UNITED STATES CODE, TITLE 29

1161-1168 COBRA continuation coverage

UNITED STATES CODE, TITLE 42

300gg-300gg95 Patient Protection and Affordable Care Act, especially:

300gg-16 Group health plan; nondiscrimination in favor of highly compensated individuals

1395-1395g Medicare benefits

CODE OF FEDERAL REGULATIONS, TITLE 26

54.4980B-1-54.4980B-10 COBRA continuation coverage

54.4980H-1-54.4980H-6 Patient Protection and Affordable Care Act

1.105-11 Self-insured medical reimbursement plan

CODE OF FEDERAL REGULATIONS, TITLE 45

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

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

*Health Policy: Implications of Covered California for School Boards, Districts and Personnel, Governance Brief, January 2013*

INTERNAL REVENUE SERVICE NOTICES

2011-1 Affordable Care Act Nondiscrimination Provisions Applicable to Insured Group Health Plans

U.S. DEPARTMENT OF TREASURY PUBLICATIONS

*Fact Sheet: Final Regulations Implementing Employer Shared Responsibility Under the Affordable Care Act (ACA) for 2015*

WEB SITES

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

California Employment Development Department: <http://www.edd.ca.gov>

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

U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services: <http://www.cms.gov>

U.S. Department of Labor: <http://www.dol.gov>

Policy

adopted: April 10, 2007

revised: December 8, 2015

revised: August 8, 2017

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

Loyalton, California

# Sierra County/Sierra-Plumas Joint USD

## Administrative Regulation

### Certificated Personnel

AR 4112.2

### CERTIFICATION

#### Verification of Credentials

Note: The following optional section may be revised to reflect district practice. Pursuant to Education Code 44330, 44332.5, and 44857, each person employed in a position requiring certification qualifications must register a valid credential not later than 60 days after beginning employment in the district or not later than 60 days after renewing a credential. A district with over 10,000 average daily attendance (ADA) may provide for the registration of its own certificated employees' credentials. If it does not do so, or if the district has 10,000 ADA or less, certificated employees' credentials must be registered with the county office of education. The following section may be revised to reflect district practice.

The Commission on Teacher Credentialing (CTC) does not provide credentials in a paper format. Pursuant to 5 CCR 80001, the official record of a credential is information obtained from the CTC web site. If an applicant has indicated a county of employment on his/her application, the county office of education will receive a download of credential information for that applicant. For all other certificated staff, the district must obtain verification of its employees' certification through the CTC's online service and may print the displayed information.

The Superintendent or designee shall verify that each employee in a position requiring certification qualifications possesses a valid certification document issued by the Commission on Teacher Credentialing (CTC). Such verification shall occur not later than 60 days after the commencement of employment or the renewal of a credential. (Education Code 44857)

*(cf. 4112.21 - Interns)*

*(cf. 4112.22 - Staff Teaching English Language Learners)*

*(cf. 4112.23 - Special Education Staff)*

~~*(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)*~~

*(cf. 4121 - Temporary/Substitute Personnel)*

*(cf. 5148 - Child Care and Development)*

*(cf. 6178 - Career Technical Education)*

*(cf. 6200 - Adult Education)*

Note: Pursuant to Education Code 44332, 44332.5, and 44332.6, an individual may be employed while his/her application is being processed by the CTC if he/she holds a temporary certificate issued by a district with over 10,000 ADA or the county office of education, indicating that he/she has passed the state assessment of teachers' basic skills and completed a criminal record check. As amended by AB 1918 (Ch. 127, Statutes of 2016), Education Code 44332, 44332.5, and 44332.6 require the district or county office of education, prior to issuing a temporary certificate, to obtain a certificate of clearance (fingerprint clearance) from the CTC to satisfy the criminal record check requirement.

The Superintendent or designee shall verify that any person who is employed by the district while his/her application for certification is being processed by the CTC possesses a temporary certificate based on a demonstration of basic skills and completion of a criminal background check. (Education Code 44332, 44332.5, 44332.6)

The Superintendent or designee shall maintain records of the appropriate certification of all employees serving in certificated positions.

*(cf. 3580 - District Records)*

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

### **Basic Skills Proficiency**

Note: Education Code 44830 provides that a district cannot employ an individual in a position requiring certification unless that person has met the basic skills proficiency requirement or is exempted from the requirement by law. Such exemptions are specified in Education Code 44252 and 44830. Unless exempted, persons who have been granted a credential by the CTC have met the basic skills proficiency requirement as a condition of obtaining the credential. According to CTC leaflet CL-667, Basic Skills Requirement, the basic skills proficiency requirement also may be met by passage of the California Basic Educational Skills Test, California Subject Examinations for Teachers: Multiple Subject Plus Writing Skills Examination, California State University Early Assessment Program, California State University Placement Examinations, or a basic skills examination from another state.

The district shall not initially hire a person in a position requiring certification, on a permanent, temporary, or substitute basis, unless that person has demonstrated basic skills proficiency in reading, writing, and mathematics or is specifically exempted from the requirement by law. (Education Code 44252, 44252.6, 44830)

The district may hire a certificated employee who has not taken a test of basic skills proficiency if he/she has not yet been afforded the opportunity to take the test, provided that he/she takes the test at the earliest opportunity. The employee may remain employed by the district pending the receipt of his/her test results. (Education Code 44830)

An out-of-state prepared teacher shall meet the basic skills requirement within one year of being issued a California preliminary credential by the CTC unless he/she has completed a basic skills proficiency test in another state or is otherwise exempted by law. The district shall develop a basic skills proficiency test, which shall be at least equivalent to the district test required for high school graduation, for purposes of assessing out-of-state prepared teachers pending completion of the basic skills requirement. (Education Code 44252, 44274.2; 5 CCR 80071.4, 80413.3)

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6146.2 - Certificate of Proficiency)*

*(cf. 6162.5 - High School Exit Examination)*

Note: Pursuant to Education Code 44252 and 44830, persons holding or applying for a "designated subjects special subjects" credential must be assessed with a district basic skills proficiency test, unless their credential requires possession of a bachelor's degree in which case they are required to meet the state basic skills proficiency requirement. When such persons are employed by a consortium of districts or a joint powers agreement, the test may instead be established by the boards of those entities.

Any person holding or applying for a "designated subjects special subjects" credential which does not require possession of a bachelor's degree shall pass a district proficiency test in lieu of meeting the state basic skills proficiency requirement. (Education Code 44252, 44830)

The district may charge a fee to cover the costs of developing, administering, and grading the district proficiency test. (Education Code 44252, 44830)

### Short-Term Staff Permit

Note: 5 CCR 80021 establishes the short-term staff permit (STSP) to immediately fill teacher vacancies based on unforeseen circumstances. Pursuant to 5 CCR 80021, the CTC will issue the STSP to an individual only once and for no more than one year. The STSP will expire no later than July 1, unless the STSP is for a summer school assignment in which case the STSP will expire no later than September 1.

