

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

November 12, 2019

5:00pm CLOSED Session

6:00pm Regular Session

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

Videoconferencing will be available at Downieville School, 130 School St, Downieville CA 95936

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

Any individual who requires disability-related accommodations or modifications including auxiliary aids and services in order to participate in the

Board meeting should contact the Superintendent or designee in writing.

Public inspection of agenda documents that are distributed to the Board less than 72 hours before the meeting, will be made available at the Sierra County Board of Education, 109 Beckwith Road, Room 3, Loyalton, CA, 96118, and posted with the online agenda at

<http://www.sierracountyofficeofeducation.org> (Government Code 54957.5).

A. CALL TO ORDER

Please be advised that this meeting will be recorded.

B. ROLL CALL

C. APPROVAL OF AGENDA

D. PUBLIC COMMENT FOR CLOSED SESSION

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

E. CLOSED SESSION

The Board of Trustees, Superintendent James Berardi and Business Manager Nona Griesert will move into Closed Session to discuss the following item(s):

1. Government Code 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator for the Board: James Berardi, Superintendent

Employee Organizations:

Unrepresented Employees: Sierra-Plumas Teachers' Association
Classified Employees
Confidential Employees
Administrative Employees

2. Government Code 54956.9

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One potential case

F. RETURN TO OPEN SESSION and ADJOURN FOR BREAK

G. 6:00PM – RECONVENE

H. FLAG SALUTE

I. REPORT OUT FROM CLOSED SESSION

J. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report

- a. Report out from October meeting with California County Superintendents Educational Services Association (CCSESA)
- b. Report out from the Special Board Meeting held November 7th – Budget and Board Planning Workshop

2. Business Report

- a. Account Object Summary-Balance from 07/01/2019 to 10/31/2019**

3. Staff Reports (5 minutes)
4. Board Member Reports (5 minutes)
5. Public Comment – This is an opportunity for members of the public to directly address the governing board on any item of interest that is within the subject matter jurisdiction of the governing board whether or not it is listed on the agenda. Five minutes may be allotted to each speaker and a maximum of twenty minutes to each subject matter. (Education Code 35145.5; Bylaw 9322; Government Code 54954.3)
 - a. Current location
 - b. Videoconference location

K. CONSENT CALENDAR

1. Approval of minutes for the Regular Board Meeting held October 08, 2019**
2. Approval of Board Report-Checks Dated 10/01/2019 through 10/31/2019**

L. ACTION ITEMS

1. Old Business
 - a. Discussion and approval of moving the December 2019 meeting to take place on or after Friday, December 13th due to AB 2449***
AB 2449 shifts the window of the Annual Organizational Meeting. The 15-day window for 2019 is Friday, December 13 to Friday, December 27, 2019. The Annual Organizational Meeting must take place within the prescribed window.
2. New Business
 - a. Adoption of Resolution No. 20-007C, Secure Rural Schools and Community Self-Determination Act**
ROLL CALL VOTE
 - b. Approval of Federal Addendum to Local Control Accountability Plan**

BOARD POLICIES, ADMINISTRATIVE REGULATIONS, EXHIBITS, BOARD BYLAWS

- c. 0460—Local Control and Accountability Plan
 1. Board Policy, *revisions***
 2. Administrative Regulation, *revisions***
- d. 4116—Probationary/Permanent Status
 1. Board Policy, *revisions***
 2. Administrative Regulation, *revisions***
- e. 4119.22~4219.22~4319.22—Dress and Grooming
 1. Board Policy, *revisions***
- f. 4216—Probationary/Permanent Status
 1. Board Policy, *revisions***
- g. 4218—Dismissal/Suspension/Disciplinary Action
 1. Board Policy, *NEW***
 2. Administrative Regulation, *revisions***
- h. 5131—Conduct
 1. Board Policy, *revisions***
- i. 5131.8—Mobile Communication Devices
 1. Board Policy, *NEW***
- j. 5132—Dress and Grooming
 1. Board Policy, *revisions***
- k. 9223—Filling Vacancies
 1. Board Bylaw, *revisions***
- l. 4212—Appointment and Conditions of Employment
 1. Administrative Regulation, *revisions***

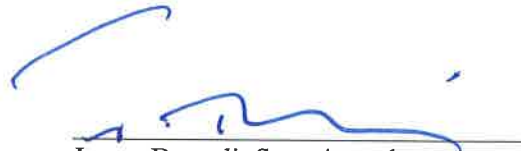
M. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on December 10, 2019 at Downieville School, 130 School St, Downieville CA 95936, beginning with Closed Session as needed at 5:00pm and the Regular Board Meeting at 6:00pm.

2. Suggested Agenda Items

- a. _____
- b. _____

N. ADJOURN



James Berardi, Superintendent
Secretary to the County Board of Education

- *** prior meeting handout
- ** enclosed
- * handout

Balances through October						Fiscal Year 2019/20
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund						
1100	Teachers Salaries	288,697.00	288,697.00	207,054.40	55,763.80	25,878.80
1115	Certificated Extra Duty	250.00	250.00		70.00	180.00
1120	Certificated Substitutes	12,325.00	12,325.00		3,550.00	8,775.00
1200	Certificated Pupil Support Ser	30,561.00	30,561.00	20,373.84	10,186.92	.24
1300	Certificated Supervisor Admini	260,757.00	260,757.00	123,536.91	82,088.02	55,132.07
1310	Teacher in Charge	10,000.00	10,000.00			10,000.00
	Total for Object 1000	602,590.00	602,590.00	350,965.15	151,658.74	99,966.11
2100	Instructional Aides' Salaries	196,300.00	196,300.00	96,393.85	25,915.82	73,990.33
2115	Classified Extra Duty	1,000.00	1,000.00		345.44	654.56
2120	Classified Substitutes	7,755.00	7,755.00		158.88	7,596.12
2200	Classified Support Salaries	28,846.00	28,846.00	8,957.79	3,777.51	16,110.70
2215	Classified Support Extra Duty	1,000.00	1,000.00		591.89	408.11
2220	Classified Substitute Salaries	1,000.00	1,000.00			1,000.00
2300	Classified Supervisors' Admini	104,378.00	104,378.00	68,984.00	34,732.00	662.00
2400	Clerical Technical Office Staf	127,065.00	127,065.00	84,687.39	39,902.52	2,475.09
2420	Clerical Substiture	250.00	250.00			250.00
2900	Other Classified Salaries	9,000.00	9,000.00		1,164.00	7,836.00
	Total for Object 2000	476,594.00	476,594.00	259,023.03	106,588.06	110,982.91
3101	STRS Certificated Positions	122,401.00	122,401.00	60,015.04	24,765.68	37,620.28
3102	STRS Classified Positions	803.00	803.00	658.24	164.56	19.80-
3201	PERS Certificated Positions				23.67	23.67-
3202	PERS Classified Positions	89,597.00	89,597.00	51,496.56	21,105.22	16,995.22
3301	OASDI Certificated Positions	932.00	932.00		7.44	924.56
3302	OASDI Classified Positions	27,727.00	27,727.00	15,626.25	6,476.26	5,624.49
3311	Medicare Certificated Position	8,344.00	8,344.00	4,853.84	2,093.17	1,396.99
3312	Medicare Classified Positions	6,814.00	6,814.00	3,710.41	1,530.38	1,573.21
3401	Health & Welfare Benefits Cert	108,577.00	108,577.00	65,707.68	25,861.62	17,007.70
3402	Health & Welfare Benefits Clas	84,444.00	84,444.00	78,110.24	30,286.82	23,953.06-
3501	SUI Certificated	300.00	300.00	175.60	75.89	48.51
3502	SUI Classified	239.00	239.00	129.53	52.72	56.75
3601	Workers' Compensation Certific	19,262.00	19,262.00	11,206.32	4,832.57	3,223.11
3602	Workers' Compensation Classifi	15,378.00	15,378.00	8,565.98	3,535.89	3,276.13
3902	Golden Handshake-Class				4,416.00	4,416.00-
	Total for Object 3000	484,818.00	484,818.00	300,255.69	125,227.89	59,334.42
4100	Approved Textbooks Core Curric	460.00	460.00			460.00

Balances through October						Fiscal Year 2019/20
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund (continued)						
4300	Materials and Supplies	42,512.00	42,512.00	3,516.24	7,398.36	31,597.40
4320	Custodial Grounds Supplies	500.00	500.00			500.00
4330	Office Supplies	1,000.00	1,000.00	180.00		820.00
4350	Vehicle Upkeep	6,000.00	6,000.00	1,739.32	783.94	3,476.74
4400	Noncapitalized Equipment	17,849.00	17,849.00	1,419.97	627.92	15,801.11
	Total for Object 4000	68,321.00	68,321.00	6,855.53	8,810.22	52,655.25
5100	Subagreements for Services	43,000.00	43,000.00			43,000.00
5200	Travel and Conference	47,304.00	47,304.00	7,488.76	5,953.40	33,861.84
5300	Dues and Membership	20,438.00	20,438.00	1,139.92	12,132.62	7,165.46
5400	Insurance	11,000.00	11,000.00		10,994.00	6.00
5500	Operation Housekeeping Service	11,500.00	11,500.00	4,618.41	381.59	6,500.00
5600	Rentals, Leases, Repairs, Nonc	3,100.00	3,100.00	478.17	380.56	2,241.27
5801	Legal Services	30,500.00	30,500.00	10,000.00		20,500.00
5803	Legal Publications	500.00	500.00			500.00
5805	Personnel Expense	842.00	842.00	200.00		642.00
5806	Negotiations	1,000.00	1,000.00			1,000.00
5808	Other Services & Fees	1,500.00	1,500.00	960.44	539.56	.00
5810	Contracted Services	443,765.00	443,765.00	324,090.47	57,211.48	62,463.05
5899	SPJUSD to Reimburse			3,653.67	27,029.20	30,682.87-
5900	Communications	10,500.00	10,500.00	6,184.64	3,147.32	1,168.04
	Total for Object 5000	624,949.00	624,949.00	358,814.48	117,769.73	148,364.79
6200	Building and Improvement of Bu			19,716.00	6,800.00	26,516.00-
6400	Equipment	20,000.00	20,000.00			20,000.00
6500	Equipment Replacement	15,000.00	15,000.00			15,000.00
	Total for Object 6000	35,000.00	35,000.00	19,716.00	6,800.00	8,484.00
7110	County Tuition Inter Dist Agree	5,501.00	5,501.00			5,501.00
7141	Tuition, excess cost etc betwe	24,428.00	24,428.00			24,428.00
7310	Direct Support/Indirect Costs					.00
	Total for Object 7000	29,929.00	29,929.00	.00	.00	29,929.00
	Total for Fund 01 and Expense accounts	2,322,201.00	2,322,201.00	1,295,629.88	516,854.64	509,716.48
Fund 11 - ADULT ED						
1100	Teachers Salaries				1,097.70	1,097.70-
1300	Certificated Supervisor Admini	89,732.00	89,732.00	59,821.36	29,910.68	.04-
	Total for Object 1000	89,732.00	89,732.00	59,821.36	31,008.38	1,097.74-

Balances through October						Fiscal Year 2019/20
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 11 - ADULT ED (continued)						
2100	Instructional Aides' Salaries	5,684.00	5,684.00		75.56	5,608.44
3101	STRS Certificated Positions	15,344.00	15,344.00	10,229.44	5,114.72	.16-
3202	PERS Classified Positions	1,179.00	1,179.00		14.90	1,164.10
3301	OASDI Certificated Positions				68.06	68.06-
3302	OASDI Classified Positions	352.00	352.00			352.00
3311	Medicare Certificated Position	1,301.00	1,301.00	867.44	449.64	16.08-
3312	Medicare Classified Positions	82.00	82.00		1.10	80.90
3401	Health & Welfare Benefits Cert	12,767.00	12,767.00	8,511.20	4,255.60	.20
3501	SUI Certificated	45.00	45.00	29.92	15.51	.43-
3502	SUI Classified	3.00	3.00		.04	2.96
3601	Workers' Compensation Certific	3,004.00	3,004.00	2,002.56	1,038.03	36.59-
3602	Workers' Compensation Classifi	190.00	190.00		2.53	187.47
	Total for Object 3000	34,267.00	34,267.00	21,640.56	10,960.13	1,666.31
4100	Approved Textbooks Core Curric	10,000.00	10,000.00	2,499.77	1,394.64	6,105.59
4300	Materials and Supplies	5,000.00	5,000.00		324.13	4,675.87
4400	Noncapitalized Equipment	2,132.00	2,132.00	15,708.98		13,576.98-
	Total for Object 4000	17,132.00	17,132.00	18,208.75	1,718.77	2,795.52-
5200	Travel and Conference	15,000.00	15,000.00	88.00	2,264.61	12,647.39
5203	MILEAGE	1,000.00	1,000.00	3,077.80	1,619.94	3,697.74-
5300	Dues and Membership	250.00	250.00		800.00	550.00-
5500	Operation Housekeeping Service	2,500.00	2,500.00			2,500.00
5810	Contracted Services	40,000.00	40,000.00	12,097.73	149.75-	28,052.02
	Total for Object 5000	58,750.00	58,750.00	15,263.53	4,534.80	38,951.67
6200	Building and Improvement of Bu			14,415.00	48,321.31	62,736.31-
6400	Equipment	22,500.00	22,500.00	29,940.25		7,440.25-
	Total for Object 6000	22,500.00	22,500.00	44,355.25	48,321.31	70,176.56-
7619	Other Authorized Interfund Tra	935.00	935.00			935.00
	Total for Fund 11 and Expense accounts	229,000.00	229,000.00	159,289.45	96,618.95	26,908.40-
Fund 16 - FOREST RES						
7619	Other Authorized Interfund Tra	52,121.00	52,121.00			52,121.00
	Total for Fund 16, Expense accounts and Object 7000	52,121.00	52,121.00	.00	.00	52,121.00
	Total for Org 001 - Sierra County Office of Education	2,603,322.00	2,603,322.00	1,454,919.33	613,473.59	534,929.08

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

October 08, 2019

Downieville School, 130 School St, Downieville CA 95936

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

6:00pm Regular Session

A. CALL TO ORDER

President PATTY HALL called the meeting to order at 6:01pm.

B. ROLL CALL

PRESENT: Patty Hall, President
Allen Wright, Vice President
Nicole Stannard, Clerk
Mike Moore, Member
Jenny Gant, Member

ABSENT: None

C. APPROVAL OF AGENDA

MOORE/GANT

5/0

D. FLAG SALUTE

E. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report

- a. Acknowledgement of Thomas Jones' performance as Interim Superintendent
BERARDI: Huge THANK YOU to Tom for stepping up to the role as Interim Superintendent over the summer and into the beginning of the school year. He did an exemplary job taking on those responsibilities and executing the duties of a Superintendent as needed in that time.
- b. Acceptance of resignation for Megan Meschery, Curriculum Coordinator, 1.0 FTE, effective September 30, 2019
- c. Advertising for Curriculum Coordinator, 1.0 FTE
- d. Assignment of Julie Ann Madrigal, Special Education Instructional Aide (Severely Handicapped), Loyalton High School, 1.0 FTE (6 hours daily)
- e. Assignment of Alexa Wells, Speech and Language Aide, Loyalton Elementary School, .60 FTE (18 hours weekly)
- f. Discussion of possible hire for another Special Education Instructional Aide in Downieville
BERARDI: Looking at a temporary position to provide additional services to a Special Ed student. Would last approximately two months.
MOORE: Would like to suggest reaching out to Sierra County Health/Social Services to see if there are additional services they can help us provide for students.
- g. Updated job description for Workability Coordinator
- h. Contract 2020-11C with Lassen County Office of Education to purchase Adapted Physical Education services through June 10, 2020
- i. Adult Education Staff Hiring Requirements and Salaries
BERARDI: Reaching out to other Counties to develop the necessary job descriptions and salary schedules needed for staff needed as we continue to develop the program and it's offerings.

