

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

June 12, 2012

6:00 pm

Downieville School, Downieville, California

**This meeting will be available for videoconferencing at Loyalton Middle School, Room 4,
Loyalton, CA.**

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

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

Public inspection of agenda documents that are distributed to the Board less than 72 hours before the meeting, will be made available at the Sierra County Board of Education, 305 S. Lincoln Street, Sierraville, CA 96126 and, when feasible, attached to the County's 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. INFORMATION/DISCUSSION ITEMS
 - 1. Correspondence
 - 2. Superintendent's Report
 - a. Employee Recognition – Cathy Stewart
 - b. Secure Rural Schools
 - 3. Business Report
 - a. Board Report-Expenditures by Object 07/01/11 to 5/31/12**
 - 4. Staff Reports (5 minutes)
 - 5. SPTA Report (5 minutes)
 - 6. Board Members' Report (5 minutes)
Health Benefits for Retired Board Members
 - 7. Public Comment – This is an opportunity for members of the public to directly address the governing board on any item of interest that is within the subject matter jurisdiction of the governing board whether or not it is listed on the agenda. Five minutes may be allotted to each speaker and a maximum of twenty minutes to each subject matter. (Education Code 35145.5; Bylaw 9322; Government Code 54954.3)
 - a. Current location
 - b. Videoconference location

F. CONSENT CALENDAR

1. Approval of minutes of the Regular Board meeting held May 8, 2012**
2. Approval of bill warrants for month of May 2012**
3. BOARD POLICIES AND ADMINISTRATIVE REGULATIONS, Items a through l:
 - a. Approval of Board Policy 0410, Nondiscrimination in District Programs and Activities, revision**
 - b. Approval of Board Policy 1250, Visitors/Outsiders, revision**
 - c. Approval of Board Policy 1312.3, Uniform Complaint Procedures, revision**
 - d. Approval of Administrative Regulation 1312.3, Uniform Complaint Procedures, revision**
 - e. Approval of Administrative Regulation 3515.2, Disruptions, revision**
 - f. Approval of Board Policy 4030, Nondiscrimination in Employment, revision**
 - g. Approval of Board Policy 5131, Conduct, revision**
 - h. Approval of Board Policy 5131.2, Bullying, new**
 - i. Approval of Board Policy 5144.1, Suspension and Expulsion/Due Process, revision**
 - j. Approval of Administrative Regulation 5144.1, Suspension and Expulsion/Due Process, revision**
 - k. Approval of Administrative Regulation 5144.2, Suspension and Expulsion/Due Process, Students with Disabilities, revision**
 - l. Approval of Exhibit 5145.6, Parental Notifications, revision**

G. ACTION ITEMS

1. New Business
 - a. Presentation of the Sierra-Plumas Classified Employees' Associations' 2012-2013 initial response to Employer's initial collective bargaining unit proposal*
 - b. Public Hearing: The purpose of the public hearing is to receive public comment on the Sierra-Plumas Classified Employee Associations' initial response to the Employer's 2012-2013 initial collective bargaining unit proposal**
 - c. Presentation of the Confidential Employees initial response to the Employer's 2012-2013 initial proposal for salary, benefits and bargaining offers**

- d. Public Hearing: The purpose of the public hearing is to receive public comment on the Confidential Employees' initial response to the Employers' 2012-2013 initial proposal for salary, benefits and bargaining offers**
- e. Presentation of the Administrative Employees response to the Employer's 2012-2013 initial proposal for salary, benefits and bargaining offers*
- f. Public Hearing: The purpose of the public hearing is to receive public comment from Administrative Employees on the Employer's initial proposal for 2012-2013 salary, benefits and bargaining offers**

H. PUBLIC COMMENT FOR CLOSED SESSION ITEMS

At this time, we open the meeting for any public comments regarding the following Closed Session items:

- 1. Government Code §54957.6, Labor Negotiations, Sierra-Plumas Classified Employees' Association's initial response to Employer's 2012-2013 initial collective bargaining unit proposal
- 2. Government Code §54957.6, Labor Negotiations, Sierra-Plumas Confidential Employees' initial response to Employer's 2012-2013 initial bargaining unit proposal
- 3. Government Code §54957.6, Labor Negotiations, Sierra-Plumas Administrative Employees initial response to Employer's 2012-2013 bargaining unit proposal

I. CLOSE PUBLIC COMMENT / ADJOURN TO CLOSED SESSION

Open Session is now closed. The Board of Trustees will now move into Closed Session to consider and/or take action upon the preceding items.

ADJOURN CLOSED SESSION / RETURN TO OPEN SESSION

REPORT OUT

J. NEW BUSINESS, CONTINUED

- g. Approval of Completion of Bargaining, 2012-2013 school year, Sierra-Plumas Classified Employees' Association**
- h. Approval of Completion of Bargaining, 2012-2013 school year, Confidential Employees**
- i. Approval of Completion of Bargaining, 2012-2013 school year, Administrative Employees**
- j. Approval of Completion of Bargaining, 2012-2013 school year, Sierra-Plumas Teachers' Association**

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- k. Public Hearing for California Department of Education Certification of the Sierra County SELPA Annual Service Plan**
- l. Adoption of the Sierra County SELPA Annual Service Plan**
- m. Approval of Resolution No. 11-010, Fiscal Year End 2011-2012 Budget Revision*
- n. Public Hearing to receive comments regarding the 2012-2013 Sierra County Office of Education proposed budget, pursuant to Ed Code §42103, 42122, 42123 and 42127**
- o. Adoption of 2012-2013 Budget and Criteria & Standards Report**
- p. Approval of Board Bylaw 9250, Remuneration, Reimbursement and Other Benefits**
- q. Approval of Board Bylaw 9323, Meeting Conduct**

K. ADVANCED PLANNING

- 1. Next Regular Board Meeting will be held on July 10, 2012, at Loyalton Middle School, Room 4, Loyalton, California, at 6:00 pm.
- 2. Suggested Agenda Items
 - a. _____
 - b. _____
 - c. _____

L. ADJOURNMENT



Stanford J. Hardeman, Superintendent

*** prior month handout
** enclosed
* handout

Balances through May						Fiscal Year 2011/12
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund						
1100	Teachers Salaries	211,852.00	205,167.00	20,728.27	184,571.17	132.44-
1120	Certificated Substitutes				4,990.00	4,990.00-
1200	Certificated Pupil Support Ser	71,063.00	58,857.00	5,885.72	52,971.48	.20-
1300	Certificated Supervisor Admini	40,428.00	45,796.00	3,783.14	42,012.76	.10
	Total for Object 1000	323,343.00	309,820.00	30,397.13	284,545.41	5,122.54-
2100	Instructional Aides' Salaries	100,148.00	100,713.00	12,204.20	84,680.33	3,828.47
2120	Classified Substitutes				1,219.00	1,219.00-
2200	Classified Support Salaries	4,888.00	9,888.00	732.18	4,770.48	4,385.34
2300	Classified Supervisors' Admini	96,038.00	96,353.00	7,928.00	87,778.00	647.00
2400	Clerical Technical Office Staf	107,771.00	113,456.00	9,843.21	103,770.60	157.81-
2900	Other Classified Salaries	6,144.00	6,946.00		4,386.00	2,560.00
	Total for Object 2000	314,989.00	327,356.00	30,707.59	286,604.41	10,044.00
3101	STRS Certificated Positions	26,733.00	25,734.00	2,507.76	23,096.32	129.92
3102	STRS Classified Positions	300.00	300.00	30.00	270.58	.58-
3201	PERS Certificated Positions	143.00			207.54	207.54-
3202	PERS Classified Positions	44,369.00	44,068.00	3,771.30	40,445.92	149.22-
3301	OASDI Certificated Positions	187.00			164.93	164.93-
3302	OASDI Classified Positions	18,614.00	18,702.00	1,816.75	16,868.40	16.85
3311	Medicare Certificated Position	4,636.00	4,562.00	434.09	4,295.48	167.57-
3312	Medicare Classified Positions	4,716.00	4,435.00	429.96	3,995.45	9.59
3401	Health & Welfare Benefits Cert	76,725.00	73,095.00	7,309.46	65,785.10	.44
3402	Health & Welfare Benefits Clas	83,711.00	83,581.00	7,218.65	76,492.91	130.56-
3501	SUI Certificated	5,154.00	5,147.00	489.38	4,842.91	185.29-
3502	SUI Classified	5,347.00	5,105.00	494.40	4,534.54	76.06
3601	Workers' Compensation Certific	8,966.00	8,887.00	872.87	8,163.11	148.98-
3602	Workers' Compensation Classifi	8,368.00	8,928.00	865.64	8,045.77	16.59
3701	OPEB, Allocated Certificated	21,054.00	27,731.00		16,265.79	11,465.21
3801	PERS Reduction Recapture	48.00			39.84	39.84-
3802	PERS Reduction Recapture	5,855.00	5,681.00	493.57	5,159.16	28.27
	Total for Object 3000	314,926.00	315,956.00	26,733.83	278,673.75	10,548.42
4100	Approved Textbooks Core Curric	313.00	638.00		1,018.55	380.55-
4200	Library and Reference Material	1,613.00	4,563.00		5,250.00	687.00-
4300	Materials and Supplies	15,757.00	16,463.00	1,087.25	5,981.85	9,393.90
4320	Custodial Supplies	1,600.00	1,600.00		550.91	1,049.09
4330	Office Supplies	6,000.00	6,000.00		701.83	5,298.17
4350	Vehicle Upkeep	7,000.00	7,000.00	503.18	774.21	5,722.61

Selection Filtered by User Permissions, (Org = 1, Online/Offline = N, Fiscal Year = 2012, Period = 11, Unposted JEs? = N, Assets and Liabilities? = N, Restricted Accts? = Y, Fund = 01, Object = 1-7, SACS Fund? = N, Fund Page Break? = N, Obj Lvl = 4, Obj Digits = 1, Page Break? = N)

ESCAPE ONLINE

Balances through May						Fiscal Year 2011/12
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund (continued)						
4399	Mat & Sup Undesignated Bal		7,840.00			7,840.00
4400	Noncapitalized Equipment	8,940.00	8,940.00		1,849.20	7,090.80
	Total for Object 4000	41,223.00	53,044.00	1,590.43	16,126.55	35,327.02
5100	Subagreements for Services	50,000.00	50,000.00			50,000.00
5200	Travel and Conference	26,774.00	28,634.00	4,427.17	18,869.18	5,337.65
5300	Dues and Membership	16,321.00	16,321.00		9,138.93	7,182.07
5400	Insurance	10,702.00	10,702.00		8,968.00	1,734.00
5500	Operation Housekeeping Service	10,000.00	10,000.00	111.66	6,055.00	3,833.34
5600	Rentals, Leases, Repairs, Nonc	8,603.00	8,103.00	229.91	498.91	7,374.18
5800	Professional Consulting	6,000.00	6,000.00	2,500.00	7,600.00	4,100.00
5801	Legal Services	40,386.00	31,093.00	19,783.25	192.75	11,117.00
5803	Legal Publications	500.00	500.00	175.00	50.00	375.00
5805	Personnel Expense	700.00	700.00	68.00	374.00	258.00
5806	Negotiations	2,000.00	2,000.00			2,000.00
5808	Other Services & Fees	1,500.00	1,500.00	103.11	1,126.89	270.00
5810	Contracted Services	247,903.00	273,351.00	52,077.17	173,052.63	48,221.20
5899	SPJUSD to Reimburse			750.21	1,305.34	2,055.55
5900	Communications	4,000.00	4,000.00		997.65	3,002.35
	Total for Object 5000	425,389.00	442,904.00	80,225.48	228,129.28	134,549.24
6400	Equipment		34,728.00		28,941.31	5,786.69
7110	County Tuition Inter Dist Agre	105,780.00	139,705.00	145,000.00	4,855.71	439.29
7141	Tuition, excess cost etc betwe	139,780.00	96,511.00	31,398.78	46,973.22	18,139.00
7310	Direct Support/Indirect Costs					.00
	Total for Object 7000	245,560.00	236,216.00	176,398.78	42,117.51	17,699.71
	Total for Expense accounts	1,665,430.00	1,720,024.00	346,053.24	1,165,138.22	208,832.54
	Total for Org 001, Fund 01 and Expense accounts	1,665,430.00	1,720,024.00	346,053.24	1,165,138.22	208,832.54

MINUTES OF THE REGULAR MEETING OF THE
SIERRA COUNTY BOARD OF EDUCATION
May 8, 2012
Loyalton Middle School, Room 4, Loyalton, California

A. CALL TO ORDER

President ALLEN WRIGHT called the meeting to order at 6:02 pm.

B. ROLL CALL

PRESENT: Mr. Allen Wright President
Ms. Sharon Dryden, Vice President
Mr. Jeff Bosworth, Clerk – Arrived at 6:05 pm
Mr. Mike Moore, Member
Mr. Todd York, Member

ABSENT: None

VACANT: None

STAFF: Mr. Stan Hardeman, Superintendent
Ms. Rose Asquith, Business Manager
Ms. Hannah Tomatis, Administrative Assistant
Ms. Marla Stock, Site Administrator
Mr. Derek Cooper, Site Administrator
Ms. Marlene Mongolo/Testing/SELPA Director

C. FLAG SALUTE

D. APPROVAL OF THE AGENDA with the following changes: Action Item I,2,a, Approval of Resolution No. 11-008 moved to Action Item I,1,a(1) and Mr. Pat Doyle, SPTA representative, will make a presentation in regards to Item I,2,h out of order due to his immediate involvement as a coach in a little league baseball game.
MSCU/MOORE/YORK

E. INFORMATION/DISCUSSION ITEMS

1. Correspondence
2. Superintendent's Report
 - a. Employee Recognition-Sue Gressel
 - b. Secure Rural Schools – No further updates
 - c. Technology Presentation-Blaine Donnelly, Technology Coordinator
Mr. Donnelly reviewed the three-year technology plan (2010/11 through 2012/13) with the Board, including past and future needs.
The meeting was adjourned to room 6 where Mark Fisher, Loyalton Middle School teacher, organized his students to give a brief demonstration of the ipad, SMART Board and AppleTV utilized in his classroom.
 - d. Mrs. Camille Alfred, Loyalton Middle School teacher, gave a power point presentation about Loyalton Middle School students' trip to Washington, DC, via WorldStrides school trips.
 - e. Transitional Kindergarten –Projected Kindergarten enrollment for 2012-13: Downieville: 3, Loyalton: 20.

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- f. Pat Doyle, Loyalton Elementary School Teacher and Sierra Plumas Teachers Association representative, read the Sunshine Proposal from the S-PTA to S-PJUSD stating they are not requesting to open any further articles for the 2012-13 school year.
3. Business Report
 - a. Board Report-Expenditures by Object 07/01/11 to 4/30/12; there were no comments.
 - b. Letter from California Department of Education regarding fiscal solvency was discussed.
4. Staff Reports (5 minutes)

Ms. Asquith mentioned the employees' health evaluation scheduled by Tri Counties Insurance Group for March 24 and 25, 2012.
5. SPTA Report (5 minutes) – There was none
6. Board Members' Report (5 minutes)

DRYDEN mentioned that a representative from Tri Counties Insurance Group gave a presentation on the health benefits plan. Those employee organizations represented were confidential, classified, board of education and administration. A discussion regarding board members health benefits plan was requested for the June agenda.
7. Public Comment
 - a. Current location - None
 - b. Videoconference location - None

F. CONSENT CALENDAR

The following items were included in the consent calendar:

1. Approval of minutes of the Regular Board meeting held April 10, 2012
2. Approval of bill warrants for month of April 2012
MSCU/YORK/BOSWORTH

G. PUBLIC COMMENT FOR CLOSED SESSION ITEMS

At this time, the meeting opened for any public comments regarding the following Closed Session items:

1. Government Code §54957.6, Labor Negotiations, Employer's initial 2012-2013 collective bargaining unit proposal to Sierra-Plumas Classified Employees' Association
2. Government Code §54957.6, Labor Negotiations, Employer's initial 2012-2013 bargaining unit proposal to Sierra-Plumas Confidential Employees
3. Government Code §54957.6, Labor Negotiations, Employer's initial 2012-2013 bargaining unit proposal to Sierra-Plumas Administrative Employees

H. CLOSED SESSION – 7:20 pm

The Board of Trustees moved into Closed Session to consider and/or take action upon the preceding items.

RETURN TO OPEN SESSION - 7:55 pm

REPORT OUT

The proposals were discussed. Regarding the reduction of the work year, any reduction in work days would be contingent upon all four working groups agreeing to the same language.

I. ACTION ITEMS

1. OLD BUSINESS

- a.(1) Adoption of Resolution No. 11-008, Absence From School for Religious Exercises or Instruction
MSCU/MOORE/BOSWORTH
ROLL CALL VOTE:
BOSWORTH: AYE
DRYDEN: AYE
MOORE: AYE
WRIGHT: AYE
YORK: AYE
- a. Adoption of Administrative Regulation 3314, Payment for Goods and Services, revision
DRYDEN motioned to approve Items G,1, a, b and c simultaneously.
MSCU/DRYDEN/YORK
- b. Adoption of Board Policy 5113, Absences and Excuses, revision
- c. Adoption of Administrative Regulation 5113, Absences and Excuses, revision

2. NEW BUSINESS

- ~~a. Adoption of Resolution No. 11-008, Absence From School for Religious Exercises or Instruction~~
- b. Presentation of the employer's 2012-2013 collective bargaining unit initial proposal to Sierra-Plumas Classified Employees' Association
MSCU/MOORE/YORK
- c. Public Hearing on the employer's 2012-2013 initial proposal to Sierra-Plumas Classified Employees' Association
There was no public comment.
- d. Presentation of the employer's 2012-2013 initial proposal to Confidential Employees
MSCU/YORK/DRYDEN
- e. Public Hearing on the employer's 2012-2013 initial proposal to Confidential Employees
There was no public comment.
- f. Presentation of the employer's 2012-2013 initial proposal to Administrative Employees
MSCU/YORK/MOORE

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- g. Public Hearing the 2012-2013 initial proposal to Administrative Employees
There was no public comment.
- h. Presentation of the Sierra-Plumas Teachers' Association initial response to the employer's initial 2012-2013 collective bargaining agreement proposal (See E,2,f)
- i. Public Hearing on the Sierra-Plumas Teachers' Association initial response to employer's 2012-2013 collective bargaining agreement proposal
There was no public comment.
- j. Adoption of Resolution No. 11-007, Set Superintendent's Salary
YORK/MOORE
ROLL CALL VOTE
BOSWORTH: AYE
DRYDEN: NO
MOORE: AYE
WRIGHT: AYE
YORK: AYE
This resolution divides the County and District Superintendent position 15/85.
DRYDEN stated that she is opposed to splitting the salary, but affirms Mr. Hardeman's performance as superintendent.
- k. Authorization to ratify Employee Agreement between Sierra County Office of Education, Sierra-Plumas Joint Unified School District and Stanford J. Hardeman
MSCU/YORK/MOORE
- l. Public Hearing for Testimony Regarding Acceptance of Tier III Categorical Funds and Proposed Uses for fiscal year 2012-2013 was held at 8:13 pm.
Programs closed subject to Tier III funding: None Proposed. Ms. Asquith indicated that there was a clarification to the agenda. No programs were closed from the prior year. The spreadsheet attached to the agenda reflects activity since the inception of the Tier III Flexibility.
- m. Adoption of Resolution No. 11-009, Tier III Categorical Flexibility
MSCU/YORK/DRYDEN
ROLL CALL VOTE
BOSWORTH: AYE
DRYDEN: AYE
MOORE: AYE
WRIGHT: AYE
YORK: AYE
- n. Presentation of the 2012-2013 Preliminary Budget
Ms. Asquith reviewed the preliminary budget for 2012-2013.

BOARD POLICIES AND ADMINISTRATIVE REGULATIONS

MOORE moved to approve Items "o" through "v" unless there were individual policies to discuss.

DRYDEN requested pulling Item "s" for discussion. The motion was made by MOORE to pull item "s" for discussion and approve items "o" through "r" and items "t" through "v".

DRYDEN seconded. Motion Passed Unanimously.

