

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

February 11, 2020

5:30pm CLOSED Session

6:00pm Regular Session

Downieville School, 130 School St, Downieville CA 95936

Videoconferencing will be available at Sierra County Office of Education, Room 4, 109 Beckwith Rd, Loyalton CA 96118

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

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

Public inspection of agenda documents that are distributed to the Board less than 72 hours before the meeting, will be made available at the Sierra County Office of Education, Room 3, 109 Beckwith Road, 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

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. Local Control Accountability Plan (LCAP) Training update

b. California County Superintendents Educational Services Association (CCSESA) Quarterly Meeting Report

c. 2020 Census

d. Update on Aides in Downieville

e. Planning for Special Meeting due to potential layoffs

2. Business Report

a. Account Object Summary-Balance from 07/01/2019 to 01/31/2020**

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. Three (3) minutes may be allotted to each speaker and a maximum of twenty (20) 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 January 14, 2020**
2. Approval of Board Report-Checks Dated 01/01/2020 through 01/31/2020**
3. Authorization to Submit Consolidated Application**

L. ACTION ITEMS

1. New Business
 - a. Approval of third Federal Addendum to the 2019-2020 Local Control Accountability Plan, final revise approved by CDE 01/28/2020**
 - b. Approval of 2018-19 Sierra County Office of Education Special Education School Accountability Report Card*

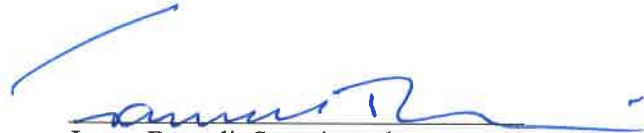
BOARD POLICIES, ADMINISTRATIVE REGULATIONS, EXHIBITS, BOARD BYLAWS

- c. 2121—Superintendent’s Contract
 1. Board Policy, *revisions***
- d. 3600—Consultants
 1. Board Policy, *revisions***
- e. 4030—Nondiscrimination in Employment
 1. Administrative Regulation, *revisions***
- f. 4033—Lactation Accommodation
 1. Board Policy, *NEW***
- g. 4151/4251/4351—Employee Compensation
 1. Board Policy, *revisions***
- h. 6143—Courses of Study
 1. Board Policy, *revisions***
 2. Administrative Regulation, *revisions***
- i. 6154—Homework/Makeup Work
 1. Board Policy, *revisions***
- j. 6174—Education for English Learners
 1. Administrative Regulation, *revisions***
- k. 6175—Migrant Education Program
 1. Administrative Regulation, *NEW***

M. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on March 10, 2020 at Sierra County Office of Education, Room 4, 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
 - a. _____
 - b. _____

N. ADJOURN



James Berardi, Superintendent
Secretary to the County Board of Education

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

Balances through January						Fiscal Year 2019/20
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund						
1100	Teachers Salaries	288,697.00	295,339.00	151,888.50	147,342.59	3,892.09-
1115	Certificated Extra Duty	250.00	470.00		70.00	400.00
1120	Certificated Substitutes	12,325.00	11,268.00		6,060.00	5,208.00
1200	Certificated Pupil Support Ser	30,561.00	30,561.00	12,733.65	17,827.11	.24
1300	Certificated Supervisor Admini	260,757.00	260,795.00	77,210.57	130,064.36	53,520.07
1310	Teacher in Charge	10,000.00	10,000.00		1,000.00	9,000.00
	Total for Object 1000	602,590.00	608,433.00	241,832.72	302,364.06	64,236.22
2100	Instructional Aides' Salaries	196,300.00	163,755.00	55,874.00	66,474.52	41,406.48
2115	Classified Extra Duty	1,000.00	1,000.00		455.55	544.45
2120	Classified Substitutes	7,755.00	7,570.00		2,052.40	5,517.60
2200	Classified Support Salaries	28,846.00	37,342.00	5,732.97	9,125.33	22,483.70
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	114,719.00	43,115.00	60,841.00	10,763.00
2400	Clerical Technical Office Staf	127,065.00	128,933.00	53,110.35	72,593.88	3,228.77
2420	Clerical Substiture	250.00	250.00			250.00
2900	Other Classified Salaries	9,000.00	15,960.00		3,972.50	11,987.50
	Total for Object 2000	476,594.00	471,529.00	157,832.32	216,107.07	97,589.61
3101	STRS Certificated Positions	122,401.00	172,064.00	41,353.40	49,198.25	81,512.35
3102	STRS Classified Positions	803.00	23,823.00	411.40	539.65	22,871.95
3201	PERS Certificated Positions				169.60	169.60-
3202	PERS Classified Positions	89,597.00	86,159.00	31,095.65	41,061.16	14,002.19
3301	OASDI Certificated Positions	932.00	7.00		79.98	72.98-
3302	OASDI Classified Positions	27,727.00	28,451.00	9,514.82	13,052.67	5,883.51
3311	Medicare Certificated Position	8,344.00	8,480.00	3,359.60	4,197.94	922.46
3312	Medicare Classified Positions	6,814.00	6,726.00	2,260.24	3,102.06	1,363.70
3401	Health & Welfare Benefits Cert	108,577.00	78,635.00	45,360.35	51,853.83	18,579.18-
3402	Health & Welfare Benefits Clas	84,444.00	100,036.00	49,037.40	59,621.86	8,623.26-
3501	SUI Certificated	300.00	303.00	121.00	152.46	29.54
3502	SUI Classified	239.00	236.00	78.95	106.77	50.28
3601	Workers' Compensation Certific	19,262.00	19,575.00	8,218.90	10,001.02	1,355.08
3602	Workers' Compensation Classifi	15,378.00	15,527.00	5,529.07	7,397.43	2,600.50
3902	Golden Handshake-Class		13,250.00		6,624.00	6,626.00
	Total for Object 3000	484,818.00	553,272.00	196,340.78	247,158.68	109,772.54
4100	Approved Textbooks Core Curric	460.00	1,924.00			1,924.00

Balances through January						Fiscal Year 2019/20
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund (continued)						
4200	Library and Reference Material		1,000.00			1,000.00
4300	Materials and Supplies	42,512.00	63,599.00	2,677.19	13,238.01	47,683.80
4320	Custodial Grounds Supplies	500.00	676.00	36.21	626.70	13.09
4330	Office Supplies	1,000.00	1,000.00		631.55	368.45
4350	Vehicle Upkeep	6,000.00	5,500.00	1,420.10	2,210.48	1,869.42
4399	Mat & Sup Undesignated Bal		277.00			277.00
4400	Noncapitalized Equipment	17,849.00	19,976.00		6,269.62	13,706.38
	Total for Object 4000	68,321.00	93,952.00	4,133.50	22,976.36	66,842.14
5100	Subagreements for Services	43,000.00	43,000.00			43,000.00
5200	Travel and Conference	47,304.00	35,583.00	5,323.68	8,466.96	21,792.36
5300	Dues and Membership	20,438.00	14,305.00	712.45	14,360.09	767.54-
5400	Insurance	11,000.00	11,000.00		10,297.92	702.08
5500	Operation Housekeeping Service	11,500.00	14,500.00	4,040.54	2,291.20	8,168.26
5600	Rentals, Leases, Repairs, Nonc	3,100.00	1,850.00	405.15	1,217.67	227.18
5801	Legal Services	30,500.00	18,000.00	10,000.00		8,000.00
5803	Legal Publications	500.00				.00
5805	Personnel Expense	842.00	242.00	200.00		42.00
5806	Negotiations	1,000.00				.00
5808	Other Services & Fees	1,500.00	1,500.00	555.14	944.86	.00
5810	Contracted Services	443,765.00	491,877.00	225,551.64	168,362.54	97,962.82
5899	SPJUSD to Reimburse			1,170.44	2,782.40	3,952.84-
5900	Communications	10,500.00	10,500.00	3,865.40	6,161.98	472.62
	Total for Object 5000	624,949.00	642,357.00	251,824.44	214,885.62	175,646.94
6200	Building and Improvement of Bu		26,516.00	17,716.00	8,800.00	.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	61,516.00	17,716.00	8,800.00	35,000.00
7110	County Tuition Inter Dist Agree	5,501.00			19,958.25	19,958.25-
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	24,428.00	.00	19,958.25	4,469.75
	Total for Fund 01 and Expense accounts	2,322,201.00	2,455,487.00	869,679.76	1,032,250.04	553,557.20

Fund 11 - ADULT ED						
1100	Teachers Salaries		35,000.00		1,256.96	33,743.04

Balances through January						Fiscal Year 2019/20
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 11 - ADULT ED (continued)						
1300	Certificated Supervisor Admini	89,732.00	89,732.00	37,388.35	53,856.62	1,512.97-
	Total for Object 1000	89,732.00	124,732.00	37,388.35	55,113.58	32,230.07
2100	Instructional Aides' Salaries	5,684.00	6,000.00		75.56	5,924.44
2200	Classified Support Salaries		17,052.00		511.96	16,540.04
	Total for Object 2000	5,684.00	23,052.00	.00	587.52	22,464.48
3101	STRS Certificated Positions	15,344.00	26,529.00	6,393.40	9,236.70	10,898.90
3202	PERS Classified Positions	1,179.00	4,556.00		14.90	4,541.10
3301	OASDI Certificated Positions				68.06	68.06-
3302	OASDI Classified Positions	352.00	1,429.00		31.74	1,397.26
3311	Medicare Certificated Position	1,301.00	1,809.00	542.15	799.17	467.68
3312	Medicare Classified Positions	82.00	334.00		8.52	325.48
3401	Health & Welfare Benefits Cert	12,767.00	12,767.00	5,319.50	7,447.30	.20
3501	SUI Certificated	45.00	63.00	18.70	27.57	16.73
3502	SUI Classified	3.00	12.00		.30	11.70
3601	Workers' Compensation Certific	3,004.00	4,176.00	1,326.25	1,893.09	956.66
3602	Workers' Compensation Classifi	190.00	772.00		20.69	751.31
	Total for Object 3000	34,267.00	52,447.00	13,600.00	19,548.04	19,298.96
4100	Approved Textbooks Core Curric	10,000.00	7,500.00		3,738.99	3,761.01
4300	Materials and Supplies	5,000.00	4,700.00	2,649.58	917.74	1,132.68
4320	Custodial Grounds Supplies		5,000.00	229.45	1,219.64	3,550.91
4330	Office Supplies		300.00			300.00
4350	Vehicle Upkeep			1,952.27		1,952.27-
4400	Noncapitalized Equipment	2,132.00	16,000.00		16,080.87	80.87-
	Total for Object 4000	17,132.00	33,500.00	4,831.30	21,957.24	6,711.46
5200	Travel and Conference	15,000.00	10,000.00	1,792.20	4,310.98	3,896.82
5203	MILEAGE	1,000.00	5,000.00		1,619.94	3,380.06
5300	Dues and Membership	250.00	1,000.00		800.00	200.00
5500	Operation Housekeeping Service	2,500.00	13,000.00	2,167.92	332.08	10,500.00
5600	Rentals, Leases, Repairs, Nonc		2,500.00	1,404.00	827.00	269.00
5801	Legal Services		1,000.00			1,000.00
5810	Contracted Services	40,000.00	35,925.00		14,143.79	21,781.21
5900	Communications			413.90	786.10	1,200.00-
	Total for Object 5000	58,750.00	68,425.00	5,778.02	22,819.89	39,827.09
6200	Building and Improvement of Bu		100,000.00		81,618.61	18,381.39
6400	Equipment	22,500.00	60,000.00	5,448.30	32,002.25	22,549.45

Selection Filtered by User Permissions, (Org = 1, Online/Offline = N, Fiscal Year = 2020, Period = 7, Unposted JEs? = N, Assets and Liabilities? = N, Restricted Accts? = Y, Object = 1-7, SACS Fund? = N, Fund Page Break? = N, Obj Lvl = 4, Obj Digits = 1, Page Break? = N)

ESCAPE ONLINE

Balances through January						Fiscal Year 2019/20
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 11 - ADULT ED (continued)						
Total for Object 6000		22,500.00	160,000.00	5,448.30	113,620.86	40,930.84
7619	Other Authorized Interfund Tra	935.00	1,192.00		853.83	338.17
Total for Fund 11 and Expense accounts		229,000.00	463,348.00	67,045.97	234,500.96	161,801.07
Fund 16 - FOREST RES						
7211	Transfers of Pass-through Rev				6,253.72	6,253.72
7619	Other Authorized Interfund Tra	52,121.00	52,121.00		1,103.60	51,017.40
Total for Fund 16, Expense accounts and Object 7000		52,121.00	52,121.00	.00	7,357.32	44,763.68
Total for Org 001 - Sierra County Office of Education		2,603,322.00	2,970,956.00	936,725.73	1,274,108.32	760,121.95

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

January 14, 2020

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

Videoconferenced to Downieville School, 130 School St, Downieville CA 95936

5:00pm Closed Session

6:00pm Regular Session

A. CALL TO ORDER

President PATTY HALL called the meeting to order at 5:05pm.

B. ROLL CALL

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

ABSENT: None

C. APPROVAL OF AGENDA

WRIGHT/STANNARD

5/0

D. PUBLIC COMMENT FOR CLOSED SESSION

1. Current location – none
2. Videoconference location – none

E. CLOSED SESSION

MOORE/WRIGHT

5/0

The Board of Trustees, Superintendent James Berardi and Business Manager Nona Griesert moved into Closed Session at 5:06pm to discuss the following item(s):

1. Government Code 54957
PUBLIC EMPLOYMENT
Title: County Office of Education Teacher
2. 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

F. RETURN TO OPEN SESSION at 5:30pm and ADJOURN FOR BREAK

G. 6:00PM – RECONVENE

H. FLAG SALUTE

I. REPORT OUT FROM CLOSED SESSION

MOORE: Direction was given to the superintendent and business manager on both items – looking to work it out so no additional cost is incurred by the County or District with any changes so there's no impact to the current budget in place.

J. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report

- a. Submitting California Department of Education Form J-13A for 2019-2020 Request for Allowance of Attendance Due to Emergency Conditions (*Downieville PG&E Power Shutoffs*)
BERARDI: 7 days total missed by Downieville Schools – submitting for credit on 5 days due to 2 snow days built into school calendar. Need to come up with a plan for future years where this may still be an issue – looking to get a generator for the Downieville Schools so we don't have to rely on the city generator. Possibly more make-up days built into school calendar.
- b. Updates to Hazard Communication Program and Exposure Control Plan for Bloodborne Pathogens
BERARDI: Keeping up with compliance.
- c. Resignation for Laurizeth Cabrales, Instructional Aide, Loyalton High School, .71 FTE (4.25 hours/day), effective December 21, 2019
- d. Fill Instructional Aide, Loyalton High School, .71 FTE (4.25 hours/day)
- e. Additional Aide for Downieville
BERARDI: Need for additional aide due to high-risk students.

2. Business Report

- a. Account Object Summary-Balance from 07/01/2019 to 12/31/2019

3. Staff Reports

- a. ADULT ED—JACKSON: **Shared vision and path of Sierra County Adult Education program. More focus on certificate and training programs since there is such a low need for traditional GED programs typically offered through Adult Education programs.*
- b. SELPA—BETHKE: *Under the umbrella of compliance—continuing to identify areas that need updating and working to make those updates (i.e. develop MOU with the county's mental health department to better serve students with higher needs; staff training and development).*

4. Board Member Reports

None

5. Public Comment

- a. Current location –
Tiffany Williams—New parent in 7th/8th grade level– hoping to reopen subject of offering different food options for the 7th & 8th graders instead of making them walk to the elementary school.
- b. Videoconference location
Katrina Bosworth—Hoping to see the need for additional aide(s) in Downieville resolved soon.

K. CONSENT CALENDAR

1. Approval of minutes for the Regular Board Meeting held December 13, 2019
2. Approval of Board Report-Checks Dated 12/01/2019 through 12/31/2019
3. Approval of Quarterly Report on Williams Uniform Complaints for quarter ending 12/31/2019. 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 12/31/2019.

MOORE/GANT

5/0

L. ACTION ITEMS

1. New Business

- a. Presentation of Fiscal Year 2018-2019 Audit – CWDL CPAs
*STEVEN CURRIE: First year with this County/District—went very well. *presentation* Unmodified Opinion which is highest opinion to be given. Highlights on CalSTRS, CalPERS, OPEB, internal controls and compliance. No findings for 2018-2019.*
- b. Acceptance of Fiscal Year 2018-2019 Audited Actuals
 MOORE/WRIGHT
 5/0

BOARD POLICIES, ADMINISTRATIVE REGULATIONS, EXHIBITS, BOARD BYLAWS

- c. 5116.1—Intradistrict Open Enrollment
 - 1. Board Policy, *revisions*
 - 2. Administrative Regulation, *revisions*
- d. 5117—Interdistrict Attendance
 - 1. Board Policy, *revisions*
 - 2. Administrative Regulation, *revisions*
- e. 5125—Student Records
 - 1. Administrative Regulation, *revisions*
- f. 5131.2—Bullying
 - 1. Board Policy, *revisions*
 - 2. Administrative Regulation, *revisions*
- g. 5132—Dress and Grooming
 - 1. Administrative Regulation, *revisions*

GANT motioned to approve c-g as presented. Second by STANNARD.

5/0

- h. 5141.21—Administering Medication and Monitoring Health Condition
 - 1. Board Policy, *revisions*
MOORE motioned to choose Option 2 and remove optional paragraph. Second by GANT.
discussion of paragraph before Option 1
Motion died.

2. Administrative Regulation, *revisions*
GANT motioned to approve BP with Option 2 and remove all verbiage in both BP and AR regarding Emergency Medication for Opioid Overdose. Second by MOORE.

5/0

- i. 5141.26—Tuberculosis Testing
 - 1. Board Policy, *revisions*
 - 2. Administrative Regulation, *revisions**GANT motioned to approve BP as presented and AR with changes discussed on page 2, paragraph 2, b. Second by MOORE.*
 5/0

M. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on February 11, 2020 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. *Explore different food options for 7th & 8th grade students and/or all LHS students (district)*

N. ADJOURN at 7:05pm
MOORE/WRIGHT
5/0

Allen Wright, Clerk

James Berardi, Superintendent
Secretary to the County Board of Education

**SIERRA COUNTY OFFICE OF EDUCATION—SCOE
CLOSED SESSION REPORTING FORM**

DATE: January 14, 2020

CLOSED SESSION BEGAN AT: 5⁰⁶ P.M.

BOARD MEMBERS PRESENT:

Patty Hall Allen Wright Mike Moore Jenny Gant Nicole Stannard

OTHERS PRESENT:

James Berardi, Superintendent
 Nona Griesert, Business Manager

I. SESSION TOPIC(S):

<p>Item #1—Government Code 54957 PUBLIC EMPLOYMENT Title: County Office of Education Teacher</p> <p>RESULT:</p> <p><input checked="" type="checkbox"/> DIRECTION WAS GIVEN TO SUPERINTENDENT</p> <p><input type="checkbox"/> THE CLOSED SESSION WAS FOR PURPOSES OF DISCUSSION ONLY. NO ACTION WAS TAKEN.</p> <p><input type="checkbox"/> A ROLL CALL VOTE WAS TAKEN: HALL _____ WRIGHT _____ MOORE _____ GANT _____ STANNARD _____</p> <p><input type="checkbox"/> A ROLL CALL VOTE WAS TAKEN IN OPEN SESSION: HALL _____ WRIGHT _____ MOORE _____ GANT _____ STANNARD _____</p> <hr/> <p>Item #2—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</p> <p>RESULT:</p> <p><input checked="" type="checkbox"/> DIRECTION WAS GIVEN TO SUPERINTENDENT</p> <p><input type="checkbox"/> THE CLOSED SESSION WAS FOR PURPOSES OF DISCUSSION ONLY. NO ACTION WAS TAKEN.</p> <p><input type="checkbox"/> A ROLL CALL VOTE WAS TAKEN: HALL _____ WRIGHT _____ MOORE _____ GANT _____ STANNARD _____</p> <p><input type="checkbox"/> A ROLL CALL VOTE WAS TAKEN IN OPEN SESSION: HALL _____ WRIGHT _____ MOORE _____ GANT _____ STANNARD _____</p>
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II. MOTION TO ADJOURN CLOSED SESSION AT 5³⁰ P.M. AND RETURN TO OPEN SESSION

BY: Mike Moore (NAME) SECONDED: Allen Wright (NAME)

MOTION PASSED / FAILED

PRESIDED BY: Patty Hall
Patty Hall, PRESIDENT

RECORDED BY: Allen Wright
Allen Wright, CLERK

Checks Dated 01/01/2020 through 01/31/2020

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00015505	01/10/2020	CIT	01-5900	PHONE SYSTEM/MAINTENANCE		773.08
00015506	01/10/2020	HEIDI BETHKE	01-5200	PER DIEM/HOTEL		241.82
00015507	01/10/2020	CCAE	11-5200	REGISTRATION		449.00
00015508	01/10/2020	DOUBLETREE HOTEL	Reissued			317.13 *
		Reissued on 01/09/2020				
00015509	01/10/2020	FUELEDUCATION	11-5810	ONSITE TRAINING	2,500.00	
				USER BLOCK	2,222.74	4,722.74
00015510	01/10/2020	GLEN SABOL	01-6200	SOLAR PROJECT INSPECTION		2,000.00
00015511	01/10/2020	ANNA GOODWIN	01-5810	NURSE SERVICES		1,662.50
00015512	01/10/2020	HARBOR FREIGHT TOOLS	01-4300	SHOP CLASS SUPPLIES		840.55
00015513	01/10/2020	JANIS HARDEMAN	01-5810	NURSE SERVICES		980.00
00015514	01/10/2020	WENDY JACKSON	11-4300	ABS PIPE		32.07
00015515	01/10/2020	LEARNING ALLY	01-4300	INSTITUTION SEAT PACKAGE		990.00
00015516	01/10/2020	JANE V. LEE, M.A., LMFT	01-5810	COUNSELING SERVICES		1,504.80
00015517	01/10/2020	LES SCHAWB	01-4350	FRONT BRAKES		384.16
00015518	01/10/2020	LIBERTY UTILITIES CPEC	01-5500	ELECTRICAL SERVICE	182.35	
			11-5500	ELECTRICAL SERVICE	199.37	381.72
00015519	01/10/2020	MARY LOWE	01-5810	COUNSELING SERVICES		2,173.60
00015520	01/10/2020	LESLIE MARSDEN, MOT, OTR/L	01-5810	OCCUPATIONAL THERAPY SERVICES		1,882.50
00015521	01/10/2020	MASTERCRAFT HARDWOOD LUMBER INC.	01-4300	SHOP SUPPLIES		762.68
00015522	01/10/2020	MIKE MOORE	01-5200	PER DIEM		29.00
00015523	01/10/2020	MOUNTAIN MESSENGER	11-4300	ADS		70.00
00015524	01/10/2020	NORTHEASTERN JOINT POWERS AUTHORITY	76-9571	WORKER'S COMPENSATION		18,317.50
00015525	01/10/2020	PITNEY BOWES, INC.	01-5600	POSTAGE MACHINE LEASE	48.25	
			01-5899	POSTAGE MACHINE LEASE	144.80	193.05
00015526	01/10/2020	PLACER COUNTY SELPA	01-5200	REGISTRATION FEES		50.00
00015527	01/10/2020	PLUMAS-SIERRA TELECOMMUNICATIONS	11-5600	BROADBAND SERVICE		109.00
00015528	01/10/2020	POSITIVE BEHAVIOR CHANGES, LLC	01-5810	CONSULTATION SERVICES		3,970.00
00015529	01/10/2020	PRESENCELEARNING, INC.	01-5810	PRESENCE LEARNING		7,662.15
00015530	01/10/2020	RAY MORGAN COMPANY	01-5600	COPIER MAINT.		6.25
00015531	01/10/2020	SIERRA BOOSTER	11-5810	ADVERTISEMENTS		113.30
00015532	01/10/2020	SIERRA COUNTY OFFICE OF EDUCATION	01-5808	BANK SERVICE FEES		115.22
00015533	01/10/2020	SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT	76-9200	REIMBURSE PC CHECK		500.00
00015534	01/10/2020	CA STATE TEACHERS RETIREMENT	01-5810	RETURN REFUND	.05	
			01-9500	RETURN REFUND	1,513.06	1,513.11
00015535	01/10/2020	ALLEN WRIGHT	01-5200	PER DIEM		7.25
00015536	01/10/2020	DOUBLETREE SUITES	01-5200	HOTEL - PASSCO MEETING	79.29	

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

ESCAPE ONLINE

Checks Dated 01/01/2020 through 01/31/2020

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00015536	01/10/2020	DOUBLETREE SUITES	01-5899	HOTEL - PASSCO MEETING	237.84	317.13
00015537	01/21/2020	APEX SAW WORKS	01-4400	SHOP SUPPLIES		784.90
00015538	01/21/2020	AT&T	11-5900	PHONE		786.10
00015539	01/21/2020	CAEAA	11-5200	REGISTRATION		450.00
00015540	01/21/2020	CHALLENGE ELECTRIC	11-6200	NEW ELECTRICAL		7,891.97
00015541	01/21/2020	ESCAPE TECHNOLOGY	01-5810	SIGNATURE CHANGES		250.00
00015542	01/21/2020	NEVADA COUNTY SUPT OF SCHOOLS ACCOUNTS RECEIVABLE	01-7110	18/19 FINAL BILLBACK		19,958.25
00015543	01/21/2020	PRESENCELEARNING, INC.	01-5810	PRESENCE LEARNING		85.79
00015544	01/21/2020	SIERRA COUNTY OFFICE OF EDUCATION	01-5808	BANK SERVICE FEES		99.72
00015545	01/21/2020	TRI COUNTY SCHOOLS INSURANCE GROUP	01-9535	JAN 20 HEALTH INSURANCE	2,159.00	
			76-9576	JAN 20 HEALTH INSURANCE	17,120.60	19,279.60
00015546	01/21/2020	U.S. BANK	01-4300	CLASSROOM SUPPLIES	72.04	
				GOLF CART SEAT	309.90	
				GOLF CART SEATBELTS	194.79	
			01-4330	ADOBE SUBSCRIPTION	179.88	
			01-5899	SUPT. TRAVEL EXPENSES	1,021.88	
			11-4320	HVAC FILTERS	69.19	
				Unpaid Sales Tax	33.63	1,814.05
00015547	01/21/2020	VOYAGER	01-4350	FUEL EXPENSE	67.70	
			01-5200	FUEL EXPENSE	255.85	
			11-5200	FUEL EXPENSE	107.80	431.35
Total Number of Checks					43	104,903.04

	Count	Amount
Reissue	1	317.13
Net Issue		104,585.91

Fund Summary

Fund	Description	Check Count	Expensed Amount
01	County School Service Fund	31	53,680.90
11	ADULT EDUCATION	12	15,000.54
76	Payroll Clearing	3	35,938.10

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 01/01/2020 through 01/31/2020

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
		Total Number of Checks	42		104,619.54	
		Less Unpaid Sales Tax Liability			33.63	
		Net (Check Amount)			104,585.91	

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

2019-20 Consolidation of Administrative Funds

A request by the LEA to consolidate administrative funds for specific programs.

CDE Program Contact:

Arturo Ambriz, Financial Accountability and Info Srv Office, AAmbriz@cde.ca.gov, 916-323-0765

Title I, Part A Basic SACS Code 3010	No
Title I, Part C Migrant Education SACS Code 3060	No
Title I, Part D Delinquent SACS Code 3025	No
Title II, Part A Supporting Effective Instruction SACS Code 4035	No
Title III English Learner Students - 2% maximum SACS Code 4203	No
Title III Immigrant Students SACS Code 4201	No
Title IV, Part A Student Support - 2% maximum SACS Code 4127	No
Title IV, Part B 21st Century Community Learning Centers SACS Code 4124	No

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

LCAP Federal Addendum System

Submission Dashboard

Sierra County Office of Education
(46104620000000)

Status: **Approved**

All your sections have been approved by CDE reviewers! You are now finished with this submission system.

LEA Contact Name: **Nona Griesert**

LEA Contact Email: **ngriesert@spjUSD.org**

LEA Contact Phone: **530-993-1660 (ext. 120)**

[Edit LEA Contact](#)

Instructions, Strategy, and Alignment

Status: **Approved**

This section's responses have been approved by CDE. Select the "View Instructions, Strategy, and Alignment Section" button below to review (and print) your responses.