2. Business Report
 - a. 2017-2018 Fiscal Year Audit Certification Letter
 - b. 2019-2020 Fiscal Year Budget Approved
 - c. Account Object Summary-Balance from 07/01/2019 to 09/30/219
3. Staff Reports
None
4. Board Member Reports
None
5. Public Comment
 - a. Current location –
*Sierra County Arts Council—BJ JORDAN: Three programs that are funded by a grant from the California Arts Council: Poetry Out Loud, Artist in Schools and Art Exposure. This year arts education grants are due in November – typically not due until January. Keeping the school district informed of programs and grant applications and process. Also looking for how much more the school district might be able to contribute to leverage the funding we can get with matching fund grants.
*handout**
 - b. Videoconference location –
SSF—JENNA HOLLAND: Golf Tournament had a record number of golfers over the weekend. Great success again this year! Update on grants going on so far this school year. We are funding senior projects – \$500 can be funded per student, but they need to submit an application.

F. CONSENT CALENDAR

1. Approval of minutes for the Regular Board Meeting held September 10, 2019
2. Approval of Board Report-Checks Dated 09/01/2019 through 09/30/2019
3. Approval of Quarterly Report on Williams Uniform Complaints for quarter ending 09/30/2019. 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.
 - a. 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 09/30/2019.
4. Authorization for Out of State Travel Request to Boston, MA for National College Transition Network Conference—Wendy Jackson, Adult Education Coordinator
MOORE/WRIGHT
5/0

G. ACTION ITEMS

1. New Business
 - a. Adoption of Resolution No. 20-005C, Recognition of Megan Meschery
Read by GANT
GANT/STANNARD
ROLL CALL VOTE:
GANT – AYE
MOORE – AYE
HALL – AYE
STANNARD – AYE
WRIGHT – AYE
5/0

PUBLIC HEARING—Textbooks and Instructional Materials

- b. Public Hearing to receive comments on the sufficiency of textbooks and instructional materials for Kindergarten through 12th grade in each subject and to assure that they are aligned with the state standards adopted pursuant to Ed. Code 60605 or 60605.8. Also meet the reporting and sufficiency requirements contained in Ed. Code 60119.

Opened at 6:29pm.

SAMANTHA INGLE: Asked if this was about new curriculum to be adopted.

BERARDI: Explained that this is an annual procedure where districts must certify that there are sufficient textbooks provided to all students. This is not adopting new curriculum. That has a separate process.

Closed at 6:31pm.

- c. Adoption of Resolution No. 20-006C, Sufficiency of Textbooks or Instructional Materials

MOORE/WRIGHT

GANT: Wondering about other subjects not listed on the Resolution. For instance Health isn't specifically listed in this Resolution.

BERARDI: This is a list reflecting subjects that have textbooks adopted, and then the district must ensure all students have access to a textbook for those subjects. There are no textbooks adopted for Health so that doesn't fall under this list/Resolution specifically. Not all subjects are required to have textbooks.

ROLL CALL VOTE:

GANT – AYE

MOORE – AYE

HALL – AYE

STANNARD – AYE

WRIGHT – AYE

5/0

BOARD POLICIES, ADMINISTRATIVE REGULATIONS, EXHIBITS, BOARD BYLAWS

- d. 3511—Energy and Water Management
 - 1. Board Policy, *revisions*
 - 2. Administrative Regulation, *revisions*
- e. 3514—Environmental Safety
 - 1. Administrative Regulation, *revisions*
- f. 5123—Promotion/Acceleration/Retention
 - 1. Board Policy, *revisions*

MOORE motioned to approve d, e & f with the Storm Water Management sections removed from BP & AR 3511. Second by GANT.

5/0

- g. 5136—Gangs
 - 1. Board Policy, *DELETE*
 - 2. Administrative Regulation, *DELETE*

MOORE/WRIGHT

5/0

- h. 4212—Appointment and Conditions of Employment (Classified)
 - 1. Administrative Regulation, *minor revision*

TABLE to next meeting for further review and additional updates/revisions.
- i. Update on adding fingerprinting to Board Bylaws for Appointees
BERARDI and JACOBSEN will work on something to present for approval adding verbage into Board Bylaws at next meeting.

H. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on November 12, 2019 at Sierra County Office of Education, 109 Beckwith Rd, Loyalton CA 96118, beginning with Closed Session as needed at 5:00pm and the Regular Board Meeting at 6:00pm.
2. Suggested Agenda Items
None

I. ADJOURN at 7:02pm
MOORE/WRIGHT
5/0

Nicole Stannard, Clerk

James Berardi, Superintendent
Secretary to the County Board of Education

**Artist in Schools and Arts Exposure
Sierra County Arts Council
School Year 2020-2021
Artists Education Grants from the
California Arts Council(CAC)**

Welcome to another school year and the opening of grant season at The California Arts Council(CAC). The CAC has completely changed their on-line grant application system in the last year. Sierra County Arts Council is the only arts organization in Sierra County that currently meets guidelines to apply for these grants. These grants are now on the CAC website under the grant menu heading Youth Support: "Artists in Schools" and "Exposure" grants. Historically our Arts Education grants have been due in January. **This year our arts education grants are due in November.** These grants require 1:1 dollar matching funds. We would like to thank the Sierra Schools Foundation(SSF) for funding arts education in our schools and Sierra-Plumas Joint Unified School District(SPJUSD) for providing a matching funds to the Arts Council for our grants. The balance of our matching funds come from community contributions. We would also like to thank school staff who organize student activities and the many volunteers who work in our programs.

Poetry Out Loud (program funded through State-Local Partnership program no match required):

We introduced the Poetry Out Loud program in Sierra County high schools last year with support from the CAC. This is an exciting opportunity for our students to participate in a national poetry recitation competition that could take them all the way to Washington DC and a substantial scholarship. We will be having a county competition with cash awards and will be sending our POL county champion and chaperon on an expense paid trip to the State Capitol where they will read on the floor of the Assembly this March. Our champion from last year was Bella Acuma from Downieville High School. We hope that the high school teachers will take advantage of this amazing opportunity for our students. This program is being facilitated by local poet Paul Guffin. Paul will be visiting our school sites soon: paul@guffin.net or 289-2751 information at <https://www.capoetryoutloud.org/> We do not require matching funds for this grant.

Artist in Schools(in-school instruction, \$20,000 max. request): Due Nov. 15 for School year 2020-2021: 1:1 matching funds required

The AIS program supports teaching artists in our schools during the school day. Artists must teach at least 12 weeks of classes.

AIS program for 2019-2020 funded:

The Arts Council was pleased to hear that our Artists in Schools Graphic Arts instructor, Katherine Genasci, has been hired by SPJUSD to teach at Loyalton High School this year. We are grateful to the Sierra Schools Foundation who funded this program in 2018-2019, when our grant application was unsuccessful.

Loyalton: We have been in touch with Jason Rosencrans, who is already funded through SSF, to teach a coding class. I discussed this with our CAC grant administrator and we may consider using the funding that was available for Katherine's Graphic Arts Class to fund a "creative" coding class. We hope to contribute to the program already funded through the SSF. We also have a new musician and arts administrator, Lindsey Macintosh, who has moved to Loyalton. She may be helping us to coordinate some arts education classes in Loyalton Schools.

Downieville Schools:

- Ludi Hinrichs – Music. Ludi will teach two elementary music classes and new this year, we will integrate music into the high school physics program with the physics of music! Thank you Robin Bolle for helping to make this happen.
- Kathy Fischer – Dance: Kathy will continue her program in the high school. She will not be able to teach in the elementary this year and we hope to find someone to teach some other arts classes in her stead. We are open to suggestions

Exposure (field trips and assemblies, \$20,000 Max request): Due Nov. 8 for School year 2020-2021

The Exposure program supports attendance at performances and exhibitions and school assemblies for students who are underserved(rural) or who may have limited access to these experiences.

Exposure Program 2019-2020 funded:

B Street Theatre and Darabello Cello Concert from the Reno Philharmonic will be our assemblies in Loyalton and Downieville. FYI Last year the Reno Philharmonic Horn Quartet visited our schools. The tuba player from that quartet lives in Chilcoot and could be available for instruction. We are also funding field trips to Ashland for DHS and LHS with additional funding support from the SSF. DHS trip to the Nutcracker with the Sacramento Ballet.

Arts Education Budget 2019-2020

Exposure Program

Field Trips

		Amount
Oregon Shakespeare Festival Downieville High School	estimate	\$ 3,000.00
Oregon Shakespeare Festival Loyalton High School		\$ 2,550.00
Nutcracker Downieville High School		\$ 1,080.00
Total		\$ 6,630.00

Assemblies Loyalton & Downieville Schools

Proposals include performances & transportation to Loyalton & Downieville

Reno Philhamonic Discover Music String Quartet		\$ 2,000.00
B Street Theatre: History or Fantasy including transportation		\$ 1,500.00
Total Assemblies	Total	\$ 3,500.00
Total AIS Assemblies and Field Trips		\$ 10,130.00
Administration		\$1,500

Artists in Schools

Downieville Elementary School Music Ludi Hinrichs		\$ 5,000.00
Downieville Schools Dance Kathy Fischer K-12		\$ 2,500.00
Loyalton High School Music Lindsey MacIntosh		\$ 5,000.00
	Total	\$ 12,500.00
Administration*		\$1,500

Programs Total

\$ 22,630.00

Funding

CAC grant Artists in Schools		\$ 7,650.00
CAC grant Exposure		\$ 4,752.00
SPJUSD Artists in Schools		\$ 5,000.00
SPJUSD Exposure		\$ 5,000.00
Sierra School Foundation**		\$ 228.00
Total		\$ 22,630.00

*Administration costs are now covered by our State-Local Partnership Operating Grant from the CAC

**Sierra School Foundation direct funding to arts programming

Checks Dated 10/01/2019 through 10/31/2019

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00015393	10/03/2019	SINGLETON AUMAN PC	01-8699	AUDIT FEES		4,450.00
00015394	10/15/2019	CIT	01-5900	PHONE SYSTEM/MAINTENANCE		773.08
00015395	10/15/2019	HEIDI BETHKE	01-5200	PER DIEM	49.00	
				PER DIEM/HOTEL	278.72	327.72
00015396	10/15/2019	CARRIER SI, INC.	01-5810	PHONE TESTING/REMOTE SERVICE		730.00
00015397	10/15/2019	CFPIC	01-5200	REGISTRATION		115.00
00015398	10/15/2019	CPI	01-5300	CPI TRAINING MEMBERSHIP		150.00
00015399	10/15/2019	FAGEN FRIEDMAN & FULFROST LLP	01-5200	REGISTRATION		195.00
00015400	10/15/2019	FEATHER PUBLISHING CO., INC	11-5810	ADVERTISEMENT		126.00
00015401	10/15/2019	ANNA GOODWIN	01-5200	NURSE SERVICES	92.66-	
			01-5810	NURSE SERVICES	2,087.66	1,995.00
00015402	10/15/2019	NONA GRIESERT	01-5200	MILEAGE		346.43
00015403	10/15/2019	JANIS HARDEMAN	01-5300	NURSE SERVICES	71.98	
			01-5810	NURSE SERVICES	2,588.02	2,660.00
00015404	10/15/2019	HOLIDAY INN ELK GROVE	01-5200	HOTEL	198.69	
			01-5899	HOTEL	198.69	397.38
00015405	10/15/2019	HYATT REGENCY ORANGE COUNTY	11-5200	HOTEL		396.34
00015406	10/15/2019	WENDY JACKSON	11-4300	SITE PLAN COPIES	112.27	
			11-5200	PER DIEM/FLIGHT	372.00	
			11-5203	ESTIMATED MILEAGE	467.48	951.75
00015407	10/15/2019	JANE V. LEE, M.A., LMFT	01-5810	COUNSELING SERVICES		2,006.40
00015408	10/15/2019	LES SCHAWB	01-4350	REAR BRAKES		393.87
00015409	10/15/2019	LIBERTY UTILITIES CPEC	01-5500	ELECTRICAL SERVICE		238.31
00015410	10/15/2019	MARY LOWE	01-5810	COUNSELING SERVICES		4,242.70
00015411	10/15/2019	LESLIE MARSDEN, MOT, OTR/L	01-5810	OCCUPATIONAL THERAPY SERVICES		2,510.00
00015412	10/15/2019	OFFICE DEPOT	01-4300	PRINTER		455.28
00015413	10/15/2019	PEARSON EDUCATION INC.	11-4100	EMR BOOKS		1,784.64
00015414	10/15/2019	PETERSON CONSTRUCTION	11-6200	BUILDING PAD/SIDEWALK		4,416.00
00015415	10/15/2019	PITNEY BOWES, INC.	01-5600	POSTAGE MACHINE LEASE	50.63	
			01-5899	POSTAGE MACHINE LEASE	151.92	202.55
00015416	10/15/2019	PRESENCELEARNING, INC.	01-5810	PRESENCE LEARNING		8,194.85
00015417	10/15/2019	RAY MORGAN COMPANY	01-5600	COPIER MAINT.		4.45
00015418	10/15/2019	SIERRA BOOSTER	11-5810	ADVERTISEMENT		74.25
00015419	10/15/2019	SIERRA COUNTY OFFICE OF EDUCATION	01-5808	BANK SERVICE FEES		411.08
00015420	10/15/2019	SIERRA VALLEY HOME CENTER	01-4300	SHOP SUPPLIES		345.26
00015421	10/15/2019	SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT	01-5200	REGISTRATION		125.00
00015422	10/15/2019	STAPLES, INC.	01-4300	OFFICE SUPPLIES		392.31

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

ESCAPE ONLINE

Checks Dated 10/01/2019 through 10/31/2019

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00015423	10/15/2019	TRI COUNTY SCHOOLS INSURANCE GROUP	01-3902	OCT 19 HEALTH INSURANCE	1,104.00	
			01-9535	OCT 19 HEALTH INSURANCE	2,159.00	
			76-9576	OCT 19 HEALTH INSURANCE	16,455.00	19,718.00
00015424	10/15/2019	U.S. BANK	01-4300	OFFICE CHAIRS		557.66
00015425	10/15/2019	VOYAGER	01-4350	FUEL EXPENSE	98.65	
			01-5200	FUEL EXPENSE	46.11	
			01-5899	FUEL EXPENSE	145.60	290.36
00015426	10/15/2019	ALLEN WRIGHT	01-5200	PER DIEM		21.75
00015427	10/29/2019	BUREAU OF EDUCATION & RESEARCH	01-5200	REGISTRATION	518.00	
			01-5899	REGISTRATION	259.00	777.00
00015428	10/29/2019	CCSESA	01-5300	PASSCO DUES		700.00
00015429	10/29/2019	CHALLENGE ELECTRIC	11-6200	NEW ELECTRICAL		5,990.33
00015430	10/29/2019	CLAYTON A TITUS INC.	11-6200	MODULAR CLASSROOM		35,000.00
00015431	10/29/2019	DOUBLETREE HOTEL	01-5200	HOTEL - PASSCO MEETING	76.48	
			01-5899	HOTEL - PASSCO MEETING	229.43	305.91
00015432	10/29/2019	FOLCHI LOGGING AND CONSTRUCTION, INC.	11-6200	PREP FOR ELECTRIC		148.00
00015433	10/29/2019	HUMBOLDT COUNTY OFFICE OF ED ATTN: ACCOUNTS RECEIVABLE	01-5810	WORKABILITY PASSWORD		125.00
00015434	10/29/2019	HYATT REGENCY CAMBRIDGE, OVERLOOKING BOSTON	11-5200	HOTEL		786.27
00015435	10/29/2019	WENDY JACKSON	11-5203	ESTIMATED MILEAGE		454.72
00015436	10/29/2019	JAQUEZ CUSTOM CRAFT, INC	11-6200	BOBCAT LABOR		700.00
00015437	10/29/2019	JONES PRECISION KEY & LOCK	11-6200	LOCKSMITH		249.09
00015438	10/29/2019	LOYALTON POSTMASTER	01-5900	POSTAGE		55.00
00015439	10/29/2019	MARLENE MONGOLO	01-4350	MILEAGE		170.52
00015440	10/29/2019	NCTN/WORLD EDUCATION	11-5200	REGISTRATION		415.00
00015441	10/29/2019	OFFICE DEPOT	11-4300	OFFICE SUPPLIES		186.86
00015442	10/29/2019	NCS PEARSON, INC.	01-4300	TEST FORMS		140.23
00015443	10/29/2019	RAY MORGAN COMPANY	01-5600	COPIER MAINT.		10.00
Total Number of Checks					51	106,212.35

Fund Summary

Fund	Description	Check Count	Expensed Amount
01	County School Service Fund	36	38,078.10
11	ADULT EDUCATION	15	51,679.25

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

ESCAPE ONLINE

Checks Dated 10/01/2019 through 10/31/2019

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

<u>Fund</u>	<u>Description</u>	<u>Check Count</u>	<u>Expensed Amount</u>
76	Payroll Clearing	1	16,455.00
	Total Number of Checks	51	106,212.35
	Less Unpaid Sales Tax Liability		.00
	Net (Check Amount)		106,212.35

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
Secure Rural Schools and Community Self-Determination Act (SRS)
RESOLUTION No. 20-007C

Whereas, the Secure Rural Schools and Community Self-Determination Act (SRS) safety net program for forest communities is based on historic precedent and agreements began in 1908, removing federal lands from local tax bases and from full local community economic activity;

Whereas, SRS funds the SRS safety net program for forest communities across the United States, encompassing approximately 9 million students in 4,400 school districts in 775 forest counties in 41 states across the country, funding road repairs, schools and law enforcement in rural communities

Whereas, Congress temporarily funded the SRS program in 2018 for the short-term, extending SRS funding for Fiscal Year (FY) 2017-2018. The FY 17 SRS payment was made in mid-2018;

Whereas, the SRS FY 18 payment, made in 2019, was \$231.4 million - less than half of the FY 2008 \$477.9 million payment;

Whereas, Fiscal Year 2019 is not funded; and

Whereas, continued SRS funding is a bipartisan concern and must be in any final FY 2020 legislative package in order to be funded;

Therefore, be it resolved, that the Sierra County Board of Education asks the federal government to fulfill their promise to rural communities by funding SRS, and supports Congress' efforts to provide short and long term funding of SRS in any final Budget Appropriations bill developed by Congress in this year's budget, and specifically supports SRS bills HR 3048 and S 430.