The district may request that the CTC issue a short-term staff permit (STSP) to a qualified applicant whenever there is a need to immediately fill a classroom based on unforeseen circumstances, including, but not limited to: (5 CCR 80021)

1. Enrollment adjustments requiring the addition of another teacher
2. Inability of the teacher of record to finish the school year due to approved leave or illness
3. The applicant's need for additional time to complete preservice requirements for enrollment into an approved intern program
4. Inability of the applicant to enroll in an approved intern program due to timelines or lack of space in the program
5. Unavailability of a third-year extension of an intern program or the applicant's withdrawal from an intern program

The Superintendent or designee shall ensure that the applicant possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021 for the multiple subject, single subject, or education specialist STSP as appropriate. (5 CCR 80021)

When requesting issuance of an STSP, the Superintendent or designee shall submit to the CTC: (5 CCR 80021)

1. Verification that the district has conducted a local recruitment for the permit being requested
2. Verification that the district has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques and has assigned a mentor teacher for the term of the permit

*(cf. 4131 - Staff Development)*

*(cf. 4131.1 - Teacher Support and Guidance)*

3. Written justification for the permit signed by the Superintendent or designee

Note: 5 CCR 80021 provides that a holder of the STSP is authorized to provide the same service as a holder of the preliminary or clear credential of the same type (i.e., multiple subject, single subject, education specialist). 5 CCR 80021 provides that all STSPs will also include an English learner authorization allowing the holder to provide services in English language development (ELD) or specially designed academic instruction in English (SDAIE); see AR 4112.22 - Staff Teaching English Learners. Upon request by the district and verification of the applicant's target-language proficiency, the STSP may instead include a bilingual authorization allowing the holder to provide instruction for primary language development or content instruction delivered in the primary language, in addition to ELD and SDAIE.

The holder of an STSP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021)

### **Provisional Internship Permit**

Note: 5 CCR 80021.1 establishes the provisional internship permit (PIP) to staff classrooms when appropriately credentialed teachers cannot be found after a diligent search. 5 CCR 80021.1 provides that the PIP will be issued for one calendar year and may not be renewed.

Before requesting that the CTC issue a provisional internship permit (PIP), the district shall conduct a diligent search for a suitable credentialed teacher or intern, including, but not ~~be~~ limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media. (5 CCR 80021.1)

*(cf. 4111/4211/4311 - Recruitment and Selection)*

Whenever a suitable credentialed teacher cannot be found after a diligent search, the Superintendent or designee may request that the CTC issue a PIP to an applicant who possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021.1 for the multiple subject, single subject, or education specialist PIP as appropriate. (5 CCR 80021.1)

When submitting the request for a PIP, the district shall provide verification of all of the following: (5 CCR 80021.1, 80026.5)

1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.
2. Orientation, guidance, and assistance shall be provided to the permit holder as specified in 5 CCR 80026.5.

The orientation shall include, but not be limited to, an overview of the curriculum the permit holder is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. The permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district

employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience.

- 23. The district shall assist the permit holder in developing a personalized plan through a district-selected assessment that would lead to subject-matter competence related to the permit.
- 34. The district shall assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and shall assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.
- 45. A notice of intent to employ the applicant in the identified position has been made public.

The district shall submit a copy of the agenda item presented at a public **Governing Board of Education** meeting which shall state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s), and grade(s) that he/she will be teaching, and that the applicant will be employed on the basis of a PIP. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

- 56. The candidate has been apprised of steps to earn a credential and enroll in an intern program.

Note: 5 CCR 80021.1 provides that a holder of the PIP is authorized to provide the same service as a holder of the preliminary or clear credential of the same type (i.e., multiple subject, single subject, education specialist). In addition, 5 CCR 80021.1 provides that all PIPs will include an English learner authorization allowing the holder to provide services in ELD or SDAIE; see AR 4112.22 - Staff Teaching English Learners. Upon request by the district and verification of the applicant's target-language proficiency, the PIP may instead include a bilingual authorization allowing the holder to provide instruction for primary language development or content instruction delivered in the primary language, in addition to ELD and SDAIE.

The holder of a PIP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021.1)

### **Teaching Permit for Statutory Leave**

Note: 5 CCR 80022, as added by Register 2016, No. 34, establishes the Teaching Permit for Statutory Leave (TPSL), which authorizes the holder to serve as the interim teacher of record when a teacher takes a statutory leave. The applicable statutory leaves are specified in 5 CCR 80022 and, as clarified by CTC Coded Correspondence 16-10, exclude administrative leave. The TPSL is valid for one calendar year from the first day of the month immediately following the date of issuance, but may be renewed on an annual basis provided that the holder completes additional requirements as specified and the district verifies that it will provide continued mentoring and support.

Qualifications required for the TPSL include possession of a bachelor's or higher degree, completion of the basic skills requirement, completion of a subject-matter requirement, and 45 hours of preservice preparation in the content areas listed in 5 CCR 80022. The design and delivery of the preservice preparation are at the discretion of



the district and, as described in CTC Coded Correspondence 16-10, may include existing training and development programs, new preparation courses or modules, and/or partnerships with the county office of education, neighboring districts, colleges and universities, or private companies. The CTC does not accredit or oversee any TPSL preparation. The following paragraph may be revised to reflect district practice.

Whenever there is an anticipated need for the district to temporarily fill the teaching assignment of a teacher of record who will be on sick leave, differential sick leave, industrial accident or illness leave, pregnancy disability leave, or family care and medical leave under the federal Family and Medical Leave Act or California Family Rights Act, the Superintendent or designee may request that the CTC issue a Teaching Permit for Statutory Leave (TPSL) to a qualified individual who will be serving as the interim teacher of record. Prior to submitting an application to the CTC, the district shall provide the applicant with 45 hours of preparation in the content areas listed in 5 CCR 80022. (5 CCR 80022)

*(cf. 4161.1 - Personal Illness and Injury Leave)*

*(cf. 4161.11 - Industrial Accident/Illness Leave)*

*(cf. 4161.8 - Family Care and Medical Leave)*

A request for the TPSL shall only be submitted if the district has made reasonable efforts to hire a substitute with a full teaching credential that matches the setting and/or subject for the statutory leave position and no such candidate is available. (5 CCR 80022)

The district shall verify to the CTC that it will provide the interim teacher: (5 CCR 80022)

1. An orientation to the assignment before or during the first month of service in the statutory leave assignment
2. An average of two hours of mentoring, support, and/or coaching per week through a system of support coordinated and/or provided by a mentor who possesses a valid life or clear credential that would also authorize service in the statutory leave assignment
3. Lesson plans for the first four weeks of the assignment as well as continued assistance in the development of curriculum, lesson planning, and individualized education programs

Note: The TPSL authorizes the interim teacher of record to serve for the full length of the statutory leave. CTC Coded Correspondence 16-10 clarifies that, when more than one acceptable leave is taken consecutively, the holder of the TPSL may continue to serve as the interim teacher of record for the entire length of those leaves.

The holder of the TPSL may serve as the interim teacher of record for up to the full length of the leave(s) during the school year. (5 CCR 80022)

The Superintendent or designee shall maintain documentation on the assignment in accordance with 5 CCR 80022. He/she shall annually report data on the use of the TPSL to the County Superintendent of Schools for assignment monitoring pursuant to Education Code 44258.9. (5 CCR 80022)

*(cf. 4113 - Assignment)*

The Superintendent or designee may annually request renewal of the TPSL, provided that no substitute with a full teaching credential is available for the assignment. The application for each reissuance shall include verification that the interim teacher has completed an additional 45 hours of preparation and the district is continuing to provide mentoring in accordance with items #2-3 above. (5 CCR 80022)

### **Long-Term Emergency Permits**

Note: Pursuant to Education Code 44225.7, the district may request that the CTC grant an applicant a one-year emergency permit (Education Code 44300; 5 CCR 80023-80026.6) when a "fully prepared teacher," defined as a teacher who has completed a teacher preparation program, is unavailable to the district. Emergency permits may only be issued for the resource specialist permit (5 CCR 80024.3.1), teacher librarian services permit (5 CCR 80024.6), crosscultural, language and academic development permit (5 CCR 80024.8), and bilingual authorization permit (5 CCR 80024.7).