[View Instructions, Strategy, and Alignment Section](#)

Title I, Part A

Status: **Approved**

This section's responses have been approved by CDE. Select the "View Title I, Part A Section" button below to review (and print) your responses.

[View Title I, Part A Section](#)

Title I, Part A, Educator Equity

Status: Approved

This section's responses have been approved by CDE. Select the "View Title I, Part A, Educator Equity Section" button below to review (and print) your responses.

[View Title I, Part A, Educator Equity Section](#)

Title II, Part A

Status: Approved

This section's responses have been approved by CDE. Select the "View Title II, Part A Section" button below to review (and print) your responses.

[View Title II, Part A Section](#)

Title IV, Part A

Status: Approved

This section's responses have been approved by CDE. Select the "View Title IV, Part A Section" button below to review (and print) your responses.

[View Title IV, Part A Section](#)

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.

Response from Sierra County Office of Education:

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.

APPROVED BY CDE

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.

Response from Sierra County Office of Education:

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.

APPROVED BY CDE

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).

Response from Sierra County Office of Education:

N/A

APPROVED BY CDE

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

Response from Sierra County Office of Education:

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. Site Council meetings are held three times a year at each site, meetings are held late in the evenings so that parents can attend that work late. At the meetings proper/informational material is handed out to parents. School Site Councils have direct input into district policies, through approval of school SARCs, maintenance priority plans, and the LCAP.

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. At our EL meetings our full time EL aide attends so that she can provide translation services for parents. Our EL aide also meets with parents anytime during the course of the year to provide translation services for any of our information that is going out or information that parents want to give to the schools. These meetings are held a couple of times a year, once in the fall and once in the spring time.

With each of these groups there are set bylaws that are set in place by the governing boards of each council. These bylaws were collaboratively developed with parents, teachers, and administrators.

There are many events held throughout each school year to bring the community and parents into the schools, such as Four Year Planning, Back To School Night, Science Fair, Art Shows, Christmas Programs, and Theatre Arts Performances. At any of these events we have our full time EL aide available to assist with our families where there is a language barrier. In our small rural area this is the only thing that we have had to assist families with. Each school site hold SST/RTI meetings with parents to help educate parents on students' current levels and forming plans on how to improve. Anytime a SST team meets they contact parents and let them know when and where the meeting is. If assistance is needed with any language barriers we provide our EL aide at the meeting to help communicate.

In our very small rural area we do not have any parents with disabilities thus far. Any parents that need help with anything with our schools/school district with communication or help in any other areas can be provided by our parent/student navigator that works through Sierra County.

Again in our very some rural area we do not have any families at this time that are migratory. We have not had provide any of those opportunities at this time.

Both our county and district have a Board Policy 6020 for Parent Involvement. The Board of Education recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The LEA shall work with staff and parents/guardians to develop meaningful opportunities at all grade levels for parents/guardians to be involved in district and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home. The district and county also follow our Administrative Regulation 6020 to communicate with parents/guardians through the district newsletter, web site, or other methods regarding the LEA plan and opportunity to provide input. The LEA ensures there is opportunity at a public Board meetings for public comment on the LEA plan prior to the Board's approval of the plan or revisions to the plan. The Board meetings are held on the second Tuesday of each month. All Board meetings are posted at each school site and on the web site to inform parents/guardians of time and agenda items. The LEA has assigned our full time EL Aide to the district office to serve as a liaison to the schools regarding Title 1 parent involvement issues. We ensure that information related to school and parent/guardian activities is sent to the parents/guardians of participating students in a language the parents/guardians can understand. Parents/guardians can also request any other reasonable support for parent involvement activities. LEA arranges school meetings a variety of times so that parent/guardians have opportunities to come. LEA makes referral to community agencies and organizations that help to improve the conditions of parents/guardians and families. LEA provides a master calendar of district activities and district meetings. There is information provided about opportunities for parent involvement through newsletters, web site, or other written or electronic means. The district EL aide also provides translation services at school sites and at meetings involving parents/guardians as needed.

APPROVED BY CDE

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.

Response from Sierra County Office of Education:

SWP:"N/A"

TAS: Given the low numbers in our low income students, our district provides services equally for all students. All

students benefit from remediation via transitional kindergarten, intervention programs, and assistance from instructional aides funded through Title 1.

APPROVED BY CDE

Address the ESSA provision:

SWP: Describe SWP here, if SWP does not exist type "N/A"

TAS: Describe TAS program here, if TAS program does not exist type "N/A"

Neglected or delinquent: Describe the educational services for neglected or delinquent children, if a Title I, Part A neglected or delinquent reservation does not exist type "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.

Response from Sierra County Office of Education:

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.

APPROVED BY CDE

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.).

Response from Sierra County Office of Education:

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.

APPROVED BY CDE

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.

Response from Sierra County Office of Education:

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.

APPROVED BY CDE

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.

Response from Sierra County Office of Education:

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

- The TRIO partnership through Feather River college works directly with all students to provide assistance in developing skills with the transition to college and career in mind. 7th and 8th grade students work on math skills, resume writing, and career exploration.

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

- College and career fairs are attended with the financial assistance of the TRIO office at Feather River College.

At the high school level the Get Focused, Stay Focused curriculum is provided for all 9th graders. Within this program, students explore careers, learn of their own aptitudes, and form a post-secondary plan for future careers. Within the program students and parents alike are informed of many potential career and college options.

A guidance counselor works at the high school to provide college and financial aid nights and helps students with the application processes.

APPROVED BY CDE

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.

Response from Sierra County Office of Education:

N/A

APPROVED BY CDE

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

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

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".

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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.

Response from Sierra County Office of Education:

Our school district is a single-single district. Our county side is separate from our district side. The County Office of Education has no students enrolled under it. All of our students fall under the other part of Sierra Plumas Joint Unified School District. Since this particular area of the addendum focuses on the county part of our district there is no data to report, since there are no students enrolled.

APPROVED BY CDE

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.

Response from Sierra County Office of Education:

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 knowledge to use in their classrooms.

New teachers that are hired within our district work with regional Teacher Induction providers to complete their requirements of their clear credential.

Local practices for teacher support include:

- Early Release Wednesdays for professional development and work within PLCs.
- The hire of a full time curriculum and instruction coordinator, whose job entails working with teachers in the classrooms on curriculum teaching strategies.
- Teachers are provided funding to attend professional developments of their choosing to enhance their teaching.

APPROVED BY CDE

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).

Response from Sierra County Office of Education:

Not Applicable. The LEA is a single-school district.

APPROVED BY CDE

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.

Response from Sierra County Office of Education:

The Local Education Foundation - The Sierra Schools Foundation - made up of parents, teachers, administrators from a variety of grade levels met once a month and provided two grant cycles per year (one in June and one in December) to support schools, teachers and students throughout the district. The LEF interfaced regularly with the school district and provided parent survey data and other information to the district.

Superintendent presented school district information to community organizations throughout the year (County Board of Supervisors, The Rotary and Lions Clubs, The Sierra Schools Foundation, etc). The Sierra Schools Foundation received a copy of the LCAP and we asked for their input.

Administration team for the school district met every Tuesday throughout the school year to work on LCAP updates, plan professional development each Wednesday for staff members at each school site in the school district.

On June 5, 2019 Mr. Jones(Principal at Loyalton High School) and Ms. White(Principal at Loyalton Elementary) met with parents, community members, and board members at a State of the Schools Meeting for all school sites in our school district. At the meeting the LCAP was reviewed with all of these stakeholders.

In the fall and spring of each year, the EL Coordinator and EL Aide brought together EL students and their parents for a dinner and information-gathering session to assess access to services and to promote parent engagement. The dates for these dinners were held were: October 10, 2018 and June 10, 2019.

On May 10th, each member of the leadership team presented it's 2018-2019 accomplishments and it's 2019-2020 goals to the school board members at a board retreat dedicated to training and LCAP review.

In February the school board members receive a copy of the LCAP to review and then meet with Administration to go over with and ask any questions they have.

SPJUSD'S English Learner population is 3% with a total of 15 students designated ELL. As a small school district with a very small population of EL students, and thus, do not have a DELAC. Additionally, no school in the district has more than 10 students and so do not have an ELAC. Our school district has an advisory group made up of eight of our English Learner parents with children attending grades K-12. We meet twice per year, once in the fall and once in the spring, at both meetings we review the LCAP and parents provide input around EL educational services.

The LCAP is also on the school district website for any community member, parents, or teachers to view.

The teacher's bargaining unit also has a copy available to refer to with any questions.

Students' also shared input through our community forums as well.

Our community forums were held on the following dates:

Loyalton & Downieville School Community Forms- June 5, 2019 @ 6 pm at Loyalton Elementary School
Downieville Elementary & Jr./Sr. High School June 10, 2019 @ 6pm at Downieville
Public Hearing – March 7, 2019
Board Approval – June 11, 2019

After meeting with board members and other stakeholders throughout our area it was important from input received that we work on providing intervention support to students. After looking at the data and listening to stakeholders the school board agreed to hire a full time intervention teacher for the Loyalton Elementary School site. They will have a full time intervention teacher for 2019-2020 school year after it was passed at the May 14th, 2019 school board meeting.

LEAs are working with all stakeholders to respond to their questions and use their input to help with creating goals. LEAs work with school board members to address questions and discuss the goals of our district for the bettering of our students. From discussion at the community forums the public was in agreement with our goals for our LCAP, one of the newer focuses they wanted us to start looking at in the future is our school safety plans. The admin team created a Safety Task Force which consist of the administration team, school board member, Sheriff, Highway Patrol, and Probation dept. There was a meeting held on May 28, 2019 to create a plan to move forward with safety enhancements in our school district. There is another meeting to scheduled in June to continue with a walk through of each plant to address areas of concern.

APPROVED BY CDE

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".

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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.

Response from Sierra County Office of Education:

- 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. The district looks at the CHKS survey to gain information of how students are feeling in regards to bullying and safety, it also provides information to the district on how many of our students have tried or have a problem with illegal drugs. From this information the district can use funding to provide more knowledge to students about bullying using each school sites peace mediators programs. Our district can also work with our county agencies and Friday Night Live groups to provide more education on drugs, and smoking. Funding for Friday Night Live comes through the county agencies in our community.
- D. Technology is evolving, expanding and constantly evaluated to make sure the best and most current available

resources are utilized to our students. Our Tech Task Force meets monthly and examines our technology use in our district and looks ahead to set funding aside out of the general funds to be able to update Chrome books in our district for students. Each site/grade level is on a scheduled update for Chrome books that happens every three to four years. Depending on the site and grade level that are receiving up dated devices sets how much the district sets aside in funding to accommodate those purchases.

E. Questionnaires are sent out annually to all students, and parents, test scores are evaluated to review the success and effectiveness of activities.

APPROVED BY CDE

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

120

Contact Email

ngriesert@spjUSD.org

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

CSBA POLICY GUIDE SHEET – February 11, 2020

BP 2121 - Superintendent's Contract

(BP revised)

Policy updated to add professional development as an optional component that may be addressed in the superintendent's contract, consistent with CSBA's Superintendent Contract Template. Section on "Termination of Contract" deletes material related to maximum cash settlement requirements for contracts executed prior to January 1, 2016, since state law limits the term of the contract to a maximum of four years.

BP 3600 - Consultants

(BP revised)

Policy updated to reflect **NEW LAW (AB 5)** which codifies a three-part test, established in *Dynamex Operations West Inc. v. Superior Court of Los Angeles*, to determine whether a person providing services for remuneration should be classified as an employee or an independent contractor. Policy also updates the statement on nondiscrimination to include additional protected categories, and reflects law regarding harassment of or by an independent contractor.

AR 4030 - Nondiscrimination in Employment

(AR revised)

Regulation updated to reflect **NEW LAW (SB 778)** which delays until January 1, 2021 a requirement for districts with five or more employees to provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to nonsupervisory employees. Regulation also reflects **NEW LAW (AB 9)** which allows complaints of employment discrimination to be filed with the Department of Fair Employment and Housing up to three years after the alleged act.

BP 4033 - Lactation Accommodation

(BP revised **NEW**)

Policy updated to reflect **NEW LAW (SB 142)** which mandates districts to adopt policy that addresses an employee's right to request lactation accommodation, the process by which the employee makes the request, the district's obligation to respond to the request, and the employee's right to file a complaint with the Labor Commissioner alleging any violation of the right to lactation accommodation. Policy also reflects provisions of SB 142 requiring districts to provide a lactation room or location with prescribed features, prohibiting districts from discriminating or retaliating against an employee who exercises the right to lactation accommodation, and authorizing districts with fewer than 50 employees to seek an exemption from the requirement to provide lactation accommodation if the district demonstrates that the requirement poses an undue hardship.

BP 4151/4251/4351 - Employee Compensation

(BP revised)

Policy updated to clarify that, in determining whether an executive, administrative, or professional employee is exempt from overtime rules, the salary threshold established by state law supersedes the threshold established by federal law (as raised by new federal rule September 24, 2019). Policy also deletes complex information on Internal Revenue Service forms that must be completed by employees who earn compensation over 9 or 10 months but elect to spread salary payments over 12 months, thereby creating "deferred compensation."

BP/AR 6143 - Courses of Study

(BP/AR revised)

Policy updated to include the prohibition against providing any course separately on the basis of specified characteristics or refusing the participation of a student on any such basis. Policy also reflects the requirement to provide a list of courses certified as meeting California college admission criteria (i.e., "a-g" course requirements) to parents/guardians as well as students in grades 9-12. Regulation updates the list of course offerings for grades 7-12 to revise the description of the Bracero program, update the terminology for "foreign language" to "world language" consistent with current state law, reflect **NEW LAW (AB 1595)** which replaces references to "homemaking" with "family and consumer sciences," and delete outdated date for beginning instruction in compression-only cardiopulmonary resuscitation. Regulation also adds requirement, effective in the 2020-21 school year, to provide specified information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the Dream Act application, as appropriate, at least once before grade 12.

BP 6154 - Homework/Makeup Work

(BP revised)

Policy updated to reflect **NEW LAW (AB 982)** which requires that, when a parent/guardian of a student who has been suspended for two or more days requests homework that the student would have otherwise been assigned, teachers must provide such homework.

AR 6174 - Education for English Learners

(AR revised)

Regulation updated to clarify the process for assessment and identification of English learners, including additional notification requirements. Section on "Reclassification/Redesignation" revised to require English learners who are reclassified as fluent English proficient to be monitored for at least four years following their reclassification, consistent with CDE's Federal Program Monitoring instrument. Regulation also adds further information regarding the composition and duties of the school-level and district-level English Learner Advisory Committee.