Passed and adopted, this 12th day of November, 2019.

AYES: _____

NOES: _____

ABSENT: _____

ABSENTIONS: _____

Patty Hall
President, Sierra County Board of Education

LCAP Federal Addendum System

Instructions, Strategy, and Alignment

Instructions

The LCAP Federal Addendum is meant to supplement the LCAP to ensure that eligible LEAs have the opportunity to meet the Local Educational Agency (LEA) Plan provisions of the Every Student Succeeds Act (ESSA).

The LCAP Federal Addendum Template must be completed and submitted to the California Department of Education (CDE) to apply for ESSA funding. LEAs are encouraged to review the LCAP Federal Addendum annually with their LCAP, as ESSA funding should be considered in yearly strategic planning.

Each provision for each program must be addressed, unless the provision is not applicable to the LEA.

In addressing these provisions, LEAs must provide a narrative that addresses the provision **within the LCAP Federal Addendum Template.**

Under State Priority Alignment, state priority numbers are provided to demonstrate where an ESSA provision aligns with state priorities. This is meant to assist LEAs in determining where ESSA provisions may already be addressed in the LEA's LCAP, as it demonstrates the LEA's efforts to support the state priorities.

The LEA must address the Strategy and Alignment prompts provided below. Please describe the LEA's plan for making the best use of federal ESEA resources in alignment with other federal, state, and local programs as described in the LEA's LCAP.

The CDE emphasizes that **the LCAP Federal Addendum should not drive LCAP development.** ESSA funds are supplemental to state funds, just as the LCAP Federal Addendum supplements your LCAP. LEAs are encouraged to integrate their ESSA funds into their LCAP development as much as possible to promote strategic planning of all resources; however, this is not a requirement. In reviewing the LCAP Federal Addendum, CDE staff will evaluate the LEA's responses to the ESSA plan provisions. There is no standard length for the responses. LEAs will be asked to clarify insufficient responses during the review process.

California's ESSA State Plan significantly shifts the state's approach to the utilization of federal resources in support of underserved student groups. This LCAP Federal Addendum provides LEAs with the opportunity to document their approach to maximizing the impact of federal investments in support of underserved students.

The implementation of ESSA in California presents an opportunity for LEAs to innovate with their federally-funded programs and align them with the priority goals they are realizing under the state's Local Control Funding Formula (LCFF).

LCFF provides LEAs flexibility to design programs and provide services that meet the needs of students in order to achieve readiness for college, career, and lifelong learning. The LCAP planning process supports continuous cycles of action, reflection, and improvement.

Strategy

Explain the LEA's strategy for using federal funds to supplement and enhance local priorities or initiatives funded with state funds, as reflected in the LEA's LCAP. This shall include describing the rationale/evidence for the selected use(s) of federal funds within the context of the LEA's broader strategy reflected in the LCAP.

Provide response:

The county office programs are operated to fully provide students with the services and education that the individual needs. The program funds are supplemented, not supplanted, by utilizing federal funds to supplement where needed. General unrestricted funds are also used to supplement the various programs to insure that the students get the highest education needs and services met as possible.

Save All and Continue

Alignment

Describe the efforts that the LEA will take to align use of federal funds with activities funded by state and local funds and, as applicable, across different federal grant programs.

Provide response:

Services provided to students are evaluated on an ongoing basis to insure that the needs are met. Focus is provided to the underserved unduplicated student populations first and then expanded to provide for all student populations. Depending upon the grant criteria, programs are supplemented, not supplanted, to provide services above and beyond that funding provided.

Save All and Continue

Every Student Succeeds Act (ESSA) Provisions Addressed Within the LCAP

Within the LCAP an LEA is required to describe its goals, and the specific actions to achieve those goals, for each of the LCFF state priorities. In an approvable LCAP it will be apparent from the descriptions of the goals, actions, and services how an LEA is acting to address the following ESSA provisions through the aligned LCFF state priorities and/or the state accountability system.

Title I, Part A

Monitoring Student Progress Towards Meeting Challenging State Academic Standards

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(1) (A–D)	1, 2, 4, 7, 8 (<i>as applicable</i>)

Describe how the LEA will monitor students' progress in meeting the challenging state academic standards by:

- A. developing and implementing a well-rounded program of instruction to meet the academic needs of all students;
- B. identifying students who may be at risk for academic failure;
- C. providing additional educational assistance to individual students the LEA or school determines need help in meeting the challenging State academic standards; and
- D. identifying and implementing instructional and other strategies intended to strengthen academic programs and improve school conditions for student learning.

Overuse in Discipline Practices that Remove Students from the Classroom

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(11)	6 <i>(as applicable)</i>

Describe how the LEA will support efforts to reduce the overuse of discipline practices that remove students from the classroom, which may include identifying and supporting schools with high rates of discipline, disaggregated by each of the student groups, as defined in Section 1111(c)(2).

Career Technical and Work-based Opportunities

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(12)(A–B)	2, 4, 7 <i>(as applicable)</i>

If determined appropriate by the LEA, describe how such agency will support programs that coordinate and integrate:

- A. academic and career and technical education content through coordinated instructional strategies, that may incorporate experiential learning opportunities and promote skills attainment important to in-demand occupations or industries in the State; and
- B. work-based learning opportunities that provide students in-depth interaction with industry professionals and, if appropriate, academic credit.

Title II, Part A

Title II, Part A Activities

ESSA SECTION	STATE PRIORITY ALIGNMENT
2102(b)(2)(A)	1, 2, 4 <i>(as applicable)</i>

Provide a description of the activities to be carried out by the LEA under this Section and how these activities will be aligned with challenging State academic standards.

ESSA Provisions Addressed in the Consolidated Application and Reporting System

An LEA addresses the following ESSA provision as part of completing annual reporting through the Consolidated Application and Reporting System (CARS).

Title I, Part A

Poverty Criteria

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(4)	N/A

Describe the poverty criteria that will be used to select school attendance areas under Section 1113.

ESSA Provisions Not Addressed in the LCAP

For the majority of LEAs the ESSA provisions on the following pages do not align with state priorities. **Each provision for each program provided on the following pages must be addressed**, unless the provision is not applicable to the LEA. In addressing these provisions, LEAs must provide a narrative that addresses the provision **within this addendum**.

As previously stated, the CDE emphasizes that the LCAP Federal Addendum should not drive LCAP development. ESSA funds are supplemental to state funds, just as the LCAP Federal Addendum supplements your LCAP. LEAs are encouraged to integrate their ESSA funds into their LCAP development as much as possible to promote strategic planning of all resources; however, this is not a requirement. In reviewing the LCAP Federal Addendum, CDE staff will evaluate the LEA's responses to the ESSA plan provisions. There is no standard length for the responses. LEAs will be asked to clarify insufficient responses during the review process.

Instructions, Strategy, and Alignment Contact

Identify the applicable program contact and their contact information in the fields below. The identified program contact will be notified of details related to submission, review, and approval of this section via email.

Contact Name

Nona Griesert

**Contact Phone
and Optional Extension**

530-993-1660

120

Contact Email

ngriesert@spjUSD.org

LCAP Federal Addendum System

Title I, Part A

Every Student Succeeds Act (ESSA) Provisions Not Addressed in the LCAP

For the majority of LEAs, the ESSA provisions identified on this page do not align with state priorities. **Each provision identified on this page must be addressed**, unless the provision is not applicable to the LEA. If the provision is not applicable to the LEA, respond with "N/A".

The CDE emphasizes that the LCAP Federal Addendum should not drive LCAP development. ESSA funds are supplemental to state funds, just as the LCAP Federal Addendum supplements your LCAP. LEAs are encouraged to integrate their ESSA funds into their LCAP development as much as possible to promote strategic planning of all resources; however, this is not a requirement. In reviewing the LCAP Federal Addendum, CDE staff will evaluate the LEA's responses to the ESSA plan provisions. There is no standard length for the responses. LEAs will be asked to clarify insufficient responses during the review process.

To address these provisions, provide a narrative addressing each provision in the appropriate field below:

Parent and Family Engagement

ESSA SECTIONS 1112(b)(3) and 1112(b)(7)

Describe how the LEA will carry out its responsibility under Section 1111(d).

Address the ESSA provision:

Parental involvement practices: Site council at each site, parents club, sports club, CAC Community Advisory Council, Booster club, EL Community Meetings, All Calls, Web site, Community Forums/LCAP, Back To School Nights, Parent-Teacher Conferences, handbooks.

All of the above activities are done at each site to keep up community/parent communication. Parents are provided with time to meet with their child's teachers to go over report cards/state standards that students are supposed to meet.

Barriers in our school district are lowered by holding community forums, such as LCAP, Site Council meetings, and holding our EL Community meetings, CAC Community Advisory Council meetings. At these meetings parents are encouraged to participate to share their ideas on improvements for our schools. site planning and reviewing of the

Save All and Continue

Describe the strategy the LEA will use to implement effective parent and family engagement under Section 1116.

Address the ESSA provision:

Each school site has a Site Council that consists of Admin, staff, stakeholders and parents. These meetings are conducted so that parents/stakeholders can share in the leadership process of the school and help to provide input for each site.

Our district holds EL Community Meetings with our EL families to involve them in our LCAP and give them the opportunities to also share in the leadership process of the school sites.

Save All and Continue

Schoolwide Programs, Targeted Support Programs, and Programs for Neglected or Delinquent Children

ESSA SECTIONS 1112(b)(5) and 1112(b)(9)

Describe, in general, the nature of the programs to be conducted by the LEA's schools under sections 1114 and 1115 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs.

Address the ESSA provision:

SWP: "N/A"

TAS: "N/A"

Neglected or delinquent: "N/A"

Save All and Continue

Describe how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under Section 1115, will identify the eligible children most in need of services under this part.

Address the ESSA provision:

Academic screening occurs through both teacher input and local indicators /local bench mark assessments. SST/RTI meetings are held at each school site to best plan for the needs of identified students, these meetings consist of parents, teachers, administrators, para professionals, etc.

Save All and Continue

Homeless Children and Youth Services

ESSA SECTION 1112(b)(6)

Describe the services the LEA will provide homeless children and youths, including services provided with funds reserved under Section 1113(c)(3)(A), to support the enrollment, attendance, and success of homeless children and youths, in coordination with the services the LEA is providing under the McKinney-Vento Homeless Assistance Act (42 United States Code 11301 et seq.).

Address the ESSA provision:

Homeless students are identified and services provided through the McKinney-Vento Grant funding and additional funds as needed from the General unrestricted source. We provide backpacks, clothing, transportation, counseling and other services as needed. Our Homeless liaison arranges the necessary services to make sure needs are met.

Save All and Continue

Student Transitions

ESSA SECTIONS 1112(b)(8) and 1112(b)(10) (A–B)

Describe, if applicable, how the LEA will support, coordinate, and integrate services provided under this part with early childhood education programs at the LEA or individual school level, including plans for the transition of participants in such programs to local elementary school programs.

Address the ESSA provision:

Time is given in the spring for incoming students from early childhood education programs to go through our transition process which includes entrance assessments, classroom visits, time for teachers to meet with parents.

Save All and Continue

Describe, if applicable, how the LEA will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education including:

- A. through coordination with institutions of higher education, employers, and other local partners; and
- B. through increased student access to early college high school or dual or concurrent enrollment opportunities, or career counseling to identify student interests and skills.

Address the ESSA provision:

7th/8th graders participate in activities provided by the TRIO program through Feather River College.

High Schoolers work with guidance counselor and TRIO personnel to tour local community and career colleges.

Save All and Continue

Additional Information Regarding Use of Funds Under this Part

ESSA SECTION 1112(b)(13) (A–B)

Provide any other information on how the LEA proposes to use funds to meet the purposes of this part, and that the LEA determines appropriate to provide, which may include how the LEA will:

- A. assist schools in identifying and serving gifted and talented students; and
- B. assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement.

Address the ESSA provision:

We currently do not have a gifted and talented program in our district. With the transition of our new superintendent our district is going to be working on putting a new gifted and talented program in place for our identified students.

Save All and Continue

Title I, Part A Contact

Identify the applicable program contact and their contact information in the fields below. The identified program contact will be notified of details related to submission, review, and approval of this section via email.

Contact Name

Nona Griesert

**Contact Phone
and Optional Extension**

530-993-1660

120

Contact Email

ngriesert@spjUSD.org

LCAP Federal Addendum System

Title I, Part A, Educator Equity

Every Student Succeeds Act (ESSA) Provisions Not Addressed in the LCAP

For the majority of LEAs, the ESSA provisions identified on this page do not align with state priorities. **Each provision identified on this page must be addressed**, unless the provision is not applicable to the LEA. If the provision is not applicable to the LEA, respond with "N/A".

The CDE emphasizes that the LCAP Federal Addendum should not drive LCAP development. ESSA funds are supplemental to state funds, just as the LCAP Federal Addendum supplements your LCAP. LEAs are encouraged to integrate their ESSA funds into their LCAP development as much as possible to promote strategic planning of all resources; however, this is not a requirement. In reviewing the LCAP Federal Addendum, CDE staff will evaluate the LEA's responses to the ESSA plan provisions. There is no standard length for the responses. LEAs will be asked to clarify insufficient responses during the review process.

To address these provisions, provide a narrative addressing each provision in the appropriate field below:

Educator Equity

ESSA SECTION 1112(b)(2)

Describe how the LEA will identify and address, as required under State plans as described in Section 1111(g)(1)(B), any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers.

Address the ESSA provision:

In our hiring process our district, does the best it can to hire appropriately credentialed teachers given our size and remote location.

Save All and Continue

Title I, Part A, Educator Equity Contact

Identify the applicable program contact and their contact information in the fields below. The identified program contact will be notified of details related to submission, review, and approval of this section via email.

Contact Name

Nona Griesert

**Contact Phone
and Optional Extension**

530-993-1660

120

Contact Email

ngriesert@spjUSD.org

Questions: Local Agency Systems Support Office | LCAPAddendum@cde.ca.gov | 916-323-5233

LCAP Federal Addendum System

Title II, Part A

Every Student Succeeds Act (ESSA) Provisions Not Addressed in the LCAP

For the majority of LEAs, the ESSA provisions identified on this page do not align with state priorities. **Each provision identified on this page must be addressed**, unless the provision is not applicable to the LEA. If the provision is not applicable to the LEA, respond with "N/A".

The CDE emphasizes that the LCAP Federal Addendum should not drive LCAP development. ESSA funds are supplemental to state funds, just as the LCAP Federal Addendum supplements your LCAP. LEAs are encouraged to integrate their ESSA funds into their LCAP development as much as possible to promote strategic planning of all resources; however, this is not a requirement. In reviewing the LCAP Federal Addendum, CDE staff will evaluate the LEA's responses to the ESSA plan provisions. There is no standard length for the responses. LEAs will be asked to clarify insufficient responses during the review process.