Pursuant to 5 CCR 80023.1, an emergency permit may be renewed for up to two additional one-year periods (for a maximum of three years of service).

In order to request an emergency permit, the district must first demonstrate that it has made reasonable efforts to recruit candidates who are enrolled in an intern program or are scheduled to complete preliminary credential requirements within six months and must submit a Declaration of Need for Fully Qualified Educators; see the accompanying Board policy.

As necessary, the Superintendent or designee may request that the CTC issue an emergency resource specialist permit, emergency teacher librarian services permit, emergency ~~cross-cultural~~crosscultural language and academic development permit, or emergency bilingual authorization permit. (5 CCR 80024.3.1, 80024.6, 80024.7, 80024.8)

The Superintendent or designee shall provide any first-time recipient of an emergency teaching permit with an orientation which, to the extent reasonably feasible, shall occur before he/she begins a teaching assignment. The Superintendent or designee may vary the nature, content, and duration of the orientation to match the amount of training and experience previously completed by the emergency permit teacher. The orientation shall include, but not be limited to, the curriculum the teacher is expected to teach and effective techniques of classroom instruction and classroom management at the assigned grade-level span. -The emergency permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience. (5 CCR 80026.5)

*(cf. 4117.14/4317.14 - Postretirement Employment)*

### **Emergency Substitute Teaching Permits**

~~For day to day substitute teaching at any grade level, the~~The district may employ a person ~~with an emergency substitute~~whose credential or permit ~~issued by the CTC~~authorizes substitute teaching services, provided that:

Note: 5 CCR 80025.3, as amended by Register 2016, No. 34, authorizes the holder of the STSP, PIP, or TPSL to provide day-to-day substitute teaching services for up to 30 days for a general education teacher or 20 days for a special education teacher.

1. A person holding an emergency 30-day substitute teaching permit, STSP, PIP, TPSL, or any valid teaching or services credential that requires at least a bachelor's degree and completion of the California Basic Educational ~~Skills~~ Skills Test, shall not serve as a substitute for more than 30 days for any one teacher during the school year.- He/she shall not serve as a substitute in a special education classroom for more than 20 days for any one teacher during the school year. (5 CCR 80025, 80025.3, 80025.4)
2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)
3. A person with an emergency substitute teaching permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)
4. A person with an emergency designated subjects 30-day substitute teaching permit for career technical education shall teach only in a program of technical, trade, or vocational education and shall not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

Note: 5 CCR 80025 and 80025.5 require the district to have a Statement of Need on file before employing a person with an emergency substitute permit pursuant to item #1 or 4 above. The CTC form for the Statement of Need may be found in the CTC's online Credential Information Guide, which may be accessed only by employers.

Before employing a person with an emergency substitute permit pursuant to item #1 or #4 above, the Superintendent or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)

Regulation  
 approved: April 10, 2007  
 revised: September 13, 2011  
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 revised: August 8, 2017

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

# Sierra County/Sierra-Plumas Joint USD

## Board Bylaw

Board Bylaws

BB 9121

### PRESIDENT

Note: Education Code 35022 requires any board with five or more members to elect a president from among its members. The election of the Governing Board president at the annual organizational meeting is addressed in BB 9100 - Organization.

The law does not specify the duties of a Board president. The following **optional** bylaw details some typical duties of a Board president and should be modified to reflect district practice.

The Governing Board shall elect a president from among its members to provide leadership on behalf of the Board governance team and the educational community it serves.

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

*(cf. 9100 - Organization)*

~~The~~ To ensure that Board meetings are conducted in an efficient, transparent, and orderly manner, the president shall ~~preside at all Board~~:

1. Call such meetings. ~~He~~ of the Board as he/she ~~shall~~: may deem necessary, giving notice as required by law

*(cf. 9320 - Meetings and Notices)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

2. Consult with the Superintendent or designee on the preparation of Board meeting agendas

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

~~1-3.~~ 3. Call the meeting to order at the appointed time and preside over the meeting

~~2-4.~~ 4. Announce the business to come before the Board in its proper order

~~3-5.~~ 5. Enforce the Board's ~~policies relating~~ bylaws related to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act

~~4-6.~~ 6. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference

~~5. Explain what the effect of a motion would be if it is not clear to every member~~

~~6. Restrict discussion to the question when a motion is before the Board~~

~~7-7.~~ Facilitate the Board's effective deliberation, ensuring that each Board member has an opportunity to participate in the deliberation and that the discussion remains focused

8. Rule on issues of parliamentary procedure

~~8-9.~~ Put motions to a vote, and ~~state~~ clearly state the results of the vote

~~9.~~ Be responsible for the orderly conduct of all Board meetings

*(cf. 9323 - Meeting Conduct)*

The president shall have the same rights as other members of the Board, including the right to discuss and vote on all matters before the Board.

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

1. ~~—~~ Signing all instruments, acts ~~and~~ orders, and resolutions necessary to ~~carry out state~~ comply with legal requirements and carry out the will of the Board

~~2.~~ Consulting with the Superintendent or designee on the preparation of the Board's agendas

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

~~3.~~ Working with the Superintendent or designee to ensure that Board members have necessary materials and information

~~4-3.~~ Subject to Board approval, appointing and dissolving all committees

*(cf. 9130 - Board Committees)*

~~5.~~ Calling such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law

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

*(cf. ~~9321 - Closed Session Purposes and Agendas~~)*

~~6.~~ Representing the district as governance spokesperson, in

4. In conjunction with the Superintendent or designee, representing the district as the Board's spokesperson in communications with the media

*(cf. 1112 - Media Relations)*

~~The president shall have the same rights as other members of the Board, including the right to move, second, discuss and vote on all questions before the Board.~~

5. Leading the Board's advocacy efforts to build support within the local community and at the state and national levels

Note: The following paragraph is **optional**. See CSBA's web site for information about CSBA's Board President's Workshop and other education opportunities that could assist board presidents in fulfilling their responsibilities, such as the Brown Act workshop, Annual Education Conference and Trade Show, and Masters in Governance program.

The president shall participate in the California School Boards Association's Board President's Workshop and other professional development opportunities to enhance his/her leadership skills.

*(cf. 9240 - Board Training)*

When the president resigns or disabled is absent, the vice president shall perform the president's duties. -When both the president and vice president are absent ~~or disabled~~, the clerk shall perform the president's duties.

*(cf. 9123 - Clerk)*

*Legal Reference:*

EDUCATION CODE

35022 *President of the board*

35143 *Annual organizational meetings; dates and notice*

GOVERNMENT CODE

54950-54963 *Ralph M. Brown Act*

*Management Resources:*

CSBA PUBLICATIONS

*Call to Order: A Blueprint for Great Board Meetings, 2015*

*Board Presidents' Handbook, revised 2002*

*CSBA Professional Governance Standards, 2000*

~~Maximizing School Board Leadership: Boardsmanship, 1996~~

WEB SITES

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

**Policy Reference UPDATE Service**

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SIERRA COUNTY OFFICE OF EDUCATION  
SIERRA-PLUMAS JOINT UNIFIED

Policy adopted: April 10, 2007  
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Sierraville, California  
Loyalton, California

# Sierra County/Sierra-Plumas Joint USD

## Board Bylaws

BB 9220(a)

## GOVERNING BOARD ELECTIONS

### Board Member Qualifications

Note: Education Code 35107 and Elections Code 20 detail eligibility for Governing Board membership as specified below. In 81 Ops.Cal.Atty.Gen. 94 (1998), the Attorney General opined that the residency requirement in Education Code 35107 is a continuing requirement for holding the office during the entire term of the Board member.