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- o. Adoption of Administrative Regulation 5125, Student Records, revision
- p. Adoption of Board Policy 5141.21, Administering Medication and Monitoring Health Conditions, revision
- q. Adoption of Administrative Regulation 5141.21, Administering Medication and Monitoring Health Conditions, revision
- r. Adoption of Board Policy 6143, Courses of Study, revision
- s. PULLED FOR DISCUSSION:
Adoption of Administrative Regulation 6143, Courses of Study, revision
DRYDEN stated that her constituents have approached her in opposition to this new requirement. MOORE moved that the following sections, “Grades 1-6, 3a” and “Grades 7-12, 2a”, be edited as follows:

Instruction shall include the early history of California and a study of the role and contributions of all men and women. Instruction shall also include the economic, political, and social development of California and the United States.
MSCU/MOORE/DRYDEN
- t. Adoption of Board Policy 6146.1, High School Graduation Requirements, revision
- u. Adoption of Administrative Regulation 6146.1, High School Graduation Requirements, revision
- v. Adoption of Administrative Regulation 6162.51 Standardized Testing and Reporting Program, revision

J. ADVANCED PLANNING

The next regular meeting of the Board will be held on Tuesday, June 12, 2012, at Downieville School, Downieville, California at 6:00 pm.

Suggested Agenda Items

- a. Public Hearing and Budget Adoption
- b. Expulsion Plan Review
- c. Health Benefits options for Board members
- d. Secure Rural Schools

K. ADJOURNMENT

MSCU/MOORE/ YORK
Adjourned at 8:24 pm.

Jeff Bosworth, Clerk

Stanford J. Hardeman, Superintendent

Checks Dated 05/01/2012 through 05/31/2012

Check Number	Check Date	Pay to the Order of	Fund Object	Expensed Amount	Check Amount
00013464	05/09/2012	ARISE FOUNDATION	01-4300	186.29	
			Unpaid Sales Tax	12.59-	173.70
00013465	05/09/2012	HEIDI BETHKE	01-5200		42.00
00013466	05/09/2012	EASTERN PLUMAS HEALTHCARE	01-5805		118.00
00013467	05/09/2012	EMBASSY SUITES	01-5200		235.96
00013468	05/09/2012	COATES/LES SCHAWB TIRE CENTER	01-4350	162.42	
			01-5600	81.21	
			01-5899	81.21	324.84
00013469	05/09/2012	LIBERTY ENERGY	01-5500		144.90
00013470	05/09/2012	BARBARA MCKURTIS	01-5810		4,000.00
00013471	05/09/2012	MARLENE MONGOLO	01-5200		29.00
00013472	05/09/2012	VOYAGER	01-4350	29.38	
			01-5200	60.01	
			01-5899	123.22	212.61
00013473	05/23/2012	BUREAU OF EDUCATION & RESEARCH	01-5200		215.00
00013474	05/23/2012	CCSESA	01-5200		300.00
00013475	05/23/2012	ELECTRO ACOUSTIC CO., INC.	01-5810		150.38
00013476	05/23/2012	GIRARD, EDWARDS & HANCE ATTS	01-5801		216.75
00013477	05/23/2012	HOLIDAY INN EXPRESS YREKA	01-5200	33.79	
			01-5899	101.37	135.16
00013478	05/23/2012	BARBARA MCKURTIS	01-5810		4,000.00
00013479	05/23/2012	MARLENE MONGOLO	01-5200		88.41
00013480	05/23/2012	SUZI SCHOENSEE	01-9535		2.00
00013481	05/23/2012	SIERRA COUNTY OFFICE OF EDUCATION	01-5808		72.39
00013482	05/23/2012	TRI COUNTY SCHOOLS GROUP	01-9535	3,229.00	
			76-9576	13,689.00	16,918.00
00013483	05/23/2012	ALLEN WRIGHT	01-5200		20.82
Total Number of Checks				20	27,399.92

Fund Summary

Fund	Description	Check Count	Expensed Amount
01	County School Service Fund	20	13,723.51
76	Payroll Clearing	1	13,689.00
Total Number of Checks		20	27,412.51
Less Unpaid Sales Tax Liability			12.59-
Net (Check Amount)			27,399.92

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

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✓ = exists in current policy
underline = new language

Proposed

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0410(a)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

Note: Government Code 11138 **mandates** districts to adopt rules and regulations to ensure that district programs and activities are free from unlawful discrimination. In accordance with various provisions of state and federal law, discrimination in education programs and activities is unlawful when it is based on certain actual or perceived characteristics of an individual. Education Code 220 prohibits discrimination based on race, nationality, ethnicity, gender, sex, sexual orientation, religion, or any other characteristic contained in the definition of hate crimes in Penal Code 422.55, and, as amended by AB 887 (Ch. 719, Statutes of 2011), gender identity and gender expression. Furthermore, Government Code 11135 prohibits discrimination based on all the foregoing characteristics, age, disability, and, as amended by SB 559 (Ch. 261, Statutes of 2011), an individual's genetic information. Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7) prohibits discrimination on the basis of race, color, and national origin. Title IX (20 USC 1681-1688) prohibits discrimination on the basis of sex. The Americans with Disabilities Act (ADA) (42 USC 12101-12213) and Section 504 of the Rehabilitation Act of 1973 (29 USC 794) prohibit discrimination on the basis of disability.

Education Code 260 and 5 CCR 4900-4965 require the Governing Board to monitor district compliance with these state and federal laws. The federal laws are enforced by the Office of Civil Rights of the U.S. Department of Education, and the California Department of Education may investigate complaints regarding discrimination pursuant to 5 CCR 4600-4687.

Government Code 12940, as amended by both SB 559 and AB 887, prohibits employers from discriminating against employees and job applicants based on genetic information, gender identity, and/or gender expression. For policy language addressing these prohibitions, see BP 4030 - Nondiscrimination in Employment.

✓ The Governing Board is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6145.2 - Athletic Competition)

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

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

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

Note: Many nondiscrimination laws and regulations contain a notification requirement. For example, pursuant to 34 CFR 104.8 and 106.9, a district that receives federal aid is required to take "continuing steps" to notify students, parents/guardians, employees, employee organizations, and applicants for admission and employment that it does not discriminate on the bases of disability and sex in its educational programs or activities. To ensure consistent implementation of the laws, the same notification requirement should be adopted for all the protected categories as provided in the following paragraph.

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, application form, or other recruitment materials distributed to these groups.

(cf. 1312.3 - Uniform Complaint Procedures)
 (cf. 4031 - Complaints Concerning Discrimination in Employment)
 (cf. 4112.9/4212.9/4312.9 - Employee Notifications)
 (cf. 5145.6 - Parental Notifications)

Note: 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 the parents/guardians of these students must also be written in the primary language and may be answered by the parent/guardian in English or the primary language. In addition, the No Child Left Behind Act (20 USC 6311 and 6312) requires that districts receiving Title I funds provide parent/guardian notices in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians understand.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand and, when required by law, in a language other than English.

Access for Individuals with Disabilities

Note: Pursuant to the ADA and its implementing regulations, 28 CFR 35.150 and 35.151, district facilities must be accessible to and usable by individuals with disabilities. Compliance methods may include equipment redesign, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, and alteration of existing facilities and construction of new facilities. In achieving compliance, a district need not make structural changes to existing facilities if other methods are effective and the district can demonstrate that the structural change would result in a fundamental alteration in the nature of the activity or an undue financial or administrative burden. However, starting March 15, 2012, all newly constructed facilities must comply with the 2010 ADA Standards for Accessible Designs pursuant to 28 CFR 35.151, as amended by 75 Fed. Reg. 178.

In addition, pursuant to 28 CFR 35.136, as amended by 75 Fed. Reg. 178, a district must permit an individual with a disability to be accompanied by a service animal on district premises when, without the animal's assistance, the individual with a disability will not be able to access or participate in a district program or activity. For language addressing this mandate, see AR 6163.2 - Animals at School. Districts with questions about compliance with the ADA should consult with legal counsel as appropriate.

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act and any implementing standards and/or regulations.

(cf. 6163.2 - Animals At School)
 (cf. 7110 - Facilities Master Plan)
 (cf. 7111 - Evaluating Existing Buildings)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Note: Pursuant to 28 CFR 35.130 and 35.160, the ADA requires districts to provide services and aids to ensure that a disabled individual is not excluded from participation or denied a benefit, service, or program on the basis of a disability. However, if the district can show that providing such aids and services would fundamentally alter the nature of the function, program, or meeting or would be an undue burden, then the district need not provide them.

In addition, Government Code 54953.2 requires that all Board meetings meet the protections of the ADA and implementing regulations (28 CFR 35.160 and 36.303). In effect, the district must ensure that such meetings are accessible to persons with disabilities and that, upon the request of any person with a disability, disability-related accommodations, such as auxiliary aids and services, are made available.

✓ The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

(cf. 6020 - Parent Involvement)

✓ Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

*Legal Reference:*EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

Legal Reference continued: (see next page)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Legal Reference: (continued)

PENAL CODE

422.55 *Definition of hate crime*

422.6 *Interference with constitutional right or privilege*

CODE OF REGULATIONS, TITLE 5

4600-4687 *Uniform complaint procedures*

4900-4965 *Nondiscrimination in elementary and secondary education programs*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities in Education Act*

1681-1688 *Discrimination based on sex or blindness, Title IX*

2301-2415 *Carl D. Perkins Vocational and Applied Technology Act*

6311 *State plans*

6312 *Local education agency plans*

UNITED STATES CODE, TITLE 29

794 *Section 504 of the Rehabilitation Act of 1973*

UNITED STATES CODE, TITLE 42

2000d-2000d-7 *Title VI, Civil Rights Act of 1964*

2000e-2000e-17 *Title VII, Civil Rights Act of 1964 as amended*

2000h-2000h-6 *Title IX*

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 *Americans with Disabilities Act*

36.303 *Auxiliary aids and services*

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 *Nondiscrimination in federal programs, effectuating Title VI*

104.1-104.39 *Section 504 of the Rehabilitation Act of 1973*

106.1-106.61 *Discrimination on the basis of sex, effectuating Title IX, especially:*

106.9 *Dissemination of policy*

Management Resources:

CSBA PUBLICATIONS

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

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

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, January 1999

Protecting Students from Harassment and Hate Crime, January 1999

Nondiscrimination in Employment Practices in Education, August 1991

WEB SITES

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

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

Safe Schools Coalition: <http://www.casafeschoolscoalition.org>

Pacific ADA Center: <http://www.adapacific.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

adopted: 4/10/07

6/12/12

CSBA MANUAL MAINTENANCE SERVICE

March 2012

Sierra County/Sierra-Plumas Joint USD

Community Relations

BP 1250(a)

VISITORS/OUTSIDERS

✓ The Governing Board believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program.

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

Note: In Reeves v. Rocklin Unified School District, a California Court of Appeal affirmed districts' authority to establish reasonable regulations for student safety and protection against disruptions on school campuses.

✓ To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

(cf. 6116 - Classroom Interruptions)

Note: Penal Code 627.2 requires "outsiders" to register upon entering school grounds during school hours, and Penal Code 627.1 lists individuals who are not "outsiders" for this purpose; see the accompanying administrative regulation. Education Code 32212 authorizes the Governing Board to adopt policy to control classroom interruptions consistent with local circumstances (see AR 5116 - Classroom Interruptions) and Education Code 35160 authorizes the Board to act in any manner not inconsistent with law. Therefore, it appears that a district has the authority to require all visitors, including parents/guardians as well as those not defined as "outsiders" in Penal Code 627.1, to register upon entering school campus and to comply with other reasonable requirements.

Pursuant to Penal Code 627.1, media representatives are not "outsiders." However, the Attorney General has opined (95 Ops.Cal.Atty.Gen. 509 (1996)) that the Board may restrict media representatives' access in the same manner as access by the general public may be limited (e.g., registration or accompaniment by a staff member when on school grounds). Therefore, if a district has developed a policy requiring all visitors or outsiders to register upon entering school grounds, then media may be subject to the same requirements; see BP 1112 - Media Relations.

✓ Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

(cf. 1112 - Media Relations)

✓ The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

✓ No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code 51512)

Note: Pursuant to Education Code 35160, the Board is responsible for maintaining order in schools under its jurisdiction. Therefore, in accordance with law, the district may authorize school administrators to direct disruptive individuals to leave school grounds; see AR 3515.2 - Disruptions. Penal Code 626.7 provides that a person who is directed to leave the campus and fails to leave, or later reenters without following the school's posted registration requirements, may be guilty of a misdemeanor.

✓ The Board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have

concerns with any district program or employee. In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

(cf. 1312.1 - Complaints Concerning District Employees)
 (cf. 1312.2 - Complaints Concerning Instructional Materials)
 (cf. 1312.3 - Uniform Complaint Procedures)
 (cf. 1312.4 - Williams Uniform Complaint Procedures)
 (cf. 3515.2 - Disruptions)

Presence of Sex Offender on Campus

Note: Pursuant to Penal Code 626.81, registered sex offenders are prohibited from school buildings and grounds except for lawful business and with written permission. In addition, pursuant to Education Code 49091.10 and 51101, parents/guardians, including those who are required to register as sex offenders, have a prescribed right to be involved in the education of their children. Thus, the district must adopt measures that are effective in maintaining a safe school environment while avoiding a violation of the statutory rights of such parents/guardians, as provided in the following **optional** paragraph.

New Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/guardian of a district student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting
 32211 Threatened disruption or interference with classes; misdemeanor
 32212 Classroom interruptions
 35160 Authority of governing boards
 35292 Visits to schools (board members)
 49091.10 Parental right to inspect instructional materials and observe school activities
 51101 Parent Rights Act of 2002
 51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off to participate in child's educational activities

PENAL CODE

290 Sex offenders
 626-626.10 Schools
 626.81 Misdemeanor for registered sex offender to come onto school grounds
 627-627.10 Access to school premises, especially:
 627.1 Definitions
 627.2 Necessity of registration by outsider
 627.7 Misdemeanors; punishment

COURT DECISIONS

Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

95 Ops.Cal.Atty.Gen. 509 (1996)

Policy

adopted: April 10, 2007

revised: July 12, 2011

revised: June 12, 2012

Sierra County Office of Education
 Sierra-Plumas Joint Unified School District
 Sierraville CA 96126

UNIFORM COMPLAINT PROCEDURES

Note: To address prohibited discrimination and possible violations of state and federal laws governing educational programs, 5 CCR 4621 **mandates** districts to adopt uniform complaint policies and procedures consistent with the state's complaint procedures specified in 5 CCR 4600-4687. The California Department of Education (CDE) monitors districts for compliance with these procedures through its Federal Program Monitoring (FPM) process (formerly Categorical Program Monitoring). The FPM includes a review of written district policies and procedures for required language and records of required activities, such as annual notification provided to students, employees, and other school community members.

✓ The Governing Board recognizes the district's responsibility to comply with applicable state and federal laws and regulations governing educational programs. The district shall investigate any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, and shall seek to resolve those complaints in accordance with the district's uniform complaint procedures.

Note: The following paragraph lists types of discrimination prohibited by state and federal law, as well as protected groups listed in 5 CCR 4610. Pursuant to Education Code 220, as amended by AB 887 (Ch. 719, Statutes of 2011), and Government Code 11135, as amended by SB 559 (Ch. 261, Statutes of 2011), it is unlawful to discriminate against any person based on his/her gender identity, gender expression, or genetic information.

✓ The district shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination in district programs and activities based on actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4031 - Complaints Concerning Discrimination in Employment)

Note: 5 CCR 4610 specifies programs and activities for which state and/or federal funding is provided to districts and for which districts are required to establish a uniform system of complaint processing. In addition, Education Code 32289 authorizes an individual to file a complaint if he/she believes that the district has not complied with the school safety planning requirements of the No Child Left Behind Act, 20 USC 7114(d)(7). The CDE has interpreted this to mean that complaints as to the development and adoption of the school safety plan may be considered under this procedure.

✓ Uniform complaint procedures shall also be used to address any complaint alleging the district's failure to comply with state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, special education programs, and the development and adoption of the school safety plan.

(cf. 0450 - Comprehensive Safety Plan)
 (cf. 1312.1 - Complaints Concerning District Employees)
 (cf. 1312.2 - Complaints Concerning Instructional Materials)
 (cf. 3553 - Free and Reduced Price Meals)
 (cf. 3555 - Nutrition Program Compliance)
 (cf. 5141.4 - Child Abuse Prevention and Reporting)
 (cf. 5148 - Child Care and Development)
 (cf. 6159 - Individualized Education Program)
 (cf. 6171 - Title I Programs)
 (cf. 6174 - Education for English Language Learners)
 (cf. 6175 - Migrant Education Program)
 (cf. 6178 - Career Technical Education)
 (cf. 6178.1 - Work-Based Learning)
 (cf. 6178.2 - Regional Occupational Center/Program)
 (cf. 6200 - Adult Education)

Note: 5 CCR 4621 **mandates** that the district's policy ensure that complainants are protected from retaliation.

✓ The Board prohibits any form of retaliation against any complainant in the complaint process. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant.

✓ The Board encourages the early, informal resolution of complaints at the site level whenever possible.

Note: 5 CCR 4631 authorizes the district to utilize alternative dispute resolution methods, including mediation, to resolve complaints before initiating a formal investigation. The following **optional** paragraph provides for a neutral mediator and should be revised to reflect district practice.

✓ The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving the problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.

Note: The following paragraph is **mandated** pursuant to 5 CCR 4621. Appropriate disclosure will vary in each case depending on the facts and circumstances.

Revised In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
 (cf. 5125 - Student Records)
 (cf. 9011 - Disclosure of Confidential/Privileged Information)

Note: Education Code 35186 requires the district to use uniform complaint procedures, with modifications, to investigate and resolve complaints related to items #1-4 below (i.e., "Williams complaints"). However, because Education Code 35186 sets forth different timelines for investigation and resolution of these kinds of complaints

than the timelines specified in law for other uniform complaints, the CDE has created a separate uniform complaint process for the Williams complaints. See AR 1312.4 - Williams Uniform Complaint Procedures for the separate procedure.

The district's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff
3. Teacher vacancies and misassignments

Note: Districts that do not receive funding for California High School Exit Examination intensive instruction and services pursuant to Education Code 37254 should delete item #4 below.

4. Deficiency in the district's provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination

(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 6162.52 - High School Exit Examination)
(cf. 6179 - Supplemental Instruction)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
 8200-8498 Child care and development programs
 8500-8538 Adult basic education
 18100-18203 School libraries
 32289 School safety plan, uniform complaint procedures
 35186 Williams uniform complaint procedures
 37254 Intensive instruction and services for students who have not passed exit exam
 41500-41513 Categorical education block grants
 48985 Notices in language other than English
 49060-49079 Student records
 49490-49590 Child nutrition programs
 52160-52178 Bilingual education programs
 52300-52490 Career technical education
 52500-52616.24 Adult schools
 52800-52870 School-based program coordination
 54000-54028 Economic impact aid programs
 54100-54145 Miller-Unruh Basic Reading Act
 54400-54425 Compensatory education programs
 54440-54445 Migrant education
 54460-54529 Compensatory education programs
 56000-56867 Special education programs
 59000-59300 Special schools and centers
 64000-64001 Consolidated application process

GOVERNMENT CODE

Added

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

6301-6577 Title I basic programs

6601-6777 Title II preparing and recruiting high quality teachers and principals

6801-6871 Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

Management Resources:

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

adopted: April 10, 2007

revised: August 11, 2009

revised: August 10, 2010

revised: June 12, 2012

Sierra County Office of Education
Sierra-Plumas Joint Unified School District
Sierraville CA 96126

Sierra County/Sierra-Plumas Joint USD

Community Relations

AR 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Compliance Officers

Note: 5 CCR 4621 **mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with state and federal law and for receiving and investigating complaints alleging noncompliance or discrimination. During its Federal Program Monitoring (FPM) process (formerly Categorical Program Monitoring), California Department of Education (CDE) staff will check to ensure that the district's policy lists the specific title(s) of the employee(s) responsible for investigating complaints. Districts should identify the specific title(s) of the compliance officer(s) in the space provided below.