To address these provisions, provide a narrative addressing each provision in the appropriate field below:

Professional Growth and Improvement

ESSA SECTION 2102(b)(2)(B)

Provide a description of the LEA's systems of professional growth and improvement, such as induction for teachers, principals, or other school leaders and opportunities for building the capacity of teachers and opportunities to develop meaningful teacher leadership.

Address the ESSA provision:

Professional growth for teachers include holding Professional development days every Wednesday where staff works on curriculum, behavior and intervention needs, etc... Induction for new teachers is done through Placer County Office of Education where new teachers take part in the BTSA program. New administrators in the district take part in the state requirements for Admin credential completion. Administrators work with Placer County Office of Education . All staff in the district is able to attend any workshops/conferences to build upon their teaching skills and to gain more knowledae to use in their classrooms.

Save All and Continue

Prioritizing Funding

ESSA SECTION 2102(b)(2)(C)

Provide a description of how the LEA will prioritize funds to schools served by the agency that are implementing comprehensive support and improvement activities and targeted support and improvement activities under Section 1111(d) and have the highest percentage of children counted under Section 1124(c).

Address the ESSA provision:

We prioritize funding by identifying the students that are unduplicated or otherwise underserved. We use various methods to identify these students and determine what needs they have including tutoring, counseling, or referral services to other county agencies for additional support. We identify and use Homeless and Foster Youth funding when available and supplement that funding by general unrestricted funds.

Save All and Continue

Data and Ongoing Consultation to Support Continuous Improvement

ESSA SECTION 2102(b)(2)(D)

Provide a description of how the LEA will use data and ongoing consultation described in Section 2102(b)(3) to continually update and improve activities supported under this part.

Address the ESSA provision:

Test results are utilized to determine areas of additional support needed by students. These results are then used to target additional instruction or tutoring services for those students.

Save All and Continue

Title II, Part A Contact

Identify the applicable program contact and their contact information in the fields below. The identified program contact will be notified of details related to submission, review, and approval of this section via email.

Contact Name

Nona Griesert

**Contact Phone
and Optional Extension**

530-993-1660

120

Contact Email

ngriesert@spjUSD.org

LCAP Federal Addendum System

Title IV, Part A

Every Student Succeeds Act (ESSA) Provisions Not Addressed in the LCAP

For the majority of LEAs, the ESSA provisions identified on this page do not align with state priorities. **Each provision identified on this page must be addressed**, unless the provision is not applicable to the LEA. If the provision is not applicable to the LEA, respond with "N/A".

The CDE emphasizes that the LCAP Federal Addendum should not drive LCAP development. ESSA funds are supplemental to state funds, just as the LCAP Federal Addendum supplements your LCAP. LEAs are encouraged to integrate their ESSA funds into their LCAP development as much as possible to promote strategic planning of all resources; however, this is not a requirement. In reviewing the LCAP Federal Addendum, CDE staff will evaluate the LEA's responses to the ESSA plan provisions. There is no standard length for the responses. LEAs will be asked to clarify insufficient responses during the review process.

To address these provisions, provide a narrative addressing each provision in the appropriate field below:

Title IV, Part A Activities and Programs

ESSA SECTION 4106(e)(1)

Describe the activities and programming that the LEA, or consortium of such agencies, will carry out under Subpart 1, including a description of:

- A. any partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this subpart;
- B. if applicable, how funds will be used for activities related to supporting well-rounded education under Section 4107;
- C. if applicable, how funds will be used for activities related to supporting safe and healthy students under Section 4108;
- D. if applicable, how funds will be used for activities related to supporting the effective use of technology in schools under Section 4109; and
- E. the program objectives and intended outcomes for activities under Subpart 1, and how the LEA, or consortium of such agencies, will periodically evaluate the effectiveness of the activities carried out under this section based on such objectives and outcomes.

Address the ESSA provision:

- A. N/A
- B. Ensuring all students have sufficient materials, tutoring and/or counseling.
- C. Ensuring all students will feel safe and secure by eliminating bullying, illegal drugs, harassment or other crimes from the campuses.
- D. Technology is evolving, expanding and constantly evaluated to make sure the best and most current available resources are utilized to our students.
- E. Questionnaires are sent out annually to all students. test scores are evaluated to review the success and

Save All and Continue

Title IV, Part A Contact

Identify the applicable program contact and their contact information in the fields below. The identified program contact will be notified of details related to submission, review, and approval of this section via email.

Contact Name

Nona Griesert

**Contact Phone
and Optional Extension**

530-993-1660

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Contact Email

ngriesert@spjUSD.org

Questions: Local Agency Systems Support Office | LCAPAddendum@cde.ca.gov | 916-323-5233

CSBA POLICY GUIDE SHEET – November 2019

BP/AR 0460 - Local Control and Accountability Plan

(BP/AR revised)

Policy updated to delete the section on "Technical Assistance/Intervention," as that material is now addressed in BP 0520 - Intervention for Underperforming Schools. Paragraph added to generally address actions that may be taken whenever a school or a numerically significant student subgroup is not making sufficient progress toward the goals in the local control and accountability plan (LCAP). Regulation updated to reflect **NEW LAW (AB 1240)** which adds, as a measure of student achievement, the percentage of students who have successfully completed both college entrance courses and career technical education courses.

BP/AR 4116 - Probationary/Permanent Status

(BP/AR revised)

Policy updated to reflect court decisions clarifying the distinction between probationary employees and temporary employees. Material regarding eligibility for permanent status based on average daily attendance moved from AR to BP, except option for not granting permanent status deleted, as this option was only applicable to districts with less than 250 average daily attendance and the remainder of this policy and regulation is for use only by districts that grant permanent status. Policy also adds material regarding the notification of nonreelection of a probationary employee, formerly in AR 4117.6 - Decision Not to Rehire. Regulation updated to add material regarding the computation of the length of service required for classification as a permanent employee, including types of service excluded from that computation.

BP 4119.22/4219.22/4319.22 - Dress and Grooming

(BP revised)

Policy updated to reflect **NEW LAW (SB 188)** which prohibits discrimination against traits historically associated with race, including hair texture and "protective hairstyles" such as braids, locks, and twists.

BP 4216 - Probationary/Permanent Status

(BP revised)

Policy updated to reflect **NEW LAW (AB 1353)** which shortens the length of the probationary period in non-merit system districts from one year to either six months or 130 days of paid service, whichever is longer, for consistency with districts incorporating the merit system. Policy also revised to clarify that employees may be dismissed during the probationary period without cause.

BP/AR 4218 - Dismissal/Suspension/Disciplinary Action

(BP added; AR revised)

New policy contains material formerly in AR pertaining to board actions in disciplinary hearings for classified employees and new material consistent with BP 4118 - Dismissal/Suspension/Disciplinary Action for certificated employees. Policy also reflects **NEW LAW (AB 2234, 2018)** which requires the board to delegate its authority to an administrative law judge in cases involving allegations of egregious misconduct with a minor. Regulation updates and consolidates the causes for disciplinary action. Regulation also adds the requirement to set a timeline by which the employee may request a hearing, which must be not less than five days after serving notice upon the employee. Section on "Compulsory Leave of Absence" expanded to define "mandatory" and "optional" leave of absence offenses and reflect requirements pertaining to extension of the leave and compensation during the leave. Material pertaining to merit system districts moved to BP/AR 4218.1 - Dismissal/Suspension/Disciplinary Action (Merit System).

BP 5131 - Conduct

(BP revised)

Policy updated to reflect **NEW LAW (AB 272)** which authorizes boards to limit or prohibit, except under specified circumstances, student use of smartphones while at school or while under the supervision and control of a district employee. Details regarding student use of mobile communication devices moved to BP 5131.8 - Mobile Communication Devices.

BP 5131.8 - Mobile Communication Devices

(BP added)

New policy reflects **NEW LAW (AB 272)** which authorizes boards to limit or prohibit student use of smartphones while at school or while under the supervision and control of a district employee, except under specified circumstances (i.e., in an emergency, with permission of teacher or administrator, when directed by student's health care provider, when required by student's individualized education program). Policy also addresses reasonable search of students' mobile communication devices, employees' authority to confiscate a device, and discipline for off-campus use of a mobile communication device which poses a threat of danger to the safety of students, staff, or district property or substantially disrupts school activities.

BP 5132 - Dress and Grooming

(BP revised)

Policy updated to reflect **NEW LAW (SB 188)** which prohibits discrimination against traits historically associated with race, including hair texture and "protective hairstyles" such as braids, locks, and twists.

Sierra County/Sierra-Plumas Joint USD

Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans
BP 0460

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement and family engagement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of supplemental and concentration grants under the local control funding formula (LCFF)); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities and goals. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A comprehensive, data-driven planning process shall be used to identify annual goals and specific actions which are aligned with the county/district budget and facilitate continuous improvement of county/district practices.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0415 - Equity)

Note: Pursuant to Education Code 52064, the State Board of Education (SBE) has adopted a template that districts must use to complete the LCAP. An electronic version of the template is available on the California Department of Education's (CDE) web site.

The Board shall adopt a county/districtwide local control and accountability plan (LCAP), based on the template adopted by the State Board of Education (SBE), that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and two subsequent fiscal years. (Education Code 52060, 52064; 5 CCR 15494-15497)

(cf. 3100 - Budget)

Note: Education Code 52060 requires that the LCAP include annual goals to be achieved for all students and for each numerically significant student subgroup as defined in Education Code 52052. In addition, several state priorities address programs and services for "unduplicated students," as defined in Education Code 42238.01-42238.02.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" or are part of any numerically significant student subgroup that is at risk of or is underperforming.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth, as defined in Education Code 42238.01 for purposes of the local control funding formula (LCFF). (Education Code 42238.02)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Learners)

Numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students. (Education Code 52052)

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

(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall review the school plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

(cf. 0400 - Comprehensive Plans)

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5030 - Student Wellness)

(cf. 6171 - Title I Programs)

(cf. 7110 - Facilities Master Plan)

Note: Pursuant to Education Code 52064.1, districts are required to develop an LCFF budget overview for parents/guardians in conjunction with, and attached as a cover to, the LCAP and annual update to the LCAP. The budget overview is subject to the requirements of Education Code 52062 and 52070 pertaining to the adoption, review, and approval of the LCAP.

As part of the LCAP adoption and annual update to the LCAP, the Board shall separately adopt an LCFF budget overview for parents/guardians, based on the template developed by the SBE, which includes specified information relating to the county/district's budget. The budget overview shall be adopted, reviewed, and approved in the same manner as the LCAP and the annual update. (Education Code 52064.1)

Any complaint that the county/district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

Note: Education Code 52060 requires consultation on plan development with all of the groups listed below. The Board may delegate responsibility for arranging meetings and other input opportunities to the Superintendent or designee.

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. State regulations do not provide examples of consultation with groups other than students, but consultations might include surveys, the establishment of an advisory committee consisting of representatives of all the specified groups, solicitation of feedback from the groups after a draft plan is available, discussion of the LCAP at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations. The district may expand the following paragraph to reflect district practice.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Public Review and Input

Note: Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee and, if district enrollment includes at least 15 percent English learners, an English learner parent advisory committee to review and comment on the LCAP. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15945. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by law.

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include parents/guardians of unduplicated students as defined above. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners to review and comment on the LCAP. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

Note: Education Code 52062 requires notification to the public of the opportunity to submit written comments on the proposed LCAP, including notification in the primary language of parents/guardians when required by Education Code 48985. Pursuant to Education Code 48985, whenever 15 percent or more of the students in a school speak a single primary language other than English, notifications sent to parents/guardians of such students must be written in the primary language as well as in English; see BP 5145.6 - Parental Notifications.

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the

LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)
(*cf. 5145.6 - Parental Notifications*)

Note: Pursuant to Education Code 305, the LCAP parent/guardian and community engagement process must include solicitation of input on language acquisition programs. See BP/AR 6174 - Education for English Learners for further information regarding the types of language acquisition programs that may be offered.

As part of the parent/guardian and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

The Superintendent or designee shall consult with the administrator(s) of the special education local plan area of which the district is a member to ensure that specific actions for students with disabilities are included in the LCAP and are consistent with strategies included in the annual assurances support plan for the education of students with disabilities. (Education Code 52062)
(*cf. 0430 - Comprehensive Local Plan for Special Education*)

Note: Pursuant to Education Code 42127, the Board must not adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)
(*cf. 9320 - Meetings and Notices*)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the county/district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

Submission of Plan to County Superintendent of Schools

Note: Education Code 52070 requires the district to submit the LCAP to the County Superintendent, who may seek written clarification of the contents of the plan and may submit recommendations for amendments as provided below. The County Superintendent is required to approve the LCAP on or before October 8 if it is determined that (1) the LCAP adheres to the template adopted by the SBE and follows any SBE instructions or directions for completing the template; (2) the district budget includes expenditures sufficient to implement the specific actions and strategies in the LCAP; and (3) the LCAP adheres to supplemental and concentration grant expenditure

requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497 requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

Education Code 52064.1 requires the district to file the LCFF budget overview for parents/guardians with the County Superintendent to be reviewed for adherence with the template adopted by the SPI. If the budget overview is not approved, the County Superintendent will withhold approval of the LCAP and will provide technical assistance pursuant to Education Code 52071.

Not later than five days after adoption of the LCAP, the county/district budget, and the budget overview for parents/guardians, the Board shall file the LCAP, the budget, and the budget overview with the County Superintendent of Schools. (Education Code 42127, 52064.1, 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

If the County Superintendent does not approve the county/district's LCAP, the Board shall accept technical assistance from the County Superintendent focused on revising the plan so that it can be approved. (Education Code 52071)

Monitoring Progress

Note: The following optional paragraph may be revised to reflect the district's timeline for reviewing the progress and effectiveness of strategies included in the LCAP. Reports should be provided to the Board in sufficient time to allow for any necessary changes in the annual update to the LCAP by July 1 of each year, as required by Education Code 52060-52061. The Dashboard provides a tool to assist in evaluation of district and school performance and includes all of the state priorities for the LCAP described in Education Code 52060.

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by the Superintendent and the Board, regarding the county/district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance reported on the California School Dashboard. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

Note: Pursuant to Education Code 52071, when a school or a numerically significant student subgroup is not making sufficient progress toward its LCAP goals, the County Superintendent may be required to provide technical assistance or the Board may request technical assistance. In addition, the Superintendent of Public Instruction may intervene in any school which has been identified as in need of intervention based on criteria specified in Education Code 52072. Pursuant to Education Code 52059.5, CDE has established a unified system of support for districts and schools that meets state requirements as well as federal Title I requirements and ensures consistency between technical assistance provided under both sets of requirements. For more information, see BP 0520 - Intervention for Underperforming Schools.

The Superintendent or designee shall seek and/or accept technical assistance or other intervention that may be required pursuant to Education Code 52071 or 52072 or 20 USC 6311 when a school or a numerically significant student subgroup is not making sufficient progress toward the goals in the LCAP.

(cf. 0520 - Intervention for Underperforming Schools)
(cf. 0520.1 - Comprehensive and Targeted Support and Improvement)

Legal Reference:

EDUCATION CODE

305-306 English language education
 17002 State School Building Lease-Purchase Law, including definition of good repair
 33430-33436 Learning Communities for School Success Program; grants for LCAP implementation
 41020 Audits
 41320-41322 Emergency apportionments
 42127 Public hearing on budget adoption
 42238.01-42238.07 Local control funding formula
 44258.9 County superintendent review of teacher assignment
47604.33 Submission of reports by charter schools
47606.5 Charter schools, local control and accountability plan
 48985 Parental notices in languages other than English
 51210 Course of study for grades 1-6
 51220 Course of study for grades 7-12
 52052 Numerically significant student subgroups
 52059.5 Statewide system of support
 52060-52077 Local control and accountability plan
 52302 Regional occupational centers and programs
 52372.5 Linked learning program
 54692 Partnership academies
 60119 Sufficiency of textbooks and instructional materials; hearing and resolution
 60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission
 64001 Single School plan for student achievement
 99300-99301 Early Assessment Program
WELFARE AND INSTITUTIONS CODE
 300 Dependent child of the court
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
 15494-15497 Local control and accountability plan and spending requirements
UNITED STATES CODE, TITLE 20
6311 State plan
 6312 Local educational agency plan
 6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

The California School Dashboard and Small Districts, October 2018
Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016
LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California School Accounting Manual
California School Dashboard
LCFF Frequently Asked Questions
Local Control and Accountability Plan and Annual Update (LCAP) Template
Family Engagement Framework: A Tool for California School Districts, 2014
California Career Technical Education Model Curriculum Standards, 2013
California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California Common Core State Standards: Mathematics, rev. 2013
California English Language Development Standards, 2012
WEB SITES
 CSBA: <http://www.csba.org>
 California Department of Education: <http://www.cde.ca.gov>
 California School Dashboard: <http://www.caschooldashboard.org>

SIERRA COUNTY OFFICE OF EDUCATION
 SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
 Policy adopted: December 10, 2013
 revised: May 12, 2015
 revised: December 12, 2017
 revised: January 8, 2019
 revised: November 12, 2019

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Philosophy, Goals, Objectives, and Comprehensive Plans
AR 0460

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a three-year local control and accountability plan (LCAP). See the accompanying Board policy for information about plan development and monitoring.