A person is ineligible to hold public office if he/she is not registered to vote. Elections Code 2201 lists the causes for cancelling an individual's voter registration and making him/her ineligible to hold public office, including, but not limited to, legally established mental incompetency, proof that the person is presently imprisoned or on parole for conviction of a felony, or official notification that the voter is registered to vote in another country or state.

Any person is eligible to be a member of the Governing Board, without further qualifications, if he/she is 18 years of age or older, a citizen of California, a resident of the school district, a registered voter, and not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or elected as a Board member except when he/she has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)

Note: Pursuant to Education Code 35107, a district employee elected to serve on the district Board must resign his/her employment before being sworn into office as a Board member.

Pursuant to Education Code 1006, employees of a school district are eligible to run for the county board of education seat as long as their school district employer is not within the jurisdiction of the county board.

A district employee elected to the Board shall resign his/her employment before being sworn in or shall have his/her employment automatically terminated upon being sworn into office. (Education Code 35107)

(cf. 9224 - Oath of Affirmation)

(cf. 9270 - Conflict of Interest)

Note: The following paragraph is **optional**. See CSBA's web site for information about school board service that may be shared with candidates.

The Board encourages all candidates to become knowledgeable about the role of board members. The Superintendent or designee shall provide all candidates with information that will enable them to understand the responsibilities and expectations of being a Board member, including information regarding available workshops, seminars, and/or training. The Superintendent or designee shall provide all candidates with the county election official's contact information and general information about school programs, district operations, and Board responsibilities.

(cf. 9230 - Orientation)

(cf. 9240 - Board Training)

## Consolidation of Elections

Note: The following **optional** section is for districts that currently hold their Board elections at a time that is not concurrent with municipal or statewide elections.

Education Code 5000 and Elections Code 1302 require the regular election of Board members to be held on the first Tuesday after the first Monday in November of each odd-numbered year. However, in accordance with Elections Code 1302 and 10404.5, districts are authorized to request consolidation of their Board elections with the local municipal or state primary or general election by adopting a Board resolution and submitting it to the County Board of Supervisors for approval. Within 30 days following approval by the County Board of Supervisors, the elections official will notify all registered voters in the district of the change of election date.

To reduce costs associated with conducting elections, the Board may consolidate Board elections with the local municipal or statewide primary or general election in accordance with Elections Code 1302.

Note: Pursuant to Elections Code 14051-14052, as added by SB 415 (Ch. 235, Statutes of 2015), districts are required to hold elections concurrent with statewide elections if holding nonconcurrent elections has previously resulted in a "significant decrease" in voter turnout. Pursuant to Elections Code 14051, a significant decrease has occurred when voter turnout for a regularly scheduled election held on a nonconcurrent date is at least 25 percent less than the average local turnout for the previous four statewide general elections. A district that holds Board elections other than on a statewide elections date may only delay the consolidation may only delay the consolidation if, by January 1, 2018, it has adopted a plan to consolidate elections by November 8, 2022. It is recommended that districts with nonconcurrent elections review the voter turnout for their recent elections, consult with legal counsel, and, as necessary, prepare and approve a plan by January 1, 2018 to move their election to a statewide election date. For a further analysis of SB 415, see CSBA's Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections.

Districts consolidating their elections due to low voter turnout should follow the procedures specified in Elections Code 1302, including the adoption of a Board resolution.

In addition, if a regularly scheduled Board election held other than on a statewide election date results in a decrease in local voter turnout of 25 percent or more compared to the average local turnout for the previous four statewide general elections, the Board shall take action to consolidate Board elections with statewide elections. The district shall move its election to the next state statewide election date, unless the Board has adopted a plan by January 1, 2018 to consolidate Board elections not later than the November 8, 2022 statewide general election. (Elections Code 14051, 14052)

In order to consolidate elections based on either circumstance described above, the Board shall adopt a resolution and submit it to the County Board of Supervisors for approval not later than 240 days prior to the date of the currently scheduled district election. (Elections Code 10404.5)

Whenever a regularly scheduled Board election is changed due to consolidation of elections, the terms of office of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

*(cf. 9110 - Terms of Office)*

## Elections Process and Procedures

Note: Pursuant to Education Code 5019, except in a school district governed by a board of education subject to a city or city and county charter, the county committee on school district organization is authorized to establish trustee areas, rearrange boundaries of trustee areas, increase, decrease, or abolish trustee areas, and recommend any of three alternate methods of electing Board members as specified below and in Education Code 5030. In addition, Education Code 5019 specifies that each county committee may approve or disapprove a proposal to decrease the membership of a board from five to three for



any district whose average daily attendance during the preceding year was less than 300. A proposal for any of these purposes may be initiated by the county committee, by a petition filed by voters, or by the Board.

Option 1 below is for districts that use the "by trustee area" method to elect Board members (i.e., voters in each trustee area elect the candidate to represent their area), Option 2 is for districts that use the "at-large" method (i.e., all voters cast ballots for all candidates within the district), and Option 3 is for districts that use the "from trustee area" or "hybrid" method (i.e., Board members must reside within designated trustee areas but are elected by voters throughout the district "at-large").

### **OPTION 1: (Election by trustee area)**

The district is divided into trustee areas and each trustee area shall be represented by a Board member who resides in and is elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.

Prior to March 1 following the year in which the results of each decennial federal census are released, the Board shall adjust the boundaries of the district's trustee areas based on population figures as validated by the Population Research Unit of the Department of Finance. (Education Code 5019.5)

Note: Any district that selects Option 2 or 3 should ensure that its decision is consistent with Elections Code 14025-14032 (the California Voting Rights Act (CVRA)) which prohibits the use of the "at-large" voting method for elections within jurisdictions with a history of "racially polarized voting" (i.e., difference between voters of a protected class and voters in the rest of the jurisdiction in the choice of candidates preferred). Any district seeking more information about the CVRA and its possible effects should consult legal counsel.

### **OPTION 2: (Election using "at-large" voting method)**

Board members may reside anywhere within the district's boundaries and shall be elected by all voters in the district.

Note: The extent, if any, to which a district using the "from trustee area/hybrid" method (Option 3) is required to balance its trustee areas by population is unclear; see Dusch v. Davis. Any district using Option 3 should consult with legal counsel regarding whether to balance its trustee areas by population.

### **OPTION 3: (Election from trustee area/hybrid method)**

Each Board member shall reside within the trustee area that he/she represents but shall be elected by all voters in the district.

Note: The remainder of this section is for districts using Option 2 or 3 and may be revised to reflect district practice. Such districts should periodically monitor the demographics within their geographical boundaries to ensure that no violation of the CVRA occurs. Any district found in violation of the CVRA could be held liable for attorneys' fees and legal costs. Elections Code 10010, as amended by AB 350 (Ch. 737, Statutes of 2016), requires that a prospective plaintiff send written notice to the district prior to filing a complaint alleging that the method of election violates the CVRA so that the district will have the chance to cure any potential violations before the commencement of litigation. Even if the district cures the alleged violations, it may be required to pay reasonable costs incurred in supporting the written notice.