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

Administrator, Loyalton Elementary School
(title or position)
111 Beckwith Street, Loyalton CA 96118
(address)
530 993-4482
(telephone number)

Note: 5 CCR 4621 **mandates** that the district's policy provide that employees responsible for compliance and/or investigation of complaints are knowledgeable about the laws and programs they are assigned to investigate. The second sentence below may be modified to reflect district practice.

✓ 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

Note: During the FPM process, CDE staff will check to ensure that the district's policy contains a statement ensuring annual dissemination of notice of the district's uniform complaint procedures. A sample of the annual notice is available through the CDE web site. 5 CCR 4622 requires that the notice be provided to private school representatives and others specified below.

✓ 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)

Note: During the FPM process, CDE staff will check the notice to ensure that it contains a summary of the complaint procedures as specified in items #1-4 below.

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.

Note: To ensure that the public is made aware of districts' obligation to provide the uniform complaint procedures free of charge pursuant to 5 CCR 4622, CDE staff review the notice during the FPM process.

- f. Copies of the district's uniform complaint procedures are available free of charge.

New!

Procedures

Note: 5 CCR 4621 **mandates** that district's uniform complaint procedures be consistent with the procedures of 5 CCR 4600-4687. 5 CCR 4631 requires that all complaints be investigated and completely resolved within 60 days of the receipt of the complaint. **The sample timelines in Steps #1-3 below are designed to ensure that the district complies with the 60-day requirement and should be revised to reflect district practice.** Pursuant to 5 CCR 4640, when a complaint is erroneously sent to the CDE without first being filed with the district, the 60-day period specified in 5 CCR 4631 begins when the district receives the complaint.

✓ 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

Note: The following **optional** section should be used only by those districts that have decided to establish procedures for attempting to resolve complaints through mediation; see the accompanying Board policy. Timelines should be revised to reflect district practice.

✓ 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 (previously only the complainant) 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

Note: 5 CCR 4631, which requires the district to provide the complainant with the opportunity to present relevant information, does not provide any timeline. Thus, **the timeline specified below may be modified to reflect district practice.**

✓ 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.

Note: 5 CCR 4631 allows the district to dismiss a complaint when the complainant refuses to provide the investigator with relevant documents or otherwise obstructs the investigation. 5 CCR 4631 also provides that, if the district refuses to provide the investigator with access to records or other documents, the investigator may issue a finding in favor of the complainant. During the FPM process, CDE staff will check to ensure that both of these statements regarding the provision of access to information are included in the district's policy, as specified below.

✓ A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement 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)

Revised
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

Note: Pursuant to 5 CCR 4631, the district's written decision must be sent to the complainant within 60 days of receiving the complaint. Option 1 below is for districts that do not allow complainants to appeal the compliance officer's decision to the Board. Option 2 is for districts that allow appeals to the Board, and it requires the compliance officer's decision within 30 days so that the Board's decision can still be given within the 60-day time limit.

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)

Note: Education Code 48985 requires that reports sent to parents/guardians be written in the primary language when 15 percent or more of a school's enrolled students speak a single primary language other than English. During the FPM process, CDE staff will check to ensure compliance with this requirement.

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

Note: 5 CCR 4631 specifies components that should be part of the district's decision. Inclusion of these items will help protect the district's position in case of an appeal to the CDE or if litigation is filed.

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

Note: 5 CCR 4650 details circumstances under which the Superintendent of Public Instruction may directly intervene without waiting for action by the district. One such circumstance is when the district has not taken action on a complaint within 60 days of the date that the complaint was filed with the district.

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

Note: During the FPM process, CDE staff will expect to see a statement detailing a complainant's right to pursue civil law remedies (i.e., action in a court of law) in addition to or in conjunction with the right to pursue administrative remedies from the CDE.

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.

Note: Pursuant to Education Code 262.3, a complainant alleging discrimination based on state law must wait until 60 days after filing an appeal with the CDE before filing a civil suit, except when he/she is only seeking injunctive relief from the court such as an injunction or restraining order. The 60-day waiting period does not apply when the discrimination complaint is based on federal law.

✓ 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.

Note: 5 CCR 4611 details complaint issues that are not subject to the district's uniform complaint procedures and not under the jurisdiction of the CDE. Such issues include, but are not limited to, allegations of child abuse, health and safety complaints related to a child development program, allegations of fraud, and employment discrimination complaints. For procedures related to complaints of discrimination in employment, see AR 4031 - Complaints Concerning Discrimination in Employment.

Policy
adopted: April 10, 2007
revised: August 11, 2009
revised: August 10, 2010
revised: June 12, 2012

Sierra County Office of Education
Sierra-Plumas Joint Unified School District
Sierraville CA 96126

(1)

(2)

(3)

Proposed

Business and Noninstructional Operations

AR 3515.2(a)

DISRUPTIONS

Note: The following administrative regulation is **optional** and may be revised to reflect district practice. Education Code 35160 authorizes the Governing Board to maintain order in schools under its jurisdiction. Therefore, the district, in accordance with law, may authorize school administrators to direct certain individuals, as specified below, to leave school grounds. Penal Code 626.7 provides that a person who is directed to leave the campus and fails to leave, or later reenters without following the school's posted registration requirements, may be guilty of a misdemeanor. In addition, Penal Code 653b makes it a misdemeanor for anyone to loiter around a school and enhances penalties for loiterers who are required to register as sex offenders or to register with the local chief of police or sheriff for committing specified street gang offenses. For information regarding visitor registration requirements, see BP/AR 1250 - Visitors/Outsiders.

✓ The principal or designee may direct any person, except a student, school employee, or other person required by his/her employment to be on school grounds, to leave school grounds or school activity if:

- ✓ 1. The principal or designee has reasonable basis for concluding that the person is committing or has entered the campus with the purpose of committing an act which is likely to interfere with the peaceful conduct, discipline, good order, or administration of the school or a school activity, or with the intent of inflicting damage to any person or property. (Education Code 44810, 44811; Penal Code 626.7)
- ✓ 2. The person fights or challenges another person to a fight, willfully disturbs another person by loud and unreasonable noise, or uses offensive language which could provoke a violent reaction. (Penal Code 415.5)
- ✓ 3. The person loiters around a school without lawful business for being present or reenters a school within 72 hours after he/she was asked to leave. (Penal Code 653b)

Note: Penal Code 626.81 prohibits registered sex offenders from school grounds unless they have lawful business and written permission from the principal or designee. However, pursuant to Education Code 49091.10 and 51101, any sex offender who is a parent/guardian of a student must, like other parents/guardians, be allowed to be involved in the education of his/her child. Thus, districts must adopt reasonable measures to maintain the rights of such sex offender parents/guardians to be involved in their children's education, while keeping students safe. See BP 1250 - Visitors/Outsiders.

- New
- 4. The person is required to register as a sex offender pursuant to Penal Code 290 and does not have a lawful purpose and written permission from the principal or designee to be on school grounds. (Penal Code 626.81)

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.5 - Sex Offender Notification)

- ✓ 5. The person is a specified drug offender as defined in Penal Code 626.85 and does not have written permission from the principal or designee to be on school grounds. However, such specified drug offender may be on school grounds during any school activity if he/she is a student or the parent/guardian of a student attending the school. (Penal Code 626.85)

DISRUPTIONS (continued)

Note: The following optional item should be deleted by high school districts. Pursuant to Penal Code 626.8, as amended by AB 123 (Ch. 161, Statutes of 2011), it is a misdemeanor to threaten the physical safety of any student in grades K-8 as provided below.

- 6. The person willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of any student in grades K-8 while attending, arriving at, or leaving school. (Penal Code 626.8)
- ✓ 7. The person has otherwise established a continued pattern of unauthorized entry on school grounds. (Penal Code 626.8)

(cf. 1240 - Volunteer Assistance)
(cf. 3515.3 - District Police/Security Department)
(cf. 4158/4258/4358 - Employee Security)
(cf. 6145.2 - Athletic Competition)

Added
 The principal or designee shall allow a parent/guardian who was previously directed to leave school grounds to reenter for the purpose of retrieving his/her child for disciplinary reasons, medical attention, or family emergencies, or with the principal or designee's prior written permission. (Penal Code 626.7, 626.85)

When directing any person to leave school premises, the principal or designee shall inform the person that he/she may be guilty of a crime if he/she:

- ✓ 1. Fails to leave or remains after being directed to leave (Penal Code 626.7, 626.8, 626.85)
- 2. Returns to the campus without following the school's posted registration requirements (Penal Code 626.7)
- 3. Returns within seven days after being directed to leave (Penal Code 626.8, 626.85)

(cf. 0450 - Comprehensive Safety Plan)

Appeal Procedure

✓ Any person who is asked to leave a school building or grounds may appeal to the Superintendent or designee. This appeal shall be made no later than the second school day after the person has departed from the school building or grounds. After reviewing the matter with the principal or designee and the person making the appeal, the Superintendent or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding. (Education Code 32211)

DISRUPTIONS (continued)

✓ The decision of the Superintendent or designee may be appealed to the Governing Board. Such an appeal shall be made no later than the second school day after the Superintendent or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled regular or adjourned regular public meeting. The Board's decision shall be final. (Education Code 32211)



Sierra County/Sierra-Plumas Joint USD

All Personnel

BP 4030(a)

NONDISCRIMINATION IN EMPLOYMENT

Note: The following policy reflects the provisions of the California Fair Employment and Housing Act (FEHA) (Government Code 12900-12996) which prohibit employers from discriminating against employees and job applicants on the basis of actual or perceived race, color, ancestry, national origin, sex, sexual orientation, gender, religion, physical or mental disability, medical condition, marital status, or age. Pursuant to Government Code 12940, as amended by SB 559 (Ch. 261, Statutes of 2011) and AB 887 (Ch. 719, Statutes of 2011), the list of protected categories has been expanded to include genetic information, gender identity, and gender expression. All of these protections also are provided under various provisions of federal law, including Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7), Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), the Americans with Disabilities Act (42 USC 12101-12213), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Genetic Information Nondiscrimination Act (42 USC 2000ff-2000ff-11).

Pursuant to Government Code 12940, it is not age discrimination for districts to offer their retirees health benefits that may be altered, reduced, or eliminated when those retirees become eligible to receive Medicare health benefits.

For policy addressing sexual harassment of and by employees, see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

✓ The Governing Board desires to provide a positive work environment where employees and job applicants are free from harassment and are assured of equal access and opportunities in accordance with law. The Board prohibits any district employee from harassing or discriminating against any other district employee or job applicant on the basis of the person's actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex, or sexual orientation.

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

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

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

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

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

(cf. 5145.7 - Sexual Harassment)

✓ Prohibited discrimination consists of any adverse employment action, including termination or denial of promotion, job assignment, or training, based on any of the prohibited categories of discrimination listed above. Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe and pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Note: In Thompson v. North American Stainless LP, the Supreme Court held that a third party may file an antiretaliation suit.

- ✓ The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or in any way participates in the district's complaint procedures instituted pursuant to this policy.
- ✓ Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

Note: Many nondiscrimination laws and regulations require identification of an employee who will be responsible for compliance with the nondiscrimination laws, as provided in the following paragraph. For example, pursuant to 34 CFR 104.7 and 106.8, the district is required to designate the person(s) responsible for the overall implementation of the requirements of Title IX and Section 504, which prohibit discrimination on the basis of sex and disability.

The following position is designated as Coordinator for Nondiscrimination in Employment:

District Superintendent

(position title)

305 S. Lincoln Street, Sierraville CA 9126

(address)

530 994-1044

(telephone number)

- ✓ Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy should, as appropriate, immediately contact his/her supervisor, the Site Administrator, or the Superintendent who shall advise the employee or applicant about the district's procedures for filing, investigating, and resolving any such complaint.
- ✓ Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with AR 4031 - Complaints Concerning Discrimination in Employment.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

Note: Pursuant to 2 CCR 7287.6, in certain instances, an employee's (especially a supervisor's) knowledge or notice of harassment may subject the district to liability. Therefore, it is recommended that the district require its employees with knowledge of harassment or discrimination to report the incident to the appropriate district authorities. In addition, Government Code 12940 provides that an employer may be responsible for the sexual harassment of employees by nonemployees where the employer knows or should have known of the conduct and failed to take immediate and corrective action. See BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

✓ Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

Training and Notifications

Note: Government Code 12950.1 requires any district with 50 or more employees to provide two hours of sexual harassment training and education to supervisory employees once every two years. See AR 4119.11/4219.11/4319.11 - Sexual Harassment for information regarding sexual harassment training.

New ✓ The Superintendent or designee shall may provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.

(cf. 4131- Staff Development)

(cf. 4231- Staff Development)

(cf. 4331- Staff Development)

Note: Pursuant to 34 CFR 100.6(d) and 106.9 and 28 CFR 35.106, the district is required to continually notify job applicants that it does not discriminate on the basis of race, color, national origin, sex, disability, or age.

✓ The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

✓ The district's policy shall be posted in all district schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
 2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
 6101-6107 Age discrimination in federally assisted programs
 12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
 35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
 100.6 Compliance information
 104.7 Designation of responsible employee for Section 504
 104.8 Notice
 106.8 Designation of responsible employee and adoption of grievance procedures
 106.9 Dissemination of policy
 110.1-110.39 Nondiscrimination on the basis of age
COURT DECISIONS
Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863
Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS
Questions and Answers: Religious Discrimination in the Workplace, 2008
Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, August 2010
WEB SITES
 California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>
 U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>
 U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

Policy
 adopted: April 10, 2007
 revised: June 12, 2012

Sierra County Office of Education
 Sierra-Plumas Joint Unified School District
 Sierraville CA 96126

Sierra County/Sierra-Plumas Joint USD

Students

BP 5131(a)

CONDUCT

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.1 - Bus Conduct)

(cf. 5137 - Positive School Climate)

(cf. 6145.2 - Athletic Competition)

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

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5142 - Safety)

Note: Education Code 234.1, as amended by AB 9 (Ch. 723, Statutes of 2011), requires the Governing Board to adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and requires school personnel who witness such acts to take immediate steps to intervene when safe to do so; see BP 5131.2 - Bullying, BP 5145.3 - Nondiscrimination/Harassment, and BP/AR 5145.7 - Sexual Harassment. In addition, AB 1156 (Ch. 732, Statutes of 2011) amended Education Code 32282 to encourage comprehensive safety plans to include policies and procedures aimed at the prevention of bullying; see BP 0450 - Comprehensive Safety Plan.
--

2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm or substantial disruption

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 - Student Disturbances)

- ✓ 4. Willful defiance of staff's authority
- ✓ 5. Damage to or theft of property belonging to students, staff, or the district

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism and Graffiti)

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

- ✓ 6. Obscene acts or use of profane, vulgar, or abusive language

(cf. 5145.2 - Freedom of Speech/Expression)

- 7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs

Added
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)

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

- ✓ 8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose (Penal Code 417.27)

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

Note: Pursuant to Education Code 48901.5, the district may regulate the use of electronic signaling devices that operate through the transmission or receipt of radio waves. Districts that choose to prohibit all possession of such devices on campus should revise item #9 accordingly; however, student use of such devices may not be prohibited if essential for a student's health.

- ✓ 9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time

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

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

10. Plagiarism or dishonesty on school work or tests

(cf. 5131.9 - Academic Honesty)
(cf. 6162.54 - Test Integrity/Test Preparation)
(cf. 6162.6 - Use of Copyrighted Materials)

11. Inappropriate attire

(cf. 5132 - Dress and Grooming)

12. Tardiness or unexcused absence from school

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

13. Failure to remain on school premises in accordance with school rules

(cf. 5112.5 - Open/Closed Campus)

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

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

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

(cf. 5145.12 - Search and Seizure)

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner and either return it at the end of the class period or school day or keep it until the site administrator has consulted with the student's parent/guardian.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to

counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. In addition, when the conduct involves intimidation, harassment or other endangerment of a student or employee, the Superintendent or designee shall provide appropriate assistance as necessary for the victim and the offender or make appropriate referrals for such assistance. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. 1020 - Youth Services)

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

(cf. 6020 - Parent Involvement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

Note: The following **optional** paragraph addresses students' off-campus conduct during nonschool hours; also see BP 5145.2 - Freedom of Speech/Expression. In general, the courts have upheld districts' discipline of students for off-campus conduct that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities, provided that the district was able to document the impact or disruption that the conduct had, or could be expected to have, on school activities. In addition, courts have analyzed the reasonableness of the district's policy and whether the disciplinary action taken by the district was in proportion to the student's misbehavior. In adopting policy related to off-campus conduct, districts should consult with legal counsel to ensure that the policy does not violate students' First Amendment rights to freedom of speech or expression.

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

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

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 *Laser scope or laser pointer*
 647 *Use of camera or other instrument to invade person's privacy; misdemeanor*
 653.2 *Electronic communication devices, threats to safety*

VEHICLE CODE

23123-23124 *Prohibitions against use of electronic devices while driving*

CODE OF REGULATIONS, TITLE 5

300-307 *Duties of students*

UNITED STATES CODE, TITLE 42

2000h-2000h6 *Title IX, 1972 Education Act Amendments*

COURT DECISIONS

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

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

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

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

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

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

Management Resources:

CSBA PUBLICATIONS

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

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

WEB SITES

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

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

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

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

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

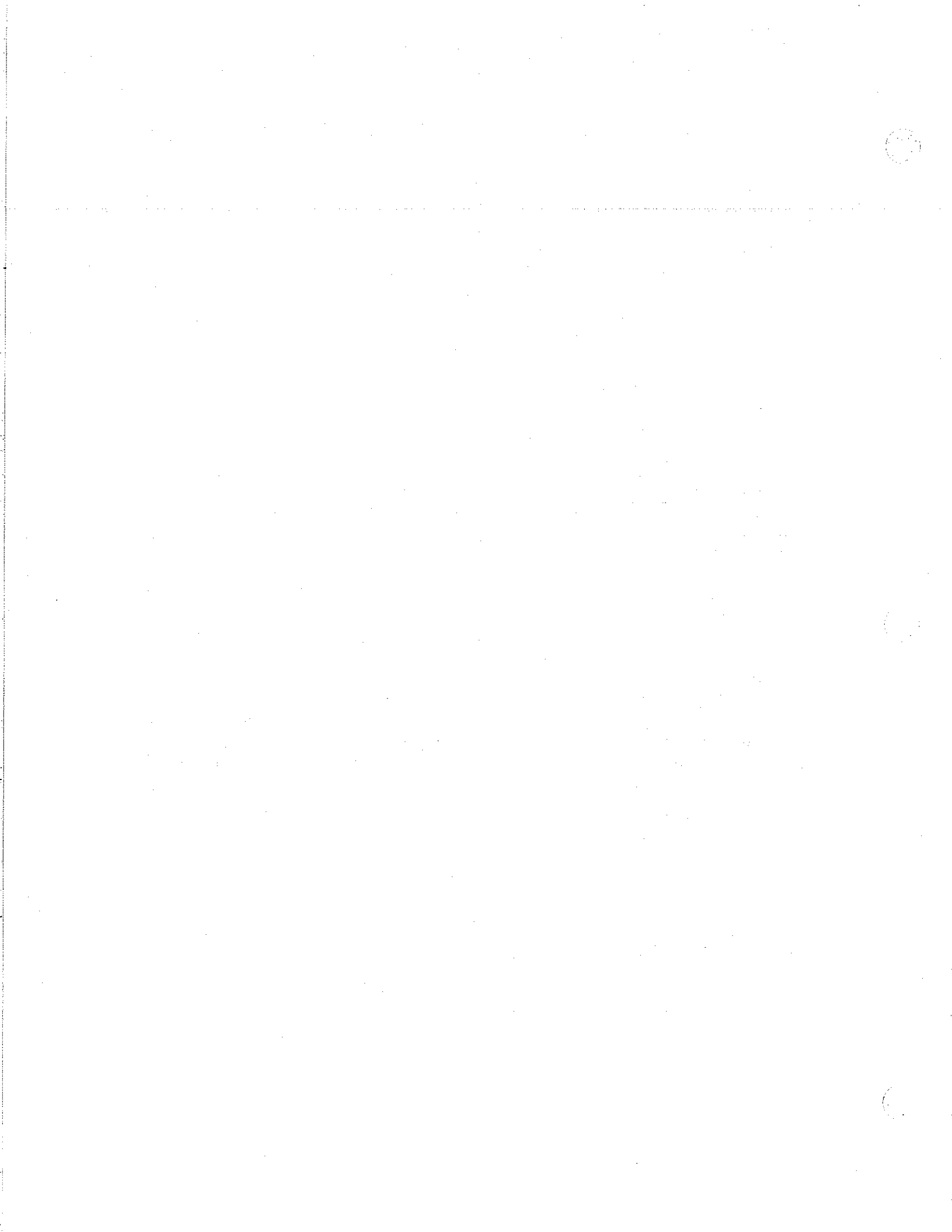
U.S. Department of Education: <http://www.ed.gov>

Policy

adopted: April 10, 2007

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Sierra County Office of Education
 Sierra-Plumas Joint Unified School District
 Sierraville CA 96126



Sierra County/Sierra-Plumas Joint USD

Students

BP 5131.2(a)

BULLYING

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Note: Pursuant to Education Code 32261 and 48900.2-48900.4, the definition of "bullying" for purposes of establishing grounds for suspension or expulsion includes bullying via an electronic act. AB 746 (Ch. 72, Statutes of 2011) amended Education Code 32261 to expand the definition of bullying committed by means of an electronic act to include posting of messages on social media networks; see AR 5144.1 - Suspension and Expulsion/Due Process.