Goals and Actions Addressing State and Local Priorities

Note: Education Code 52060 requires that the LCAP include annual goals, aligned with specified state priorities, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, a numerically significant subgroup includes ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup (or at least 15 foster youth or homeless students) in the school or district.

In addition, several state priorities address programs and services for "unduplicated students." For purposes of supplemental and concentration grants allocated through the local control funding formula (LCFF), "unduplicated students" are defined by Education Code 42238.02 as students eligible for free or reduced-price meals, English learners, and foster youth; see the accompanying Board policy.

The county/district's local control and accountability plan (LCAP) and annual updates shall include, for the county/district and each county/district school: (Education Code 52060)

1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. The LCAP shall identify goals for each of the following state priorities:
 - a. The degree to which county/district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every county/district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002
(*cf. 1312.4 - Williams Uniform Complaint Procedures*)
(*cf. 3517 - Facilities Inspection*)
(*cf. 4112.2 - Certification*)
(*cf. 4113 - Assignment*)
(*cf. 6161.1 - Selection and Evaluation of Instructional Materials*)
 - b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency

(cf. 6011 - Academic Standards)
 (cf. 6174 - Education for English Learners)

Note: Education Code 52060 provides that family engagement may include, but not be limited to, efforts by the district and schools to apply research-based practices, such as welcoming all families into the school community, engaging in effective two-way communication, supporting student success, and empowering families to advocate for equity and access. It may also include partnering with families to inform, influence, and create practices and programs that support student success and collaboration with families and the broader community, expand student learning opportunities, and promote civic participation.

- c. Parent/guardian involvement and family engagement, including efforts the county/district makes to seek parent/guardian input in county/district and school site decision making and how the county/district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy, and students with disabilities

(cf. 3553 - Free and Reduced Price Meals)
 (cf. 6020 - Parent Involvement)
 (cf. 6173.1 - Education for Foster Youth)

- d. Student achievement, as measured by all of the following as applicable:

- (1) Statewide assessments of student achievement

Note: As amended by AB 1240 (Ch. 783, Statutes of 2019), Education Code 52060 adds, as a measure of student achievement, the percentage of students who have successfully completed both college entrance courses and career technical education courses.

- (2) The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, ~~or~~; have successfully completed career technical education (CTE) sequences or programs of study that align with SBE-approved career technical education standards and frameworks, including, but not limited to, those described in Education Code 52302, 52372.5, or 54692; and have successfully completed both college entrance courses and CTE sequences or programs

- (3) The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency

- (4) The English learner reclassification rate

- (5) The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher

- (6) The percentage of students who demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301

(cf. 0500 - Accountability)
 (cf. 6141.5 - Advanced Placement)
 (cf. 6162.5 - Student Assessment)
 (cf. 6162.51 - State Academic Achievement Tests)
 (cf. 6178 - Career Technical Education)

- e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable
(*cf. 5113.1 - Chronic Absence and Truancy*)
(*cf. 5147 - Dropout Prevention*)
(*cf. 6146.1 - High School Graduation Requirements*)
- f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable
(*cf. 5137 - Positive School Climate*)
(*cf. 5144 - Discipline*)
(*cf. 5144.1 - Suspension and Expulsion/Due Process*)
(*cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)*)
- g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration grant funding pursuant to Education Code 42238.02 and 42238.03
(*cf. 6143 - Courses of Study*)
(*cf. 6159 - Individualized Education Program*)
- h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

Note: In addition to goals aligned with the state priorities described in item #1 above, Education Code 52060 provides that the LCAP may include goals for local priorities established by the Board; see the accompanying Board policy. Optional item #2 below may be revised to reflect local priorities.

- 2. Any goals identified for any local priorities established by the Board.
(*cf. 0200 - Goals for the School District*)
- 3. A description of the specific actions the county/district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the county/district.

Note: Pursuant to Education Code 52060, in developing goals and actions for the LCAP, the Board may consider qualitative information, including, but not limited to, the results of school quality reviews conducted pursuant to Education Code 52052. Education Code 52052 authorizes the Superintendent of Public Instruction (SPI), with approval of the State Board of Education and conditional upon an appropriation in the state budget, to develop and implement a program of school quality reviews that features locally convened panels to visit schools, observe teachers, interview students, and examine student work.

For purposes of the descriptions required by items #1-3 above, the Board may consider qualitative information, including, but not limited to, findings that result from any school quality review conducted pursuant to Education Code 52052 or any other reviews. (Education Code 52060)

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify and include in the LCAP the method for measuring the county/district's progress toward

achieving those goals. (Education Code 52060)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on the California School Dashboard. (Education Code 52060)

Increase or Improvement in Services for Unduplicated Students

Note: The following section is for use by districts that receive LCFF supplemental and/or concentration grant funds. Such districts are required to increase or improve services for unduplicated students in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students; see BP 3100 - Budget. 5 CCR 15494-15496 specify the method for determining the percentage by which services for unduplicated students must be increased or improved above services provided to all students in the fiscal year.

The LCAP shall demonstrate how the district will increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. (5 CCR 15494-15496)

When the district expends supplemental and/or concentration grant funds on a districtwide or schoolwide basis during the year for which the LCAP is adopted, the district's LCAP shall: (5 CCR 15496)

1. Identify those services that are being funded and provided on a districtwide or schoolwide basis
2. Describe how such services are principally directed towards, and are effective in, meeting the district's goals for unduplicated students in the state priority areas and any local priority areas
3. If the enrollment of unduplicated students is less than 55 percent of district enrollment or less than 40 percent of school enrollment, describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated students in the state priority areas and any local priority areas. The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experiences, or educational theory.

Availability of the Plan

Note: Education Code 52065 requires the district to prominently post its LCAP, any annual update or revisions to the LCAP, and LCFF budget overview for parents/guardians on the homepage of its web site. In addition, the County Superintendent of Schools is required to post all district LCAPs, or links to those plans, on the county office of education web site and to transmit all such plans to the SPI, who will then post links to all plans on the California Department of Education web site.

The Superintendent or designee shall prominently post the LCAP, any updates or revisions to the LCAP, and the LCFF budget overview for parents/guardians on the homepage of the county/district's web site. (Education Code 52064.1, 52065)

(cf. 1113 - District and School Web Sites)

SIERRA COUNTY OFFICE OF EDUCATION
 SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
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Sierra County/Sierra-Plumas Joint USD

Board Policy

Certificated Personnel

BP 4116

PROBATIONARY/PERMANENT STATUS

Note: The following Board policy is for use by districts that grant permanent status to certificated employees following successful completion of a probationary period, and should be modified for consistency with the district's collective bargaining agreement if applicable.

Probationary employees should not be confused with temporary employees, as there are significant differences in terms of the layoff procedures and reemployment rights applicable to them; see BP 4117.3 - Personnel Reduction. According to the courts in Bakersfield Elementary Teachers Association v. Bakersfield City School District and California Teachers Association v. Vallejo City Unified School District, employees who have not attained permanent status but who cannot properly be classified as temporary or substitute employees (see BP 4121 - Temporary/Substitute Personnel) must be classified as probationary employees. An employee should not be classified as temporary rather than probationary solely on the basis of not holding a clear credential (e.g., a holder of a preliminary credential, internship certificate, provisional internship permit, short-term staff permit, emergency permit, or credential waiver). In addition, in Stockton Teachers Association CTA/NEA v. Stockton Unified School District, the court held that employees hired for the term of a categorically funded project pursuant to Education Code 44909 may only be considered temporary employees if they are terminated at the expiration of the categorically funded project and, if not terminated, must be considered probationary employees.

The Governing Board desires to employ and retain highly qualified certificated personnel to implement the district's educational program. Newly hired certificated personnel shall serve a probationary period during which the Board shall determine their suitability for long-term district employment.

Certificated employees who satisfactorily complete the probationary period shall be granted permanent status.

A probationary employee who has been employed by the district in position(s) requiring certification for two complete consecutive school years and is then reelected for the next succeeding school year shall become a permanent employee at the beginning of the third year. (Education Code 44929.21, 44929.23)

Note: The following optional paragraphs apply to all districts.

During the probationary period, employees shall receive ~~training, professional development and assistance and evaluations consistent with their needs as new teachers.~~ Such ~~training and assistance~~ which may consist of inservice training and/or meetings with the employee's evaluator to discuss areas of strength and areas requiring improvement. Inservice training may be provided during school hours as part of a comprehensive staff development program.

(cf. 4131 - Staff Development)

The performance of each probationary employee shall be evaluated and assessed at least ~~twice~~ once every school year.

(cf. 4115 - Evaluation/Supervision)

Dismissal/Nonreelection of permanent status shall be based on completion of Probationary Employees

During the school year, a probationary period employee may be suspended or dismissed only for cause and in accordance with applicable law. Employees granted permanent status acquire specific rights under the district procedures. (Education Code, including those relating 44948.3) (cf. 4118 - Dismissal/Suspension/Disciplinary Action)

With proper notice, the Board may, without cause, elect not to discipline and dismissal, reemploy a probationary employee for the subsequent year. (Education Code 44932-44988)44929.21, 44929.23) (cf. 4117.3 - Personnel Reduction)

The Superintendent or designee shall annually provide the Board with recommendations regarding the reelection or nonreelection of probationary certificated personnel for the ensuing school year.

Note: The following optional paragraph is for use by districts that grant permanent status to certificated employees after completion of two consecutive years of service (Option 1 above). Districts with less than 250 ADA that grant permanent status upon completion of three consecutive years of service (Option 2 above) should revise the following paragraph to indicate that a nonreelection notice may be provided during the employee's first or second year of employment if the probationary employee will not be reelected for the following year.

At any time during a probationary employee's first year of employment in the district, the Board may give written notice to the employee of the Board's decision not to reelect the employee for a second school year. If the Board does not give written notice, the employee shall be deemed reelected for the next succeeding school year.

Note: For districts that select Option 1 above, Education Code 44929.21 requires the district to give written notice, as provided below, if the probationary employee will not be reelected for the third year. Districts with less than 250 ADA must also provide notice by March 15 pursuant to Education Code 44948.5.

During the final year of the probationary period, the Board may decide not to reelect the employee for the following year, and shall so notify the employee in writing on or before March 15. If the Board does not give written notice on or before March 15, the employee shall be deemed reelected for the next succeeding school year. (Education Code 44929.21, 44948.5) (cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Note: State law does not specify a method that must be used to provide the above notice to a probationary employee who is not reelected for the subsequent school year. The following paragraph may be revised to reflect district practice.

In Grace v. Beaumont Unified School District, the court ruled that acceptable methods of notification include email, certified mail if a return receipt shows that the letter was received before March 15, oral notification, and/or adoption and publication of termination decision(s) by employee number at a board meeting when the employee is present.

In Hoschler v. Sacramento City Unified School District, the court held that, when providing notice of nonreelection pursuant to Education Code 44929.21, the district must ensure that the employee receives notice on or before March 15 either through personal service or through another method equivalent to imparting actual notice. Because the district provided notice via certified mail but did not have evidence that the employee received the certified letter on or before March 15, the notice was not timely and the employee was deemed to have been reelected for the subsequent school year.

In Sullivan v. Centinela Valley Union High School District, the court held that a probationary teacher who avoided service of the notice may not assert failure of notice since it reasonably can be inferred that the teacher did so with knowledge of the nonreelection decision.

Such notices shall be delivered through personal service upon the employee, certified mail with return receipt, email, or another method which documents actual receipt of the notice by the employee.

Legal Reference:

EDUCATION CODE

44466 *Status of university interns*

44850.1 *No tenure in administrative or supervisory position*

44885.5 *Status of district interns*

44908 *Complete year for probationary employees*

~~44911~~44909 *Classification of certificated employees in categorically funded projects*

~~44910~~-44913 *Service not computed in eligibility for permanent status*

44915 *Classification of probationary employees*

44917-44921 *Status of substitute or temporary employees*

44929.20 *Continuing contracts (not to exceed four years - ADA under 250)*

44929.21 *Districts of 250 ADA or more*

44929.23 *Districts with less than 250 ADA*

44929.28 *Employment by another district*

44930-44988 *Resignations, dismissals and leaves of absence, especially:*

44948.2 *Election to use provisions of Section 44948.3*

44948.3 *Dismissal of probationary employees*

44948.5 *Nonreelection procedures, districts under 250 ADA*

44949 *Cause, notice and right to hearing required for dismissal of probationary employee*

44955 *Reduction in number of permanent employees*

COURT DECISIONS

Grace v. Beaumont Unified School District (2013) 216 Cal. App. 4th 1325

Stockton Teachers Association CTA/NEA v. Stockton Unified School District (2012) 203 Cal. App. 4th 1552

Sullivan v. Centinela Valley Union High School District (2011) 194 Cal. App. 4th 69

California Teachers Assn. v. Vallejo City Unified School District (2007) 149 Cal. App. 4th 135, 146

Hoschler v. Sacramento City Unified School District (2007) 149 Cal. App. 4th 258

Bakersfield Elementary Teachers Assn. v. Bakersfield City School District (2006) 145 Cal. App. 4th 1260, 1280

Fischer v. Los Angeles Unified School District (1999) 70 Cal.App.4th 87

Bellflower Education Assn. v. Bellflower Unified School District (1991) 228 Cal.App.3d 805

Fontana Teachers Assn. v. Fontana Unified School District (1988) 201 Cal.App.3d 1517

Grimley v. Board of Trustees (1987) 189 Cal.App.3d 1440

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

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Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Certificated Personnel

AR 4116

PROBATIONARY/PERMANENT STATUS

Note: The following administrative regulation is for use by districts that grant permanent status to certificated employees following successful completion of a probationary period as specified in law.

Eligibility for Permanent Status

A probationary ~~teacher~~ employee who ~~has been employed by the district, in a position or positions requiring certification for two complete consecutive school years and is then rehired for the next succeeding any one school year, has served for at least 75 percent of the number of days maintained by regular district schools~~ shall ~~become~~ be deemed to have served a complete school year. (Education Code 44908)

The following shall not be included for purposes of computing the service required as a prerequisite to classification as a permanent employee at the beginning of the third year.:

1. Service as an instructor in classes conducted at regional occupational centers or programs (Education Code 44910)
2. Service under a provisional credential other than a one-year emergency credential (Education Code 44911)
3. Service only as a teacher of basic military drill in high school cadet companies (Education Code 44912)
4. Employment in summer school (Education Code 44913)

Permanency Achieved in Other Districts

Note: The following section is optional.

A person who has achieved permanent status as a certificated employee in another school district may be employed by the Governing Board as a permanent certificated employee. (Education Code 44929.2+28)

Interns

A person employed as a district or university intern shall be classified as a probationary employee. Following completion of the internship, if ~~he/she is~~ reelected by the district to serve in a position requiring certification qualifications for the next succeeding school year, ~~he/she~~ the employee shall continue to be classified as a probationary employee during that year. (Education Code 44466, 44885.5)

(cf. 4112.21 - Interns)

~~A person~~An employee who has completed an internship and at least one complete school year in a position requiring certification qualifications within the district shall be granted permanent status when ~~he/she~~the employee is reelected for the next succeeding school year to a position requiring certification qualifications. (Education Code 44466, 44885.5)

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
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Sierra County/Sierra-Plumas Joint USD

Board Policy

All Personnel

BP 4119.22 & 4219.22 & 4319.22

DRESS AND GROOMING

Note: The following optional policy may be revised to reflect district practice. Government Code 12949, several court cases, and Public Employment Relations Board (PERB) decisions support districts' non-negotiable management prerogative to adopt a dress code. However, in 22 PERC P29, 136, PERB determined that districts must provide the exclusive bargaining representative with an opportunity to bargain over the "effects" of the dress code which may have an impact on matters within scope of representation. Districts should consult legal counsel when prescribing or prohibiting specific items of clothing.