To ensure ongoing compliance with the California Voting Rights Acts, the Board may review the district's Board election method to determine whether any modification is necessary due to changes in the district's population or any of its racial, color, or language minority group composition. The review shall be based on the Superintendent or designee's report to the Board after the release of each decennial federal census.

Note: Converting from an "at-large" (Option 2) to a "by trustee area" (Option 1) voting method involves complex issues of law regarding matters such as the redrawing of maps, required approvals, and transition dates. Elections Code 10010, as amended by AB 350 (Ch. 737, Statutes of 2016), requires the Board to hold hearings before and after drawing maps of the proposed district boundaries to allow for public input. If Board members will be elected at different times for staggered terms of office, hearings held after publishing the draft map(s) are required to include public input regarding the proposed sequence of elections. Any district that is considering switching to a "by trustee area" election method should consult legal counsel as necessary.

If the Board determines that a change is necessary, it shall hold public hearings in accordance with Elections Code 10100 before adopting a resolution at an open meeting specifying the change(s), and shall, in accordance with Education Code 5019, obtain approval from the county committee on school district organization having jurisdiction over the district.

*(cf. 9320 - Meetings and Notices)*

### Campaign Conduct

Note: Education Code 35177 has long authorized boards, by resolution, to limit campaign expenditures and/or contributions for candidates in board elections. However, in June 2006, the U.S. Supreme Court held in *Randall v. Sorrell* that limits on campaign expenditures are unconstitutional and violate a candidate's right to free speech. The court did hold that limits on contributions to candidates could be constitutional if such limits are not overly restrictive, allow candidates to compete in the race, and do not operate to protect incumbents. However, because Education Code 35177 provides no mechanism for the district to enforce any contribution limits set by the Board, such limits would be completely voluntary, and other candidates and/or the Board would have no recourse in the event of noncompliance by a candidate. It is strongly recommended that, before adopting voluntary contribution limits under the authority granted in Education Code 35177, the Board consult legal counsel in order to ensure that the district's limits satisfy legal restrictions.

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign donations, funding, and expenditures.

Note: The following paragraph is **optional**. Government Code 85300 generally prohibits the expenditure of public funds for the purpose of seeking elective office. However, as amended by SB 1107 (Ch. 837, Statutes of 2016), Government Code 85300 permits a candidate to expend or accept public funds for the purpose of seeking elective office if the Board establishes a dedicated fund for that purpose, provided that both (1) the public funds are available to all qualified, voluntarily participating candidates for the same office without regard to incumbency or political party preference, and (2) the Board has established criteria for determining a candidate's qualifications. For school board elections, candidate qualifications are specified in state law (see section "Board Member Qualifications" above), and districts should not establish additional qualification requirements. It is recommended that the district consult legal counsel when establishing a dedicated fund for those seeking election to the Board.

A Board member shall not expend, and a candidate shall not accept, any public money for the purpose of seeking elective office. However, the district may establish a dedicated fund for those seeking election to the Board, provided that the funds are available to all candidates who are qualified pursuant to Education Code 35107 without regard to incumbency or political preference. (Government Code 85300)

Note: Pursuant to Elections Code 20440, county election officials are required to present each candidate running for public office with a voluntary Code of Fair Campaign Practices for the candidate to sign. The pledge states the candidate's intent to conduct his/her campaign openly and fairly and provides that the candidate may not use or permit negative prejudice based on another candidate's race, religion, physical or mental disability, sex, gender, gender identity, gender expression, sexual orientation, or any other prohibited category of discrimination listed in Government Code 12940. Although neither the district nor opposing candidates have authority to enforce the pledge if it is violated, a candidate's signature is a matter of public record. The following **optional** paragraph expresses the Board's desire that candidates for Board membership sign and abide by the terms of the pledge.

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

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

*(cf. 9005 - Governance Standards)*

### **Statement of Qualifications**

On the 125th day prior to the day fixed for the general district election, the Board secretary or his/her designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term
2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

*(cf. 9223 - Filling Vacancies)*

Note: Pursuant to Elections Code 13307, the candidate statement is limited to 200 words (Option 1 below), unless the Board has authorized an increase to a 400-word maximum (Option 2 below).

**OPTION 1:** Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

**OPTION 2:** Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 400 words. (Elections Code 13307)

Note: The following **optional** paragraph is for use by any district that authorizes electronic distribution of candidate statements in addition to or instead of the mailed voter's pamphlet. Pursuant to Elections Code 13307, a voter may receive by mail a voter's pamphlet that contains candidate statements or, when authorized by the elections official, may opt to obtain the voter's pamphlet and related materials electronically (i.e., from the elections official's web site or via email). If a candidate chooses to submit a statement for electronic distribution only, it will not appear in the mailed voter's pamphlet.

When electronic distribution is authorized by the elections official, districts may choose, pursuant to Elections Code 13307, as amended by AB 2010 (Ch. 128, Statutes of 2016), whether or not to permit Board candidates to prepare a statement for electronic distribution. The following paragraph may be revised to reflect district practice.

When the elections official allows for the electronic distribution of candidate statements, a candidate for the Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution.

Note: Prior to the beginning of the nominating period, Elections Code 13307, as amended by AB 2010 (Ch. 128, Statutes of 2016), requires the Board to determine whether to have the district assume the costs of producing candidate statements or to charge candidates for the costs, regardless of whether the statements are for hard copy or electronic distribution. In 85 Ops.Cal.Atty.Gen. 49 (2002), the Attorney General opined that Elections Code 13307, which authorizes the district to pay for the distribution of candidate statements, does not conflict with Education Code 7054, which prohibits the use of district

resources for campaign purposes. According to the Attorney General, distributing campaign statements cannot be considered campaigning for any particular candidate in a partisan manner so as to conflict with the Education Code prohibition.

Option 1 below is for districts that assume the costs associated with producing candidate statements, and Option 2 is for districts that charge candidates for the costs. The following options may be revised to reflect the method of distribution (i.e., electronic and/or hard copy) used by the district.

**OPTION 1:** In order to help defray the costs of campaigning for the Board, the district shall pay the cost of printing, handling, translating, mailing, and/or electronically distributing candidate statements filed pursuant to Elections Code 13307.

**OPTION 2:** The district shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the hard copy and/or electronic voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

### **Tie Votes in Board Member Elections**

Note: Education Code 5016 requires the Board to decide, before conducting any election, whether a potential tie will be resolved by lot or by a runoff election. Option 1 provides for the use of lots to determine the winner in case of a tie in every election, Option 2 provides for a runoff election in every election, and Option 3 is for use by districts that will make this determination prior to each election.

Education Code 5016 requires the County Superintendent of Schools to provide certification of a tie vote in an election to the district Board.