In addition, Penal Code 653.2 makes it a crime for a person to distribute personal identity information electronically with the intent to cause harassment by a third party and to threaten a person's safety or that of his/her family (e.g., placing a person's picture or address online so that he/she receives harassing messages). Penal Code 288.2 makes it a crime to send a message to a minor if the message contains matter that is sexual in nature with the intent of seducing the minor (i.e., sexting).

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

(cf. 5137 - Positive School Climate)
(cf. 6164.2 - Guidance/Counseling Services)

Note: California content standards related to student education about bullying and violence prevention (e.g., recognizing the characteristics of bullying, examining the effects of bullying on others, demonstrating what to say and do when witnessing bullying) are addressed within the health education content standards adopted by the State Board of Education.

47 USC 254 requires districts that receive e-rate discounts to adopt a policy which addresses educating students about appropriate online behavior, including the interaction with other individuals on social networking web sites and in chat rooms, as well as providing information about cyberbullying awareness and response. See BP 6163.4 - Student Use of Technology for language implementing this mandate.

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6163.4 - Student Use of Technology)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.94 - History-Social Science Instruction)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

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

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

Note: Education Code 234.1, as amended by AB 9 (Ch. 723, Statutes of 2011), requires the district to adopt a process requiring school personnel who witness acts of discrimination, harassment, intimidation, or bullying to take immediate steps to intervene when safe to do so; also see BP 5145.3 - Nondiscrimination/Harassment.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Note: Education Code 234.1, as amended by AB 9 (Ch. 723, Statutes of 2011), requires districts to adopt a process for receiving and investigating complaints of discrimination, harassment, intimidation, and bullying which includes timelines applicable to all district schools, an appeal process, and translation of complaint forms pursuant to Education Code 48985. The following **optional** paragraph provides that complaints regarding bullying will be investigated using the district's grievance procedure for investigation of sexual harassment pursuant to AR 5145.7 - Sexual Harassment. Districts that wish to use another procedure should modify the following paragraph accordingly.

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

Note: Districts have the authority to monitor students' use of the district's Internet system and to conduct individual searches of students' accounts if there is reasonable suspicion that a user has violated district policy or the law; see BP/AR 5145.12 - Search and Seizure and BP/AR 6163.4 - Student Use of Technology.

As noted in the section "Discipline" below, the courts have generally upheld a district's authority to discipline a student for off-campus conduct when that conduct causes, or is foreseeably likely to cause, a substantial disruption of school activities. Thus, in complaints regarding off-campus conduct, districts should document, with specific examples, how the speech significantly disrupted or was likely to significantly disrupt school activities and the targeted student's educational performance.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Discipline

Note: Pursuant to Education Code 32261 and 48900.2-48900.4, "bullying" is a ground for suspension or expulsion in grades 4-12; see AR 5144.1 - Suspension and Expulsion/Due Process.

As noted in the section "Complaints and Investigation" above, the courts have generally upheld discipline for off-campus conduct that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities, provided that the district was able to document the impact or disruption that the conduct had, or could be expected to have, on school activities (e.g., Lavine v. Blaine School District). In addition, courts have analyzed the reasonableness of the district's policy and whether the disciplinary action taken by the district was in proportion to the student's misbehavior. For example, the court in J.C. v. Beverly Hills Unified School District found that the district would be able to discipline a student for a video recorded off campus and posted on YouTube, but that the discipline imposed on this particular student was not justified since the district did not present evidence of specific facts that led school officials to predict that the video would cause substantial disruption (e.g., the video was not violent or threatening nor did it lead to any confrontations between the students). When the conduct does not rise to the level of "substantial disruption," the district may implement interventions other than suspension or expulsion to address the bullying. For further information, see CSBA's policy brief Cyberbullying: Policy Considerations for Boards. Also see BP 5131 - Conduct and BP 5145.2 - Freedom of Speech/Expression.

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)
 (cf. 5144 - Discipline)
 (cf. 5144.1 - Suspension and Expulsion/Due Process)
 (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
 (cf. 6159.4 - Behavioral Interventions for Special Education Students)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
 32282 Comprehensive safety plan
 35181 Governing board policy on responsibilities of students
 35291-35291.5 Rules
 48900-48925 Suspension or expulsion
 48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor
 647.7 Use of camera or other instrument to invade person's privacy; punishment
 653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

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

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

adopted: June 12, 2012

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



Sierra County/Sierra-Plumas Joint USD

Students

BP 5144.1(a)

SUSPENSION AND EXPULSION/DUE PROCESS

Revised
The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)
(cf. 5144 - Discipline)

✓ The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be those specified in law and administrative regulation.

New
District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, and in accordance with the district's nondiscrimination policies.

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

✓ Except for single acts of a grave nature or offenses for which suspension or expulsion is required by law, suspension or expulsion shall be used only when the student involved has a history of misconduct and other means of correction have failed to bring about proper conduct or the student's presence causes a continuing danger to himself/herself or others.

Revised
To correct the behavior of students who are subject to discipline, the Superintendent or designee, to the extent allowed by law, shall use alternative disciplinary measures that keep students in school during the school day.

(cf. 1020 - Youth Services)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

Note: The following **optional** paragraph reflects the Legislature's intent, expressed in Education Code 48900, concerning disciplinary actions against truant, tardy, or absent students.

Added
Alternatives to suspension or expulsion also shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)
 (cf. 5113.1 - Chronic Absence and Truancy)

Added
 Suspended or expelled students shall be denied the privilege of participation in all extracurricular activities during the period of suspension or expulsion.

(cf. 6145 - Extracurricular and Cocurricular Activities)
 (cf. 6145.2 - Athletic Competition)

Due Process

✓ The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5)

(cf. 5119 - Students Expelled from Other Districts)
 (cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

Removal from Class by a Teacher and Parental Attendance

Note: The following section is for use by any district that chooses to require parents/guardians to attend a portion of the school day when their child is removed from class for specified behaviors, as authorized by Education Code 48900.1. For any such district, the Board is required to include the components specified in this section. Districts that do not require parental attendance should delete this section.

✓ When suspending a student from class for committing an obscene act, engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

✓ Before requiring parental attendance, the teacher shall make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and his/her parents/guardians and to improve classroom behavior.

✓ Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

✓ When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law. (Education Code 48900.1)

Note: Education Code 48900.1 **mandates** that the district's policy include procedures to ensure that parents/guardians who attend school meet with the principal or designee after completing the classroom visitation and before leaving the school.

✓ A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

Note: Education Code 48900.1 **mandates** that the district's policy include procedures for contacting parents/guardians who do not respond to the request to attend. The following paragraph may be revised to reflect district practice.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other means that maintains the confidentiality of the student's records.

(cf. 5125 - Student Records)

✓ District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

(cf. 5145.6 - Parental Notifications)

Supervised Suspension Classroom

Note: As an alternative to off-campus suspension, Education Code 48911.1 authorizes a supervised suspension classroom program for students who pose no imminent danger to anyone at school and who have not been recommended for expulsion, as specified below. Education Code 48911.2 states that if the number of students suspended during the prior year exceeds 30 percent of the school's enrollment, the district should consider implementing this program and/or another program of on-campus progressive discipline.

The following optional section is for use by districts implementing a supervised suspension classroom program; such districts may continue to claim apportionments for students so assigned, provided they meet specific criteria which are set forth under "Supervised Suspension Classroom" in the accompanying administrative regulation.

Revised
To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised classroom suspension program which meets the requirements of law. The use of such alternatives does not preclude off-campus suspensions.

Decision Not to Enforce Expulsion Order

Note: Pursuant to Education Code 48917, the Board may decide to suspend the enforcement of an order for expulsion if a student satisfies specific conditions. See the accompanying administrative regulation for criteria. In addition, the Attorney General opined in 80 Ops.Cal.Atty.Gen. 85 (1997) that a board may suspend the enforcement of an expulsion even in those cases where the student has committed an offense for which expulsion must be ordered by law. Legal counsel should be consulted as appropriate.

On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law and administrative regulation.

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment
 1981 Enrollment of students in community school
 17292.5 Program for expelled students
 32261 Interagency School Safety Demonstration Act of 1985
 35146 Closed sessions (re suspensions)
 35291 Rules (for government and discipline of schools)
 35291.5 Rules and procedures on school discipline
 48660-48667 Community day schools
 48900-48927 Suspension and expulsion
 48950 Speech and other communication
 49073-49079 Privacy of student records

CIVIL CODE

47 Privileged communication
 48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt
 54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia
 11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined
 240 Assault defined
 241.2 Assault fines
 242 Battery defined
 243.2 Battery on school property
 243.4 Sexual battery
 245 Assault with deadly weapon
 245.6 Hazing
 261 Rape defined
 266c Unlawful sexual intercourse
 286 Sodomy defined
 288 Lewd or lascivious acts with child under age 14
 288a Oral copulation
 289 Penetration of genital or anal openings
 626.2 Entry upon campus after written notice of suspension or dismissal without permission
 626.9 Gun-Free School Zone Act of 1995
 626.10 Dirks, daggers, knives, razors or stun guns
 868.5 Supporting person; attendance during testimony of witness

Legal Reference: (continued)

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20*7151 Gun free schools*COURT DECISIONS*T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267**Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421**Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H., (2001) 85 Cal.App.4th 1321**Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807**Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182**John A. v. San Bernardino School District (1982) 33 Cal. 3d 301*ATTORNEY GENERAL OPINIONS*84 Ops.Cal.Atty.Gen. 146 (2001)**80 Ops.Cal.Atty.Gen. 91 (1997)**80 Ops.Cal.Atty.Gen. 85 (1997)**Management Resources:*CSBA PUBLICATIONS*Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011*U.S. DEPARTMENT OF EDUCATION PUBLICATIONS*Civil Rights Data Collection Summary, March 2012*WEB SITES*CSBA: <http://www.csba.org>**California Attorney General's Office: <http://www.oag.ca.gov>**California Department of Education: <http://www.cde.ca.gov>**U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>**U.S. Department of Education, Office of Safe and Drug-Free Schools:
<http://www.ed.gov/about/offices/list/osdfs>*

Policy

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Sierra County Office of Education
Sierra-Plumas Joint Unified School District
Sierraville CA 96126

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Proposed

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Suspension And Expulsion/Due Process

AR 5144.1

Students

Definitions

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board of Education for students of the same grade level.
2. Referral to a certificated employee designated by the principal to advise students.
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

Notice of Regulations

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

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

Any student, including a student with disabilities, may be subject to suspension or expulsion when it is determined that he/she:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense. (Education Code 48900(a))

***Note: Education Code 48900 allows for the suspension, but not expulsion, of a student who "aids or abets," as defined in Penal Code 31, the infliction or attempted infliction of physical injury to another person. However, a student may be suspended or expelled if a juvenile court determines that he/she has committed, as an aider or abettor, a crime of physical violence in which the victim suffered either great or serious bodily injury. The term "aiding or abetting," as defined in Penal Code 31, is a complex legal term and requires that, at the time he/she committed the crime, the aider or abettor was aware of the crime and specifically intended to commit the crime. Because of the complexities of criminal law, this issue may be difficult for school administrators to apply in a school setting and legal counsel should be consulted as appropriate. ***

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) ~~one~~when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))

***Note: The Attorney General, in 80 Ops. Cal. Atty. Gen. 91 (1997), determined that a student may be expelled for "possession" of a firearm if the student knowingly and voluntarily had direct control over the firearm. The only exceptions are when the student has permission from school officials to possess the firearm (pursuant to Education Code 48900 and 48915) or when the possession is brief and solely for the purpose of disposing of the firearm, such as handing it to school officials. See BP 5131.7 - Weapons and Dangerous Instruments. ***

***Note: Pursuant to Penal Code 417.27, students are prohibited from possessing a laser pointer on school premises, except for a valid instructional or other school-related purpose. See BP 5131 - Conduct. ***

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant. (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel-, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))

(cf. 5131.62 - Tobacco)
9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed ~~or unlawfully~~, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)
12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm. (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing. (Education Code 48900(q))

Hazing means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

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

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

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

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

(cf. 5145.7 - Sexual Harassment)

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

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

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

***Note: As provided below, Education Code 32261 defines "bullying" to include harassment, sexual harassment, and acts of hate violence as defined in Education Code 48900.2, 48900.3, and 48900.4, respectively. Because these sections apply only to students in grades 4-12, it appears that bullying as a ground for suspension or expulsion also applies only to students in grades 4-12. ***

***Note: The legal issues regarding the discipline of students for cyberbullying are complex because the acts often originate off campus (e.g., using a home computer) and because such communications may be protected by the freedom of speech rights of students granted pursuant to Education Code 48907. Generally, courts have upheld discipline against students for off-campus conduct that constituted cyberbullying that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities. Districts should consult legal counsel as appropriate. See also BP 5131.2 - Bullying and BP 5145.2 - Freedom of Speech/Expression. ***

22. Engaged in an act of bullying, including, but not limited to, bullying by means of an electronic act, directed toward a student or school personnel. (Education Code 48900(r))

Bullying means one or more acts by a student or group of students that constitute sexual harassment pursuant to Education Code 48900.2, as defined in item #19 above; hate violence pursuant to Education Code 48900.3, as defined in item #20 above; or harassment, threats, or intimidation pursuant to Education Code 48900.4, as defined in item #21 above. (Education Code 32261)

***Note: Pursuant to Education Code 32261, as amended by AB 746 (Ch. 72, Statutes of 2011), "electronic act" has been defined to include posts on social network Internet web sites as provided below. ***

Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. (Education Code 32261)

(cf. 1114 - District-Sponsored Social Media)
(cf. 5131.2 - Bullying)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, at any time, including, but not limited to, the following circumstances: (Education Code 48900)

1. While on school grounds
2. While going to or coming from school

(cf. 5131.1 - Bus Conduct)

3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

(cf. 5131.1 - Bus Conduct)

The Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(v))

(cf. 5138 - Conflict Resolution/Peer Mediation)
 (cf. 6164.2 - Guidance/Counseling Services)

Alternatives to suspension or expulsion shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)
 (cf. 5113.1 - Truancy)

Removal from Class by a Teacher/ and Parental Attendance

A teacher may ~~suspend~~ remove any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

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

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

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

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

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

Pursuant to Board policy, a teacher may ~~provide that~~ require the parent/guardian of a student whom the teacher has removed to attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

***Note: Education Code 48900.1 requires the principal's notice to specify when the parent/guardian must attend the class and to take into account reasonable factors that may prevent the parent/guardian from complying, such as illness, injury, disability, or absence from town. The following paragraph establishes a one-week deadline for the parent/guardian's attendance. This deadline may be modified to reflect district practice. ***

The notice shall specify that the attendance may be on either the date the student is scheduled to return to

class or within one week thereafter.

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
2. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student
3. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

Suspension by Superintendent, Principal, or Principal's Designee

~~The Superintendent, principal, or principal's designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)~~

designee may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above. A student may be suspended only when the Superintendent, or principal or principal's has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

However, the Superintendent, principal, or designee may impose a suspension upon a first offense if he/she determines that the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

In addition, the Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife, as defined in Education Code 48915(g), ~~at another person~~
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. ~~Possession of~~ Possessing an explosive as defined in 18 USC 921

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

~~Explosive means a destructive device and includes, but is not limited to, any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device. A destructive device includes~~

~~any other type of weapon (except a shotgun or shotgun shell recognized by the United States Secretary of Army as suitable for sporting purposes) which might be converted to project an explosive. (18 USC 921)~~

~~Suspension also may be imposed upon a first offense if the Superintendent or principal determines that the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)~~

A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

~~The Superintendent or designee~~district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

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

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

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or ~~designee of the school in which the student is enrolled at the time of the misbehavior.~~ A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

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

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice

may add that state law requires the parent/guardian to respond to such requests without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal, or Principal's-Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

(cf. 9321 - Closed Session Purposes and Agendas)

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

Supervised Suspension Classroom

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school, students, or staff may be assigned to a supervised suspension classroom in a separate classroom,

building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

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

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

Authority to Expel

A student may be expelled only by the Board.— (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

~~The Board also may order a student expelled for any of the acts~~ For all other grounds listed above under "Grounds for Suspension and Expulsion", the Board shall order a student expelled upon the recommendation by of the principal, Superintendent, hearing officer principal, or administrative panel, based on designee, only if the Board makes a finding of either or both of the following finding(s): (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

Mandatory Recommendation for Expulsion

Unless the ~~principal, Superintendent, principal,~~ principal, or designee finds that expulsion is inappropriate due to particular circumstances, the ~~principal or the Superintendent, principal,~~ principal, or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915(a))

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058,

except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis

4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

Mandatory Recommendation and Mandatory Expulsion

The principal, Superintendent***Note: The Attorney General has determined, in 80 Ops.Cal.Atty.Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol; see the accompanying Board policy. ***

***Note: The Gun-Free Schools Act, 20 USC 7151, requires districts and county offices of education to submit to the California Department of Education (CDE) assurances of compliance with state and federal laws related to incidents on campus involving the possession of firearms. Item #1 below reflects language that must be submitted to the CDE for compliance. For other such language that must be submitted to the CDE, see sections in this regulation entitled "Final Action by the Board" and "Notifications to Law Enforcement Authorities." ***

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the firearm from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife as defined in Education Code 48915(g) at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

***Note: Education Code 48918 mandates that the Board establish rules and regulations governing procedures for the expulsion of students. The timelines of Education Code 48918 must be strictly followed; failure to do so may result in loss of the district's power to act (Garcia v. Los Angeles Board of Education). In calculating timelines, districts should also be aware of the difference between the calculation of "school days" and "calendar days" under Education Code 48918. ***

Any student is recommended for expulsion shall be entitled to a hearing to determine whether the student/she should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent, principal, or designee determines that the student has committed one of the acts listed under

"Grounds for Suspension and Expulsion" has occurred." (Education Code 48918(a))

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

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

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

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

***Note: "Stipulated expulsion" is for districts that have adopted an expedited procedure which requires a student to waive his/her right to a hearing in exchange for an agreement as to the term of the expulsion. ***

After a determination that one of the grounds listed above under "Grounds for Suspension and Expulsion" has occurred, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion. The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian.