AR 6175 - Migrant Education Program

(AR revised ****NEW****)

Regulation updated to reflect **NEW LAW (AB 1319)** which requires the immediate enrollment of migrant students even if they have outstanding fees, fines, textbooks, or other items or monies due to the school last attended, do not have clothing normally required by the school, or are unable to produce records normally required for enrollment. Regulation also reflects provision of AB 1319 which grants migrant students the right to remain in their school of origin, or in a school within the district of origin, regardless of any change in residence of the student.

Sierra County/Sierra-Plumas Joint USD

Board Policy

Administration

BP 2121

SUPERINTENDENT'S CONTRACT

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent ~~are to will~~ work together as a governance team to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the need for value of stability in district administration ~~and shall ensure~~, the best use of district resources, and the Board's duty to ensure accountability to the public for the performance of the district's schools.

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 2120 - Superintendent Recruitment and Selection)

(cf. 4312.1 - Contracts)

(cf. 9000 - Role of the Board)

Note: The following list of contract components is consistent with a template for superintendent contracts developed by CSBA. The annotated template contract with additional context and suggestions is available through CSBA's web site.

The contract shall be reviewed by the district's legal counsel and may include the following:

1. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031
2. Length of the work year and hours of work
3. Salary, health and welfare benefits, and other compensation for the position, including a statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board
(cf. 4154/4254/4354 - Health and Welfare Benefits)
4. Reimbursement of work-related expenses, including mileage reimbursement, consistent with Board policies, regulations, and guidelines applicable to other professional administrative staff
(cf. 3350 - Travel Expenses)

The contract may also address payment for professional dues and activities, the district's provision of cell phones or other technological devices, and the ~~Superintendent's~~ use of his/her a personal vehicle.

(cf. 4040 - Employee Use of Technology)

5. Vacation, illness and injury leave, and personal leaves
(cf. 4161/4261/4361 - Leaves)
(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4161.2/4261.2/4361.2 - Personal Leaves)
(cf. 4161.5/4261.5/4361.5 - Military Leave)
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

66. Professional development

7. General duties and responsibilities of the position
(*cf. 2110 - Superintendent Responsibilities and Duties*)
78. Criteria, process, and procedure for annual evaluation of the Superintendent
(*cf. 2140 - Evaluation of the Superintendent*)
8. ~~A statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board~~
9. A statement that there shall be no automatic renewal or extension of the contract, although the Board can enter into a new contract with the Superintendent prior to the expiration of the existing contract

Note: Pursuant to Education Code 35031, if the Governing Board decides not to reemploy the Superintendent, it must provide notification at least 45 days before the contract expires. If the Board fails to provide the required prior written notice, the Superintendent shall be deemed reemployed for a term of the same length as the one completed, under the same terms and conditions, and with the same compensation.

10. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 calendar days in advance of the expiration of the term of the contract pursuant to Education Code 35031, and the responsibility of the Superintendent to remind the Board in writing and in a timely manner of the requirement to give notice
(*cf. 4112.9/4212.9/4312.9 - Employee Notifications*)

Note: See section on "Termination of Contract" below for limitations to maximum cash settlements.

11. Conditions and process for termination of the contract, including the maximum cash settlement that the Superintendent may receive if the contract is terminated prior to its expiration date
12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in ~~his/her~~the Superintendent's official capacity in the performance of ~~duties related to his/her~~employment-related duties

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

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

In addition, pursuant to Government Code 54956, the Board is prohibited from deliberating on the salary or other compensation of the Superintendent at a special meeting. See BB 9320 - Meetings and Notices and BB 9321 - Closed Session.

The following paragraph should be revised to reflect district practice.

The Board may deliberate about terms of the contract in closed session at a regular meeting. However, discussions regarding the salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6 (the "labor exception"), for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the current or prospective Superintendent. Such deliberations shall not be held during a special meeting. -(Government Code 54956, 54957, 54957.6)

The Board may consult with district legal counsel prior to holding a closed session with the designated representative(s) to discuss compensation to be paid to the current or prospective Superintendent.

(cf. 9320 - Meetings and Notices)

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

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

Terms of the contract shall remain confidential until the ratification process commences.

(cf. 9011 - Disclosure of Confidential/Privileged Information)

Note: Pursuant to Government Code 54953, the Board must, in open session, orally report a summary of the recommendation for final action on the Superintendent's salary or benefits and must make related records available to the public in accordance with the California Public Records Act. Thus, Government Code 54953 limits the Board's ability to approve changes to salary or benefits as part of a consent calendar and instead requires such approval to be a separate agenda item. For identical requirements regarding final action on the salary or benefits of other district executives, see BP 4312.1 - Contracts.

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

Copies of the contract and other public records created or received in the process of developing the recommendation related to the Superintendent's salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953, ~~54957.6~~)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Termination of Contract

Note: Pursuant to Government Code 53260, every employee contract must include a provision limiting the maximum cash settlement the employee may receive upon termination of the contract to an amount equal to the monthly salary multiplied by the number of months left on the contract. For a Superintendent contract, Government Code 53260 provides that the maximum cash settlement is the monthly salary multiplied by 12. Cash settlements may be less than these maximums. The district must make contracts of employment, which include the termination agreements, available to the public upon request. See AR 4117.5/4217.5/4317.5 - Termination Agreements.

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with law and applicable contract provisions.

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

In such an event, ~~any~~the maximum cash settlement that the Superintendent may receive upon termination of the contract shall not exceed ~~his/her monthly salary multiplied by the number of months left on the contract or, if the unexpired term of the contract is more than 18 months and the contract was executed prior to January 1, 2016, no greater than~~ the Superintendent's monthly salary multiplied by ~~18. For any contract executed on or after January 1, 2016, any cash settlement shall not exceed~~the number of months left on the contract or the Superintendent's monthly salary multiplied by 12, whichever is less. (Government Code 53260)

The cash settlement shall not include any noncash items other than health benefits, which may be continued for the same duration of time as covered in the settlement or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

However, when the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, no cash or noncash settlement of any amount shall be provided. (Government Code 53260)

In addition, if the Superintendent is convicted of a crime involving an abuse of ~~his/her~~ office or position, ~~he/she~~ the Superintendent shall reimburse the district for payments ~~he/she receives~~ received as paid leave salary pending investigation or as cash settlement upon ~~his/her~~ termination, and for any funds expended by the district in ~~his/her defense~~ defending the Superintendent against a crime involving ~~his/her~~ the Superintendent's office or position. (Government Code 53243-53243.4, 53260)

Legal Reference:

EDUCATION CODE

35031 *Term of employment*

41325-~~41329.3~~-41328 *Conditions of emergency apportionment*

GOVERNMENT CODE

3511.1-3511.2 *Local agency executives*

6250-6270 *California Public Records Act*

53243-53243.4 *Abuse of office*

53260-53264 *Employment contracts*

54953 *Oral summary of recommended salary and benefits of superintendent*

54954 *Time and place of regular meetings*

54956 *Special meetings*

54957 *Closed session personnel matters*

54957.1 *Closed session, public report of action taken*

54957.6 *Closed sessions regarding employee matters*

UNITED STATES CODE, TITLE 26

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

UNITED STATES CODE, TITLE 42

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

CODE OF FEDERAL REGULATIONS, TITLE 26

1.105-11 *Self-insured medical reimbursement plan*

COURT DECISIONS

San Diego Union v. City Council, (1983) 146 Cal.App.3d 947

ATTORNEY GENERAL OPINIONS

57 *Ops. Cal. Atty. Gen.* 209 (1974)

Management Resources:

CSBA PUBLICATIONS

Superintendent Contract Template, ~~2015~~

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: - Open Meetings for Local Legislative Bodies, 2003

WEB SITES

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

Association of California School Administrators: [-http://www.acsa.org](http://www.acsa.org)

California Office of the Attorney General: [-https://oag.ca.gov](https://oag.ca.gov)

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
Policy adopted: April 10, 2007
revised: February 14, 2012
revised: January 12, 2016
revised: July 12, 2016
revised: June 13, 2017
revised: February 11, 2020

Sierra County/Sierra-Plumas Joint USD

Board Policy

Business and Noninstructional Operations

BP 3600

CONSULTANTS

The Governing Board ~~of Education~~ authorizes the use of consultants and other independent contractors to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by district staff because of limitations of time, experience, or knowledge. Individuals, firms, or organizations employed as ~~consultants~~ independent contractors may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional, or other matters.

(cf. 3551 - Food Service Operations/Cafeteria Fund)

Note: Labor Code 2750.3, as added by AB 5 (Ch. 296, Statutes of 2019), codifies the three-part "ABC" test established in Dynamex Operations West, Inc. v. Superior Court of Los Angeles to determine whether a person providing services for remuneration should be classified as an employee or an independent contractor. Although Labor Code 2750.3 does not explicitly state whether it applies to public agencies, CSBA recommends that districts adhere to its provisions.

AB 5 also amended Unemployment Insurance Code 606.5 and 621 to incorporate the three-part ABC test from the Dynamex decision. Since public school employers are subject to certain provisions in the Unemployment Insurance Code, districts should apply the three-part ABC test to determine a worker's eligibility for unemployment benefits.

Pursuant to Labor Code 2750.3, a person is considered to be an independent contractor rather than an employee if the person (1) is free from the control and direction of the district in connection with the performance of the work, (2) performs work that is outside the usual course of providing educational services, (i.e. services provided by the person's own independent business and not services that ordinarily would be performed by district employees), and (3) is customarily engaged in an independently established trade, occupation, or business.

Labor Code 2750.3 establishes exceptions to the use of the three-part ABC test, including (1) when a person's status as an employee or independent contractor is defined by the Labor Code, Unemployment Insurance Code, or an applicable wage order of the Industrial Welfare Commission; (2) when a court rules that the three-part test cannot be applied to a particular context; or (3) when specifically exempted within Labor Code 2750.3. Under the second and third scenarios, the determination of whether a person is an employee or independent contractor is then made pursuant to the court's decision in S.G. Borello & Sons, Inc. v. Department of Industrial Relations, which made employment status a fact-dependent ruling based on the extent to which the employer had a right to control the work that was being done. Tutors are potentially exempted from the three-part test in Labor Code 2750.3 if they develop and teach their own curriculum, but not if they teach a curriculum created by a public school or contract with a public school through a referral company.

As this area of law is complex and may alter the legal and financial obligations of the district to particular workers (e.g., eligibility for workers compensation, unemployment and disability insurance benefits, and district health and welfare benefits), legal counsel should be consulted when questions arise regarding the status of those who provide services to the district for remuneration.

As part of the contract process, the Superintendent or designee shall determine, ~~in accordance with Internal Revenue Service guidelines, that the consultant that the individual, firm, or organization is properly classified as an independent contractor. District employees who perform extra-duty consultant services~~ A person, firm, or organization shall not be retained as independent contractors.

~~They shall be considered employees for~~ be considered an employee rather than an independent contractor unless the district is able to demonstrate that all purposes, even if the additional services are not related to their regular duties of the following conditions have been met: (Labor Code 2750.3)

1. The person or entity is free from the control and direction of the district in connection with the performance of the work.
2. The person or entity is performing work that is outside the usual course of the district providing educational services.
3. The person or entity is customarily engaged in an independently established trade, occupation, or business of the same nature as the work to be performed.

Specific statutory exceptions to this analysis for the determination of whether a person, firm, or organization is an independent contractor may apply. (Labor Code 2750.3)
~~(cf. 4117.12/4317.12 – Retirement Consultancy Contracts)~~

All consultant contracts shall be brought to the Board for approval.

~~(cf. 3311 - Bids)~~

~~(cf. 3312 - Contracts)~~

~~(cf. 4132/4232/4332 - Publication or Creation of Materials)~~

~~The district shall not contract for consulting services that can be performed without charge by a public agency or official unless these services are unavailable from the public source for reasons beyond the district's control.~~

All qualified ~~firms or resource persons~~ independent contractors shall be accorded equal opportunity for ~~consultant~~ contracts regardless of actual or perceived race, ~~creed~~, color, ~~gender~~, national ~~or ethnic~~ origin, ancestry, age or, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, immigration status, or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 220; Government Code 12940)

~~(cf. 3311 - Bids) (cf. 3551 - Food Service Operations/Cafeteria Fund)~~

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

~~(cf. 0415 - Equity)~~

~~(cf. 4030 - Nondiscrimination in Employment)~~

Independent contractors ~~applying for a consultant contract~~ shall submit a written conflict of interest statement disclosing financial interests as determined necessary by the Superintendent or designee, depending on the range of duties to be performed by the consultant. The Superintendent or designee shall consider this statement when deciding whether to recommend approval of the consultant's employment contract.

Any consultant hired by the district who is subject to the filing requirements in the district's conflict of interest code shall file a Statement of Economic Interests within the time period required by law. (Government Code 87302)

~~(cf. 9270 - Conflict of Interest)~~

When employees of a public university, county office of education, or other public agency serve as ~~consultant~~consultants or ~~resource persons~~independent contractors in other capacities for the district, they shall certify as part of the ~~consultant~~ agreement that they will not receive salary or remuneration other than vacation pay from any other public agency for the specific days when they work for ~~this~~the district.

Note: Pursuant to Government Code 12940, certain protections afforded to employees are extended to independent contractors; see BP/AR 4030 - Nondiscrimination in Employment. Government Code 12940 also provides that the district may be held liable for sexual harassment committed against employees by nonemployees, including independent contractors, if the district knew, or should have known, of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.