**OPTION 1:** Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. (Education Code 5016)

**OPTION 2:** Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall schedule a runoff election in accordance with law. (Education Code 5016)

**OPTION 3:** Before each election, the Board shall decide whether to resolve a potential tie by lot or by a runoff election. If the Board has decided to resolve a tie by lot, the Board shall, immediately after the election, notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. If the Board has decided to resolve a tie with a runoff election, the Board shall schedule the runoff election in accordance with law. (Education Code 5016)

SIERRA COUNTY OFFICE OF EDUCATION  
SIERRA-PLUMAS JOINT UNIFIED

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Sierraville, California  
Loyalton, California

# Sierra County/Sierra-Plumas Joint USD

## Board Bylaw

Board Bylaws

BB 9400

### BOARD SELF-EVALUATION

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

The Governing Board shall annually conduct a self-evaluation in order to demonstrate accountability to the community and ensure that district governance effectively supports student achievement and the attainment of the district's vision and goals.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 2140 - Evaluation of the Superintendent)*

The evaluation may address any ~~areas~~area of Board responsibility, including, but not limited to, Board performance in relation to vision setting, curriculum, personnel, finance, policy development, collective bargaining ~~and~~, community relations, and advocacy. The evaluation may also ~~may~~ address objectives related to Board meeting operations, relationships among Board members, relationship with the Superintendent, understanding of Board and Superintendent roles and responsibilities, communication skills, or other governance or boardmanship skills.

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

The Board shall ~~be evaluated~~evaluate itself as a whole. Individual Board members are also ~~are encouraged~~expected to use the evaluation process as an opportunity to ~~privately~~ assess and set goals for their own personal performance.

Note: CSBA offers an online self-evaluation tool which can be accessed and completed electronically through the CSBA web site. Electronically generated results identifying areas of strength and growth are available to the district within a few days of completion by all Governing Board members.

Each year, the Board, with assistance from the Superintendent, shall determine an evaluation method or instrument that measures ~~a reasonable number of~~key components of board responsibility and previously identified performance objectives. ~~Videotape~~Visual and/or audio recordings of a Board meeting may only be used as an evaluation tool ~~only with the~~when consent ~~of~~is given by all Board members.

Note: Pursuant to Government Code 54962, the Board may hold a closed session only for purposes expressly authorized by the Brown Act (Government Code 54950-54963) or by a provision of the Education Code. Neither code authorizes closed session discussions for the purpose of board self-evaluations; see BB 9321 - Closed Session Purposes and Agendas. Government Code 54957, which authorizes closed sessions for personnel matters such as evaluations, specifically excludes elected officers or members of a legislative body.

Any discussion ~~of~~involving the Board's self-evaluation shall be conducted in open session.

Note: CSBA representatives are available to facilitate board self-evaluations and workshops that include the use of CSBA's self-evaluation tool. Boards that use a facilitator other than a CSBA representative should note that there is a proprietary right attached to CSBA's self-evaluation tool.

At the request of the Board, a facilitator may be used to assist with the evaluation process. The Board may invite the Superintendent or ~~others~~other individual(s) with pertinent information to provide input into the evaluation process.

Following the evaluation, the Board shall ~~develop strategies for strengthening Board performance and shall~~set goals, define and/or refine protocols, and establish priorities and objectives for the following year's evaluation. The Board shall also develop strategies for strengthening Board performance based on identified areas of need, including, but not limited to, Board trainings such as those offered by the California School Boards Association.

(cf. 9230 - Orientation)

(cf. 9240 - Board Training)

*Legal Reference:*

GOVERNMENT CODE

54950-54963 *Brown Act; board self-evaluations not covered*

*Management Resources:*

CSBA PUBLICATIONS

*Professional Governance Standards, 2000*

Maximizing School Board Leadership, 1996

*Defining Governance, Issue 3: Governance Practices, Governance Brief, April 2014*

WEB SITES

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

CSBA Board Self-Evaluation: <http://bse.csba.org>

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

Bylaw adopted: April 10, 2007

revised: August 8, 2017

Sierraville, California

Loyalton, California

Policy Reference UPDATE Service

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Only Change on Page 3

# Sierra County/Sierra-Plumas Joint USD

## Board Bylaw

### Remuneration, Reimbursement And Other Benefits

BB 9250

#### Board Bylaws

##### Remuneration

Each member of the Board of Education may receive the monthly compensation as provided for in law.

On an annual basis, the Board may increase the compensation of Board members beyond the limit delineated in Education Code 35120 in an amount not to exceed five percent based on the present monthly rate of compensation. Any increase made pursuant to this section shall be effective upon approval by the Board. (Education Code 35120)

Board members are not required to accept payment for meetings attended.

Any member who does not attend all Board meetings during the month is eligible to receive only a percentage of the monthly compensation equal to the percentage of meetings attended unless otherwise authorized by the Board in accordance with law. (Education Code 35120)

A member may be compensated for meetings he/she missed when the Board, by resolution, finds that he/she was performing designated services for the district at the time of the meeting or that he/she was absent because of illness, jury duty or a hardship deemed acceptable by the Board. (Ed. Code 35120)

##### Reimbursement of Expenses

When authorized in advance by the Board, members shall be reimbursed for actual and necessary expenses incurred when performing authorized services for the district. Expenses for travel, telephone, business meals, or other authorized purposes shall be in accordance with policies established for district personnel and at the same rate of reimbursement. Education Code 35044)

(cf. 9240 - Board Development)

(cf. 3350 - Travel Expenses)

Authorized purposes may include, but are not limited to, attendance at educational seminars or conferences designed to improve Board members' skills and knowledge; participation in regional, state, or national organizations whose activities affect the district's interests; attendance at district or community events; and meetings with state or federal officials on issues of community

concern.

Personal expenses shall be the responsibility of individual Board members. Personal expenses include, but are not limited to, the personal portion of any trip, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the Board member on district-related business, personal use of an automobile, and personal losses and traffic violation fees incurred while on district business.

Any questions regarding the propriety of a particular type of expense should be resolved by the Superintendent or designee before the expense is incurred.

#### Health and Welfare Benefits for Current Board Members

Board members may participate in the health and welfare benefits program provided for district/county employees.

Health and welfare benefits for Board members shall be no greater than that received by district/county's Classified service staff with the most generous schedule of benefits. (Government Code 53208.5)

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

The district/county shall pay the cost of all premiums required for Board members electing to participate in the district/county health and welfare benefits program to the same extent that the district pays premiums for district/county Classified service staff in accordance with Government Code 53208.5.

Health and welfare benefits provided to Board members shall be extended at the same level to their spouses, dependent children to the child's 26th birthday and dependent children regardless of age who are physically or mentally incapacitated.

#### Medicare Eligible Current Board Members

At no time shall the district/county's cost for a current Board member's Medicare and/or Medicare supplement policy, including dependent coverage, exceed the amount the district/county contributes for eligible Classified service employees.

In lieu of enrollment in the district/county's group sponsored health insurance plan, a current Board member eligible for Medicare health insurance may receive reimbursement from the district/county for the cost of his/her Medicare Plan(s) (Part A and/or Part B and/or Part D). When a Board member is enrolled in a Medicare policy and receiving cost reimbursement from the District/County, the same courtesy may be extended to a dependent who is Medicare eligible.

A Board member who elects a Medicare supplement policy in lieu of enrollment in the district/county's group sponsored health insurance plan may receive premium reimbursement from the district/county. A Board member may be reimbursed for a family member's Medicare



supplement policy if the dependent was covered under the district/county plan (tier rate structure) immediately prior to un-enrollment from the group plan-

The district/county employer may reimburse the Board member for both Medicare and Medicare supplemental policies simultaneously. The Board member may also be reimbursed for a dependent who is eligible for Medicare and Medicare supplemental policies.