Rights of Complaining Witness

***Note: Education Code 48918.5 mandates the following rights related to the treatment of witnesses alleging acts of sexual assault or sexual battery. Other procedures related to complaining witnesses also may be added as desired by the district. Additional mandated procedures related to the rights and treatment of complaining witnesses are included where appropriate throughout this regulation. ***

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

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

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

3. Have a closed hearing during the time he/she testifies

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

Written Notice of the Expulsion Hearing

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

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

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

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

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

Conduct of Expulsion Hearing

***Note: Instead of the Board conducting an expulsion hearing, it may appoint a hearing officer or an impartial administrative panel to conduct the hearing; see section "Alternative Expulsion Hearing: Hearing Officer or Administrative Panel" below. Even if the district conducts all expulsion hearings in this manner, the requirements of that section must be met. ***

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code

35145, the Board shall ~~conduct~~ ~~education~~ ~~conduct~~ a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

***Note: For the purpose of Board deliberations during the closed session described below, the presence of any person other than the Board members, including the Superintendent, necessitates allowing the presence of the parent/guardian, student, and student's counsel. ***

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

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

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

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

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

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

***Note: Findings of fact made by the Board or a hearing panel must not be based on hearsay alone. "Hearsay" is evidence of an oral or written statement made by a person who is not present at the hearing which is offered to establish a fact as being true. Some exceptions to the hearsay rule exist under the Evidence Code and Education Code; the district should consult legal counsel as appropriate. ***

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

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

***Note: Education Code 48918.6 provides that testimony by a student witness at an expulsion hearing is privileged and thus protected from liability for defamation pursuant to Civil Code 47(b). ***

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
- a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

- (3) The person conducting the hearing may:
- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
6. ~~Decision Within 10 School Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))~~
7. ~~Decision Within 40 School Days: If the Board does not meet on a weekly basis, its decision on: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))~~

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

***Note: For districts that use a hearing officer or administrative panel, Education Code 48918 mandates the Board to adopt procedures that include the following section. ***

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

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

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated. -The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

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

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year. (Education Code 48917, 48918)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

***Note: The Gun-Free Schools Act, 20 USC 7151, requires that the following paragraph be sent to the CDE for assurances of compliance with federal and state law. For other language that must be submitted to the CDE, see section below entitled "Notifications to Law Enforcement Authorities." ***

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

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

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7, or 48915 above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the Superintendent/County Board, the alternative educational placement to be provided to the student during the ~~time~~period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's/his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the Superintendent/County Board. (Education Code 48917)

Right to Appeal

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

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

Notification to Law Enforcement Authorities

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

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

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

Post-Expulsion Placements

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

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site

3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #19-21 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school. (Education Code 48915)

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

Readmission After Expulsion

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulation.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission.- The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

Maintenance of Records

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

Expulsion records of the expulsion. ~~The expulsion record any student shall be maintained in the student's mandatory interim record, and sent to any school in which the student subsequently enrolls upon receipt of a written request by the admitting that school.~~ (Education Code 48900.8, 48918(k))

(cf. 5125 - Student Records)

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

(cf. 5119 - Students Expelled from Other Districts)

Outcome Data

The Superintendent or designee shall maintain the following data: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion
2. The specific grounds for each recommended expulsion
3. Whether the student was subsequently expelled
4. Whether the expulsion order was suspended
5. The type of referral made after the expulsion
6. The disposition of the student after the end of the expulsion period

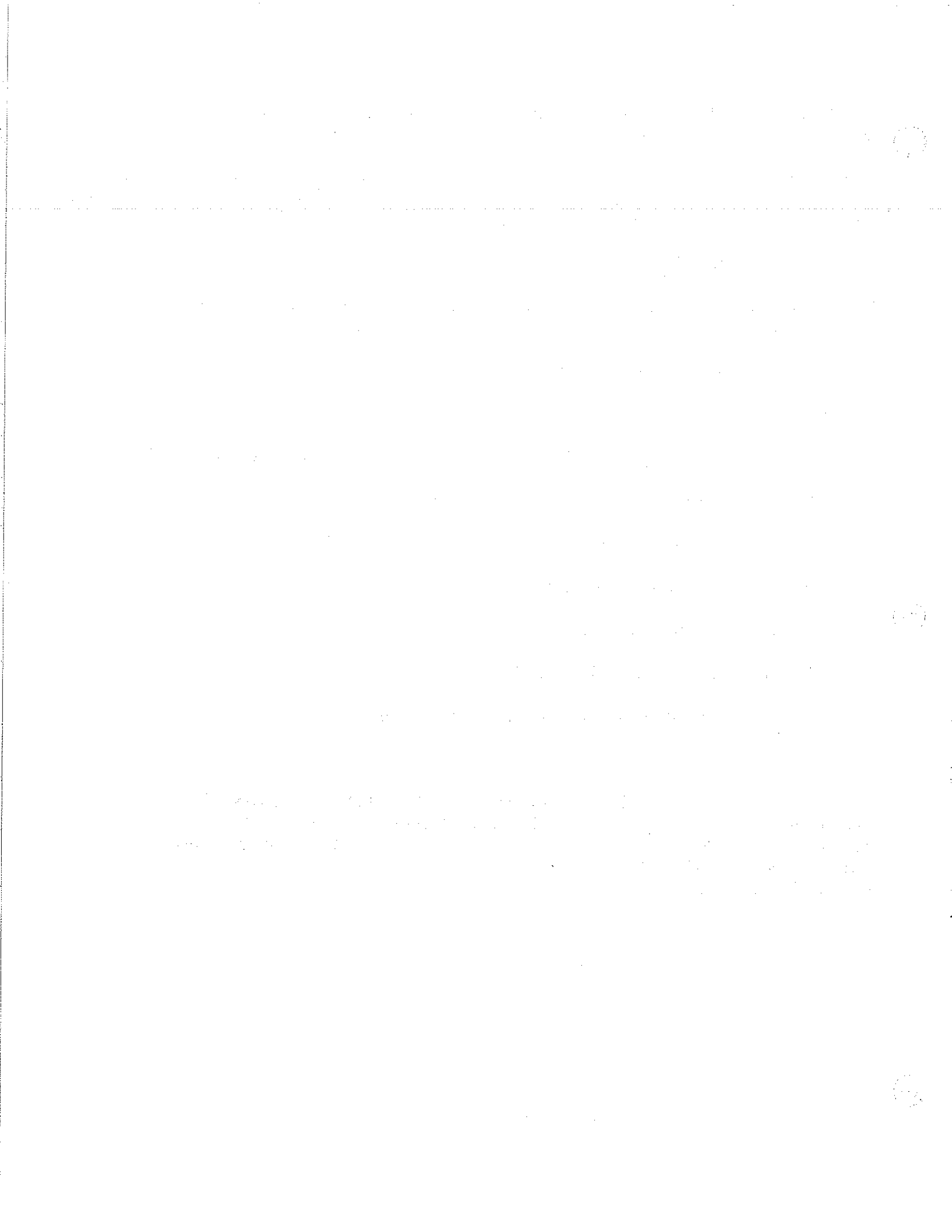
Regulation

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



SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES)

Note: Education Code 35291 requires the Governing Board to prescribe rules and regulations for maintaining discipline in the schools under its jurisdiction. While many of the required rules and regulations are in BP/AR 5144.1 - Suspension and Expulsion/Due Process, the following administrative regulation addresses special procedures required when disciplining students who have been identified for special education and related services. This administrative regulation reflects the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), implementing federal regulations (34 CFR 300.1-300.818), and conforming state legislation. Note that in cases where state law provides greater protections to students, state law supersedes federal law.

Neither state nor federal law requires that these procedures apply to students identified under Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794). However, in some instances, the district may find it appropriate to apply portions of these procedures (e.g., the limitation that a student with a disability may not be suspended for more than 10 consecutive school days) to Section 504 students with a 504 services plan. Districts that wish to apply IDEA procedures to Section 504 students should modify the following regulation accordingly.

Due to the complexity of the issue, districts should proceed carefully when suspending or expelling special education students and consult legal counsel as appropriate.

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

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

Suspension

Note: Pursuant to 20 USC 1415(k)(1), 34 CFR 300.530, and a 1988 U.S. Supreme Court decision (Honig v. Doe), districts receiving funds under the IDEA may suspend a student with a disability for no more than 10 **consecutive** school days, as long as the removal does not constitute a change in placement pursuant to 34 CFR 300.536. Education Code 48903 specifies that a student may not be suspended for more than 20 cumulative school days in a school year.

The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46715, explains that whether a bus suspension or "in-school suspension" would count as a day of suspension affecting the cumulative total depends on the unique circumstances of each case, such as whether bus transportation is part of the student's individualized education program (IEP). An "in-school suspension" or "supervised suspension classroom" as authorized by Education Code 48911.1 would not count towards the 20-day limit as long as the student is afforded the opportunity to continue to appropriately participate in the general curriculum, receive the services specified in his/her IEP, and participate with nondisabled students to the extent he/she would have in the current placement. The district should be careful that such actions do not constitute a change of placement and should carefully monitor such suspensions.

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

SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES) (continued)

Note: The following paragraph is optional.

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

(cf. 6159 - Individualized Education Program)

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

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

Note: Pursuant to 20 USC 1412(a)(1)(A) and 34 CFR 300.530, a "free appropriate public education" (FAPE) must be available to all students, including any student with a disability who has been suspended for more than 10 school days in the same school year. The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46716, clarifies that the district is not required to provide a student who has been suspended for more than 10 school days in a school year for disciplinary reasons exactly the same services in exactly the same setting as the student was receiving prior to the imposition of discipline. However, the special education and related services the student does receive must enable him/her to continue to participate in the general curriculum and to progress toward meeting the goals set out in his/her IEP. The Analysis of Comments, 71 Fed. Reg. 156, pg. 46717, clarifies that services need not be provided when a student is removed for 10 school days or less, as long as the district does not provide services to nondisabled students removed for the same amount of time.

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

SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES) (continued)

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

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

(cf. 3541.2 - Transportation for Students with Disabilities)

Interim Alternative Educational Placement Due to Dangerous Behavior

Note: 20 USC 1415(k) and 34 CFR 300.530 permit an alternative placement for 45 school days when a student with a disability, while on school grounds, while going to or coming from school, or at a school function, either (1) carries or possesses a weapon, (2) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance, or (3) inflicts serious bodily injury upon another person. "Serious bodily injury" is defined in 18 USC 1365 as bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. This alternative placement decision may be made unilaterally by the district.

The term "weapon," as used below, refers to a "dangerous weapon" as defined in 18 USC 930 and includes any device which is capable of causing death or serious bodily injury. The term does not include a pocket knife with a blade of less than 2 1/2 inches in length.

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

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

SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES) (continued)

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

Note: For requirements of the procedural safeguards notice, see AR 6159.1 - Procedural Safeguards and Complaints for Special Education.

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

✓ A student who has been removed from his/her current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow him/her to participate in the general education curriculum and to progress toward meeting the goals set out in his/her IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

Manifestation Determination

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

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

(cf. 5145.6 - Parental Notifications)

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

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

SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES) (continued)

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

- ✓ a. Caused by or had a direct and substantial relationship to the student's disability
- ✓ b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

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

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

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

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

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

SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES) (continued)

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

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

Due Process Appeals

Note: As specified below, 34 CFR 300.532 provides that either the district or the parent/guardian may appeal a placement decision by filing a due process complaint pursuant to 34 CFR 300.507 and 300.508. For details regarding the due process complaint, see BP/AR 6159.1 - Procedural Safeguards and Complaints for Special Education. In addition, the district may file a request that the hearing officer order a change of placement to an interim alternative setting for up to 45 days when the hearing officer determines that maintaining the current placement is substantially likely to result in injury to the student or others.

The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46723, clarifies that the burden of proof in due process hearings is on the party that is responsible for the issue going forward to the due process hearing officer, consistent with the U.S. Supreme Court's decision in Schaffer v. Weast. Thus, if the district has requested that a hearing officer remove a student to an interim alternative educational setting, the burden of persuasion at the hearing is on the district.

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

Note: Pursuant to 34 CFR 300.532, this due process hearing is the same as the impartial due process hearing held for other special education matters, except that the law specifies expedited timelines. For other due process hearing requirements, see BP/AR 6159.1 - Procedural Safeguards and Complaints for Special Education.

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

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

SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES) (continued)

Readmission

Note: There is no state or federal law that requires special procedures for readmission of expelled students with disabilities; however, districts have an ongoing obligation to make FAPE available to students with disabilities.

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

Decision Not to Enforce Expulsion Order

Note: For district criteria applicable to all students when the Board is considering whether or not to suspend the enforcement of an expulsion order, see BP 5144.1 - Suspension and Expulsion/Due Process. The district should consult legal counsel when considering the suspension of an expulsion order involving a special education student.

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

Notification to Law Enforcement Authorities

Note: Pursuant to 20 USC 1415(k)(6) and 34 CFR 300.535, the district is authorized to report crimes by students with disabilities to law enforcement in accordance with state law. Education Code 48902 provides procedures for these required notifications and Education Code 49076, as amended by AB 143 (Ch. 434, Statutes of 2011), requires any law enforcement authority to which information regarding a student with disabilities is disclosed to certify that those records will not be disclosed to another party without the prior written consent of the student's parent/guardian or other person invested with the student's educational right. See also AR 5144.1 - Suspension and Expulsion/Due Process and BP 5131.7 - Weapons and Dangerous Instruments.

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES) (continued)

Report to County Superintendent of Schools

Note: Education Code 48203 requires the Superintendent to report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. Education Code 48203 specifies that it is the duty of the County Superintendent to examine the reports and, if any case exists in which the interest of the student or welfare of the state may need further examination, bring the reports to the attention of the Board and the County Board of Education.

✓ The Superintendent or designee shall report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. The report shall include the student's name, last known address, and the reason for the action. (Education Code 48203)

Procedures for Students Not Yet Eligible for Special Education Services

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

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

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

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

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

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

SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES) (continued)

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

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

Legal Reference:

EDUCATION CODE

35146 *Closed sessions re: suspensions*
 35291 *Rules of governing board*
 48203 *Reports of severance of attendance of disabled students*
 48900-48925 *Suspension and expulsion*
 49076 *Access to student records*
 56000 *Special education; legislative findings and declarations*
 56320 *Educational needs; requirements*
 56321 *Development or revision of individualized education program*
 56329 *Independent educational assessment*
 56340-56347 *Individualized education program teams*
 56505 *State hearing*

PENAL CODE

245 *Assault with deadly weapon*
 626.2 *Entry upon campus after written notice of suspension or dismissal without permission*
 626.9 *Gun-Free School Zone Act*
 626.10 *Dirks, daggers, knives, razors, or stun guns*

UNITED STATES CODE, TITLE 18

930 *Weapons*
 1365 *Serious bodily injury*

UNITED STATES CODE, TITLE 20

1412 *State eligibility*
 1415 *Procedural safeguards*

UNITED STATES CODE, TITLE 21

812 *Controlled substances*

UNITED STATES CODE, TITLE 29

706 *Definitions*
 794 *Rehabilitation Act of 1973, Section 504*

Legal Reference continued: (see next page)

SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES) (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 *Evaluation and placement*

104.36 *Procedural safeguards*

300.1-300.818 *Assistance to states for the education of students with disabilities, especially:*

300.530-300.537 *Discipline procedures*

COURT DECISIONS

Schaffer v. Weast, (2005) 546 U.S. 549

Parents of Student W. v. Puyallup School District, (1994 9th Cir.) 31 F.3d 1489

M.P. v. Governing Board of Grossmont Union High School District, (1994) 858 F.Supp. 1044

Honig v. Doe, (1988) 484 U.S. 305

Management Resources:

FEDERAL REGISTER

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

WEB SITES

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

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

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

PARENTAL NOTIFICATIONS

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs and provides that districts are deemed in compliance with the program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result of this flexibility, the district may choose to temporarily suspend certain provisions of the following policy or administrative regulation that reflect those requirements. However, this flexibility does not affect or alter any existing contract or bargaining agreement that the district may have in place. Thus, districts should examine the terms of those contracts and agreements and consult with district legal counsel for additional guidance. Also see BP 2210 - Administrative Discretion Regarding Board Policy.

Cautionary Notice 2010-13: AB 1610 (Ch. 724, Statutes of 2010) amended Education Code 37252.2 and Government Code 17581.5 to relieve districts from the obligation, until July 1, 2013, to perform any activities that are deemed to be reimbursable state mandates under those sections. As a result, certain provisions of the following policy or administrative regulation that reflect those requirements may be suspended.

Note: The following exhibit lists notices which the law requires be provided to parents/guardians. Unless otherwise indicated, code numbers below refer to Education Code sections.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject	
I. Annually				
Beginning of each school year	17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information	✓
Annually by February 1	35256	BP 0510	School Accountability Report Card provided	✓
Beginning of each school year	35291, 48980	AR 5144 AR 5144.1	District and site discipline rules	✓
Beginning of each school year	46010.1	BP 5113	Absence for confidential medical services	✓
Beginning of each school year	48980	BP 6111	Schedule of minimum days	✓
Beginning of each school year	48980, 231.5; 5 CCR 4917	AR 5145.7	Sexual harassment policy as related to students	✓
Beginning of each school year	48980, 32255- 32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals	✓

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	48980, 35160.5, 46600-46611, 48204	AR 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency ✓
Beginning of each school year, if Board has adopted resolution allowing such absence	48980, 46014	BP 5113 AR 5113	Absence for religious purposes ✓
Beginning of each school year	48980, 48205	BP 5113 AR 5113 AR 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed ✓
Beginning of each school year	48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities ✓
Beginning of each school year	48980, 49403	BP 5141.31	Consent to school immunization program ✓
Beginning of each school year	48980, 49423, 49480	AR 5141.21	Administration of prescribed medication ✓
Beginning of each school year	48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination ✓
Beginning of each school year	48980, 49472	BP 5143	Availability of insurance ✓
Beginning of each school year	49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records ✓
Beginning of each school year	49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability ✓
Beginning of each school year	49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information ✓

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. <u>Annually</u> (continued)			
Beginning of each school year	49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Free and reduced price meals ✓
Annually	56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment ✓
Beginning of each school year	58501, 48980	AR 6181	Alternative schools ✓
Annually	Health & Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment <i>New</i>
Annually	5 CCR 4622	AR 1312.3	Uniform complaint procedures, available appeals, civil law remedies, and identity of coordinator ✓
Beginning of each school year	20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities ✓
Beginning of each school year, if district receives Title I funds	20 USC 6311; 34 CFR 200.61	AR 4112.24 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional ✓
Annually, if district schools have been identified for program program improvement or corrective action	20 USC 6316	AR 0520.2	Availability of supplemental educational services, identity of providers, description of services, qualifications, effectiveness of providers <i>New</i>
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination ✓

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. <u>Annually</u> (continued)			
Annually to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress ✓
II. <u>At Specific Times During the Student's Academic Career</u>			
Beginning in grade 7, at least once prior to course selection and career counseling	221.5, 48980	AR 6164.2	Course selection and career counseling ✓
When child first enrolls in a public school, if the school offers a fingerprinting program	32390, 48980	AR 5142.1	Fingerprinting program ✓
Upon registration in K-6, if students have not previously been transported	39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, <u>walking to and from stops</u> ✓
Beginning of each school year for high school students, if high school is open campus	44808.5, 48980	AR 5112.5	Open campus ✓
<i>New</i> Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	48980, 51225.3	AR 6146.1	How each high school graduation requirement does or does not satisfy college entrance a-g course criteria; list of district CTE courses that satisfy a-g course criteria
Beginning of each school year, for high school students	48980, 52244	AR 6141.5	Availability of state funds to cover costs of advanced placement exam fees ✓
Beginning of each school year in grades 9-12 and when high school student transfers into the district	48980, 60850	AR 6162.52	Requirement to pass the high school exit exam including: date of exam, requirements for passing, consequences of not passing, and that passing is a condition of graduation ✓

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. <u>At Specific Times During the Student's Academic Career</u> (continued)			
When students entering grade 7	49452.7	AR 5141.3	Specified information on type 2 diabetes ✓
When in kindergarten, or first grade if not previously enrolled in public school	49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights ✓
Beginning of each school year for students in grades 9-12	51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors ✓
Beginning of each school year for students in grades 7-12	51938, 48980	AR 6142.1	Explanation of sex and HIV/AIDS instruction; right to view A/V materials, who's teaching, request specific Education Code sections, right to excuse ✓
Within 20 working days of receiving results of standardized achievement tests	60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use ✓
When child is enrolled in kindergarten	Health & Safety Code 124100	AR 5141.32	Health screening examination ✓
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412 ✓
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Notice that parents may request district to not release name, address, phone number of child to military recruiters without prior written consent
III. <u>When Special Circumstances Occur</u>			
Upon receipt of a complaint alleging discrimination	262.3	AR 1312.3	Civil law remedies available to complainants ✓

