

AGENDA FOR THE SPECIAL MEETING OF THE
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
August 28, 2012 - 6:00 pm
Loyalton Middle School, Room 4, Loyalton, California

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

Public inspection of agenda documents that are distributed to the Board less than 72 hours before the meeting, will be made available at Sierra-Plumas Joint Unified School District, 305 S. Lincoln Street, Sierraville, CA 96126 and, when feasible, attached to the online agenda at <http://www.sierracountyofficeofeducation.org> (Government Code 54957.5)

- A. CALL TO ORDER
- B. ROLL CALL
- C. FLAG SALUTE
- D. APPROVAL OF THE AGENDA
- E. PUBLIC COMMENT

Special Meeting Agenda Items only, please.

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 listed on this agenda. Five minutes may be allotted to each speaker and a maximum of twenty minutes to each subject matter. (Education Code 35145.5; Bylaw 9322; Government Code 54954.3)

F. ACTION ITEMS

1. New Business

- a. Authorization to hire Laura Salva, certificated teacher, grades 4-6, Downieville School, effective 8/23/2012
- b. Adoption of Resolution No. 12-008, Fiscal Year End 2011-2012 Budget Revision**
- c. Approval of Administrative Regulation and Exhibit 1312.3, Uniform Complaint Procedures, Revision**
- d. Authorization to add two paid contract days for certificated employee, Claire Schumacher, for in-service training on the new K-12 ISP curriculum.
- e. Authorization to contract with Randy Hill Construction, Inc., for Loyalton High School roof, Lease Lease-Back agreement*

G. ADVANCED PLANNING

- 1. Next Regular Board Meeting will be held on September 11, 2012, at Loyalton Middle School, Loyalton, California, at 6:00 pm.
- 2. Suggested Agenda Items
 - a. _____


Stanford J. Hardeman, Superintendent

**SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 12-008**

Fiscal Year End 2011-2012 Budget Revision

WHEREAS, the 2011-2012 budget was adopted June 14, 2011, and

WHEREAS, unanticipated income and liabilities providing changes to the budget expenditures necessitate intrafund transfers,

WHEREAS, it is necessary from time to time during a fiscal year to amend the Budget in accordance with Section 42600 of the California Education Code, and

WHEREAS, it is necessary at the close of any school year to transfer between funds to permit payment of obligations at close of year in accordance with Section 42601 of the California Education Code, and

WHEREAS, it is necessary from time to time during a fiscal year to use unbudgeted fund in accordance with Section 42602 and make appropriation of excess funds in accordance with Section 42610 of the California Education Code, and

NOW, THEREFORE, BE IT RESOLVED, that the attached year end 2011-2012 Budget Revision is made in accordance with California Education Code 42600, 42601, 42602, and 42610.

Passed and adopted at a special meeting of the Sierra-Plumas Joint Unified School District Governing Board, August 28, 2012, by the following vote:

AYES:	DRYDEN, MOORE, WRIGHT, YORK
NOES:	NONE
ABSTENTIONS:	NONE
ABSENT:	NONE
VACANT:	ONE

Todd York, Clerk

Budget Transfer Link # 36229

Budget Transfer # BR12-00024		Status Posted	Type BudRev	Transaction Date 06/30/2012			
Created RASQUITH, 8/22/2012		Posted RASQUITH, 8/22/2012					
Requisition #		Location	Department	Source Manual			
Line Seq	Comment	Year End Category Budget Revisions	Account #	Comments	Acct Type	Increase	Decrease
1			40-7850-0-0000-8500-6200-051-550-000	Year End Category Budget Revisions	E		
2			40-7850-0-0000-9100-7699-051-550-000	Year End Category Budget Revisions	E	56,613.00	56,613.00
<p style="text-align: center;">BT # BR12-00024 Net Change to Expense BT # BR12-00024 Net Change to Revenue BT # BR12-00024 Net Change to Starting Balance BT # BR12-00024 Net Change to Fund Balance</p>							
<p><i>To reclass cost where District is acting as an intermediary in a construction project and is to be reimbursed.</i></p>							

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Uniform Complaint Procedures

AR 1312.3

Community Relations

The Board ensures that the complainants are protected from retaliation and that the identity of a complainant alleging discrimination will remain confidential as appropriate. (5 CCR §4621)

Compliance Officers

The following compliance officer(s) shall receive and investigate complaints and shall ensure district compliance with law:

Administrator, Loyalton Elementary School
111 Beckwith Street
Loyalton CA 96118
530 993-4482

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 9124 - Attorney)

Notifications

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable

3. Advise the complainant of the appeal process pursuant to Education Code 262.3, including the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies
4. Include statements that:
 - a. The district is primarily responsible for compliance with state and federal laws and regulations.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. An unlawful discrimination complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination.
 - d. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 days of receiving the district's decision.
 - e. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
 - f. Copies of the district's uniform complaint procedures are available free of charge.

Procedures

The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs or has committed unlawful discrimination.

All complaints shall be investigated and resolved within 60 days of the receipt of the complaint. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of the district's alleged noncompliance with federal or state laws or regulations governing educational programs. (5 CCR 4630)

A complaint concerning unlawful discrimination may be filed only by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint shall be initiated no later than six months from the date when the alleged discrimination occurred, or six

months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. However, upon written request by the complainant, the Superintendent or designee may extend the filing period for up to 90 days. (5 CCR 4630)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Step 2: Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

Within five days of receiving the complaint, the compliance officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The compliance officer also shall collect all documents and interview all witnesses with information pertinent to the complaint.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail ~~ure~~ or ~~refuse~~ ~~al~~ to cooperate in the investigation, or ~~engage~~ ~~ment~~ in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

The District's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. In accordance with law, the district shall provide the investigator with access to records and/or other information related to the allegation in the complaint.—(5 CCR 4631)

Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below, within 60 days of the district's receipt of the complaint. (5 CCR 4631)

Step 5: Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The district's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition
5. Corrective actions, if any are warranted
6. Notice of the complainant's right to appeal the district's decision within 15 days to the CDE and procedures to be followed for initiating such an appeal

In addition, any decision concerning a discrimination complaint based on state law shall include a notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. (Education Code 262.3)

If investigation of a complaint results in discipline to a student or an employee, the decision shall simply state that effective action was taken and that the student or employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

Appeals to the California Department of Education

If dissatisfied with the district's decision, the complainant may appeal in writing to the CDE within 15 days of receiving the district's decision. When appealing to the CDE, the complainant shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the district's decision, the

Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

The CDE may directly intervene in a complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For discrimination complaints based on state law, a complainant shall wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law.

Regulation

approved: April 10, 2007

revised: August 11, 2009

revised: August 10, 2010

revised: June 12, 2012

revised: August 28, 2012

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