The Governing Board believes that appropriate dress and grooming by district employees contribute to a productive learning environment and model positive behavior. -During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and do not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

(cf. 0415 - Equity)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The district shall allow employees to appear and dress in a manner consistent with their gender identity or gender expression. (Government Code 12949)

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

(cf. 4030 - Nondiscrimination in Employment)

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

Note: Government Code 12926, as amended by SB 188 (Ch. 58, Statutes of 2019), defines "race," for purposes of prohibiting employment discrimination, as including traits historically associated with race, such as hair texture and protective hairstyles, as defined.

The district shall not discriminate against employees based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Government Code 12926)

The district shall not dismiss an employee, discriminate against an employee in compensation or in terms, conditions, or privileges of employment, or refuse to hire a job applicant on the basis of religious dress or grooming practices. (Government Code 12926, 12940)

This policy shall be presented to employees upon employment, through the employee handbook or other appropriate means, and may be periodically reviewed with all employees as necessary.

*Legal Reference:*EDUCATION CODE35160 *Authority of governing boards*35160.1 *Broad authority of school districts*GOVERNMENT CODE3543.2 *Scope of representation*12926 Definitions12940 Unfair employment practices12949 *Dress standards, consistency with gender identity*COURT DECISIONSSan Mateo City School District v. PERB (1983) 33 Cal. 3d 850Domico v. Rapides Parish School Board (5th Cir. 1982) 675 F.2d 100East Hartford Education Assn. v. Board of Education (2d Cir. 1977) 562 F. 2d ~~856~~838Finot v. Pasadena Board of Education (1967) 250 Cal.App.2d 189PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONSSanta Ana Unified School District (1998) 22 PERC P29, 136Inglewood Unified School District (1985) 10 PERC P17, 000*Management Resources:*CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONSTransgender Rights in the WorkplaceWEB SITESCalifornia Department of Fair Employment and Housing: <https://www.dfeh.ca.gov>Public Employment Relations Board: <http://www.perb.org.ca.gov>

SIERRA COUNTY OFFICE OF EDUCATION
 SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
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Sierra County/Sierra-Plumas Joint USD

Board Policy

Classified Personnel

BP 4216

~~Employees newly hired for regular positions in the classified service shall be considered probationary employees until they have satisfactorily completed one year of probationary service. Upon satisfactorily completing this period, they shall become permanent classified employees of the district.~~

PROBATIONARY/PERMANENT STATUS

Note: Education Code 45113 mandates the Governing Board in a non-merit system district to develop rules and regulations for the personnel management of classified employees. For districts establishing the merit system pursuant to Education Code 45240-45320, rules for the efficient running of the classified service are established by the personnel commission pursuant to Education Code 45260. The following policy may be revised to reflect district practice, the collective bargaining agreement, or personnel commission rules.

The Governing Board desires to employ and retain highly qualified classified personnel to support the district's educational program and operations. Newly hired classified employees shall serve a probationary period during which the Board shall determine their suitability for long-term district employment.

Note: The following paragraph should be revised to reflect the specific length of the probationary period prescribed by the district, provided the probationary period does not exceed the time limits specified below.

Education Code 45113, as amended by AB 1353 (Ch. 542, Statutes of 2019), shortened the maximum length of the required probationary period in non-merit system districts from one year to six months or 130 days of paid service, whichever is longer. Therefore, the maximum length of the required probationary period for non-merit districts is now the same as that of districts incorporating the merit system as provided under Education Code 45301. Education Code 45113, as amended, will not override any conflicting provision of a collective bargaining agreement entered into before January 1, 2020, until the collective bargaining agreement expires or is renewed.

A probationary employee who has been employed by the district for six months or 130 days of paid service, whichever is longer, shall be classified as a permanent employee of the district. (Education Code 45113, 45301)

Probationary employees shall receive written performance evaluations by their supervisor during the probationary period. These evaluations shall indicate whether the evaluator is satisfied or not satisfied with the employee's ability, performance, and compatibility with the job.

(cf. 4215 - Evaluation/Supervision)

The ~~Superintendent or designee~~district may, without cause, dismiss ~~ana new~~ employee during the ~~initial~~probationary period.

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Permanent employees promoted to a higher classification shall be considered probationary in their new position until they have satisfactorily completed ~~one year of service in that position~~the probationary period.

A permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position shall be employed in the classification from which ~~he/she~~ the employee was promoted. (Education Code 45113)

This policy shall be made available to classified employees and the public. (Education Code 45113)

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

Legal Reference:

EDUCATION CODE

45113 Rules and regulations for classified service in districts not incorporating the merit system

45240-45320 Merit system

Management Resources:

WEB SITES

California School Employees Association: <http://www.csea.org>

SIERRA COUNTY OFFICE OF EDUCATION
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Sierra County/Sierra-Plumas Joint USD

Board Policy

Classified Personnel

BP 4218

DISMISSAL/SUSPENSION/DISCIPLINARY ACTION

Note: The following policy is for use by districts that have not incorporated the merit system for classified employees pursuant to Education Code 45240-45320. For procedures applicable to districts that have incorporated the merit system, see BP/AR 4218.1 - Dismissal/Suspension/Disciplinary Action (Merit System).

The following policy is subject to collective bargaining and may be deleted or revised by any district whose collective bargaining agreement covers classified employee dismissal, suspension, and other disciplinary action.

The Governing Board expects all employees to perform their jobs satisfactorily and to exhibit professional and appropriate conduct. A classified employee may be disciplined for unprofessional conduct or unsatisfactory performance in accordance with law or any applicable collective bargaining agreement, Board policy, and administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 4000 - Concepts and Roles)

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

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

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4200 - Classified Personnel)

Disciplinary actions shall be based on the particular facts and circumstances involved and the severity of the employee's conduct or performance. The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

(cf. 4030 - Nondiscrimination in Employment)

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

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

Disciplinary actions may include, but are not limited to, verbal and written warnings, involuntary reassignment, demotion, suspension without pay, reduction of pay step in class, compulsory leave, and dismissal.

A probationary classified employee may be dismissed by the Superintendent or designee at any time prior to the expiration of the probationary period.

(cf. 4216 - Probationary/Permanent Status)

Note: Education Code 45113 **mandates** districts not incorporating the merit system to prescribe, by written rule or regulation, causes and procedures for disciplinary action against permanent classified employees. Also see the accompanying administrative regulation.

Permanent classified employees shall be subject to disciplinary action only for cause as specified in the accompanying administrative regulation. (Education Code 45113)

Procedures for Disciplinary Proceedings

Note: The following section should be revised to reflect district practice. Pursuant to Education Code 45113 and 45116, a permanent classified employee must be given notice of any recommendation for disciplinary action against the employee, including a time period during which the employee may request a hearing on the charges. See the section "Initiation and Notification of Charges" in the accompanying administrative regulation.

Pursuant to Education Code 45113, the Governing Board may delegate its authority to determine whether sufficient cause exists for disciplinary action against classified employees, excluding peace officers as defined in Penal Code 830.32, to an impartial third-party hearing officer. Hearings conducted by the Board or a hearing officer are not subject to the procedures used by the Office of Administrative Hearings pursuant to Government Code 11500-11529. The following section is for use by boards who conduct their own hearing and should be revised by boards that use a hearing officer.

As amended by AB 2234 (Ch. 996, Statutes of 2018), Education Code 45113 requires the Board to delegate its authority to an administrative law judge in cases involving allegations of egregious misconduct with a minor. Egregious misconduct is defined as immoral conduct leading to an allegation of a sex offense pursuant to Education Code 44010, a controlled substance offense pursuant to Education Code 44011, or child abuse or neglect pursuant to Penal Code 11165.2-11165.6. In conducting hearings on such matters, the administrative law judge is required to comply with Education Code 44990-44994, as added by AB 2234, pertaining to the testimony of minor witnesses.

If a permanent classified employee receives a notice from the Superintendent or designee of a recommended suspension, demotion, involuntary reassignment, or dismissal, the employee may request a Board hearing on the matter.

If the employee fails to request a hearing within the time specified in the notice, the employee is deemed to have waived the right to do so, and the Board may order the recommended disciplinary action into effect immediately.

If a timely request is submitted, a hearing shall be conducted by the Board, except that, if the matter involves an allegation of egregious misconduct as defined in Education Code 44932 and involves a minor, the matter shall be referred to an administrative law judge to determine whether sufficient cause exists for disciplinary action against the employee. (Education Code 45113, 45312)
(cf. 3515.3 - District Police/Security Department)

The hearing shall be held at the earliest convenient date, taking into consideration the established schedule of the Board and the availability of legal counsel and witnesses. The employee shall be notified of the time and place of the hearing.

The hearing shall be held in closed session, unless the employee requests that the matter be heard in an open session meeting. (Government Code 54957)
(cf. 9321 - Closed Session)

The employee shall be entitled to appear personally, produce evidence, and be represented by legal counsel.

The Board may use the services of its legal counsel in ruling upon procedural questions, objections to evidence, and issues of law. The Board may review and consider the records of any prior personnel action proceedings against the employee in which a disciplinary action was ultimately sustained and any records contained in the employee's personnel files and introduced into evidence

at the hearing. The Board shall not be bound by rules of evidence used in California courts. Informality in any such hearing shall not invalidate any order or decision made by the Board.

At any time before a matter is submitted to the Board for decision, the Superintendent or designee may, with the consent of the Board, serve on the employee and file with the Board an amended or supplemental recommendation of disciplinary action. If the amended or supplemental recommendation includes new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare a defense. Any new causes or allegations shall be deemed controverted and any objections to the amended or supplemental causes or allegation may be made orally at the hearing and shall be noted on the record.

Following the hearing, the Board shall affirm, modify, or reject the disciplinary action recommended by the Superintendent or designee. The decision of the Board shall be in writing and shall contain findings of fact and the disciplinary action approved, if any. The decision of the Board shall be final.

Within 10 working days of the Board's final decision, a copy of the decision shall be delivered to the employee and/or designated representative personally or by registered mail.

In cases involving an allegation of egregious misconduct, the ruling of the administrative law judge shall be binding on the district and the employee. (Education Code 45113)

Legal Reference:

EDUCATION CODE

35161 Delegation of powers and duties

44009 Conviction of specified crimes

44010 Sex offense

44011 "Controlled substance offense" defined

44031 Personnel file

44940 Leave of absence; employee charged with mandatory or optional leave of absence offense

44940.5 Compulsory leave of absence; procedures; extension; compensation; bond or security

44990-44994 Testimony of minor witnesses at dismissal or suspension hearings

45101 Definitions (including "disciplinary action," "cause")

45109 Fixing of duties

45113 Rules and regulations for classified service in districts not incorporating the merit system

45123 Employment after conviction of sex or narcotics offense

45124 Dismissal of sexual psychopath

45202 Transfer of accumulated sick leave and other benefits following dismissal

45240-45320 Merit system, classified employees

CODE OF CIVIL PROCEDURE

1286.2 Grounds for vacating decision of arbitrator

GOVERNMENT CODE

11500-11529 Administrative adjudication

12900-12996 Fair Employment and Housing Act

54957 Brown Act open meeting laws; closed session

HEALTH AND SAFETY CODE

11054 Schedule I; substances included

11055 Schedule II, substances included

11056 Schedule III, substances included

11357-11361 Marijuana

11363 Peyote

11364 Opium

11370.1 Possession of controlled substances with a firearm

PENAL CODE

187 Murder

667.5 Sex offenders

830.32 Peace officers employed by district

1192.7 Violent or serious felony

11165.2-11165.6 Child abuse or neglect, definitions

VEHICLE CODE

1808.8 School bus drivers; dismissal for safety-related cause

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

COURT DECISIONS

California School Employees Association v. Bonita Unified School District, (2008) No. B200141

California School Employees v. Livingston Union School District, (2007) 149 Cal.App 4th 391

CSEA v. Foothill Community College District, (1975) 52 Cal.App. 3rd 150, 155-156, 124 Cal. Rptr 830

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
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Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Classified Personnel
AR 4218

DISMISSAL/SUSPENSION/DISCIPLINARY ACTION

Causes for Disciplinary Action

Note: The following section should be revised to reflect district practice. Education Code 45113 mandates districts not incorporating the merit system to prescribe, by rule or regulation, causes for disciplinary action against permanent classified employees. Pursuant to Education Code 45101, such employees may be disciplined only for cause as so prescribed.

A permanent classified employee may be subject to suspension, demotion, involuntary reassignment, or dismissal for one or more of the following causes:

Note: Pursuant to Education Code 45122.1, 45123, and 45124, districts must not continue to employ anyone who has been convicted of a specified sex offense, controlled substance offense, or violent or serious offense as defined, except for employees who have been rehabilitated or had their conviction reversed or the charges dismissed. Also see AR 4112.5/4212.5/4312.5 - Criminal Record Check.

1. Immoral conduct, including, but not limited to, egregious misconduct that is the basis for a sex offense as defined in Education Code 44010, a controlled substance offense as defined in Education Code 44011, or child abuse and neglect as described in Penal Code 11165.2-11165.6 (cf. 4112.5/4212.5/4312.5 - Criminal Record Check) (cf. 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions) (cf. 5141.4 - Child Abuse Prevention and Reporting)
2. Conduct that constitutes a violent or serious felony as defined in Penal Code 667.5(c) or 1192.7(c)
3. Unlawful discrimination, including harassment, against any student or other employee (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 5145.3 - Nondiscrimination/Harassment) (cf. 5145.7 - Sexual Harassment)
4. Violation of Pay Step in Class, or Dismissal of Permanent Classified Employees
~~Permanent classified employees shall be subject refusal to personnel action (suspension without pay, demotion, reduction of pay step in class, dismissal) only for cause. The Board's determination of the sufficiency of the cause for disciplinary action shall be conclusive. In addition to any disqualifying obey state or actionable causes otherwise provided for by statute federal law or by regulation, Board policy, or regulation of this district, each of the following constitutes cause for personnel action against a permanent classified employee: or school procedure~~
5. Falsification of any information supplied to the school district, including, but not limited to, information supplied on application forms, employment records, or any other school district records-
6. Unsatisfactory performance

7. Unprofessional conduct
8. Dishonesty
9. Neglect of duty or absence without leave
10. Insubordination
11. Use of alcohol or a controlled substance while on duty or in such close time proximity thereto as to ~~cause any detrimental effect upon~~ affect the ~~employee or upon employees associated with him/her~~ employee's performance
(cf. 4020 - Drug and Alcohol-Free Workplace)
(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)
(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)
(cf. 4159/4259/4359 - Employee Assistance Program)
12. Destruction or misuse of district property
(cf. 4040 - Employee Use of Technology)
13. Failure to fulfill any ongoing condition of employment including, but not limited to, maintenance of any license, certificate, or other similar requirement specified in the employee's class specification or otherwise necessary for the employee to perform the duties of the position
(cf. 4112.4/4212.4/4312.4 - Health Examinations)
(cf. 4212 - Appointment and Conditions of Employment)
- Note: Pursuant to the federal Americans with Disabilities Act (42 USC 12101-12213) and the state's Fair Employment and Housing Act (Government Code 12900-12996), the district has a duty to reasonably accommodate qualified employees with known disabilities, except when such accommodation would cause an undue hardship to the district. This accommodation is not required for individuals who are not otherwise qualified for the job.
14. A physical or mental disability condition which precludes the employee from the proper performance of ~~his/her~~ duties and responsibilities as determined by competent medical authority, except as otherwise provided by a contract or by law ~~regulating the retirement of employees~~
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
15. Retaliation against any person who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to an actual or suspected violation of state or federal law occurring on the job or directly related ~~thereto to the job~~
(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)
16. Violation of good behavior either during Education Code 45303 or outside Government Code 1028 (advocacy of duty hours communism)
17. Any other misconduct which is of such nature that it causes discredit or injury to the district or ~~his/her employment~~ the employee's position

~~Except as defined in item "s" above, no personnel~~ An employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for acting to protect a student,

or for refusing to infringe on a student's protected conduct, when that student is exercising free speech or press rights pursuant to Education Code 48907 or 48950. (Education Code 48907, 48950) (cf. 5145.2 - Freedom of Speech/Expression)

No disciplinary action shall be taken for any cause which arose before the employee became permanent, nor for any cause which arose more than two years before the date of the filing of the notice of cause unless this cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee would have disclosed the facts to the district. (Education Code 45113) (cf. 4216 - Probationary/Permanent Status)

Initiation and Notification of Charges

Note: Education Code 45113 mandates districts to adopt disciplinary procedures which contain provisions for giving classified employees a written notice of specific charges, the employee's right to a hearing on those charges, the time within which the hearing may be requested, and a card or paper to complete to request a hearing.