New

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student has been placed in structured English immersion program	310, 5 CCR 11309	AR 6174	Placement of child in program and opportunity to apply for parental exception waiver ✓
When student is identified as English learner and district receives Title III funds, not later than 30 days after beginning of school year	440; 20 USC 7012	AR 6174	Student's identification for program for English learners; any failure of district to meet annual measurable achievement objectives ✓
Before high school student attends specialized secondary program on a university campus	17288	None	University campus buildings may not meet Education Code requirements for structural safety ✓
At least 72 hours before use of pesticide product not included in annual list	17612	AR 3514.2	Intended use of pesticide product ✓
To members of athletic teams	32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options
If school has lost its WASC accreditation status	35178.4	BP 6190	Loss of status, potential consequences ✓
At least six months before implementing a schoolwide uniform policy	35183	AR 5132	Dress code policy requiring schoolwide uniform ✓
Beginning of each term, when student has not passed the exit exam by the end of grade 12	37254	AR 6179	Availability of intensive instruction and services for two consecutive academic years and right to file complaint ✓
Before implementing a year-round schedule	37616	BP 6117	Year-round schedule ✓
When interdistrict transfer is requested and not approved or denied within 30 days	46601	AR 5117	Appeal process ✓
Before early entry to kindergarten, if offered	48000	AR 5111	Effects, advantages and disadvantages of early entry ✓

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student identified as being at risk of retention	48070.5	AR 5123	Student at risk of retention ✓
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	48213	AR 5112.2 BP 5141.33	Student has been excluded from school ✓
Before student is excluded for lack of immunization	48216	AR 5141.31	Two weeks to submit evidence of immunization or exemption; referral to medical care ✓
When a student is classified a truant	48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference ✓
When a truant is referred to a SARB or probation department	48263	AR 5113.1	Name and address of SARB or probation department and reason for referral ✓
When a school is identified on the state's Open Enrollment List	48354; 5 CCR 4702	AR 5118	Student's option to transfer to another school ✓
Within 60 days of receiving application for transfer out of open enrollment school	48357; 5 CCR 4702	AR 5118	Whether student's transfer application is accepted or rejected; reasons for rejection ✓
Prior to involuntary transfer to continuation school	48432.5	AR 6184	Right to require meeting prior to involuntary transfer to continuation school ✓
When student is removed from class and teacher requires parental attendance at school	48900.1	BP 5144.1 AR 5144.1	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	48904	AR 5125.2	Damaged school property ✓
When withholding grades, diplomas or transcripts from transferring student	48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts ✓
When student is released to peace officer	48906	BP 5145.11	Release of student to peace officer ✓

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
At time of suspension	48911	BP 5144.1 AR 5144.1	Notice of suspension ✓
When original period of suspension is extended	48911	AR 5144.1	Extension of suspension ✓
Before holding a closed session re: suspension	48912	AR 5144.1	Intent to hold a closed session re: suspension ✓
When student expelled from another district for certain acts seeks admission	48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student ✓
When readmission is denied	48916	AR 5144.1	Reasons for denial; determination of assigned program ✓
When expulsion occurs	48916	AR 5144.1	Description of readmission procedures ✓
10 calendar days before expulsion hearing	48918	AR 5144.1	Notice of expulsion hearing ✓
When expulsion or suspension of expulsion occurs	48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status ✓
One month before the scheduled minimum day	48980	BP 6111	When minimum days scheduled after beginning of the school year ✓
When parents request guidelines for filing complaint of child abuse at a school site	48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies ✓
When student in danger of failing a course	49067	AR 5121	Student in danger of failing a course ✓
When student transfers from another district or private school	49068	AR 5125	Right to receive copy of student's record and to challenge its content ✓

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Within 24 hours of release of information to a judge or probation officer	49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition ✓
Before release of information pursuant to court order or subpoena	49077	AR 5125	Release of information pursuant to court order or subpoena ✓
When screening results in suspicion that student has scoliosis	49452.5	AR 5141.3	Scoliosis screening ✓
When test results in discovery of visual or hearing defects	49456	AR 5141.3	Vision or hearing test ✓
<i>New</i> Annually to parents/guardians of student athletes before their first practice or competition	49475	AR 6145.2	Information on concussions and head injuries
Before any test questioning personal beliefs	51513	AR 5022	Permission for test, survey questioning personal beliefs ✓
Within 14 days of instruction if arrangement made for guest speaker after beginning of school year	51938	AR 6142.1	Instruction in HIV/AIDS or sexual health education by guest speaker or outside consultant ✓
Prior to administering survey regarding health risks and behaviors to students in 7-12	51938	AR 5022	Notice that the survey will be administered ✓
Upon assessment and reassessment of English proficiency and enrollment in program of education for English language learners	52164.1, 52164.3, 52173; 5 CCR 11303	AR 6174	Assessment results; program of education for English language learners
When migrant education program is established	54444.2	BP 6175 AR 6175	Parent advisory council membership composition ✓
When child participates in licensed child care and development program	Health & Safety Code 1596.857	AR 5148	Parent right to enter facility ✓

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When sharing student immunization information with an immunization system	Health & Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share ✓
When hearing is requested by person asked to leave school premises	Penal Code 627.5	AR 3515.2	Notice of hearing ✓
Prior to student participation in gifted and talented program	5 CCR 3831	AR 6172	Gifted and talented student program ✓
When providing written decision in response to a complaint re: discrimination, special education, or noncompliance with law regulating educational programs	5 CCR 4631	AR 1312.3	Appeal rights and procedures ✓
Within 30 calendar days of receipt of CELDT results	5 CCR 11511.5	AR 6174	CELDT test results ✓
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: unexcused absences ✓
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation ✓
For districts receiving Title I funds, when child has been taught for four or more consecutive weeks by a teacher who is not "highly qualified"	20 USC 6311	AR 4112.24	Timely notice to parent of child's assignment ✓
When school identified for program improvement or corrective action, within 30 days of failure to make annual yearly progress	20 USC 6312	AR 0520.2	Notice of failure to parents of English language learners ✓

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program ✓
When school identified for program improvement or corrective action	20 USC 6316	AR 0520.2 AR 5116.1	Explanation of identification, reasons, how problem will be addressed, how parents can become involved, transfer option, availability of supplemental services ✓
When district identified for program improvement	20 USC 6316	AR 0520.3	Explanation status, reasons for identification, how parents can participate in upgrading district ✓
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6318	AR 6020	Notice of policy ✓
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 246.6a	AR 3553	Notice of need to submit verification information; any subsequent change in benefits; right to appeal ✓
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records ✓
IV. Special Education Notices			
Prior to conducting initial evaluation	56301, 56321, 56321.5, 56321.6, 56329; 34 CFR 300.502	AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice
24 hours before IEP when district intending to record	56341.1	AR 6159	Intention to audio-record IEP meeting

New
↓

PARENTAL NOTIFICATIONS (continued)

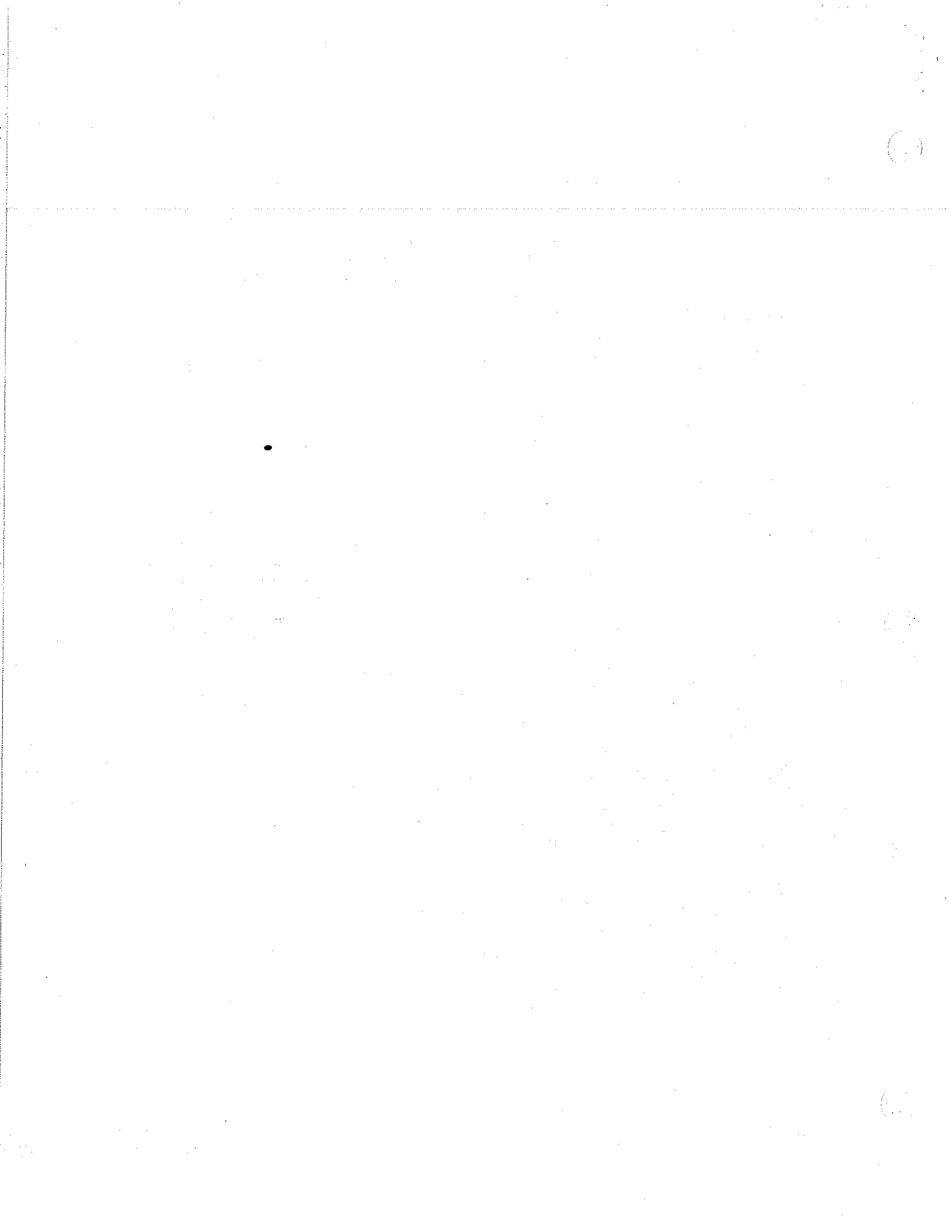
When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. Special Education Notices (continued)			
Early enough to ensure opportunity for parent to attend IEP meeting	56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who who in attendance, participation of others with special knowledge, transition statements if appropriate
When parent orally requests review of IEP	56343.5	AR 6159	Need for written request
For student receiving exit exam waiver, prior to receipt of diploma	60852.4	AR 6162.52	Right to FAPE
When student is selected to be assessed with the California Modified Assessment	5 CCR 850	AR 6162.51	Notice that the student's achievement will be measured based on modified achievement standard
Before functional behavioral assessment begins	5 CCR 3052	AR 6159.4	Notification and consent
Before modification of behavioral intervention plan	5 CCR 3052	AR 6159.4	Need for modification, right to question modification ✓
Within one school day of emergency intervention or serious property damage	5 CCR 3052	AR 6159.4	Emergency intervention ✓
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice ✓
Initial referral for evaluation	20 USC 1415(d); 34 CFR 300.503	AR 6159.1	Prior written notice and procedural safeguards notice ✓
Registration of complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice ✓
Disciplinary action taken for dangerous behavior	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice ✓
Suspension or change of placement for more than 10 days	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice ✓

New



PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. Special Education Notices (continued)			
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Child's name, address, school, description of problem, proposed resolution ✓
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	Procedural safeguards, district responsibilities ✓
V. Classroom Notices			
In each classroom in each school	35186	AR/E 1312.4	Complaint rights re: sufficiency of instructional materials, teacher vacancy and misassignment, maintenance of facilities, and, for classrooms with grades 10-12, right of students who did not pass exit exam to receive intensive instruction after grade 12 ✓

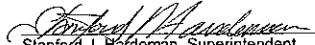


STANFORD J. HARDEMAN
SUPERINTENDENT

NOTICE OF PUBLIC HEARING

2012-2013 INITIAL RESPONSE TO THE SIERRA-PLUMAS JOINT UNIFIED SCHOOL
DISTRICT GOVERNING BOARD FROM THE CONFIDENTIAL EMPLOYEES

Notice is hereby given that a Public Hearing for public comment on the Sierra-Plumas Confidential Employees' initial response to the Sierra-Plumas Joint Unified School District Governing Board for 2012-2013 salary, benefits and bargaining offers, will be held Tuesday, June 12, 2012, at 6:00 P.M. at Downieville School, Downieville, California.


Stanford J. Hardeman, Superintendent
May 31, 2012

Posted: March 31, 2012
SCOE Website
School Sites
District Office

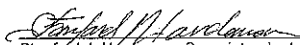
P. O. BOX 157 • 305 SOUTH LINCOLN STREET • SIERRAVILLE, CA 96126 • (530) 994-1044 • FAX (530) 994-1045

STANFORD J. HARDEMAN
SUPERINTENDENT

NOTICE OF PUBLIC HEARING

2012-2013 INITIAL RESPONSE TO THE SIERRA COUNTY BOARD OF EDUCATION
FROM THE SIERRA-PLUMAS CLASSIFIED EMPLOYEES' ASSOCIATION

Notice is hereby given that a Public Hearing for public comment on the Sierra-Plumas Classified Employees' Association initial response to the Sierra County Board of Education, for 2012-2013 salary, benefits and bargaining agreement articles, will be held Tuesday, June 12 2012, at 6:00 P.M. at Downieville School, Downieville, California.


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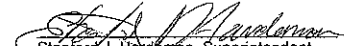
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STANFORD J. HARDEMAN
SUPERINTENDENT

NOTICE OF PUBLIC HEARING

2012-2013 INITIAL RESPONSE TO THE SIERRA-PLUMAS JOINT UNIFIED SCHOOL
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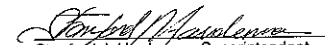
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STANFORD J. HARDEMAN
SUPERINTENDENT

NOTICE OF PUBLIC HEARING

2012-2013 INITIAL RESPONSE TO THE SIERRA COUNTY BOARD OF EDUCATION
FROM THE CONFIDENTIAL EMPLOYEES

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CONFIDENTIAL EMPLOYEES COUNTER PROPOSAL TO THE
**SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT GOVERNING BOARD (District)
AND SIERRA COUNTY SUPERINTENDENT OF SCHOOLS**

Presented June 12, 2012

2012-2013 FISCAL YEAR:

1. SALARY

- a. No increase in the Confidential employee salary schedule

Confidential Employees have no objection.

2. HEALTH BENEFITS

- a. The Employer (District and SCOE) proposes to cap the Employers' contribution in the amount of \$13,840.50 per year per employee toward the premiums and/or Health Savings Account contributions for health insurance plans (medical, dental, vision and life) on a composite rate.

Confidential Employees have no objection to the Employer cap contribution.

Confidential Employees agree to an open enrollment into TCSIG structured plans on a composite rate, including Consumer Driven High Deductible Plan (CDHD) and Health Savings Account (HSA) options are viable. Confidential Employees require that HSA contributions, for participating employees, are contributed in equal installments over 11 or 12 months, whichever applies to the position.

3. DAYS AND HOURS OF EMPLOYMENT

- a. The Employer proposes to reduce the 2012-2013 work year calendar by 6 (six) work days. The unit members' agreement will be reduced accordingly. The work year reduction shall not affect the accrual of sick leave or district leave days. Each member's pay reduction as a result of this work-year reduction shall be applied evenly over each pay period during the relevant school year.
- b. Change of work year calendar is conditional on all employee groups (classified, certificated, administrators, confidential) accepting the reduction in work days.

- a. Confidential Employees accept no concession with change of 2012-2013 work year calendar.
- b. Confidential Employees agree to re-address the options in November 2012 following confirmation of fiscal state and federal revenues. Acceptance of any change in work year calendar is conditional on all employee groups accepting a reduction.

4. **Sunset the following Early Retirement/Golden Handshake option out of the Confidential Employees agreement, effective July 1, 2012:**

“Early Retirement/Golden Handshake:

Confidential unit members with a minimum of 25 years of experience five (5) years with the District/County, who have reached the age of 55, may elect in writing to take advantage of their choice of one (1) of the following offers:

- A. One (1) year of retiree health and welfare benefits (at the tiered rate as required by health care provider) for medical, dental and vision plans for the retiree, spouse and family, or
- B. \$12,064.50 A lump sum dollar amount per year (taxable) for the term of one (1) year.

This Golden Handshake is contingent upon formal written notification of retirement /resignation being submitted on or before April 15 of the last year of service. This offer must be formalized to show a savings to the employer on a case-by-case basis.”

Add language: “*Full time Confidential employees and Confidential employees working a minimum of .5 FTE (20 hours weekly), in current active status as of July 1, 2012, shall be grandfathered into the early retirement/golden handshake option offered through July 1, 2012, and remain eligible until CalPERS retirement and separation from District/County employment.*”

Confidential Employees counter offer with additional language to include current employees working a minimum of .5 FTE (20 hours weekly) shall be grandfathered into the early retirement/golden handshake.

5. **2012-2013 Retirement Incentive**

For the 2012-2013 school year, a full-time Confidential employee with a minimum of twenty-five (25) years experience with the District or SCOE and who has reached

the age of 55 by July 1, 2012, OR a full-time Confidential employee who has a combination of 75 years of service with the District or SCOE and age (CalPERS creditable service and age at July 1, 2012), are offered a choice of one (1) of the following:

- A. ~~One (1)~~ **Two (2)** years of retiree health and welfare benefits (at the tiered rate as required by health care provider) for medical, dental and vision plans for the retiree, spouse and family, capped at the employer dollar contribution in the year of the unit member's final year of service; or
- B. ~~\$12,064.50~~ **\$13,840.50** lump sum dollar amount per year (subject to federal tax, state tax, social security and Medicare) for the term of ~~one (1)~~ **two (2) years.**

This one-time early retirement incentive offer is contingent upon formal written notification of retirement being submitted to the superintendent on or before **July 1, 2012**. A Confidential employee must commit to an effective irrevocable retirement date of not later than November 1, 2012. This offer must be formalized to show a savings to the employer on a case-by-case basis. Offer sunsets July 1, 2012.

A retired employee is a person who is receiving or has applied to receive monthly benefits from the California Public Employees Retirement System (CalPERS) effective within 60 days from the unit member's final date of employment with the District/SCOE.

~~In addition to Option A or B of the 2011-2012 Retirement Incentive, a \$5,000 lump sum dollar amount will be offered to the employee if an irrevocable "letter of retirement" is received by the District or SCOE Superintendent no later than July 1, 2012, at 5:00pm. The lump sum dollar amount is subject to federal tax, state tax, social security and Medicare, and is payable to the employee no later than January 31, 2013.~~

Confidential Employees counter offer:

- A. **Two (2) years of retiree health and welfare benefits (at the tiered rate as required by health care provider) for medical, dental and vision plans for the retiree, spouse and family, capped at the employer dollar contribution in the year of the unit member's final year of service; or**
- B. ~~\$12,064.50~~ **\$13,840.50** lump sum dollar amount per year (subject to federal tax, state tax, social security and Medicare) for the term of ~~one (1)~~ **two (2) years.**

Confidential Employees counter offer with zero (0) lump sum dollar incentive exclusive of the \$13,840.50 for two years option.