The Board prohibits the harassment of an independent contractor by any district employee or by any other person with whom the independent contractor comes in contact during the course of employment with the district. Additionally, the Board prohibits the harassment of a district employee by an independent contractor. Any complaint of harassment shall be investigated and resolved in accordance with applicable district complaint procedures. (Government Code 12940) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

10400-10407 Cooperative improvement programs

17596 Limit on continuing contracts

35010 Control of districts; prescription and enforcement of rules

35172(a) Promotional activities

35204 Contract with attorney

44925 Part-time readers employed as independent contractors

45103 Classified service in districts not incorporating the merit system

45103.5 Contracts for food service consulting services

45134-45135 Employment of retired classified employee

45256 Merit system districts; classified service; positions established for professional experts on a temporary basis

GOVERNMENT CODE

12940 Unlawful employment practices

53060 Contract for special services and advice

Management Resources:

INTERNAL REVENUE SERVICE PUBLICATIONS

45-A Employer's Supplemental Tax Guide

82019 Designated employee

87302 Conflict of interest code

LABOR CODE

2750.3 ABC three-part test: employees and independent contractors

UNEMPLOYMENT INSURANCE CODE

606.5 Determination of employment status

621 Employer and employee defined

CODE OF REGULATIONS, TITLE 2

18700.3 Consultant

COURT DECISIONS

Dynamex Operations West, Inc. v. Superior Court of Los Angeles (2018) 4 Cal. 5th 903

S.G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal. 3d 341

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

Policy adopted: April 10, 2007

revised: February 11, 2020

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

All Personnel

AR 4030

NONDISCRIMINATION IN EMPLOYMENT

Note: Pursuant to Government Code 11138 and 2 CCR 11023, districts are **mandated** to adopt rules and regulations to ensure that district programs and activities are free from unlawful discriminatory practices. Pursuant to Government Code 12940, protections against discrimination apply to employees, job applicants, persons who serve in unpaid internship or other limited-duration programs to gain unpaid work experience, volunteers, and independent contractors.

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or other person contracted to provide services to the district shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

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

(cf. 1240 - Volunteer Assistance)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 4032 - Reasonable Accommodation)

Note: Many nondiscrimination laws and regulations require identification of an employee who is responsible for compliance with the nondiscrimination laws. For example, pursuant to 34 CFR 104.7, 106.8, and 110.25, the district is required to designate the person(s) responsible for the overall implementation of the requirements of federal laws which prohibit discrimination on the basis of disability, sex, and age, i.e., Section 504 of the Rehabilitation Act of 1973 (29 USC 794), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), and the Age Discrimination in Employment Act (29 USC 621-634). The district should fill in the blanks below to designate the responsible employee and contact information.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to ~~coordinate~~organize and manage the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Laraine Sei, Personnel Technician

PO Box 955, 109 Beckwith Road

Loyalton CA 96118

530-993-1660 Ext. 151

lsei@spjUSD.org

Measures to Prevent Discrimination

Note: Pursuant to Government Code 12940 and 2 CCR 11023, the district is required to take all reasonable steps to prevent unlawful discrimination and harassment. 2 CCR 11023 specifies certain requirements to be included in the district's policy. The following section reflects the requirements of 2 CCR 11023 and other applicable laws or regulations, as indicated.

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

Note: Pursuant to Government Code 12950, districts are required to post the California Department of Fair Employment and Housing's (DFEH) posters entitled California Law Prohibits Workplace Discrimination and Harassment and Transgender Rights in the Workplace, as provided in item #1. DFEH rules require that these materials be posted electronically and in every location where the district has employees (e.g., district office, hiring office, each school site). These posters and the rules for posting are available on the DFEH web site.

In addition, 2 CCR 11049 requires posting a notice of the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth. Also see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.

1. Display in a prominent and accessible location at every work site where the district has employees, and post electronically ~~on computers~~ in a conspicuous location, ~~the on computers for employee use,~~ up-to-date California Department of Fair Employment and Housing (DFEH) posters ~~in regard to on the prohibition of~~ workplace discrimination and harassment ~~and,~~ the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth (Government Code 12950; 2 CCR 11013, 11023, 11049)
(*cf. 4119.11/4219.11/4319.11 - Sexual Harassment*)
(*cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave*)
2. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)
 - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
 - b. Posting them in all district schools and offices, including staff lounges and other prominent locations
 - c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available
(*cf. 1113 - District and School Web Sites*)
(*cf. 1114 - District-Sponsored Social Media*)
(*cf. 4111/4211/4311 - Recruitment and Selection*)
3. Disseminate the district's nondiscrimination policy and administrative regulation to all employees by one or more of the following methods: (2 CCR 11023)
 - a. Printing and providing a copy ~~of the policy~~ to all employees, with an acknowledgment form for each employee to sign and return
 - b. Sending ~~the policy~~ a copy via email with an acknowledgment return form
 - c. Posting ~~the policy~~ a copy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
 - d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session
 - e. Any other way that ensures employees receive and understand the policy
(*cf. 4112.9/4212.9/4312.9 - Employee Notifications*)

4. Provide to employees a handbook which contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to employees who believe they have been the victim of any discriminatory or harassing behavior

Note: **Optional** item #5 below provides for training regarding the district's discrimination policy and reporting procedures. For requirements specifically pertaining to sexual harassment training, see AR 4119.11/4219.11/4319.11 - Sexual Harassment. Pursuant to Government Code 12950.1, as amended by SB 778 (Ch. 215, Statutes of 2019), any district that has five or more employees must provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to all nonsupervisory employees by January 1, 2021 and once every two years thereafter.

5. Provide training ~~to employees, volunteers, and interns~~ regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

The district may also provide bystander intervention training to employees ~~that~~which includes information and practical guidance on how to recognize potentially problematic behaviors and ~~motivates~~which may motivate them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention. (Government Code 12950.2)

(cf. 4131 - Staff Development); (cf. 4231 - Staff Development); (cf. 4331 - Staff Development)

6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law
7. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce (2 CCR 11023)

Complaint Procedure

Note: 2 CCR 11023 **mandates** that a district's policy include a complaint process with specified requirements. Some of the requirements of 2 CCR 11023 are similar to those required under existing case law.

Courts have held that liability may be mitigated for hostile environment employment discrimination when (1) the employer took reasonable care to prevent and promptly correct the discriminatory or harassing conduct (i.e., provided a complaint procedure) and (2) the aggrieved employee unreasonably failed to take advantage of corrective opportunities offered by the employer (i.e., failure to file a complaint). In its June 1999 Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, the Equal Employment Opportunity Commission (EEOC) outlines the elements of an effective complaint procedure to include (1) a clear explanation of the process; (2) protection against retaliation; (3) designation of multiple individuals authorized to receive complaints; (4) a mechanism for prompt, thorough, and impartial investigation; (5) assurance of immediate and appropriate corrective action; and (6) information about time frames for filing charges with EEOC or DFEH.

While EEOC's guidance recommends a "prompt" investigation, neither the law nor EEOC delineates a specific time frame for resolution. EEOC's guidance acknowledges that whether an investigation is considered "prompt" may vary depending on the seriousness and complexity of the circumstances and that intermediate measures may be necessary to prevent further harassment during the investigation.

The following section, including the listed timelines, is consistent with EEOC's guidance and should be modified to reflect district practice.

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** –A complainant may inform a direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman. The ~~employee's~~complainant's direct supervisor may be bypassed in filing a complaint ~~where~~when the supervisor is the subject of the complaint.

The complainant may ~~file a written complaint in accordance with this procedure or may~~ first attempt to resolve the situation informally with the ~~employee's~~complainant's supervisor before filing a written complaint.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, ~~other~~any available evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. **Investigation Process:** The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be ~~revealed~~disclosed as necessary to conduct an effective investigation.

(cf. 3580 - District Records)

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

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

If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to ensure that prevent further incidents ~~are prevented~~. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:**- No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the Superintendent or designee.

A summary of the findings shall be presented to the complainant and the person accused.

4. **Appeal to the Governing Board of Education:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

(cf. 1312.1 - Complaints Concerning District Employees)

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

Other Remedies

Note: Items #1-3 below state the time limits within which complaints must be filed.

EEOC's guidance states that it is important for employers' nondiscrimination policies to contain information about timeframes for filing charges of unlawful discrimination or harassment with EEOC or DFEH. Employees should be informed that the deadline for filing charges starts to run from the last date of the unlawful act, not from the conclusion of the district's complaint investigation. Pursuant to DFEH procedures, DFEH will automatically forward any complaint it has accepted for investigation to EEOC when the matter falls within EEOC's jurisdiction.

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either DFEH or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

Note: As amended by AB 9 (Ch. 709, Statutes of 2019), Government Code 12960 extends the period of time in which a complaint alleging employment discrimination pursuant to Government Code 12940-12952 may be filed with DFEH, from one year to three years following the alleged discriminatory act(s). That period may be extended under certain circumstances. Districts should consult legal counsel if any questions arise.

1. For filing a complaint with DFEH alleging a violation of Government Code 12940-12952, within ~~one year~~three years of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)

~~2.~~ _____ ~~To~~

Note: 42 USC 2000e-5 specifies that a person must file a ~~valid~~discrimination complaint ~~directly~~ with EEOC; within 180 days of the alleged discriminatory act(s) ~~(42 USC 2000e-5)~~. Pursuant to 42 USC 2000e-5, the 180-day timeline for compensation discrimination starts when the discriminatory paycheck is received and that each discriminatory paycheck restarts the timeline for the filing of a complaint.

- ~~2.~~ _____ For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. ~~To file~~For filing a ~~valid~~ complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-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 4033

LACTATION ACCOMMODATION

Note: Pursuant to Labor Code 1034, as added by SB 142 (Ch. 720, Statutes of 2019), districts are **mandated** to develop policy regarding lactation accommodation with specified components, as provided below.

Both federal and state law require that employees be provided reasonable break time and an appropriate location to accommodate their desire to express milk for their infant children. 29 USC 207 requires employers to provide reasonable break time for nursing employees, but applies only to employees who are not exempt from the overtime pay requirements of the Fair Labor Standards Act (FLSA). State law (Labor Code 1030-1034) applies to all district employees. Where provisions of the two laws conflict, the statute providing greater protections for employees supersedes. The district should consult legal counsel if questions arise about the application of these laws to a particular employee.

Government Code 12926 includes breastfeeding or medical conditions related to breastfeeding within the definition of "sex" for purposes of sex discrimination under the California Fair Employment and Housing Act. Additionally, Labor Code 1033, as amended by SB 142, prohibits an employer from discharging or in any manner discriminating or retaliating against an employee for exercising or attempting to exercise any right related to lactation accommodation. Pursuant to Labor Code 1033, violation of Labor Code 1030-1034 may result in a citation from the Labor Commissioner and/or a civil penalty.

The district should ensure consistency of this policy with provisions in the district's collective bargaining agreement, if any, related to break times or other employment issues.

The Governing Board recognizes the immediate and long-term health benefits of breastfeeding and desires to provide a supportive environment for any district employee to express milk for an infant child upon returning to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee for seeking an accommodation to express breast milk for an infant child while at work.

(cf. 4030 - Nondiscrimination in Employment)

Note: Labor Code 1034, as added by SB 142, **mandates** that the district's policy regarding lactation accommodation include the process by which the employee is to make a lactation accommodation request and the district's obligation to respond to the request. The following paragraph should be modified to reflect the district's process.

An employee shall notify the employee's supervisor or other appropriate personnel in advance of the intent to request an accommodation. The supervisor shall respond to the request and shall work with the employee to make arrangements. If needed, the supervisor shall address scheduling in order to ensure that the employee's essential job duties are covered during the break time.

Note: Pursuant to Labor Code 1032, all districts are required to grant lactation accommodation except when granting the accommodation would "seriously disrupt" district operations. "Serious disruption" is not defined in the law.

Additionally, Labor Code 1031, as amended by SB 142, provides an exception for districts with fewer than 50 employees when lactation accommodation would result in "undue hardship" based on significant difficulty or expense in relation to the size, financial resources, nature, or structure of the district. When such a district is able

to demonstrate undue hardship, Labor Code 1031 only requires that reasonable efforts be made to provide the employee with the use of a room or other location in close proximity to the employee's work area for the employee to express milk in private. Pursuant to Labor Code 1031, the provided room or location may not be a toilet stall.

Regardless of the size of the district, the determination of serious disruption or undue hardship should be made on a case-by-case basis and only in limited, stringent circumstances. The burden of demonstrating why accommodation could not be made, even if on a temporary basis or for less time than requested, would likely fall to the district.

Lactation accommodations shall be granted unless limited circumstances exist as specified in law. (Labor Code 1031, 1032; 29 USC 207)

Note: Labor Code 1034, as added by SB 142, **mandates** that the district's policy include a statement that the district provide a written response to an employee if the district is unable to comply with the break time or location requirements.

Before a determination is made to deny lactation accommodations to an employee, the employee's supervisor shall consult with the Superintendent or designee. When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s). (Labor Code 1034)

Note: Labor Code 1034, as added by SB 142, **mandates** that the district's policy regarding lactation accommodation be distributed to employees as provided in the following paragraph.

The district shall include this policy in its employee handbook or in any set of policies that the district makes available to employees. In addition, the Superintendent or designee shall distribute the policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code 1034)

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

Break Time and Location Requirements

Note: Although 29 USC 207 limits the length of time that a classified employee is entitled to lactation accommodation to one year after the birth of the child, Labor Code 1030 does not set a specific limit on the infant child's age and therefore provides greater benefits to employees.

The district shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child. (Labor Code 1030)

Note: Labor Code 1030 and 29 USC 207 do not require the district to compensate non-exempt employees for breaks taken for the purpose of expressing milk. However, an employee who uses break time already provided by the district as paid time must be compensated for that break time in the same manner as any other employee. Any additional time beyond the authorized paid break time could be uncompensated, provided the employee is completely relieved from duty during that time. If the district instead chooses to provide compensation for such additional break time, it should modify the following paragraph accordingly. The district also may provide flexible scheduling for those employees who choose to work extra time to make up for any uncompensated break time beyond the authorized break time.

To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

Note: Labor Code 1031, as amended by SB 142, requires the district to provide an employee with the use of a room or location, other than a bathroom, to express milk in private. This may include the place where the employee normally works if the location otherwise meets legal requirements, as specified below. Labor Code 1031 authorizes the district to designate a temporary location to express milk if the district is unable to provide a permanent location due to operational, financial, or space limitation, as long as the space is in close proximity to the employee's work area, shielded from view, free from intrusion while breast milk is being expressed, and is otherwise compliant with law.

The employee shall be provided the use of a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the employee's work area. The room or location provided shall meet the following requirements: (Labor Code 1031; 29 USC 207)

1. Is shielded from view and free from intrusion while the employee is expressing milk
2. Is safe, clean, and free of hazardous materials, as defined in Labor Code 6382
3. Contains a place to sit and a surface to place a breast pump and personal items
4. Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump
5. Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing milk in close proximity to the employee's workspace

If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes. (Labor Code 1031)

Dispute Resolution

Note: The following paragraph is **mandated** pursuant to Labor Code 1034, as added by SB 142.

An employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034. (Labor Code 1034)
(*cf.* 4144/4244/4344 - Complaints)

Legal Reference:

EDUCATION CODE

200-262.4 Educational equity; prohibition of discrimination on the basis of sex

CIVIL CODE

43.3 Right of mothers to breastfeed in any public or private location

GOVERNMENT CODE

12926 Definition of sex; breastfeeding

12940 Unlawful discriminatory employment practices

12945 *Unlawful discrimination based on pregnancy, childbirth, or related medical conditions*

LABOR CODE

1030-1034 *Lactation accommodation*

6382 *Procedure for listing hazardous substances*

CODE OF REGULATIONS, TITLE 2

11035-11051 *Unlawful sex discrimination; pregnancy and related medical conditions*

UNITED STATES CODE, TITLE 29

207 *Fair Labor Standards Act; lactation accommodation*

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Rest Periods/Lactation Accommodation, Frequently Asked Questions

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

Lactation Accommodation for Employers

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Lactation Support Program Toolkit

FEDERAL REGISTER

Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079

OFFICE OF THE SURGEON GENERAL PUBLICATIONS

The Surgeon General's Call to Action to Support Breastfeeding, 2011

HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS

The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS

Frequently Asked Questions- Break Time for Nursing Mothers

Fact Sheet #73: Break Time for Nursing Mothers under the FLSA, rev. April 2018

WEB SITES

California Department of Industrial Relations, Division of Labor and Standards Enforcement:

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

California Women, Infants and Children Program: <http://www.wicworks.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Health Resources and Services Administration: <http://www.hrsa.gov>

Office of the Surgeon General: <http://www.surgeongeneral.gov>

U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers:

<http://www.dol.gov/whd/nursingmothers>

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

SIERRA COUNTY OFFICE OF EDUCATION

Policy adopted: February 11, 2020

Sierra County/Sierra-Plumas Joint USD

Board Policy

All Personnel

BP 4151 ~ 4251 ~ 4351

EMPLOYEE COMPENSATION

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

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

(cf. 3100 - Budget)

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

(cf. 4000 - Concepts and Roles)

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

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

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. –These schedules shall comply with law and negotiated collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45028, 45160, 45162, 45268)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

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

(cf. 4030 - Nondiscrimination in Employment)

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

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

(cf. 4312.1 - Contracts)

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

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

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

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

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

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

Overtime Compensation

Note: Pursuant to the FLSA (29 CFR 553.20) and Labor Code 510, employees who are not specifically exempted by law must receive overtime pay at a rate not less than one and one-half times their regular rate of pay for hours worked in excess of 40 hours per work week. Furthermore, Labor Code 510 entitles employees to an overtime pay rate after working eight hours in one day, unless an alternative work week schedule allowed by law is approved. Pursuant to Labor Code 510, if an employee works more than 12 hours per work day or more than eight hours on the seventh consecutive day of work, the employee must be paid twice the regular salary.

On September 24, 2019, the U.S. Department of Labor issued a final rule (29 CFR 541.600) raising the federal salary threshold for this exemption. However, the threshold is higher in California and thus state law prevails. Pursuant to Labor Code 515, executive, administrative, or professional employees are exempt from the overtime rules if their monthly salary is at least twice the state minimum wage for full-time employment. Furthermore, the salary threshold is not affected by any local minimum wage that is higher than the state minimum wage.

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

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one

work week, or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a monthly salary that is at least twice the state minimum wage for full-time employment. (Labor Code 510, 515; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

Note: The following **optional** paragraph is for use by districts that allow employees to take compensatory time off in lieu of overtime compensation and deductions of dues for employee organizations, as authorized by 29 USC 207 and 29 CFR 553.20-553.25. Time off in lieu of overtime compensation is allowed only if provided for in a collective bargaining agreement or other agreement and must be provided at the rate of at least one and one-half hours for each hour of overtime work.

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

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

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

(cf. 3580 - District Records)

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

Legal Reference:

EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

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

515 Overtime exemption for administrative, executive, and professional employees

CODE OF REGULATIONS, TITLE 8

11040 Wages and hours; definitions of administrative, executive, and professional employees

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

UNITED STATES CODE, TITLE 29201-219 Fair Labor Standards Act, especially:203 Definitions207 Overtime213 Exemptions from minimum wage and overtime requirementsCODE OF FEDERAL REGULATIONS, TITLE 261.409A-1 Definitions and covered plansCODE OF FEDERAL REGULATIONS, TITLE 29516.4 Notice of minimum wage and overtime provisions516.5-516.6 Records541.0-541.710 Exemptions for executive, administrative, and professional employees553.1-553.51 Fair Labor Standards Act; applicability to public agenciesCOURT DECISIONSFlores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421*Management Resources:*NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONSNEA and NSBA Joint Guidance on the Tax Consequences of Deferred Compensation – Section 409A of the Internal Revenue Code, January 2008WEB SITESCSBA: <http://www.csba.org>Internal Revenue Service: <http://www.irs.gov>School Services of California, Inc.: <http://www.sscal.com>U.S. Department of Labor, Wage and Hour Division: <https://www.dol.gov/whd>

SIERRA COUNTY OFFICE OF EDUCATION
 SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
 Policy adopted: April 10, 2007
 revised: August 9, 2011
 revised: February 11, 2020

Sierra County/Sierra-Plumas Joint USD

Board Policy

Instruction

BP 6143

COURSES OF STUDY

The Governing Board recognizes that a well-aligned sequence of courses fosters academic ~~progress~~growth and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful ~~in school, college~~academically, professionally, and ~~the workplace~~personally.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

Note: The following optional paragraph should be revised to reflect the grade levels offered by the district. For example, unified school districts need to be concerned about articulation of courses within the district and with postsecondary institutions, whereas elementary districts and high school districts will need to address articulation with each other.

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, ~~he/she also~~the Superintendent or designee shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, only utilizes prerequisites that are essential to success in a given program or course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability or require or refuse participation by any of its students on any such basis. (5 CCR 4940)

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

Elementary Grades

Note: The following section is for use by districts offering elementary grades and may be revised to reflect district practice. Education Code 51225.4 **mandates** elementary school districts to certify to the Superintendent of Public Instruction that they have adopted a policy to implement a course of instruction that sufficiently prepares students for the secondary courses required for graduation pursuant to Education Code 51225.3.

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

Secondary Grades

Note: Education Code 51228 requires districts to offer students in grades 7-12 a course of study that fulfills the requirements and prerequisites for admission to California colleges. Education Code 51228 also requires districts to offer such students the opportunity to attain entry-level employment skills. Pursuant to Education Code 51228, districts that adopt a course of study that meets or exceeds the state model curriculum standards in career technical education will be deemed to have satisfied the requirement.

Education Code 66204 prohibits a public school from establishing any policy or practice that directs any student away from choosing programs that prepare a student academically for college, especially for cultural or linguistic reasons.

The following paragraph is for use by districts maintaining any of grades 7-12 and should be revised to reflect the grade levels offered by the district.

The district shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. (Education Code 51228)

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

(cf. 6141.5 - Advanced Placement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. ~~6162.52 - High School Exit Examination~~ 6178 - Career Technical Education)

(cf. ~~6178 - Career Technical Education~~)

Note: The remainder of this policy is for use by districts maintaining any of grades 9-12.

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years ~~before graduation~~, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities: prior to graduation. (Education Code 51224, 51228)

Note: Among the criteria for admission to the University of California (UC) or California State University system is a requirement that high school students satisfactorily complete 15 units of specified courses ("a-g" courses). These include a growing number of career technical education courses that connect knowledge of academic content with practical or work-related applications.

In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. Education Code 51229 requires that districts annually provide the list of certified courses to students in grades 9-12 and their parents/guardians; see the accompanying administrative regulation and E 5145.6 - Parental Notifications.

The Superintendent or designee shall develop a process by which courses that meet California college admission criteria (referred to as "a-g" course requirements) are submitted to the University of California for review and certification. ~~He/she~~The Superintendent or designee shall maintain an accurate list of all current high school courses that have been so certified, shall ensure that the list is provided annually to ~~each student~~all students in grades 9-12 and their parents/guardians, and shall make updated lists readily available. (Education Code 51229, 66204)

*Legal Reference:*EDUCATION CODE

33319.3 Driver education; CDE materials on road rage
 33540 Government and civics instruction in interaction with government agencies
 48980 Parental notifications
 51202 Instruction in personal and public health and safety
 51203 Instruction on alcohol, narcotics and restricted dangerous drugs
 51204 Course of study designed for student's needs
 51204.5 Social science instruction; history of California; contributions of various groups
 51210-51212 Course of study for grades 1-6
 51220-51229 Course of study for grades 7-12
 51241 Exemption from physical education
 51911-51921 Comprehensive health education
 51930-51939 Comprehensive sexual health and HIV/AIDS prevention instruction
 51940 Curriculum for brain and spinal cord injury prevention

~~53278-53280 Supplemental School Counseling Program~~

60040-60052 Requirements for instructional materials
 66204 Certification of high school courses as meeting university admission criteria

HEALTH AND SAFETY CODE

11032 ~~Definition~~Definitions of dangerous drugs

CODE OF REGULATIONS, TITLE 5

4940 Nondiscrimination; course access

10020-~~10049~~10043 Automobile driver education and training

10060 Physical education program

UNITED STATES CODE, TITLE 20

~~6101~~6111-6251 School-to-Work Opportunities Act of 1994

*Management Resources:*WEB SITES

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

American Health Association: <https://www.heart.org>

American Red Cross, Hands-Only CPR: <https://www.redcross.org/take-a-class>

California Career Resource Network: <http://www.californiacareers.info>

California Colleges.edu: <http://www.californiacolleges.edu>

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

California State University, Admission Requirements: http://www.csumentor.edu/planning/high_school

University of California, a-g Course Submissions: ~~http://www~~<https://hs-articulation.ucop.edu/a-g-Guide/a-g/guide/update-your-a-g-list/submitting-courses>

course_submissions

University of California, List of Approved a-g Courses: ~~http://www.universityofcalifornia~~ <https://hs-articulation.ucop.edu/admissions/freshman/requirementsagcourselist>

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

Regulation approved: April 10, 2007

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Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Instruction

AR 6143

COURSES OF STUDY

Note: Education Code requirements for courses of study are generally classified into requirements for grades 1-6 and 7-12. Therefore, K-8 districts and high school districts need to collaborate with appropriate area districts to ensure that all required courses are offered sometime during grades 7-12.

Grades 1-6

Note: Items #1-7 below are areas of study required by law for grades 1-6. The Governing Board may add other studies to this list.

Courses of study for grades 1-6 shall include the following:

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)
(cf. 6142.91 - Reading/Language Arts Instruction)
2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)
(cf. 6142.92 - Mathematics Instruction)
3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)

- a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

- b. The development of the American economic system, including the role of the entrepreneur and labor
- c. The relations of persons to their human and natural environments

- d. Eastern and western cultures and civilizations
 - e. Contemporary issues
 - f. The wise use of natural resources
(*cf. 6142.5 - Environmental Education*)
4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)
(*cf. 6142.93 - Science Instruction*)
 5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)
(*cf. 6142.6 - Visual and Performing Arts Education*)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise #6a-e below to indicate topics that will be addressed in grades K-6.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)
 - a. Fire prevention
 - b. The effects of alcohol, narcotics, drugs, and tobacco upon the human body
(*cf. 5131.6 - Alcohol and Other Drugs*)
7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)
(*cf. 6142.7 - Physical Education and Activity*)
8. Career awareness exploration
(*cf. 6178 - Career Technical Education*)

Grades 7-12

Note: Items #1-11 below are areas of study required by law for grades 7-12. The Board may add other studies to this list.

Courses of study for grades 7-12 shall include the following:

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

(*cf. 6146.5 - Elementary/Middle School Graduation Requirements*)

~~(*cf. 6162.52 - High School Exit Examination*)~~

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)
(*cf. 6142.91 - Reading/Language Arts Instruction*)

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)
- a. The history, resources, development, and government of California and the United States, including instruction in:
 - (1) The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of -these groups in contemporary society (Education Code 51204.5)

Note: Education Code 51221.3 and 51221.4 encourage, but do not require, instruction on the topics described in optional subitems #(2)-(4) below. These items may be modified or deleted to reflect district practice.

For districts that choose to offer such instruction, Education Code 51221.3 and 51221.4 encourage that a component be drawn from personal testimony, especially in the form of oral or video history. If oral histories are used, they must conform to the requirements of Education Code 51221.3 and 51221.4. See BP 6142.94 - History-Social Science Instruction.

- (2) World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time
 - (3) The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war
 - (4) The Bracero program, underin which ~~temporary contract laborers were imported pursuant to there was~~ a 1942 agreement between the United States and Mexico authorizing the temporary migration of laborers to the United States
- b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions
 - c. The development of the American economic system, including the role of the entrepreneur and labor
 - d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)
(*cf.* 6142.5 - Environmental Education)
 - e. Eastern and western cultures and civilizations

Note: Pursuant to Education Code 51220, instruction related to human rights issues, as provided in item #2f below, may include the study of the Armenian genocide. Education Code 51226.3 encourages the incorporation of oral testimony into instruction in human rights, including the Armenian, Cambodian, Darfur, and Rwandan genocides.

- f. Human rights issues, with particular attention to the study of the inhumanity of genocide (which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides), slavery, and the Holocaust
- g. Contemporary issues
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
(cf. 6142.3 - Civic Education)
(cf. 6142.94 - History-Social Science Instruction)
- 3. Foreign World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)
(cf. 6142.2 - World Foreign Language Instruction)
- 4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)
(cf. 6142.7 - Physical Education and Activity)
- 5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)
(cf. 6142.93 - Science Instruction)
- 6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)
(cf. 6142.92 - Mathematics Instruction)
- 7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)
(cf. 6142.6 - Visual and Performing Arts Education)

Note: The reference to "homemaking" within Education Code 51220, as amended by AB 1595 (Ch. 543, Statutes of 2019), has been changed to "family and consumer sciences."

- 8. Applied arts: consumer education, family and ~~homemaking~~consumer sciences education, industrial arts, general business education, or general agriculture (Education Code 51220)
- 9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)
(cf. 6178 - Career Technical Education)

Note: Education Code 51934 requires that students be provided comprehensive sexual health and HIV prevention instruction at least once in middle school or junior high school and at least once in high school. See BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction for required components of such instruction.

10. Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)
(*cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction*)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise item #11 below to indicate topics that will be addressed in grades 7-12.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)
- a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation (CPR) when appropriate equipment is available
 - b. Fire prevention
 - c. The protection and conservation of resources, including the necessity for the protection of the environment
 - d. Venereal disease
 - e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body ~~and upon prenatal development~~
(*cf. 5131.6 - Alcohol and Other Drugs*)
(*cf. 6142.8 - Comprehensive Health Education*)

Note: Education Code 51220.5 requires the equivalent content of a one-semester course in parenting skills and education in grade 7 and/or 8, subject to funding which was not subsequently appropriated; thus the following paragraph is currently optional.

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education—, including, but not limited to, child growth and development, parental responsibilities, household budgeting, child abuse and neglect issues, personal hygiene, maintenance of healthy relationships, teen parenting issues, and self-esteem. (Education Code 51220.5)
(*cf. 5146 - Married/Pregnant/Parenting Students*)

Note: The following paragraph is for use by districts that maintain high schools.

High schools shall offer automobile driver education that includes instruction in: (Education Code 51220, 51220.1, 51220.4)

1. Vehicle Code provisions and other relevant state laws

2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles
5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle
7. The rights and duties of a motorist ~~pertainingas they pertain~~ to pedestrians and the rights and duties of pedestrians ~~pertainingas they pertain~~ to traffic laws and traffic safety

Certification of College Preparatory Courses

Note: The following optional section is for use by districts that maintain grades 9-12 and may be revised to reflect district practice. Among the criteria for admission to the University of California (UC) or California State University system is a requirement that students satisfactorily complete 15 units of specified courses ("a-g" courses). In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. The district or school should develop course descriptions using the templates provided by UC and submit them through UC's online system.

Education Code 51225.37 encourages districts that offer world language courses specifically designed for native speakers to submit those courses to UC for certification and addition to the school's "a-g" course list.

The following paragraph may be revised to reflect the position in the district or school(s) that is responsible for submitting and updating "a-g" courses.

The Superintendent or designee shall identify district courses that may qualify for designation as "a-g" college preparatory courses, including courses in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives ~~that may qualify for designation as "a-g" college preparatory courses. He/she shall submit course information to the University of California (UC) including, but not necessarily limited to, the course title, subject area, grade level(s), unit value, a brief course description, prerequisites and co-requisites, texts and supplemental instructional materials used in the course, whether the school is seeking designation of the course as an honors course, and whether the course is classified as a career technical education or regional occupational program course. He/she also shall electronically submit updates to UC whenever course content changes or a course will not be offered in a particular year. The Superintendent or designee shall submit any necessary information regarding each identified course to the University of California (UC) for "a-g" designation.~~

Notification and Information to Students in Grades 9-12

Note: The following section is for use by districts that maintain grades 9-12.

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. A brief explanation of the course requirements for admission to UC and the California State University (CSU)

Note: The UC maintains a searchable web site that lists certified "a-g" courses for all regular California public high schools; see the management resources in the accompanying Board policy.

2. A list of the current UC and CSU web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of the CDE web site where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

Note: Education Code 51225.8 requires districts, beginning with the 2020-21 school year, to provide specified information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the Dream Act application, as appropriate, at least once before grade 12. At the district's discretion, the information provided may be disseminated through in-class instruction, an existing program, family information sessions, group or individual sessions with school counselors, or other appropriate means.

The Superintendent or designee shall provide information to students and parents/guardians regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) and/or the Dream Act application at least once before grade 12. (Education Code 51225.8)

(cf. 5145.6 - Parental Notifications)

(cf. 6164.2 - Guidance/Counseling Services)

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

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Sierra County/Sierra-Plumas Joint USD

Board Policy

Instruction

BP 6154

HOMEWORK/MAKEUP WORK

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

The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time and assist students in developing good study habits. Homework shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.

The Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians.

Note: The following optional paragraph may be revised to specify the average number of minutes of homework that may be expected per day at each grade level, or the district may adopt an administrative regulation that contains such guidelines.

Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.

(cf. 6011 - Academic Standards)

As needed, teachers may receive training in designing relevant homework assignments that reinforce classroom learning objectives.

(cf. 4131 - Staff Development)

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

Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.

Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, learn to work independently, and develop good personal study habits.

At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines ~~also~~ shall also be included in student and/or parent/guardian handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.

Although it is the student's responsibility to undertake assignments independently, parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed. When a student repeatedly fails to complete ~~his/her~~ homework, the teacher shall notify the student's parents/guardians as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

Note: The following paragraph should be revised to reflect district practice. Pursuant to Education Code 8482.3, before-school and after-school programs operated under the After School Education and Safety Program (Education Code 8482-8484.65) and/or the federal 21st Century Community Learning Center program (Education Code 8484.7-8484.9; 20 USC 7171-7176) are required to include an educational and literacy component in which tutoring or homework assistance is provided in language arts, mathematics, history-social science, computer training, and/or science. If the district offers a before-school or after-school program under the 21st Century High School After School Safety and Enrichment for Teens program for grades 9-12 (Education Code 8420-8428; 20 USC 7171-7176), the program must include an academic assistance program, which may include homework assistance. See AR 5148.2 - Before/After School Programs. In addition, some districts offer a supervised study hall elective which high school students can take instead of other electives.

To further support students' homework efforts, the Superintendent or designee may establish and maintain ~~telephone help lines~~electronic forums, provide access to school library media centers and technological resources, and/or provide before-school and after-school programs where students can receive homework assistance from teachers, volunteers, and/or student tutors. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

(cf. 1240 - Volunteer Assistance)

(cf. 1700 - Relations between Private Industry and the Schools)

(cf. 3541 - Transportation Routes and Services)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6112 - School Day)

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

(cf. 6163.1 - Library Media Centers)

Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.

Makeup Work

Note: Pursuant to Education Code 48205, students who miss school work because of an excused absence must be given full credit for makeup work satisfactorily completed within a reasonable period of time. State law does not require districts to give full credit for makeup work following an unexcused absence. However, CSBA's governance brief Research-Supported Strategies to Improve the Accuracy and Fairness of Grades recommends that student absence be dealt with separately from determining students' academic understanding and progress. Thus, the following paragraph provides for full credit to be awarded for satisfactory completion of makeup work regardless of the reason for the absence, an approach which is consistent with BP/AR 5121 - Grades/Evaluation for Student Achievement. Also see BP/AR 5113.1 - Chronic Absence and Truancy for strategies to address excessive excused and/or unexcused absences. The district may revise the following paragraph to reflect district practice, provided that it ensures compliance with Education Code 48205.

Students who are absent from school shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be ~~reasonably~~equivalent to, but not necessarily identical to, the assignments and tests missed

during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.

(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall notify parents/guardians that no student may have his/hers grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

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

(cf. 5145.6 - Parental Notifications)

Suspended Students

Note: Education Code 48913.5, as added by AB 982 (Ch. 779, Statutes of 2019), requires that when a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework.

When a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework. If a homework assignment is requested and is turned in to the teacher by the student either upon the student's return from suspension or within the timeframe originally prescribed by the teacher, whichever is later, and is not graded before the end of the academic term, the homework assignment shall not be included in the calculation of the student's overall grade in the class. (Education Code 48913.5)

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

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

Legal Reference:

EDUCATION CODE

8420-8428 *21st Century High School After School Safety and Enrichment for Teens*

8482-8484.65 *After School Education and Safety Program*

8484.7-8484.9 *21st Century Community Learning Centers*

48205 *Absences for personal reasons*

48913 *Completion of work missed by suspended student*

48913.5 *Homework assignments for suspended students*

48980 *Parental notifications*

UNITED STATES CODE, TITLE 20

7171-7176 *21st Century Community Learning Centers*

Management Resources:

CSBA PUBLICATIONS

Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief, July 2016

WEB SITES

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

California State PTA: <http://www.capta.org>

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

Policy adopted: April 10, 2007

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Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Instruction

AR 6174

EDUCATION FOR ENGLISH LEARNERS

Definitions

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

Designated English language development means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR 11300)

Integrated English language development means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English. (5 CCR 11300)

Native speaker of English means a student who has learned and used English at home from early childhood and English has been the primary means of concept formation and communication. (Education Code 306)

Identification and Assessments

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

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code 52164.1; 5 CCR 11307, [11518.5](#))

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

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California

public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). Prior to administering the ELPAC, the Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC. (Education Code 313, 52164.1; 5 CCR 11518.5)

Note: 5 CCR 11518.35 specifies "universal tools" that may be used with all students in ELPAC administration, and "designated supports" and "accommodations" that may be used with students with disabilities when specified in their individualized education program or Section 504 plan.

The Individuals with Disabilities in Education Act (20 USC 1412) requires that students with disabilities be included in all state assessments, including the ELPAC as appropriate. Pursuant to 5 CCR 11518.30, students with the most significant cognitive disabilities who cannot participate in the assessment, even with appropriate accommodations, must be given an alternate assessment of English proficiency. 34 CFR 200.16 provides that, if an English learner with a disability is unable to take the assessment with accommodations, the state accountability system must include the student's score on any part(s) of the test for which it is possible to assess the student (i.e., speaking, reading, listening, writing).

Pursuant to Education Code 56305, CDE has developed a manual, California Practitioners' Guide for Educating English Learners with Disabilities, which provides guidance on identifying, assessing, supporting, and reclassifying English learners with disabilities.

~~Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during a four month period after January 1 as determined by the California Department of Education. (Education Code 313)~~

Administration of the ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.35.

(cf. 6159 - Individualized Education Program)

(cf. 6162.51 - State Academic Achievement Tests)

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

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

Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to their parents/guardians must be written in English and in the primary language and may be answered by the parent/guardian in either language.

Based on the initial assessment, the student shall be classified either as initially fluent in English proficient or as an English learner. The Superintendent or designee shall notify the student's parent/guardian, in writing, of the results of the ELPAC initial assessment within 30 calendar days after the student's date of initial enrollment, or, if administered prior to the student's initial date of enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the student's initial enrollment. The notice shall indicate whether the student met the ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification. (5 CCR 11518.5)

~~Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during~~

a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

The Superintendent or designee shall notify parents/guardians of their child's results on the summative assessment of the ELPAC within 30 calendar days following receipt of the results from the test contractor or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year. (Education Code 52164.1; 5 CCR 11518.15)

(cf. 5145.6 - Parental Notifications)

Note: The following paragraph is for use by districts that receive federal funds under either Title I or Title III for services to English learners, and may be adapted for use by other districts. Pursuant to Education Code 440 and 20 USC 6312, districts receiving Title I or Title III funds are required to provide parents/guardians with notification of their child's identification as an English learner and placement in a language acquisition program.

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of the student's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

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

Note: Education Code 313.2 requires that the notice contain information in regard to (1) whether the student is a long-term English learner, or English learner at risk of becoming a long-term English learner, and (2) the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help them develop English proficiency and achieve academic standards. Districts may send an alternate notice if the definitions of long-term English learners and those at risk of becoming long-term English

learners used by the district are broader than those defined in Education Code 313.1, the notice states that the definitions utilized by the district are broader, and the notice contains the information specified in item #4 below.

4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards
5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available
7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Language Acquisition Programs

Note: Pursuant to 5 CCR 11311, districts are required to establish a process for schools to receive and respond to requests from parents/guardians of enrolled students, and those enrolled for attendance in the next school year, to establish a language acquisition program other than, or in addition to, those already available at the school. Each school is required to follow the process even when the district provides the language acquisition program at another school site. The following section includes the components of the process required by 5 CCR 11311 and may be expanded to reflect district practice.

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code 310, such requests shall be addressed through the following process: (5 CCR 11311)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.
2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.
3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:
 - a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program

- b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals
- c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators
- d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child. The notice shall also include the following: (5 CCR 11309, 11310)

1. A description of the programs provided, including structured English immersion
2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English
3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development
4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals
5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language
6. The process to request establishment of a language acquisition program not offered at the school
7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

The district shall ~~continue to~~ provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers ~~until they:~~ and academic deficits in other areas of the core curriculum. (5 CCR 11302)

Reclassification/Redesignation

1. ~~Demonstrate English language proficiency comparable to that of the district's average native English language speakers~~

~~2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers~~

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

Note: Education Code 313 and 52164.6 and 5 CCR 11303 require that the district's reclassification process include, at a minimum, the criteria specified in items #1-4 below. Additional guidance is available on CDE's web site. The district may expand the following list to reflect any additional criteria it has established.

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

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC

Note: Pursuant to Education Code 313.3, CDE is required to develop, by June 30, 2020, a standardized teacher observation protocol for use in evaluating a student's English language proficiency, as required by item #2 below, as well as professional development tools to train teachers on the use of the protocol.

2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian involvement, including:
 - a. Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate
 - b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification process

Note: Pursuant to Education Code 313, the fourth criterion requires comparison of student performance on an objective assessment of basic skills that provides an empirically established range of performance of English proficient students of the same age. A letter from CDE to district superintendents (Reclassification Guidance for 2017-18) dated April 28, 2017 clarifies that the Smarter Balanced Summative Assessment may be used as a local measure of the fourth criterion, or districts may select another local assessment. CDE correspondence, which is available on its web site, provides examples of appropriate measures.

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

The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR 11305)

(cf. 5125 - Student Records)

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

Note: Pursuant to 20 USC 6841, districts receiving federal Title III funding are required to report to CDE the number and percentage of English learners, including English learners with a disability, meeting state academic standards for each of four years after they are no longer receiving services under Title III. In the Federal Program Monitoring process, CDE reviews whether the district monitors the progress of reclassified students for a minimum of four years to ensure correct classification and placement of reclassified students and the provision of additional academic support as needed. Districts that do not receive Title III funding may revise the following paragraph to reflect district practice.

The Superintendent or designee shall monitor students for at least ~~two~~four years following their reclassification to ensure correct classification and placement and to determine whether any additional academic support is needed.

Advisory ~~Committee~~Committees

Note: The following section should be revised to reflect district practice. Pursuant to 5 CCR 11308, an advisory committee on programs and services for English learners is required for any district with over 50 English learners and for each school with over 20 English learners. Duties of the advisory committees are specified in Education Code 52176 and 5 CCR 11308.