The Superintendent or designee shall file any recommendation for a disciplinary action in writing with the Governing Board. A copy of the recommendation shall be served upon the employee either personally or by registered or certified mail, return receipt requested, at the employee's last known address.

The notice shall, in ordinary and concise language, inform the employee of the specific charge(s) or cause(s) for the disciplinary action, the specific acts and omissions upon which the action is based, and, if applicable, the district rule or regulation that the employee has allegedly violated. In addition, the notice shall include the employee's right to a hearing on those charges, the time within which the hearing may be requested which shall be not less than five days after service of the notice to the employee, and a card or paper which the employee may sign and file to deny the charges and request a hearing. (Education Code 45113, 45116)

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

Request for Hearing

Note: As provided in the section "Initiation and Notification of Charges" above, Education Code 45113 requires that the notice of disciplinary action include the time within which a hearing may be requested, which cannot be less than five days after service of the notice to the employee. In California School Employees Association v. Livingston Union School District, the appeals court ruled that the district failed to provide due process to an employee when it denied the employee the opportunity to request a hearing based on the employee's failure to respond within five days after service of the notice. The district's policy had established the date of "service of the notice" as the date of mailing, but the employee was a 10-month employee who was out of town when the notice was delivered. The court held that the notice was not "reasonably calculated" to provide an opportunity to timely request a hearing. Thus, it is recommended that districts use the date of the employee's receipt of the notice as the date upon which the five-day response period begins.

~~Within five calendar days after receiving the time specified in the notice of the recommendation of personnel disciplinary action described above,~~ the employee may appeal request a hearing on the charges by signing and filing the card or paper included with the ~~recommendation-notice.~~ (Education Code 45113)

Any other written document signed and appropriately filed within the specified time limit by the employee shall constitute a sufficient notice of ~~appeal. A notice of appeal is filed only by delivering the notice of appeal request for a hearing.~~ The request shall be delivered to the office of the Superintendent or designee during normal work hours of that office. ~~A notice of appeal may be f~~ mailed to the office of the Superintendent or designee-but, it must be received or postmarked no later

than the time limit ~~stated herein, specified by the district.~~ In cases where an order of suspension without pay has been issued in conjunction with a recommendation of dismissal, any ~~appeal of request for a hearing on the recommendation of~~ dismissal shall also constitute ~~an appeal of a request to hear the~~ suspension order, and the necessity of the suspension order shall be an issue in the ~~appeal~~ hearing.

Employment Status Pending a Hearing

A classified employee against whom a recommendation of disciplinary action has been issued shall remain on active duty status pending any hearing on the charges, unless the Superintendent or designee determines that the employee's continuance in active duty would present an unreasonable risk of harm to students, staff, or property. The Superintendent or designee may, in writing, order the employee immediately suspended from duty without pay and shall state the reasons that the suspension is deemed necessary. The suspension order shall be served upon the employee either personally or by registered or certified mail, return receipt requested, immediately after issuance.

Compulsory Leave of Absence

Note: State law requires that classified employees in merit system districts and certificated employees be immediately placed on compulsory leave of absence following conviction for certain offenses specified in Education Code 44940, and gives districts discretion to place such employees on leave for other specified offenses. Although existing state law does not explicitly provide for application to classified employees in nonmerit system districts, such districts have authority pursuant to Education Code 45113 to establish causes for suspension or dismissal. The following section may be revised to reflect district practice.

Upon being informed by law enforcement that a classified employee has been charged with mandatory or a "mandatory leave of absence offense," the Superintendent or designee shall immediately place the employee on a leave of absence. A mandatory leave of absence offense includes:

1. Any sex offense as defined in Education Code 44010
2. Violation or attempted violation of Penal Code 187 (murder or attempted murder)
3. Any offense involving the unlawful sale, use, or exchange to minors of controlled substances as listed in Health and Safety Code 11054, 11055, and 11056

The Superintendent or designee may place on an immediate compulsory leave of absence a classified employee who is charged with an "optional leave of absence offense," defined as a controlled substance offense specified in Education Code 44011 and Health and Safety Code 11357-11361, 11363, 11364, and 11370.1 except as it relates to marijuana, mescaline, peyote, or tetrahydrocannabinols.

An employee's compulsory leave for a mandatory or optional leave of absence offense may extend for not more than 10 days after the entry of judgment in the criminal proceedings. However, the compulsory leave may be extended if the Board gives notice, within 10 days after the entry of judgment in the proceedings, that the employee will be dismissed within 30 days from the date of service of the notice unless the employee demands a hearing on the dismissal.

Sierra County/Sierra-Plumas Joint USD

Board Policy

Students

BP 5131

CONDUCT

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

The Governing Board of Education believes that all students have the right to be educated in a safe and positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

*(cf. 0450 - Comprehensive Safety Plan); (cf. 5131.1 - Bus Conduct); (cf. 5137 - Positive School Climate)
(cf. 6145.2 - Athletic Competition)*

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. —Students and parents/guardians shall be notified of district and school rules related to conduct.

Note: The district may modify, delete, or add to the items below to reflect district practice. Also see AR 5144.1 - Suspension and Expulsion/Due Process for conduct that constitutes grounds for suspension or expulsion.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats
(cf. 5131.7 - Weapons and Dangerous Instruments); (cf. 5142 - Safety)
2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program
*(cf. 5131.2 - Bullying); (cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment); (cf. 5145.9 - Hate-Motivated Behavior)*
3. Conduct that disrupts the orderly classroom or school environment
(cf. 5131.4 - Student Disturbances)
4. Willful defiance of staff's authority
5. Damage to or theft of property belonging to students, staff, or the district
(cf. 3515.4 - Recovery for Property Loss or Damage); (cf. 5131.5 - Vandalism and Graffiti)

~~The district shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.~~

6. Obscene acts or use of profane, vulgar, or abusive language
(cf. 5145.2 - Freedom of Speech/Expression)

7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs substances
(*cf. 5131.6 - Alcohol and Other Drugs*); (*cf. 5131.62 - Tobacco*); (*cf. 5131.63 - Steroids*)

Note: Penal Code 417.27 prohibits students from possessing laser pointers on school premises, unless the pointer is used for valid instructional or other school-related purpose, as provided in item #8 below. Penal Code 417.25 states that aiming or pointing a laser scope (i.e., a portable device capable of projecting a laser light on objects at a distance) at another person in a threatening manner, whether or not the laser scope is attached to a firearm, may be a misdemeanor if intended to cause a person fear of bodily harm.

8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27)

~~Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee.~~

Note: Pursuant to Education Code 48901.5, the district may regulate the use of electronic signaling devices that operate through the transmission or receipt of radio waves. However, student use of such devices may not be prohibited if essential for a student's health.
Additionally, Education Code 48901.7, as added by AB 272 (Ch. 42, Statutes of 2019), authorizes the Governing Board to limit or prohibit student use of smartphones while at school or while under the supervision and control of an employee of the district, except under specified circumstances. See BP 5131.8 - Mobile Communication Devices.

9. Use of a cell phone, smart watch, pager, or other mobile communication device during instructional time or in an unauthorized manner in violation of district policy
(*cf. 5131.8 - Mobile Communication Devices*)
(*cf. 6163.4 - Student Use of Technology*)

~~Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.~~

~~No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health. (Education Code 48901.5)~~

10. Plagiarism or dishonesty on school work or tests
(*cf. 5131.9 - Academic Honesty*)
(*cf. 6162.54 - Test Integrity/Test Preparation*)
(*cf. 6162.6 - Use of Copyrighted Materials*)

~~11. Inappropriate attire~~

11. Wearing of any attire that violates district or school dress codes, including gang-related apparel
(*cf. 5132 - Dress and Grooming*); (*cf. 5136 - Gangs*)

12. Tardiness or unexcused absence from school
(*cf. 5113 - Absences and Excuses*); (*cf. 5113.1 - Chronic Absence and Truancy*)
(*cf. 5113.11 - Attendance Supervision*); (*cf. 5113.12 - District School Attendance Review Board*)

13. Failure to remain on school premises in accordance with school rules
(*cf. 5112.5 - Open/Closed Campus*)

Employees are expected to ~~provide appropriate supervision to~~ enforce standards of conduct and, ~~if/when~~ they observe or receive a report of a violation of these standards, to ~~immediately appropriately~~ intervene or ~~call for~~ seek assistance. ~~If an~~ As necessary, the employee believes a matter has not been resolved, ~~he/she~~ shall refer the matter to ~~his/hers~~ supervisor or ~~an administrator for further~~ the principal or designee.

Note: When school officials want to search a student or a student's belongings (e.g., backpack, purse, cell phone or other mobile communication device, or computer) as part of an investigation of suspected student misconduct, the legality of the search will depend on whether the search is "reasonable" (New Jersey v. T.L.O); see BP/AR 5145.12 - Search and Seizure. The "reasonableness" of a search depends on (1) whether there is individualized suspicion that the search will turn up evidence of a student's violation of the law or school rules and (2) whether the search is reasonably related to the objectives of the search and not excessively intrusive in light of the student's age, gender, and/or the nature of the infraction. It is recommended that the district consult with legal counsel as appropriate.

When a school ~~official~~ employee suspects that a search of a student or ~~his/hers~~ student's belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. 5145.12 - Search and Seizure)

When a student uses any prohibited device, or uses a permitted device in ~~any unethical or illegal activity~~ an unauthorized manner, a district employee may confiscate the device. The employee shall store the ~~item in a secure manner and either return device securely until it is returned to the end of student or turned over to the class period principal or school day or keep it until the site administrator has consulted with the student's parent/guardian designee, as appropriate.~~

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. ~~In addition, when the conduct involves intimidation, harassment or other endangerment of a student or employee, the Superintendent or designee shall provide appropriate assistance as necessary for the victim and the offender or make appropriate referrals for such assistance.~~ The Superintendent or designee shall notify local law enforcement as appropriate.

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

(cf. 5020 - Parent Rights and Responsibilities); (cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5138 - Conflict Resolution/Peer Mediation); (cf. 5144 - Discipline)

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

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

(cf. 6020 - Parent Involvement); (cf. 6145 - Extracurricular and Cocurricular Activities)

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

(cf. 6164.2 - Guidance/Counseling Services); (cf. 6164.5 - Student Success Teams)

(cf. 6184 - Continuation Education); (cf. 6185 - Community Day School)

Note: The following optional paragraph addresses students' off-campus conduct during nonschool hours. In general, the courts have upheld districts' discipline of students for off-campus conduct that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities, provided that the district was able to document the impact or disruption that the conduct had, or could be expected to have, on school activities. In addition, courts have analyzed the reasonableness of the district's policy and whether the disciplinary action taken by the district was in proportion to the student's misbehavior.

Pursuant to Education Code 48900, districts have the authority to suspend or expel students who engage in cyberbullying off campus, provided that the act meets the criteria specified in the definition of "bullying" in

Education Code 48900 (i.e., a severe or pervasive physical or verbal act or conduct that has or can be reasonably predicted to have the effect of placing a reasonable student in fear of harm to the student's person or property, causing a substantially detrimental effect on the student's physical or mental health, causing substantial interference with the student's academic performance, or causing substantial interference with the student's ability to participate in or benefit from school services, activities, or privileges); see BP 5131.2 - Bullying.

In adopting policy related to off-campus conduct, districts should consult with legal counsel to ensure that the policy does not violate students' First Amendment rights to freedom of speech or expression. Also see BP 5145.2 - Freedom of Speech/Expression.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

51512 Prohibition against electronic listening or recording device in classroom without permission

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

647 Use of camera or other instrument to invade person's privacy; misdemeanor

653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 42

~~2000h-2000h620~~ USC 1681-1688 Title IX, 1972 Education Act Amendments

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

LaVine v. Blaine School District, ~~(2000)~~ (2001), 9th Cir.) 257 F.3d 981

Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

New Jersey v. T.L.O., (1985) 469 U.S. 325

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Management Resources:

CSBA PUBLICATIONS

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

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

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org> <https://www.ewa.org/organization/center-safe-and-responsible-internet-use>

National School Boards Association: <http://www.nsba.org>

National School Safety Center: <http://www.schoolsafety.us>

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

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
Policy adopted: April 10, 2007
revised: June 12, 2012
revised: November 12, 2019

Sierra County/Sierra-Plumas Joint USD

Board Policy

Students

BP 5131.8

MOBILE COMMUNICATION DEVICES

Note: The following optional policy may be revised to reflect district practice. Education Code 48901.7, as added by AB 272 (Ch. 42, Statutes of 2019), authorizes the Governing Board to limit or prohibit student use of smartphones while at school or while under the supervision and control of a district employee, except for specified purposes. In addition, Education Code 48901.5 authorizes the district to regulate the use of electronic signaling devices that operate through the transmission or receipt of radio waves unless essential for a student's health.

Districts that choose to regulate mobile communication devices differently based on grade level may revise this policy accordingly.

The Governing Board recognizes that the use of smartphones and other mobile communication devices on campus may be beneficial to student learning and well-being, but could be disruptive of the instructional program in some circumstances. The Board permits limited use of mobile communication devices on campus in accordance with law and the following policy.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.2 - Bullying)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.9 - Academic Honesty)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 6163.4 - Student Use of Technology)

Students may use cell phones, smart watches, pagers, or other mobile communication devices on campus during noninstructional time as long as the device is utilized in accordance with law and any rules that individual school sites may impose.

Mobile communication devices shall be turned off during instructional time. However, a student shall not be prohibited from possessing or using a mobile communication device under any of the following circumstances: (Education Code 48901.5, 48901.7)

1. In the case of an emergency, or in response to a perceived threat of danger
2. When a teacher or administrator grants permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator
3. When a licensed physician or surgeon determines that the possession or use is necessary for the student's health and well-being
4. When the possession or use is required by the student's individualized education program
(cf. 6159 - Individualized Education Program)

Smartphones and other mobile communication devices shall not be used in any manner which infringes on the privacy rights of any other person.

Note: A search of a student's personally owned mobile communication device may be subject to the Fourth Amendment of the U.S. Constitution which prohibits unreasonable search and seizure. When school officials want to search a student's mobile communication device as part of an investigation of suspected student misconduct, the legality of the search will depend on whether the search is "reasonable" (New Jersey v. T.L.O.). The "reasonableness" of a search depends on (1) whether there is individualized suspicion that the search will turn up evidence of a student's violation of the law or school rules and (2) whether the search is reasonably related to the objectives of the search and not excessively intrusive in light of the student's age, gender, and/or the nature of the infraction. It is recommended that the district consult with legal counsel as appropriate. See BP/AR 5145.12 - Search and Seizure.

When a school official reasonably suspects that a search of a student's mobile communication device will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. 5145.12 - Search and Seizure)

(cf. 5145.2 - Freedom of Speech/Expression)

When a student uses a mobile communication device in an unauthorized manner, the student may be disciplined and a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

Note: The following optional paragraph addresses students' off-campus conduct during nonschool hours. In general, the courts have upheld districts' discipline of students for off-campus conduct that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities, provided that the district was able to document the impact or disruption that the conduct had, or could be expected to have, on school activities.

Pursuant to Education Code 48900, districts have the authority to suspend or expel students who engage in cyberbullying off campus, provided that the act meets the criteria specified in the definition of "bullying" in Education Code 48900 (i.e., a severe or pervasive physical or verbal act or conduct that has or can be reasonably predicted to have the effect of placing a reasonable student in fear of harm to the student's person or property, causing a substantially detrimental effect on the student's physical or mental health, causing substantial interference with the student's academic performance, or causing substantial interference with the student's ability to participate in or benefit from school services, activities, or privileges); see BP 5131.2 - Bullying.