6. ARTICLE IV, VACATION:

Restructure vacation leave entitlement effective July 1, 2012

“Annual vacation leave for Confidential employees shall be on a monthly accrual method. Part-time positions shall receive a pro-rated portion of the following full time entitlement:

<u>YEARS OF SERVICE</u>	<u>ANNUAL VACATION ENTITLEMENT</u>	<u>MONTHLY ACCRUAL</u>
One to Five Years	Ten working days (80) hours	6.667 hours
Six to Ten Years	Fifteen working days (120 hours)	10. hours
Eleven Plus Years	Twenty working days (160 hours)	13.334 hours

All vacation leave shall be taken at a time convenient to the Employer with prior approval of the employer. An Employee shall use her/his annual vacation entitlement in the year earned or in the following year.

Full-time and part-time employees eligible for vacation entitlement and in current active permanent or probationary status as of July 1, 2012, shall be grandfathered into the current collective bargaining unit vacation leave entitlement language, concluding June 30, 2012.”

Confidential Employees have no objection to the restructured vacation accrual.

7. The following positions will cease to be considered Confidential positions within the Sierra County Office of Education and Sierra-Plumas Joint Unified School District effective July 1, 2012:

- Receptionist/Production Secretary
- Administrative Assistant
- School Secretary
- Accounting Technician
- Payroll Clerk
- Account Technician III
- County Support Secretary (SCOE)

Future hires in above mentioned positions will be placed in the Classified Employee job category.

Full time or part-time permanent or probationary Confidential employees in current active status in the District or SCOE as of July 1, 2012, shall be grandfathered into

the Confidential employee job description without loss of status, benefits or seniority.

Confidential Employees counter offer with clarification language. Current (as of July 1, 2012) employees identified as a Confidential employee serving in a Confidential position, shall retain their transfer and “bumping” rights into future Confidential-turned-Classified position vacancies. Current (July 1, 2012) permanent full time or part-time Classified employees shall NOT have transfer nor bumping rights into a Confidential-turned-Classified position. For example, a Classified Employee, Instructional Aide, shall not have transfer or bumping rights into a vacant School Secretary position; only current Confidential employees have transfer rights into a Confidential-turned-Classified position.

8. Develop bylaws for Confidential employees as mutually agreed upon by both employer(s) and Confidential employees.

Re-Openers for 2013-2014 School Year

1. DAYS AND HOURS OF EMPLOYMENT

- a. As a mutual re-opener, Confidential Employees will consider a reduction in the 2013-2014 work day calendar contingent on all groups of employees offering a concession equitable to an eleven and twelve month Confidential employee work year.

2. ARTICLE III, HEALTH BENEFITS

3. SALARY

4. RETIREMENT INCENTIVE

5. Develop language for bargaining agreement articles as mutually agreed upon by both employer(s) and bargaining unit.

Presented by: Sierra County Board of Education, June 12, 2012

Sierra-Plumas Joint Unified School District Governing Board,
June 12, 2012

z:Negotiations/Confidential 2012_2013 Employee Counter Proposal June 2012

CONFIDENTIAL EMPLOYEES

COMPLETION OF BARGAINING 2012-2013

The SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT AND SIERRA COUNTY OFFICE OF EDUCATION Confidential Employees voluntarily waives and relinquishes the right to meet and negotiate re-openers for school year 2012-2013, and agree that the Employer shall not be obligated to meet and negotiate with respect to any additional subject or matter. Nothing shall preclude the parties from meeting and negotiating by mutual consent.

For the Confidential Employees:

For the Employer:

Rose Asquith, Representative
Sierra-Plumas/Sierra County
Confidential Employees

Stanford J. Hardeman, Superintendent
Sierra-Plumas Joint Unified School District
Sierra County Office of Education

Michael Moore, President
Sierra-Plumas Joint Unified School
District Governing Board

Allen Wright, President
Sierra County Board of Education

Presented to the Governing Board(s): June 12, 2012

Passed by Governing Board(s):_____

SIERRA COUNTY
OFFICE OF EDUCATION



SIERRA-PLUMAS JOINT
UNIFIED SCHOOL DISTRICT

STANFORD J. HARDEMAN
SUPERINTENDENT

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Sierra County Board of Education will conduct a public hearing at the meeting scheduled for Tuesday, June 12, 2012, at 6 pm at Downieville School, Downieville, CA, for the purpose of:

Receiving public comment on the
California Department of Education Certification
of the
Sierra County SELPA Annual Service and Budget Plan

A handwritten signature in cursive script, reading "Stanford J. Hardeman", is written over a horizontal line.

Stanford J. Hardeman
Sierra County Superintendent
May 23, 2012

Posted: District Office, 305 S. Lincoln St., Sierraville CA
Sierra County Special Education Dept, 111 Beckwith Street, Loyalton CA
Loyalton Elementary, Middle and High Schools, Loyalton, CA
Downieville School, Downieville CA
On May 23, 2012

O. Box 157 • 305 South Lincoln Street • Sierraville, CA 96126 • (530) 994-1044 • FAX (530) 994-1045

California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
210	Family training, counseling, and home visits (ages 0–2 only): This service includes: services provided by social workers, psychologists, or other qualified personnel to assist the family in understanding the special needs of the child and enhancing the child’s development. Note: Services provided by specialists (such as medical services, nursing services, occupational therapy, and physical therapy) for a specific function should be coded under the appropriate service category, even if the services were delivered in the home.			X	34 Code of Federal Regulations (CFR) sections 300.34 (c)(3), 300.226
220	Medical services (for evaluation only) (ages 0–2 only): Services provided by a licensed physician to determine a child’s developmental status and need for early intervention services.			X	34 CFR sections 300.34 (c)(3), 300.226
230	Nutrition services (ages 0–2 only): These services include conducting assessments in: nutritional history and dietary intake; anthropometric, biochemical, and clinical variables; feeding skills and feeding problems; and food habits and food preferences.			X	34 CFR sections 300.34 (c)(3), 300.226
240	Service coordination (ages 0–2 only)			X	34 CFR sections 300.34 (c)(3), 300.226
250	Special instruction (ages 0-2 only): Special instruction includes: the design of learning environments and activities that promote the child’s acquisition of skills in a variety of developmental areas, including cognitive processes and social interaction; curriculum planning, including the planned interaction of personnel, materials, and time and space, that leads to achieving the outcomes in the child’s individualized family service plan (IFSP); providing families with information, skills, and support related to enhancing the skill development of the child; and working with the child to enhance the child’s development.			X	34 CFR sections 300.34 (c)(3), 300.226
260	Special education aide in regular development class, childcare center, or family childcare home (ages 0–2 only)			X	34 CFR sections 300.34 (c)(3), 300.226
270	Respite care services (ages 0–2 only): Through the IFSP process, short-term care given in-home or out-of-home, which temporarily relieves families of the ongoing responsibility for specialized care for child with a disability. (Note: only for infants and toddlers from birth through 2, but under 3.)			X	34 CFR sections 300.34 (c)(3), 300.226

Services will be provided in the school of attendance unless otherwise determined by the individualized education program (IEP) team.

California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
330	Specialized academic instruction: Adapting, as appropriate to the needs of the child with a disability, the content, methodology, or delivery of instruction to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children.	X			34 <i>CFR</i> Section 300.39(b)(3)
340	Intensive individual instruction: IEP Team determination that student requires additional support for all or part of the day to meet his or her IEP goals.	X			30 <i>California Education Code (EC)</i> Section 56364
350	Individual and small group instruction: Instruction delivered one-to-one or in a small group as specified in an IEP enabling the individual(s) to participate effectively in the total school program.	X			5 <i>California Code of Regulations (CCR)</i> Section 3051; 30 <i>EC</i> Section 56441.2
415	Language and speech: Language and speech services provide remedial intervention for eligible individuals with difficulty understanding or using spoken language. The difficulty may result from problems with articulation (excluding abnormal swallowing patterns, if that is the sole assessed disability); abnormal voice quality, pitch, or loudness; fluency; hearing loss; or the acquisition, comprehension, or expression of spoken language. Language deficits or speech patterns resulting from unfamiliarity with the English language and from environmental, economic or cultural factors are not included. Services include specialized instruction and services: monitoring, reviewing, and consultation, and may be direct or indirect, including the use of a speech consultant.	X			5 <i>CCR</i> Section 3051.1; 30 <i>EC</i> Section 56363; 34 <i>CFR</i> sections 300.34 (c)(15), 300.8 (c)(11)

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
425	Adapted physical education: Direct physical education services provided by an adapted physical education specialist to pupils who have needs that cannot be adequately satisfied in other physical education programs as indicated by assessment and evaluation of motor skills performance and other areas of need. It may include individually designed developmental activities, games, sports, and rhythms, for strength development and fitness suited to the capabilities, limitations, and interests of individual students with disabilities who may not safely, successfully, or meaningfully engage in unrestricted participation in the vigorous activities of the general or modified physical education program.	X			5 <i>CCR</i> Section 3051.5; 30 <i>EC</i> Section 56363; 34 <i>CFR</i> sections 300.108, 300.39 (b)(2)
435	Health and nursing–specialized physical health care services: Specialized physical health care services means those health services prescribed by the child’s licensed physician and surgeon, requiring medically related training of the individual who performs the services and which are necessary during the school day to enable the child to attend school (5 <i>CCR</i> Section 3051.12[b]). Specialized physical health care services include but are not limited to suctioning, oxygen administration, catheterization, nebulizer treatments, insulin administration, and glucose testing.	X			5 <i>CCR</i> Section 3051.12; 30 <i>EC</i> sections 56363, 49423.5(d) 34 <i>CFR</i> Section 300.107;
436	Health and nursing–other services: This includes services that are provided to individuals with exceptional needs by a qualified individual pursuant to an IEP when a student has health problems which require nursing intervention beyond basic school health services. Services include managing the health problem, consulting with staff, group and individual counseling, making appropriate referrals, and maintaining communication with agencies and health care providers. These services do not include any physician supervised or specialized health care service. IEP required health and nursing services are expected to supplement the regular health services program.	X			5 <i>CCR</i> Section 3051.12; 30 <i>EC</i> Section 56363; 34 <i>CFR</i> Section 300.107

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
445	Assistive technology services: Any specialized training or technical support for the incorporation of assistive devices, adapted computer technology, or specialized media with the educational programs to improve access for students. The term includes a functional analysis of the student's needs for assistive technology; selecting, designing, fitting, customizing, or repairing appropriate devices; coordinating services with assistive technology devices; training or technical assistance for students with a disability, the student's family, individuals providing education or rehabilitation services, and employers.	X			5 <i>CCR</i> Section 3051.16; 30 <i>EC</i> Section 56363; 34 <i>CFR</i> sections 300.6, 300.105
450	Occupational therapy: Occupational Therapy (OT) includes services to improve student's educational performance, postural stability, self-help abilities, sensory processing and organization, environmental adaptation and use of assistive devices, motor planning and coordination, visual perception and integration, social and play abilities, and fine motor abilities. Both direct and indirect services may be provided within the classroom, other educational settings, or the home, in groups or individually, and may include therapeutic techniques to develop abilities, adaptations to the student's environment or curriculum, and consultation and collaboration with other staff and parents. Services are provided, pursuant to an IEP, by a qualified occupational therapist registered with the American Occupational Therapy Certification Board.	X			5 <i>CCR</i> Section 3051.6; 30 <i>EC</i> Section 56363; 34 <i>CFR</i> Section 300.34 (c)(6)

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
460	<p>Physical therapy: These services are provided, pursuant to an IEP, by a registered physical therapist, or physical therapist assistant, when assessment shows a discrepancy between gross motor performance and other educational skills. Physical therapy includes, but is not limited to, motor control and coordination, posture and balance, self-help, functional mobility, accessibility and use of assistive devices. Services may be provided within the classroom, other educational settings or in the home, and may occur in groups or individually. These services may include adaptations to the student's environment and curriculum, selected therapeutic techniques and activities, and consultation and collaborative interventions with staff and parents.</p>	X			<p>5 CCR Section 3051.6; 30 EC Section 56363; 34 CFR Section 300.34 (c)(9); California <i>Business and Professions Code</i> (B&PC) Chapter 5.7 sections 2600–2696; <i>Government Code (GC)</i> Interagency Agreement Chapter 26.5 Section 7575(a)(2)</p>
510	<p>Individual counseling: One-to-one counseling, provided by a qualified individual pursuant to an IEP. Counseling may focus on such student aspects as education, career, personal, or be with parents or staff members on learning problems or guidance programs for students. Individual counseling is expected to supplement the regular guidance and counseling program.</p>	X			<p>5 CCR Section 3051.9; 34 CFR Section 300.34(c)(2)</p>
515	<p>Counseling and guidance: Counseling in a group setting, provided by a qualified individual pursuant to an IEP. Group counseling is typically social skills development, but may focus on such student aspects as education, career, personal, or be with parents or staff members on learning problems or guidance programs for students. IEP required group counseling is expected to supplement the regular guidance and counseling program. Guidance services include interpersonal, intrapersonal, or family interventions, performed in an individual or group setting by a qualified individual pursuant to an IEP. Specific programs include social skills development, self-esteem building, parent training, and assistance to special education students supervised by staff credentialed to serve special education students. These services are expected to supplement the regular guidance and counseling program.</p>	X			<p>34 CFR sections 300.24.(b)(2), 300.306; 5 CCR Section 3051.9</p>

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
520	Parent counseling: Individual or group counseling provided by a qualified individual pursuant to an IEP to assist the parent(s) of special education students in better understanding and meeting their child's needs and may include parenting skills or other pertinent issues. IEP required parent counseling is expected to supplement the regular guidance and counseling program.			X	5 CCR Section 3051.11; 34 CFR Section 300.34(c)(8)
525	Social work services: Social work services, provided by a qualified individual pursuant to an IEP, include, but are not limited to, preparing a social or developmental history of a child with a disability, group and individual counseling with the child and family, working with those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school, and mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program. Social work services are expected to supplement the regular guidance and counseling program.			X	5 CCR Section 3051.13; 34 CFR Section 300.34(c)(14)
530	Psychological services: These services, provided by a credentialed or licensed psychologist pursuant to an IEP, include interpreting assessment results for parents and staff in implementing the IEP, obtaining and interpreting information about child behavior and conditions related to learning, and planning programs of individual and group counseling and guidance services for children and parents. These services may include consulting with other staff in planning school programs to meet the special needs of children as indicated in the IEP. IEP required psychological services are expected to supplement the regular guidance and counseling program.	X			5 CCR Section 3051.10; 34 CFR Section 300.34 (c)(10)
535	Behavior intervention services: A systematic implementation of procedures designed to promote lasting, positive changes in the student's behavior resulting in greater access to a variety of community settings, social contacts, public events, and placement in the least restrictive environment.	X			5 CCR Section 3001(d); 34 CFR Section 300.34 (c)(10)

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
540	Day treatment services: Structured education, training, and support services to address the student's mental health needs.			X	Health & Safety Code, Div.2, Chap.3, Article 1, Section 1502(a)
545	Residential treatment services: A 24-hour, out-of-home placement that provides intensive therapeutic services to support the educational program.			X	Welfare and Institutions Code, Part 2, Chapter 2.5, Art. 1, Section 5671
610	Specialized services for low incidence disabilities: Low incidence services are defined as those provided to the student population who have orthopedic impairment (OI), visual impairment (VI), who are deaf, hard of hearing (HH), or deaf-blind (DB). Typically, services are provided in education settings by an itinerant teacher or an itinerant teacher/specialist. Consultation is provided to the teacher, staff, and parents as needed. These services must be clearly written in the student's IEP, including frequency and duration of the services to the student.	X			5 CCR sections 3051.16, 3051.18; 34 CFR Section 300.34
710	Specialized deaf and hard of hearing services: These services include speech therapy, speech reading, auditory training, and/or instruction in the student's mode of communication. Rehabilitative and educational services; adapting curricula, methods, and the learning environment; and special consultation to students, parents, teachers, and other school personnel.			X	5 CCR sections 3051.16, 3051.18; 34 CFR Section 300.34
715	Interpreter services: Sign language interpretation of spoken language to individuals, whose communication is normally sign language, by a qualified sign language interpreter. This includes conveying information through the sign system of the student or consumer and tutoring students regarding class content through the sign system of the student.	X			5 CCR Section 3051.16; 34 CFR Section 300.34 (c)(4)
720	Audiological services: These services include measurements of acuity, monitoring amplification, and frequency modulation system use. Consultation services with teachers, parents, or speech pathologists must be identified in the IEP as to reason, frequency, and duration of contact; infrequent contact is considered assistance and would not be included.			X	5 CCR Section 3051.2; 34 CFR Section 300.34 (c)(1)

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
725	Specialized vision services: This is a broad category of services provided to students with visual impairments. It includes assessment of functional vision; curriculum modifications necessary to meet the student's educational needs including Braille, large type, and aural media; instruction in areas of need; concept development and academic skills; communication skills including alternative modes of reading and writing; and social, emotional, career, vocational, and independent living skills. It may include coordination of other personnel providing services to the students such as transcribers, readers, counselors, orientation and mobility specialists, career/vocational staff, and others, and collaboration with the student's classroom teacher.			X	5 CCR Section 3030(d); 30 EC Section 56364.1
730	Orientation and mobility: Students with identified visual impairments are trained in body awareness and to understand how to move. Students are trained to develop skills to enable them to travel safely and independently around the school and in the community. It may include consultation services to parents regarding their children requiring such services according to an IEP.			X	5 CCR Section 3051.3; 30 EC Section 56363; 34 CFR Section 300.34 (c)(7)
735	Braille transcription: Any transcription services to convert materials from print to Braille. It may include textbooks, tests, worksheets, or anything necessary for instruction. The transcriber should be qualified in English Braille as well as Nemeth Code (mathematics) and be certified by appropriate agency.			X	5 CCR Section 3051.16; 30 EC Section 56363; 34 CFR Section 300.8 (c)(13)
740	Specialized orthopedic services: Specially designed instruction related to the unique needs of students with orthopedic disabilities, including specialized materials and equipment.	X			5 CCR sections 3030(e), 3051.16; 30 EC Section 56363; 34 CFR Section 300.8 (c)(8)
745	Reading services	X			5 CCR Section 3051.16

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
750	Note taking services: Any specialized assistance given to the student for the purpose of taking notes when the student is unable to do so independently. This may include, but is not limited to, copies of notes taken by another student or transcription of tape-recorded information from a class or aide designated to take notes. This does not include instruction in the process of learning how to take notes.	X			5 CCR Section 3051.16
755	Transcription services: Any transcription service to convert materials from print to a mode of communication suitable for the student. This may also include dictation services as it may pertain to textbooks, tests, worksheets, or anything necessary for instruction.	X			5 CCR Section 3051.16
760	Recreation services, includes therapeutic recreation: Therapeutic recreation and specialized instructional programs designed to assist pupils to become as independent as possible in leisure activities, and when possible and appropriate, facilitate the pupil's integration into general recreation programs.			X	5 CCR Section 3051.15; 34 CFR Section 300.34 (c)(11)
820	College awareness: College awareness is the result of acts that promote and increase student learning about higher education opportunities, information, and options that are available including, but not limited to, career planning, course prerequisites, admission eligibility, and financial aid.	X			34 CFR sections 300.39 (b)(5), 300.43
830	Vocational assessment, counseling, guidance, and career assessment: Organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, and may include provision for work experience, job coaching, development and/or placement, and situational assessment. This includes career counseling to assist a student in assessing his/her aptitudes, abilities, and interests in order to make realistic career decisions.	X			5 CCR Section 3051.14; 34 CFR sections 300.39 (b)(5), 300.43
840	Career awareness: Transition services include a provision for self-advocacy, career planning, and career guidance. This also emphasizes the need for coordination between these provisions and the Perkins Act to ensure that students with disabilities in middle schools will be able to access vocational education funds.	X			5 CCR Section 3051.14; 34 CFR sections 300.39 (b)(5), 300.43

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
850	Work experience education: Work experience education means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree.	X			5 CCR Section 3051.14; 34 CFR sections 300.39 (b)(5), 300.43
855	Job Coaching: Job coaching is a service that provides assistance and guidance to an employee who may be experiencing difficulty with one or more aspects of the daily job tasks and functions. The service is provided by a job coach who is highly successful, skilled and trained on the job who can determine how the employee that is experiencing difficulty learns best and formulate a training plan to improve job performance.	X			5 CCR Section 3051.14; 34 CFR sections 300.39 (b)(5), 300.43
860	Mentoring: Mentoring is a sustained coaching relationship between a student and teacher through ongoing involvement. The mentor offers support, guidance, encouragement and assistance as the learner encounters challenges with respect to a particular area such as acquisition of job skills. Mentoring can be either formal, as in planned, structured instruction, or informal that occurs naturally through friendship, counseling, and collegiality in a casual, unplanned way.	X			5 CCR Section 3051.14; 34 CFR sections 300.39 (b)(5), 300.43
865	Agency linkages (referral and placement): Service coordination and case management that facilitates the linkage of individualized education programs under this part and individualized family service plans under part C with individualized service plans under multiple Federal and State programs, such as title I of the Rehabilitation Act of 1973 (vocational rehabilitation), title XIX of the Social Security Act (Medicaid), and title XVI of the Social Security Act (supplemental security income).	X			30 EC Section 56341.5 (f); 34 CFR Section 300.344 (3)(b)
870	Travel training (includes mobility training)			X	5 CCR Section 3051.3; 34 CFR sections 300.39 (c)(7)
890	Other transition services: These services may include program coordination, case management and meetings, and crafting linkages between schools and between schools and postsecondary agencies.	X			

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Code	Special Education Service Category Descriptions	Adopted	Modified	Not Currently Utilized	Compliance Standard (Legal Requirement*)
900	Other special education/related services: Any other specialized service required for a student with a disability to receive educational benefit.	X			
* <i>B&PC–Business and Professional Codes</i> <i>CCR–California Code of Regulations</i> <i>CFR–Code of Federal Regulations</i> <i>EC–Education Code</i> <i>GC–Government Code</i>					

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

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California Special Education Management Information System
Service Descriptions

Special Education Local Plan Area:

Services will be provided in the school of attendance unless otherwise determined by the individualized education program (IEP) team.