In the event an active Board member chooses to end benefits in the district/county's group sponsored health insurance plan for a Medicare and/or Medicare supplement policy, the member may re-enroll in the group sponsored plan during the annual open enrollment period.

#### Health and Welfare Benefits for Former Board Members (Retiree)

Retiring trustees of the Board of Education, who are covered by the district/county group health plan at the time of their retirement from the Board after serving at least ~~two (2)~~ one (1) full terms, shall have the option to continue the benefit program at their own expense. (Gov Code 53201) At their own expense, continued coverage through the district/county shall also be made available to Board trustee's spouse and dependents upon the Board trustee's death. Retirees who choose to retain health insurance benefits shall be placed on the tiered rate structure. A Retiree may select medical coverage only or all offered benefits (dental and vision). Retirees may not select dental and/or vision coverage without medical coverage. Retirees are not eligible for life insurance coverage. Eligible retirees and covered spouses must secure Medicare Part A and Part B for the group plan Medicare rate. Retirees who discontinue coverage cannot re-enroll in any District plan.

#### Legal Reference:

##### EDUCATION CODE

33050-33053 General waiver authority

33362-33363 Reimbursement of expenses for attendance at workshops

35012 Board members; number, election and term

35044 Payment of traveling expenses of representatives of board

35120 Compensation for services as member of governing board

35172 Promotional activities

44038 Cash deposits for transportation purchased on credit

##### FAMILY CODE

297-297.5 Rights, protections and benefits under law; registered domestic partners

##### GOVERNMENT CODE

8314 Use of public resources

20322 Elective officers; election to become member

20420-20445 Membership in Public Employees' Retirement System; definition of safety employees

53200-53209 Group insurance

54952.3 Simultaneous or serial meetings; announcement of compensation

##### HEALTH AND SAFETY CODE

1373 Health services plan, coverage for dependent children

INSURANCE CODE

10277-10278 Group and individual health insurance, coverage for dependent children

UNITED STATES CODE, TITLE 26

403 Tax-sheltered annuities

UNITED STATES CODE, TITLE 42

18011 Right to maintain existing health coverage

CODE OF FEDERAL REGULATIONS, TITLE 26

1.403(b)-2 Tax-sheltered annuities, definition of employee

COURT DECISIONS

Thorning v. Hollister School District, (1992) 11 Cal.App.4th 1598

Board of Education of the Palo Alto Unified School District v. Superior Court of Santa Clara County, (1979) 93 Cal.App.3d 578

ATTORNEY GENERAL OPINIONS

91 Ops.Cal.Atty.Gen. 37 (2008)

83 Ops.Cal.Atty.Gen. 124 (2000)

Management Resources:

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Sample Expense and Use of Public Resources Policy Statement, January 2006

INTERNAL REVENUE SERVICE PUBLICATIONS

Tax-Sheltered Annuity Plans (403(b) Plans) for Employees of Public Schools and Certain Tax-Exempt Organizations, Publication 571, rev. February 2013

WEB SITES

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

Institute for Local Government: <http://www.ca-ilg.org>

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

Public Employees' Retirement System: <http://www.calpers.ca.gov>

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

Bylaw SIERRA COUNTY OFFICE OF EDUCATION

adopted: April 10, 2007 Sierraville, California

revised: May 14, 2013

revised: July 9, 2013 Loyalton, California

revised: October 8, 2013

revised: August 8, 2017

# Sierra County/Sierra-Plumas Joint USD

## Board Policy

### Contracts

BP 4312.1

### Personnel

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

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

(cf. 0000 - Vision)

(cf. 2121 - Superintendent's Contract)

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4313.2 - Demotion/Reassignment)

(cf. 4314 - Transfers)

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

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

(cf. 3460 - Financial Reports and Accountability)

The Board shall\*\*\*Note: Pursuant to Government Code 54957, personnel matters related to the appointment or employment of any employee may appropriately be discussed in closed session under the "personnel exception." However, Government Code 54957 prohibits the use of closed session for discussion or action on any proposed change in compensation other than a reduction that results from the imposition of discipline. In San Diego Union v. City Council, a California Court of Appeal held that the "personnel exception" provided in Government Code 54957 does not extend to discussions of salary and compensation.\*\*\*

\*\*\*Note: Notwithstanding Government Code 54957, the Governing Board is authorized pursuant to Government Code 54957.6, the "labor exception," to hold closed sessions with the district's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits to its represented and unrepresented employees. The Attorney General has opined in 57 Ops.Cal.Atty.Gen. 209 (1974) that a board may only meet in closed session under the labor exception with a designated representative who is involved with the "bona fide" negotiations with represented and/or unrepresented employees. The Attorney General's publication The Brown Act: Open Meetings for Local Legislative Bodies also states that the "labor exception" applies to meeting in closed session to instruct its representatives concerning negotiations with prospective employees. Boards wishing to discuss salary of administrative personnel in closed session under the "labor exception" are encouraged to consult legal counsel before doing so. \*\*\*

\*\*\*Note: In addition, pursuant to Government Code 54956, the Board is prohibited from deliberating on the salary or other compensation of an employee at a special meeting. See BB 9320 - Meetings and Notices and BB 9321 - Closed Session Purposes and Agendas. \*\*\*

\*\*\*Note: The following paragraph should be revised to reflect district practice. \*\*\*

The Board may deliberate in the closed session of a regular meeting about the terms of an employment contract for a deputy, associate, or assistant superintendent; other certificated employee holding a position requiring a supervision or administration credential; or a senior manager of the classified service. ~~(Government Code 54957 Discussions regarding salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6 (the "labor exception") for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the employee. Such deliberations shall not be held during a special meeting. (Government Code 54956, 54957, 54957.6)~~

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

\*\*\*Note: Pursuant to Government Code 54953, as amended by SB 1436 (Ch. 175, Statutes of 2016), the Board must orally report, in an open session, a summary of the recommendation for final action on the salary and/or benefits of a "local agency executive," as defined in Government Code 3511.1, including a deputy, associate, or assistant superintendent; a department head; and any other person whose position within the district is established through an employment contract with the district. Thus, Government Code 54953 limits the Board's ability to approve changes to salary or benefits as part of a consent calendar and instead requires such approval to be a separate agenda item. For identical requirements regarding final action on the salary or benefits of the Superintendent, see BP 2121 - Superintendent's Contract. \*\*\*

The Board shall ~~be ratified by the Board~~ take final action on an employment contract during an

open session of a regularly scheduled Board meeting, and that action shall be reflected in the Board's minutes. -At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on salary or compensation in the form of fringe benefits. (Government Code 3511.1, 53262, 54953)

Copies of ~~the contracts~~any contract and other public records created or received in the process of developing the recommendation related to the salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953)

(cf. 1340 - Access to District Records)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9324 - Minutes and Recordings)

#### Extension of Contract ~~and~~/Reemployment

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

(cf. 4315 - Evaluation/Supervision)

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

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

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

#### Termination of Contract

~~Every employee~~The Board may terminate an employment contract prior to its expiration date in accordance with the conditions and process specified in the contract.