In adopting policy related to off-campus conduct, districts should consult with legal counsel to ensure that the policy does not violate students' First Amendment rights to freedom of speech or expression. Also see BP 5145.2 - Freedom of Speech/Expression.

A student may also be subject to discipline, in accordance with law, Board policy, or administrative regulation, for off-campus use of a mobile communication device which poses a threat or danger to the safety of students, staff, or district property or substantially disrupts school activities.

The Superintendent or designee shall inform students that the district will not be responsible for a student's mobile communication device which is brought on campus or to a school activity and is lost, stolen, or damaged.

*Legal Reference:*EDUCATION CODE200-262.4 *Prohibition of discrimination*32280-32289 *Comprehensive safety plan*35181 *Governing board authority to set policy on responsibilities of students*35291-35291.5 *Rules*44807 *Duty concerning conduct of students*48900-48925 *Suspension and expulsion, especially:*48901.5 *Regulation of possession or use of electronic signaling devices*48901.7 *Limitation or prohibition of student use of cell phones*51512 *Prohibition against electronic listening or recording device in classroom without permission*CIVIL CODE1714.1 *Liability of parents and guardians for willful misconduct of minor*PENAL CODE288.2 *Harmful matter with intent to seduce*313 *Harmful matter*647 *Use of camera or other instrument to invade person's privacy; misdemeanor*653.2 *Electronic communication devices, threats to safety*VEHICLE CODE23123-23124 *Prohibitions against use of electronic devices while driving*CODE OF REGULATIONS, TITLE 5300-307 *Duties of students*UNITED STATES CODE, TITLE 201681-1688 *Discrimination based on sex or blindness*COURT DECISIONS*J.C. v. Beverly Hills Unified School District (2010) 711 F.Supp.2d 1094**New Jersey v. T.L.O. (1985) 469 U.S. 325**Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503**Management Resources:*CSBA PUBLICATIONS*Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011**Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*Bullying at School, 2003*WEB SITESCSBA: <http://www.csba.org>California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>Center for Safe and Responsible Internet Use: <https://www.ewa.org/organization/center-safe-and-responsible-internet-use>National School Safety Center: <http://www.schoolsafety.us>U.S. Department of Education: <http://www.ed.gov>

SIERRA COUNTY OFFICE OF EDUCATION
 SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
 Policy adopted: November 12, 2019

Sierra County/Sierra-Plumas Joint USD

Board Policy

Students

BP 5132

DRESS AND GROOMING

Note: The following policy may be revised to reflect district practice. Pursuant to Education Code 35183, districts that adopt a school uniform policy are **mandated** to include specified provisions; see section on "Uniforms" below.

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. -The Board expects students to ~~give proper attention to personal cleanliness and to wear clothes~~clothing that ~~are~~is suitable for the school activities in which they participate. ~~Students' clothing must~~Students shall not ~~present~~wear clothing that ~~presents~~ a health or safety hazard or ~~a distraction which would interfere with~~causes a substantial disruption to the educational ~~process~~program.

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

District and ~~Grooming~~school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Note: Education Code 212.1, as amended by SB 188 (Ch. 58, Statutes of 2019), defines "race," for purposes of prohibiting discrimination, as including traits historically associated with race, such as hair texture and protective hairstyles.

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

Note: While students do not lose their constitutional rights by virtue of entering school grounds, numerous court decisions have found that the First Amendment rights of public school students are not necessarily the same as the rights of adults in other settings and must be viewed in light of the special circumstances of the school environment. In Hazelwood School District v. Kuhlmeier, the U.S. Supreme Court ruled that a school may limit student expression as long as its decision is reasonably related to "legitimate pedagogical concerns." For instance, districts may prohibit clothing that is vulgar or causes a substantial disruption to the educational program. Districts may also prohibit clothing that promotes drug use. While districts can regulate clothing that causes a "substantial disruption," districts cannot regulate student clothing simply because the district does not approve of the message displayed. The district's ability to prohibit "hate speech," including clothing with derogatory or demeaning messages, is unclear. The 9th Circuit Court in Harper v. Poway Unified School District ruled that a school could prohibit a student from wearing a t-shirt with a religious viewpoint against homosexuality, citing a provision in Tinker v. Des Moines which held that schools may prohibit speech that "intrudes upon the rights of other students" and interferes with their learning. However, because the student had graduated, the U.S. Supreme Court vacated the Harper decision on appeal and thus its analysis cannot be relied upon. It is recommended that the district consult legal counsel in the development of this policy and whenever it has questions about the appropriate enforcement of this policy based on student expression.

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

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

(cf. 0415 - Equity)

(cf. 5145.2 - Freedom of Speech/Expression)

~~Students~~ School administrators, teachers, and parents/guardians/other staff shall be informed about notified of appropriate and equitable enforcement of the dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards~~code.~~

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

When practical, students shall not be subject directed to appropriate correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the district's dress code may result in disciplinary action.

(cf. 5144 - Discipline)

Gang-Related Apparel

Note: Education Code 35183 authorizes the Governing Board to approve a site-initiated plan that prohibits the school's students from wearing gang-related apparel. The definition of "gang-related apparel" must be limited to apparel that reasonably could be determined to threaten the health and safety of the school environment, and the Board's approval must be based on a determination the policy is necessary for the health and safety of the school environment. In Marvin H. Jeglin et al v. San Jacinto Unified School District et al, a federal district court held that in order to justify a gang-related dress code, there must be evidence of a gang presence at a school and actual or threatened disruption or material interference with school activity. Education Code 32282 specifies that for the purpose of establishing a schoolwide dress code, gang-related apparel shall not be considered a protected form of speech pursuant to Education Code 48950.

District policy should not include a districtwide prohibition against wearing gang-related apparel. Pursuant to Education Code 35183, such a dress code must be initiated at the school-site level and apply only to the school where it is initiated.

The principal, staff, and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. ~~Such a proposed dress code may be included as part of the school safety plan and must~~shall be presented to the Board ~~for approval. The Board, which~~ shall approve the plan upon determining that it is necessary to protect the health and safety of the ~~school's students, school environment. The dress code policy may be included in the school's comprehensive safety plan. (Education Code 35183)~~

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5136 - Gangs)

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

Uniforms

Note: In *Jacobs v. Clark County School District*, the 9th Circuit Court of Appeals held that a district policy requiring students to wear school uniforms did not violate students' First Amendment right to freedom of speech or expression, as such policies are viewpoint-neutral and content-neutral and not intended to suppress the expression of particular ideas.

Pursuant to Education Code 35183, the Board may approve a school-initiated plan that requires a school's students to wear uniforms when the Board determines that the policy is necessary for the health and safety of the school environment.

The Board may approve a school-initiated dress code requiring students at the school to wear a school uniform whenever the Board determines that such a dress code will promote student achievement, a positive school climate, and/or student safety.

Note: If the Board adopts a dress code policy requiring uniforms for any school, Education Code 35183 requires that the Board provide a method whereby parents/guardians may choose to have their children exempted from the adopted school uniform policy. Education Code 35183 **mandates** that the Board policy include a statement that such students shall not be penalized academically, otherwise discriminated against, or denied attendance to school.

The Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms. (Education Code 35183)

Legal Reference:

EDUCATION CODE

212.1 Nondiscrimination based on race or ethnicity

220 Nondiscrimination

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

COURT DECISIONS

Jacobs v. Clark County School District (2008) 26 F. 3d 419

Harper v. Poway Unified School District (2006) 445 App. 3d 166

Marvin H. Jeglin et al v. San Jacinto Unified School District et al. (C.D. Cal. 1993)

827 F.Supp. 1459

Arcadia Unified School District v. California Department of Education; (1992) 2 Cal. 4th 251

Hazelwood School District v. Kuhlmeier (1988) 108 S. Ct. 562

Hartzell v. Connell; (1984) 35 Cal. 3d 899

Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
Policy adopted: April 10, 2007
revised: November 12, 2019

Sierra County/Sierra-Plumas Joint USD

Board Bylaw

Board Bylaws
BB 9223

Filling Vacancies

Events Causing a Vacancy

A vacancy on the Board of Education may occur for any of the following events:

1. The death of an incumbent (Government Code 1770)
2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his/her office for the remainder of his/her term (Government Code 1770)
3. A Board member's resignation (Government Code 1770)

A vacancy resulting from resignation occurs when the written resignation is filed with the County Superintendent of Schools having jurisdiction over the district, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become operative on that date. A Board member may not defer the effective date of his/her resignation for more than 60 days after he/she files the resignation with the County Superintendent. Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090, 5091)

4. A Board member's removal from office, including by recall (Elections Code 11384; Government Code 1770)
5. A Board member's ceasing to be a resident of the district (Government Code 1770)

A vacancy on the Board also occurs when a Board member ceases to inhabit the trustee area which he/she represents on the Board. (58 Ops.Cal.Atty.Gen. 888 (1975))

6. A Board member's absence from the state for more than 60 days, except in the following situations: (Government Code 1064, 1770)
 - a. Upon district business with the approval of the Board
 - b. With the consent of the Board for an additional period not to exceed a total absence of 90 days

In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board.

- c. For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve in his/her absence. If two or more members of the Board are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities. The term of an interim member appointed in these circumstances shall not extend beyond the return of the absent Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

7. A Board member's ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by illness or when absent from the state with the permission required by law (Government Code 1770)
8. A Board member's conviction of a felony or any offense involving a violation of his/her official duties or conviction of a designated crime resulting in a forfeiture of office (Government Code 1770, 3000-3003)
9. A Board member's refusal or neglect to file his/her required oath within the time prescribed (Government Code 1770)
(cf. 9224 - Oath or Affirmation)
10. The decision of a competent tribunal declaring void a Board member's election or appointment (Government Code 1770)
11. The making of an order vacating a Board member's office or declaring the office vacant when the Board member fails to furnish an additional or supplemental bond (Government Code 1770)
12. A Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final (Government Code 1770)
13. A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a Board seat(s) (Education Code 5090, 5326, 5328)

Timelines for Filling a Vacancy

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs within four months of the end of a Board member's term, the Board shall take no action. (Education Code 5093)
2. When a vacancy occurs longer than four months before the end of a Board member's term, the Board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either order an election or make a provisional appointment, unless a special election is mandated as described in item #3 below. (Education Code 5091, 5093)
3. When a vacancy occurs from six months to 130 days before a regularly scheduled Board election at which the position is not scheduled to be filled, a special election to fill the position shall be consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which he/she was elected to fill. (Education Code 5093)

Eligibility

In order to be appointed or elected to fill a vacancy on the Board, a person must meet the eligibility requirements specified in Education Code 35107. All potential candidates shall submit to fingerprinting as needed to ensure eligibility.

(cf. 9220 - Governing Board Elections)

Provisional Appointments

When authorized by law to make a provisional appointment to fill a vacancy on the Board, the Board shall advertise in the local media to solicit candidate applications or nominations. A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

(cf. 9130 - Board Committees)

(cf. 9323.2 - Actions by the Board)

Within 10 days after the appointment is made, the Board shall post notices of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the district. (Education Code 5092)

The notice shall contain: (Education Code 5092)

1. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
2. The full name of the appointee

3. The date of appointment
4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent within 30 days of the provisional appointment, it shall become an effective appointment

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the powers and duties of a Board member upon appointment. (Education Code 5091)

Appointment Due to Failure to Elect

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated (i.e., a failure to elect) and a district election will not be held, the Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the district election. (Education Code 5328)

(cf. 9100 - Organization)

When an appointment is being made because of a failure to elect, the district shall publish a notice once in a newspaper of general circulation published in the district, or if no such newspaper exists, in a newspaper having general circulation within the district. This notice shall state that the Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (Education Code 5328.5)

The procedure for selecting and interviewing candidates shall be the same as the procedures for "Provisional Appointments," as specified above.

Legal Reference:

EDUCATION CODE

5000-5033 Elections
 5090-5095 Vacancies
 5200-5208 Districts governed by boards of education
 5300-5304 Elections
 5320-5329 Order and call of election
 5340-5345 Consolidation of elections
 5360-5363 Election notice
 5420-5426 Cost of elections
 5440-5442 Miscellaneous provisions, elections
 35107 Eligibility of board members
 35178 Resignation with deferred effective date

ELECTIONS CODE

10600-10604 School district elections
 11381-11386 Candidates for recall

GOVERNMENT CODE

1064 Absence from state
 1770 Vacancies: definition
 3000-3003 Forfeiture of office
 3060-3075 Removal other than by impeachment
 6061 One time notice

54950-54963 The Ralph M. Brown Act

PENAL CODE

88 Bribery, forfeiture from office

UNITED STATES CODE, TITLE 18

704 Military medals or decorations

ATTORNEY GENERAL OPINIONS

58 Ops.Cal.Atty.Gen. 888 (1975)

Management Resources:

CSBA PUBLICATIONS

Filling a Board Vacancy, rev. December 2010

WEB SITES

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

California State Attorney General's Office, Quo Warranto Applications: http://ag.ca.gov/opinions/quo_warranto.php

SIERRA COUNTY OFFICE OF EDUCATION

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

Bylaw adopted: April 10, 2007

revised: November 13, 2007

revised: February 14, 2012

revised: October 14, 2014

revised: November 12, 2019

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Appointment And Conditions Of Employment

AR 4212

Personnel

Upon recommendation of the Superintendent, the Board of Education shall approve the appointment of all classified employees. The position and the pay rate shall be reported to the Board at a regular meeting.

Individuals appointed to the classified staff shall, at a minimum:

1. Submit to fingerprinting as required by law (Education Code 45125)
2. Not have been convicted of a violent or serious felony (Education Code 45122.1)
(cf. 4212.5 - Criminal Record Check)
3. Not have been convicted of any sex offense as defined in Education Code 44010 (Education Code 45123)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
4. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (Education Code 45124)
5. ~~If the individual will be working directly and in an unaccompanied setting with minor children on a more than incidental and occasional basis or will have supervision or disciplinary power over minor children, not~~ **Not have been required** to register as a sex offender pursuant to Penal Code 290 because of a conviction for a crime where the victim was a minor under the age of 16 (Penal Code 290.95)
(cf. 3515.5 - Sex Offender Notification)
6. Not have been convicted of any controlled substance offense as defined in Education Code 44011 (Education Code 45123)
7. Submit to a physical examination or provide proof thereof as required by law and Board policy (Education Code 45122, 49406)
(cf. 4112.4/4212.4/4312.4 - Health Examinations)
8. File the oath or affirmation of allegiance required by Government Code 3100-3109
(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)
9. Submit to drug and alcohol testing as required by Board policy
(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)

10. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy or administrative regulation
(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

Notification of Classification and Compensation

When first employed and upon each subsequent change in classification, classified employees other than short-term, limited-term or provisional employees shall be given two copies of their class specification, salary data, assignment or work location, duty hours and prescribed work week. Salary data shall specify pay period (monthly, semimonthly or other) and applicable rates of compensation (daily, hourly, overtime and differential rates). Employees shall keep one copy of this information and shall sign and date the other copy and return it to their supervisor.
(Education Code 45169)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 4151/4251/4351 - Employee Compensation)

Legal Reference:

EDUCATION CODE

35161 Powers and duties
44010 Sex offense - definitions
44011 Controlled substance offense - definitions
44066 Limitation on certification requirements
45103 Classified service in districts not incorporating the merit system
45104 Positions not requiring certification qualifications
45105 Positions under various acts not requiring certification qualifications
45108 Restricted positions
45113 Rules and regulations for classified service in districts not incorporating the merit system
45122 Physical examinations
45122.1 Classified employees, conviction of a violent or serious felony
45123 Employment after conviction of sex offense or controlled substance offense
45125 Use of personal identification cards to ascertain conviction of crime
45169 Employee salary data
49406 Examination for tuberculosis
60850-60856 High school exit exam

GOVERNMENT CODE

3100-3109 Oaths or affirmations
12940-12950 Unlawful employment practices

PENAL CODE

290 Registration of sex offenders
290.95 Disclosure by person required to register as sex offenders
667.5 Prior prison terms, enhancement of prison terms
1192.7 Plea bargaining limitation
1203.4 Discharged petitioner, change of plea

WELFARE AND INSTITUTIONS CODE

6300-6332 Sexual psychopaths

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

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