A school-level English Learner Advisory Committee (ELAC) shall be established at the district level when there are more than 50 English learners in the district and at the school level when there are more than 20 English learners at the school. Parents/guardians of English learners, elected by parents/guardians of English learners at the school, shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership. (Education Code 52176; 5 CCR 11308)

The district's ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents/guardians aware of the importance of school attendance, and advising the principal and school staff in the development of a detailed master plan for English language learners for the individual school and submitting the plan to the Governing Board for consideration for inclusion in the district master plan. (Education Code 52176)

Note: Pursuant to 5 CCR 11308, each school-level English Learning Advisory Committee (ELAC) is entitled to elect at least one member to the District English Learner Advisory Committee (DELAC). If there are more than 30 ELACs in the district, the district may use a system of proportional or regional representation. The following paragraph may be revised to reflect district practice.

When the district has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents/guardians of English learners who are not employed by the district. Alternatively, the district may use a subcommittee of an existing districtwide advisory committee on which parents/guardians of English learners have membership in at least the same percentage as English learners represent of the total number of students in the district. (Education Code 52176)

Note: 5 CCR 11308 delineates the duties of the DELAC, as provided below. The list of DELAC duties on CDE's web site omits item #5, administration of the annual language census.

The DELAC shall advise the Board of Education on at least the following tasks: (5 CCR 11308)

1. The development of Developing a district master plan for education programs and services for English learners, taking into consideration the school site plans for English learners

2. ~~The~~Conducting a districtwide needs assessment on a school-by-school basis
3. ~~Establishment of~~Establishing a district program, goals, and objectives for programs and services for English learners
4. ~~Development of~~Developing a plan to ensure compliance with applicable teacher or instructional aide requirements
5. ~~Administration of~~Administering the annual language census
6. ~~Review of~~Reviewing and ~~comment~~commenting on the district's reclassification procedures
7. Reviewing and commenting on the required written parental notifications
(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

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

LCAP Advisory Committee

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

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 11301, 15495)
(cf. 0460 - Local Control and Accountability Plan)

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

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

Administrative Regulation

Instruction
AR 6175

MIGRANT EDUCATION PROGRAM

Note: The following **optional** administrative regulation reflects requirements of the migrant education program established pursuant to federal Title I, Part C (20 USC 6391-6399) and Education Code 54440-54445 and should be revised to reflect the district's agreement with the regional service center.

Eligibility

Note: Student eligibility for migrant education services is based on criteria delineated in 20 USC 6399 and 34 CFR 200.81. Eligibility is established through an interview conducted by a migrant education recruiter, who is employed by either the regional service center or district and has received specialized training and authorization to identify and recruit families for the migrant education program. Recruitment and identification procedures are detailed in the California Department of Education's (CDE) 2017 State Service Delivery Plan.

Pursuant to 34 CFR 200.89, regional service centers are required to annually validate eligibility through the re-interview of parents/guardians of a randomly selected sample of students previously identified as migrant.

Students age 3 to 21 years shall be eligible for the district's migrant education program if they, their parents/guardians, or their spouses are migratory agricultural workers or fishers who, in the preceding 36 months, moved into the district due to economic necessity and engaged in new temporary or seasonal employment or personal subsistence in agriculture or fishing. If such employment was not secured soon after the move, students may be considered migrant students if they, their parents/guardians, or their spouses actively sought such new employment and have a recent history of moves for temporary or seasonal agricultural or fishing employment. (20 USC 6399; 34 CFR 200.81)

Note: The last sentence of the following paragraph should be deleted by districts that do not offer classes at the secondary level.

A student who ceases to be a migrant student during a school term shall be eligible for services until the end of the term. If comparable services are not available through other programs, a student who is no longer migratory may continue to receive services for one additional school year. Students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation. (20 USC 6394)

Enrollment

Note: The following section reflects enrollment rights granted to migrant students pursuant to Education Code 48204.7, as added by AB 1319 (Ch. 458, Statutes of 2019).

A migrant student shall be immediately enrolled in the district even if the student: (Education Code 48204.7)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
(*cf. 5125.2 - Withholding Grades, Diploma or Transcripts*)
2. Does not have clothing normally required by the school, such as school uniforms
(*cf. 5132 - Dress and Grooming*)
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, medical records, including, but not limited to, records or other proof of immunization history, or other documentation
(*cf. 5111.1 - District Residency*)
(*cf. 5141.26 - Tuberculosis Testing*)
(*cf. 5141.31 - Immunizations*)
(*cf. 5141.32 - Health Screening for School Entry*)

If a migrant student experiences a change in residence, the student may remain enrolled in the school of origin for the duration of the student's status as a migrant student. (Education Code 48204.7)

If a student's status as a migrant student changes during a school year, the Superintendent or designee shall allow the student to continue at the school of origin through the duration of that school year or, if the student is enrolled in a high school, through graduation. (Education Code 48204.7)

A migrant student who is transitioning between school grade levels shall be allowed to continue in the district of origin in the same attendance area to provide the student the benefit of matriculating with peers in accordance with the established feeder patterns of school districts. A migrant student who is transitioning to a middle school or high school designated for matriculation in another school district shall be allowed to enroll in that school. (Education Code 48204.7)

The Superintendent or designee shall inform a migrant student and the student's parent/guardian of the impact of remaining in the school of origin on the student's eligibility to receive migrant education services pursuant to Education Code 54440-54445. (Education Code 48204.7)

The Superintendent or designee may, but is not required to, provide transportation to enable a migrant student to attend the school of origin, unless otherwise required by federal law. (Education Code 48204.7)

Student Records

Note: Pursuant to 34 CFR 200.89, CDE and agencies operating migrant education programs must maintain a Certificate of Eligibility form and any additional documentation needed to confirm each student's eligibility.

Education Code 234.7 prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members, except as required by law or to administer a state or federally supported educational program. If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing that information to U.S. Immigration and Customs Enforcement. See BP/AR 5145.13 - Response to Immigration Enforcement.

The Superintendent or designee shall maintain records documenting the eligibility of students enrolled in the district's migrant education program. However, the district shall not collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining eligibility for migrant education services.

(cf. 5125 - Student Records)

(cf. 5145.13 - Response to Immigration Enforcement)

Note: 20 USC 6398 requires districts receiving migrant education funds to make student records available at no cost to another district that requests the records, if the request is made to meet the needs of a migrant student. State law requiring the transfer of records for all students is reflected in BP/AR 5125 - Student Records. In California, the Migrant Student Information Network, developed and maintained by WestEd, assists CDE and each regional center with migrant student data collection and reporting.

The Superintendent or designee shall acquire education and health records from migrant students' previous school districts, as appropriate.

When a migrant student transfers to another district, the student's records shall be provided to the receiving district upon request at no cost in order to assist that district in meeting the needs of the student. (20 USC 6398)

Program Components

Note: The following section may be revised to reflect the district's service agreement with the regional service center.

The migrant education program shall include all of the following components: (Education Code 54443.1)

1. A general needs assessment summarizing the needs of the population to be served
2. A comprehensive program to meet the educational, health, and related needs of participating students which supplements the district program and includes, but is not limited to:
 - a. Instructional services, including academic, remedial and compensatory, bilingual-crosscultural, and career technical instruction
(cf. 6174 - Education for English Learners)
(cf. 6177 - Summer Learning Programs)
(cf. 6178 - Career Technical Education)
 - b. Counseling and career education services
(cf. 6164.2 - Guidance/Counseling Services)
 - c. Preschool services in accordance with Education Code 54443
(cf. 5148.3 - Preschool/Early Childhood Education)

- d. Other educational services that are not otherwise available in sufficient quantity or quality to eligible migrant students
 - e. The acquisition of instructional materials and equipment necessary to adequately provide the appropriate services
 - f. Other related services to meet the special needs of eligible migrant students to enable them to participate effectively in instructional services
 - g. The coordination and teaming of existing resources serving migrant students, such as bilingual-crosscultural education, health screening, and compensatory education
(*cf. 5141.6 - School Health Services*)
(*cf. 5147 - Dropout Prevention*)
(*cf. 6171 - Title I Programs*)
3. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment, including assessments concurrently provided pursuant to compensatory education, bilingual-crosscultural education, school improvement programs, and other programs serving the student
 4. A brief individual learning plan listing the services to be provided to each student, which shall be given to the parent/guardian in writing or at a parent/guardian conference, annually and when the student moves to a new district
 5. Staffing and staff development plans and practices to meet the needs of students and implement the program
(*cf. 4131 - Staff Development*)
(*cf. 4231 - Staff Development*)
(*cf. 4331 - Staff Development*)
 6. Parent/guardian and community involvement as specified in Education Code 54444.2, including, but not necessarily limited to, the establishment of a parent/guardian advisory council to actively involve parents/guardians in planning, operating, and evaluating the district's migrant education program
(*cf. 1220 - Citizen Advisory Committees*)
(*cf. 6020 - Parent Involvement*)

Note: 20 USC 6394 requires "the same" parent involvement in migrant education programs as is required for Title I programs for disadvantaged students (see BP/AR 6020 - Parent Involvement), unless extraordinary circumstances make such provision impractical.

The migrant education program shall provide for the same opportunities for parent/guardian involvement that are provided to parents/guardians for federal Title I programs. (20 USC 6394)

7. Evaluations which include annual student progress and overall program effectiveness and quality control reports

Note: The following **optional** paragraph is for use by districts that offer a Migrant Education Even Start family literacy program pursuant to 20 USC 6381-6381k and 34 CFR 200.80 and may be revised to reflect district practice.

Contingent upon funding, the district shall provide home-based and/or school-based family literacy services to migrant families to enhance literacy levels, parenting skills, and English language skills of parents/guardians.

Summer School

Note: Pursuant to Education Code 54444.3, each district receiving federal migrant education funding is required to conduct summer school programs for eligible migrant students. Before establishing the program, the district must submit an application for approval to the Superintendent of Public Instruction. The following section may be revised to reflect the grade levels offered by the district.

The district shall conduct summer school program(s) for eligible migrant students. The summer school program shall respond to the individual needs of participating students and shall build on and be consistent with the instructional programs offered to these students during the regular school year. Coursework shall be of the same level of difficulty in each subject as that provided to students enrolled in regular classes of instruction within the district in the preceding year. (Education Code 54444.3)

Teachers in the summer school program shall have cultural training or background and understanding of the special needs of migrant students and possess the proper credential for the subjects and grade levels to which they are assigned. (Education Code 54444.3)

The program shall comply with the following requirements for instructional time: (Education Code 54444.3)

1. For kindergarten class, a minimum of 180 minutes per day, including recesses, for not less than 20 instructional days
2. For grades 1-8, a minimum of 200 minutes per day, including recesses and passing time but excluding noon intermissions, for not less than 20 instructional days
3. For grades 7-12, a minimum of 240 minutes per day, including passing time but excluding noon intermissions, for not less than 30 instructional days

When district facilities that are suitable for the summer climate are available, the district shall make facilities available at cost to other agencies that request facilities for the operation of migrant summer school programs. When approved by the Superintendent of Public Instruction, the district may jointly offer facilities with a neighboring district to meet the needs of the migrant summer school program for the entire area. (Education Code 54444.3)

Applicability of Graduation Requirements

Note: The following section is for use by districts maintaining high schools.

To obtain a high school diploma, migrant students shall complete all courses required by Education Code 51225.3 and shall generally fulfill any additional local graduation requirements prescribed by the Board.

(cf. 6146.1 - High School Graduation Requirements)

Note: Whenever a migrant student transfers between districts or schools in grades 11-12, Education Code 51225.1 exempts such students from the requirement to complete district-established graduation requirements that are in addition to the state requirements, under the conditions described below. Also see BP 6146.1 - High School Graduation Requirements.

However, when a migrant student who has completed the second year of high school transfers into the district or transfers between high schools within the district, the student shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the transfer, the Superintendent or designee shall notify the student and the student's parent/guardian of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student no longer meets the definition of a migrant student. (Education Code 51225.1)

(cf. 5145.6 - Parental Notifications)

To determine whether a migrant student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer or the length of school enrollment, whichever qualifies the student for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any migrant student who is granted an exemption and the student's parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a migrant student to transfer schools in order to qualify for an exemption, and no request for a transfer solely to qualify for an exemption shall be made by a migrant student or parent/guardian. (Education Code 51225.1)

If a migrant student is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a migrant student if the student is still enrolled in school or transfers to another school or district. (Education Code 51225.1)

Upon making a finding that a migrant student is reasonably able to complete district graduation requirements within a fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform the student and parent/guardian of the student's option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution
2. Provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student or parent/guardian, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Parent Advisory Council

The parent advisory council shall be comprised of members who are knowledgeable of the needs of migrant students and shall be elected by the parents/guardians of students enrolled in the district's migrant education program. The composition of the council shall be determined by the parents/guardians at a general meeting to which all parents/guardians of participating students shall be invited. The parents/guardians shall be informed, in a language they understand, that they have the sole authority to decide on the composition of the council. (Education Code 54444.2)

At least two-thirds of the advisory council shall consist of parents/guardians of migrant students. (Education Code 54444.2)

All parent/guardian candidates for the council shall be nominated by parents/guardians. Nonparent candidates, such as teachers, administrators, other school personnel, or students, shall be nominated by the groups they represent. All other community candidates shall be nominated by the parents/guardians. (Education Code 54444.2)

The parent/guardian advisory council shall meet at least six times during the year and shall: (Education Code 54444.4)

1. Establish program goals, objectives, and priorities
2. Review annual needs assessments, program activities for each school, and individual learning plans
3. Advise on the selection, development, and reassignment of migrant education program staff
4. Participate actively in planning and negotiating program applications and service agreements
5. Perform all other responsibilities required under state and federal laws or regulations

The Superintendent or designee shall establish and implement a training program for advisory council members to enable them to carry out their responsibilities. The training program shall be

developed in consultation with the council and shall include appropriate training materials in a language understandable to each member. (Education Code 54444.2)

The Superintendent or designee shall provide the council, without charge, a copy of all applicable state and federal migrant education statutes, rules, regulations, guidelines, audits, monitoring reports, and evaluations. Upon request, these materials also shall be provided without charge to each member of the council. (Education Code 54444.2)

Notification and Complaints

Note: Education Code 51225.1 and 51225.2 provide that complaints of noncompliance with specified requirements related to the educational rights of migrant students may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4670. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Information regarding the educational rights of migrant students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the district has not complied with requirements regarding the education of migrant students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.
(cf. 1312.3 - Uniform Complaint Procedures)

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