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

public upon request. For language reflecting these requirements, see AR 4117.5/4217.5/4317.5 - Termination Agreements. \*\*\*

Every employment contract shall include a provision specifying the legal maximum cash settlement that the employee may receive in the event that the ~~Board finds it necessary to terminate the~~ contract is terminated prior to its expiration date. (Government Code 3511.2, 53260)

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

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

Legal Reference:

**EDUCATION CODE**

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

35031 Term of employment

44842 Automatic declining of employment

44843 Notice of employment to county superintendent

44929.20 Continuing contract

44951 Continuation in position unless notified

**GOVERNMENT CODE**

3511.1-3511.2 Local agency executives

~~53243-53243.4 Abuse of office~~

53260-53264 Employment contracts

54953 Oral summary of recommended salary and benefits of district executive

54954 Time and place of regular meetings

54956 Brown Act - Open meeting laws; special meetings

54957 Closed session, personnel matters

**ATTORNEY GENERAL OPINIONS**

57 Ops.Cal.Atty.Gen. 209 (1974)

Management Resources:

**CSBA ATTORNEY GENERAL PUBLICATIONS**

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

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

**WEB SITES**

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

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

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

Policy

adopted: April 10, 2007

revised: August 14, 2012

revised: August 8, 2017

Sierraville, California

Loyalton, California

# Sierra County/Sierra-Plumas Joint USD

## Board Bylaw

Board Bylaws

BB 9230(a)

### ORIENTATION

Note: The following **optional** bylaw may be revised to reflect district practice. In addition to providing new Governing Board members with information about district programs and operations, it is recommended that new Board members be provided information and professional development regarding the roles and responsibilities of the Board (see BB 9000 - Role of the Board) and professional governance standards agreed upon by the Board (see BB 9005 - Governance Standards). The provision of information to Board candidates regarding the district and/or Board responsibilities is addressed in BB 9220 - Governing Board Elections.

The Governing Board recognizes the importance of providing all newly elected or appointed Board members with support and information to assist them in becoming effective members of the Board. Incoming Board members shall be provided an orientation designed to build their knowledge of the district and an understanding of the responsibilities of their position. Such orientation may include the provision of information, support, and/or training related to Board functions, policies, protocols, and standards of conduct.

*(cf. 9000 - Role of the Board)*

*(cf. 9220 - Governing Board Elections)*

#### Board Candidate Orientation

~~The Board of Education encourages all candidates to attend public Board meetings during the period of their candidacy. Candidates shall have the same access as members of the public to county/district staff and information.~~

#### New Board Member Orientation

~~The Board may convene a meeting to provide an orientation and information to incoming Board members to assist them in understanding the Board's functions, policies, procedures, protocols, and agreed upon standards of conduct. Board members may access the county/district's policy manual at <http://gamutonline.net/district/sierrasierraplumas/> or may request a copy from the district office. Other materials related to the county/district may be found at <http://www.sierracountyofficeofeducation.org> or produced at the district office.~~

~~*(cf. 9000 - Role of the Board)*~~

~~*(cf. 9005 - Governance Standards)*~~

~~*9223 - Filling Vacancies)*~~

Note: Pursuant to Government Code 54952.2, if a majority of Board members congregate at the same time and location to hear or discuss matters within the jurisdiction of the Board, the meeting must be open to the public and proper notice provided; see BB 9320 - Meetings and Notices. The following **optional** paragraph provides for

orientation meetings to be held with all members of the Board during a public Board meeting and may be revised to reflect district practice.

As early as possible following the election or appointment of Board members, one or more orientation sessions shall be held during open meeting(s) of the Board. The Board president and the Superintendent or designee shall develop an agenda for the meeting(s) and shall identify resources that may be useful for incoming Board members.

*(cf. 9121 - President)*

Note: The following **optional** paragraph may be revised to reflect district practice. Pursuant to Government Code 54952.7, the Board may require that a copy of the Brown Act be given to each member of the Board and any person elected to the Board who has not yet assumed the duties of office. Government Code 54952.1 states that persons elected to serve as Board members, even if they have not yet assumed office, are subject to the requirements of the Brown Act as soon as they are elected.

Upon their election or appointment, incoming Board members may be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office. Additional information for incoming Board members may include, but is not limited to, Board bylaws related to the limits of individual Board member authority, the conduct of Board meetings, and other Board operations; governance standards for ethical conduct; legal requirements related to conflict of interest and prohibited political activity; protocols for speaking with district staff, members of the public, and the media; and publications on effective governance practices.

*(cf. 1112 - Media Relations)*

*(cf. 1160 - Political Processes)*

*(cf. 9005 - Governance Standards)*

*(cf. 9010 - Public Statements)*

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

*(cf. 9012 - Board Member Electronic Communications)*

*(cf. 9200 - Limits of Board Member Authority)*

*(cf. 9270 - Conflict of Interest)*

*(cf. 9323 - Meeting Conduct)*

In addition, the Superintendent ~~may or designee shall~~ provide incoming Board members with ~~additional~~specific background ~~and~~ information regarding the ~~county/~~district, including, but not limited to, the district's vision and goals, ~~operations, and current challenges in areas that include, but are not be limited to,~~ statements, local control and accountability plan and other comprehensive plans, student demographic data, student achievement, ~~curriculum, finance, facilities,~~ data, district policy, ~~human resources, and collective bargaining~~ manual, district budget, and minutes of recent open Board meetings.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0400 - Comprehensive Plans)*

*(cf. 0460 - Local Control and Accountability Plan)*

The Superintendent or designee may offer incoming Board members a tour of district schools and facilities, and may introduce them to district and school site administrators and other staff.



Note: See CSBA's web site for information about CSBA conferences and workshops that address the needs of new Board members, including its Orientation for New Trustees, Institute for New and First-Term Board Members, and other education opportunities related to governance basics.

Pursuant to Government Code 54952.2, a "meeting" subject to Brown Act requirements does not include the attendance of a majority of the Board's members at a conference or similar public gathering, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the Board. See BB 9240 - Board Training and BB 9320 - Meetings and Notices.

Incoming members are encouraged ~~to attend Board meetings and review agenda materials available to the public in order to become familiar with current issues facing the county/district. Incoming members also may, at county or, at district expense, whichever is applicable,~~ and with approval of the Board, ~~attend~~ to attend the California School Boards Association's Orientation for New Trustees, Institute for New and First-Term Board Members, and workshops and conferences relevant to ~~their the needs of the~~ individual ~~needs or to the needs of member,~~ the Board as a whole, or the ~~county/district.~~

(cf. 9240 - Board ~~Development~~ Training)

(cf. 9320 - Meetings and Notices)

Legal Reference:

EDUCATION CODE

33360 Department of Education and statewide association of school district boards; annual workshops

33362-33363 Reimbursement of expenses; board member or member-elect

ELECTIONS CODE

~~13307 Candidate's statement~~

~~20440 Code of Fair Campaign Practices~~

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially:

54952.1 Member of a legislative body

54952.2 Open meeting laws; posting agenda; board actions

54952.7 Copies of Brown Act to board members

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards for School ~~Board Leadership, 2007~~Boards

The Brown Act: School Boards and Open Meeting Laws, rev. ~~2007~~2009

Guide to Effective Meetings, 2007

Professional Governance Standards, 2000

Maximizing School Board Leadership, 1996

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Becoming a Better Board Member: A Guide to Effective School Board Service, 2006

WEB SITES

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

~~Fair Political Practices Commission:~~ <http://www.fppe.ca.gov>

~~National School Boards Association:~~ <http://www.nsba.org>

Bylaw

adopted: October 11, 2011

revised: August 8, 2017

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

SIERRA COUNTY OFFICE OF EDUCATION

Sierraville, California

Loyalton, California