California Special Education Management Information System
Service Descriptions

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Special Education Local Plan Area:

Local Educational Agency:

ANNUAL SERVICE PLAN (001)

Location											
A. The services listed in the boxes to the right (→) are provided at all schools in the LEA.	330										
B. List all physical locations where services are provided in the LEA. Also, list any other services that are provided and not listed in box A above.	Nature of Service										
	List the California Special Education Management Information System (CASEMIS) code associated with each service that is provided at the location listed in the left-hand column.										
Downieville Jr/Sr	330	510	515	535	820	830	840	850	890		10
Loyalton High School	330	510	515	535	820	830	840	850	890		10
Downieville Elementary	330	415	425	510	840						10
Loyalton Elementary	330	415	425	510	840						10
Loyalton Middle School	330	415	510	840							10
Sierra County Jail	330	830									21
Loyalton Preschool	330	415	425	450	460						10

Please ensure that the following are included on this form:

10–Public Day School	11–Public Residential School
15–Special Education Center/Facility	19–Other Public School/Facilities
20–Continuation School	22–Alternative Work Education Center/Work Study Program
24–Independent Study	31–Community School
55–Charter School (operated by an LEA/District/County Office of Education)	56–Charter School (operated as an LEA)

Special Education Local Plan Area:

Local Educational Agency:

Other Facilities (002)

List the site name and type of facility providing services to students enrolled in the LEA		Services Provided at this Location							
Site Name	Type of Facility (see below)	List the California Special Education Information System (CASEMIS) code associated with each service that is provided at the location listed in the left-hand column							
Sierra County Jail	32	330	830						

Use these codes to identify the type of facility providing services to students ages 6-22:

30-Juvenile Court School	32-Correctional Institution or Incarceration Facility	40-Home Instruction
45-Hospital Facility	50-Community College	51-Adult Education Program
70-Nonpublic Day School	71/72-Nonpublic Residential School	79-Nonpublic Agency

Special Education Local Plan Area:

Local Educational Agency:

Infant Services (003)

List the site name and type of facility providing services to students enrolled in the LEA		Services Provided at this Location							
Site Name	Type of Facility	List the California Special Education Management Information System (CASEMIS) code associated with each service that is provided at the location listed in the left-hand column							
None									

Use these codes to identify the type of facility where Infant Services (ages 0-3) are provided:

00-No School (Ages 0-5 only)	10-Public Day School
11-Public Residential School	19-Other Public School/Facilities
40-Home	45-Hospital Facility
62-Child Development or Child Care Facility	65-Extended Day Care

Special Education Local Plan Area:

Local Educational Agency:

Pre-School Services (004)

List the site name and type of facility providing services to students enrolled in the LEA		Services Provided at this Location					
Site Name	Type of Facility	List the California Special Education Management Information System (CASEMIS) code associated with each service that is provided at the location listed in the left-hand column					
Loyalton Preschool	10	330	415	425	450	460	

Use these numbers to identify the type of facility where Pre-School Services (ages 3–5) are provided:

40–Home Instruction	45–Hospital Facility
61–Head Start Program	62–Child Development or Child Care Facility
63–State Preschool Program	64–Private Preschool
65–Extended Day Care Program	



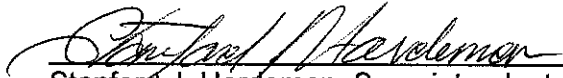
STANFORD J. HARDEMAN
SUPERINTENDENT

NOTICE OF PUBLIC HEARING

SIERRA COUNTY OFFICE OF EDUCATION 2012-2013 PROPOSED BUDGET

Pursuant to Education Code Sections 42103, 42122, 42123, and 42127, notice is hereby published that a Public Hearing on the Sierra County Office of Education's proposed budget will be held Tuesday, June 12, 2012, 6:00 p.m. at Downieville School, Downieville, California.

The budget will be available for public inspection at the Sierra County Office of Education, 305 S. Lincoln Street, Sierraville, California, one week prior to the meeting between the hours of 8:00 a.m. and 4:30 p.m. Monday – Friday or comments may be heard at Public Hearing.


Stanford J. Hardeman, Superintendent
May 10, 2012

Published: May 17 and May 24, 2012

ANNUAL BUDGET REPORT:
July 1, 2012 Single Budget Adoption

This budget was developed using the state-adopted Criteria and Standards. It was filed and adopted subsequent to a public hearing by the County Board of Education. (Pursuant to Education Code sections 1620, 1622, and 33129)

Public Hearing: _____ Adoption Date: June 12, 2012

Place: Downieville, CA Signed: _____
Date: June 12, 2012 Clerk/Secretary of the County Board
Time: 6:00 PM (Original signature required)

Contact person for additional information on the budget reports:

Name: Rose Asquith
Title: Business Manager
Telephone: 530-994-1044 x 22
E-mail: rasquith@spjUSD.org

To update our mailing database, please complete the following:

Superintendent's Name: Stanford J. Hardeman
Chief Business Official's Name: Rose Asquith
CBO's Title: Business Manager
CBO's Telephone: 530-994-1044 x 22

Criteria and Standards Review Summary

The following summary is automatically completed based on data provided in the Criteria and Standards Review (Form 01CS). Criteria and standards that are "Not Met" and supplemental information and additional fiscal indicators that are "Yes" may indicate areas of potential concern for fiscal solvency purposes and should be carefully reviewed.

CRITERIA AND STANDARDS			Met	Not Met
1a	Average Daily Attendance (ADA) - Countywide	Projected countywide other purpose ADA has not been overestimated by more than the standard for the first prior fiscal year, or two or more of the previous three fiscal years.	X	
1b	ADA - County Operated Programs	Projected ADA for county operated programs has not exceeded the standard for the budget and two subsequent fiscal years.	X	
2	Revenue Limit	Projected change in revenue limit is within the standard for the budget and two subsequent fiscal years.		X

CRITERIA AND STANDARDS (continued)			Met	Not Met
3	Salaries and Benefits	Projected total salaries and benefits are within the standard for the budget and two subsequent fiscal years.	X	
4a	Other Revenues	Projected operating revenues (e.g., federal, other state, and other local) are within the standard for the budget and two subsequent fiscal years.		X
4b	Other Expenditures	Projected expenditures (e.g., books and supplies, and services and other operating) are within the standard for the budget and two subsequent fiscal years.		X
5a	Deferred Maintenance	SBX3 4 (Chapter 12, Statutes of 2009), as amended by SB 70 (Chapter 7, Statutes of 2011), eliminates the local match requirement for Deferred Maintenance from 2008-09 through 2014-15. Therefore, this item has been inactivated for that period.		
5b	Ongoing and Major Maintenance Account	If applicable, required contribution to the ongoing and major maintenance account (i.e., restricted maintenance account) is included in the budget.	n/a	
6	Deficit Spending	Unrestricted deficit spending, if any, has not exceeded the standard for two or more of the last three fiscal years.	X	
7	Fund Balance	Unrestricted county school service fund beginning balance has not been overestimated by more than the standard for two or more of the last three fiscal years.	X	
8	Reserves	Projected available reserves (e.g., reserve for economic uncertainties, unassigned/unappropriated amounts) meet minimum requirements for the budget and two subsequent fiscal years.	X	

SUPPLEMENTAL INFORMATION			No	Yes
S1	Contingent Liabilities	Are there known or contingent liabilities (e.g., financial or program audits, litigation, state compliance reviews) that may impact the budget?	X	
S2	Using One-time Revenues to Fund Ongoing Exps.	Are there ongoing county school service fund expenditures in excess of one percent of the total county school service fund expenditures that are funded with one-time resources?	X	
S3	Using Ongoing Revenues to Fund One-time Exps.	Are there large non-recurring county school service fund expenditures that are funded with ongoing county school service fund revenues?	X	
S4	Contingent Revenues	Are any projected revenues for the budget or two subsequent fiscal years contingent on reauthorization by the local government, special legislation, or other definitive act (e.g., parcel taxes, forest reserves)?		X
S5	Contributions	Have contributions from unrestricted to restricted resources, or transfers to or from the county school service fund to cover operating deficits, changed by more than the standard for the budget or two subsequent fiscal years?	X	

SUPPLEMENTAL INFORMATION (continued)			No	Yes
S6	Long-term Commitments	Does the county office have long-term (multiyear) commitments or debt agreements?		X
		<ul style="list-style-type: none"> If yes, have annual payments for the budget or two subsequent fiscal years increased over prior year's (2011-12) annual payment? 	X	
S7a	Postemployment Benefits Other than Pensions	Does the county office provide postemployment benefits other than pensions (OPEB)?		X
		<ul style="list-style-type: none"> If yes, are they lifetime benefits? 	X	
		<ul style="list-style-type: none"> If yes, do benefits continue beyond age 65? 	X	
		<ul style="list-style-type: none"> If yes, are benefits funded by pay-as-you-go? 		X
S7b	Other Self-insurance Benefits	Does the county office provide other self-insurance benefits (e.g., workers' compensation)?		X
S8	Status of Labor Agreements	Are salary and benefit negotiations still open for:		
		<ul style="list-style-type: none"> Certificated? (Section S8A, Line 1) 	X	
		<ul style="list-style-type: none"> Classified? (Section S8B, Line 1) 	X	
		<ul style="list-style-type: none"> Management/supervisor/confidential? (Section S8C, Line 1) 	X	

ADDITIONAL FISCAL INDICATORS			No	Yes
A1	Negative Cash Flow	Do cash flow projections show that the county office will end the budget year with a negative cash balance in the county school service fund?	X	
A2	Independent Position Control	Is personnel position control independent from the payroll system?		X
A3	Declining ADA	Is other purpose ADA decreasing in both the prior fiscal year and budget year?	X	
A4	New Charter Schools Impacting County Office ADA	Are any new charter schools operating in county boundaries that are impacting the county office's ADA, either in the prior fiscal year or budget year?	X	
A5	Salary Increases Exceed COLA	Has the county office entered into a bargaining agreement where any of the budget or subsequent fiscal years of the agreement would result in salary increases that are expected to exceed the projected state funded cost-of-living adjustment?	X	
A6	Uncapped Health Benefits	Does the county office provide uncapped (100% employer paid) health benefits for current or retired employees?	X	
A7	Fiscal Distress Reports	Does the county office have any reports that indicate fiscal distress? If yes, provide copies to the CDE.	X	
A8	Change of CBO or Superintendent	Have there been personnel changes in the superintendent or chief business official (CBO) positions within the last 12 months?	X	



ANNUAL CERTIFICATION REGARDING SELF-INSURED WORKERS' COMPENSATION CLAIMS

Pursuant to EC Section 42141, if a county office of education is self-insured for workers' compensation claims, the county superintendent of schools annually shall provide information to the governing board of the county board of education regarding the estimated accrued but unfunded cost of those claims. The county board of education annually shall certify to the Superintendent of Public Instruction the amount of money, if any, that has been reserved in the budget of the county office of education for the cost of those claims.

To the Superintendent of Public Instruction:

() Our county office of education is self-insured for workers' compensation claims as defined in Education Code Section 42141(a):

Total liabilities actuarially determined:	\$	_____
Less: Amount of total liabilities reserved in budget:	\$	_____
Estimated accrued but unfunded liabilities:	\$	_____ 0.00

() This county office of education is self-insured for workers' compensation claims through a JPA, and offers the following information:
Northeastern JPA

() This county office of education is not self-insured for workers' compensation claims.

Signed _____
Clerk/Secretary of the Governing Board
(Original signature required)

Date of Meeting: Jun 12, 2012

For additional information on this certification, please contact:

Name: Rose Asquith

Title: Business Manager

Telephone: 530-994-1044 x 22

E-mail: rasquith@spjUSD.org

Description	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
	Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
A. REVENUES							
1) Revenue Limit Sources	404,921.02	0.00	404,921.02	304,717.00	0.00	304,717.00	-24.7%
2) Federal Revenue	0.00	170,009.81	170,009.81	0.00	168,543.00	168,543.00	-0.9%
3) Other State Revenue	65,881.42	373,275.93	439,157.35	82,375.00	449,846.00	532,221.00	21.2%
4) Other Local Revenue	161,683.29	0.00	161,683.29	246,072.00	55,305.00	301,377.00	86.4%
5) TOTAL REVENUES	632,485.73	543,285.74	1,175,771.47	633,164.00	673,694.00	1,306,858.00	11.1%
B. EXPENDITURES							
1) Certificated Salaries	65,241.49	249,701.05	314,942.54	40,309.00	255,032.00	295,341.00	-6.2%
2) Classified Salaries	212,472.47	104,839.53	317,312.00	217,858.00	117,459.00	335,317.00	5.7%
3) Employee Benefits	183,159.36	122,248.22	305,407.58	199,276.00	126,041.00	325,317.00	6.5%
4) Books and Supplies	7,804.71	9,912.27	17,716.98	14,050.00	15,307.00	29,357.00	65.7%
5) Services and Other Operating Expenditures	165,589.27	144,297.64	309,886.91	164,820.00	198,226.00	363,046.00	17.2%
6) Capital Outlay	0.00	28,941.31	28,941.31	0.00	0.00	0.00	-100.0%
7) Other Outgo (excluding Transfers of Indirect Costs)	218,516.29	0.00	218,516.29	232,850.00	0.00	232,850.00	6.6%
8) Other Outgo - Transfers of Indirect Costs	0.00	0.00	0.00	(25,268.00)	25,268.00	0.00	0.0%
9) TOTAL EXPENDITURES	852,763.59	659,940.02	1,512,703.61	843,895.00	737,333.00	1,581,228.00	4.5%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES. (A5 - B9)							
	(220,277.86)	(116,654.28)	(336,932.14)	(210,731.00)	(63,639.00)	(274,370.00)	-18.6%
D. OTHER FINANCING SOURCES/USES							
1) Interfund Transfers							
a) Transfers In	160,830.16	0.00	160,830.16	8,465.00	0.00	8,465.00	-94.7%
b) Transfers Out	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
a) Sources	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses	(52,134.72)	52,134.72	0.00	(63,638.00)	63,638.00	0.00	0.0%
3) Contributions	108,695.44	52,134.72	160,830.16	(55,173.00)	63,638.00	8,465.00	-94.7%
4) TOTAL OTHER FINANCING SOURCES/USES							

Description	2011-12 Estimated Actuals		2012-13 Budget			% Diff Column C & F	
	Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)		Total Fund col. D + E (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)	(111,582.42)	(64,519.56)	(176,101.98)	(265,904.00)	(1.00)	(265,905.00)	51.0%
F. FUND BALANCE, RESERVES							
1) Beginning Fund Balance							
a) As of July 1 - Unaudited	1,886,777.62	69,479.70	1,956,257.32	1,775,195.20	4,960.14	1,780,155.34	-9.0%
b) Audit Adjustments	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)	1,886,777.62	69,479.70	1,956,257.32	1,775,195.20	4,960.14	1,780,155.34	-9.0%
d) Other Restatements	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)	1,886,777.62	69,479.70	1,956,257.32	1,775,195.20	4,960.14	1,780,155.34	-9.0%
2) Ending Balance, June 30 (E + F1e)	1,775,195.20	4,960.14	1,780,155.34	1,509,291.20	4,959.14	1,514,250.34	-14.9%
Components of Ending Fund Balance							
a) Nonspendable							
Revolving Cash	2,500.00	0.00	2,500.00	2,500.00	0.00	2,500.00	0.0%
Stores	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Prepaid Expenditures	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Others	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
b) Restricted	0.00	4,960.14	4,960.14	0.00	4,960.14	4,960.14	0.0%
c) Committed							
Stabilization Arrangements	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Commitments	29,654.00	0.00	29,654.00	44,393.00	0.00	44,393.00	49.7%
d) Assigned							
Other Assignments	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
e) Unassigned/unappropriated							
Reserve for Economic Uncertainties	151,270.00	0.00	151,270.00	158,122.00	0.00	158,122.00	4.5%
Unassigned/Unappropriated Amount	1,591,771.20	0.00	1,591,771.20	1,304,276.20	(1.00)	1,304,275.20	-18.1%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
G. ASSETS									
1) Cash									
a) in County Treasury		9110	1,945,766.81	20,826.77	1,966,593.58				
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00	0.00	0.00				
b) in Banks		9120	0.00	0.00	0.00				
c) in Revolving Fund		9130	2,500.00	0.00	2,500.00				
d) with Fiscal Agent		9135	0.00	0.00	0.00				
e) collections awaiting deposit		9140	0.00	0.00	0.00				
2) Investments		9150	0.00	0.00	0.00				
3) Accounts Receivable		9200	0.00	28,917.00	28,917.00				
4) Due from Grantor Government		9290	158,863.77	103,143.77	262,007.54				
5) Due from Other Funds		9310	0.00	0.00	0.00				
6) Stores		9320	0.00	0.00	0.00				
7) Prepaid Expenditures		9330	0.00	0.00	0.00				
8) Other Current Assets		9340	0.00	0.00	0.00				
9) Fixed Assets		9400							
10) TOTAL ASSETS			2,107,130.58	152,887.54	2,260,018.12				
H. LIABILITIES									
1) Accounts Payable		9600	27,357.40	13,875.00	41,232.40				
2) Due to Grantor Governments		9590	41,991.00	20,131.73	62,122.73				
3) Due to Other Funds		9610	0.00	0.00	0.00				
4) Current Loans		9640	0.00	0.00	0.00				
5) Deferred Revenue		9650	0.00	34,847.13	34,847.13				
6) Long-Term Liabilities		9660							
7) TOTAL LIABILITIES			69,348.40	68,853.86	138,202.26				
I. FUND EQUITY									
Ending Fund Balance, June 30 (G10 - H7)			2,037,782.18	84,033.68	2,121,815.86				

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
REVENUE LIMIT SOURCES									
Principal Apportionment									
State Aid - Current Year		8011	337,767.02	0.00	337,767.02	236,691.00	0.00	236,691.00	-29.99%
Charter Schools General Purpose Entitlement - State Aid		8015	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
State Aid - Prior Years		8019	(884.00)	0.00	(884.00)	0.00	0.00	0.00	-100.00%
Tax Relief Subventions		8021	0.00	0.00	0.00	100.00	0.00	100.00	New
Homeowners' Exemptions		8022	0.00	0.00	0.00	5.00	0.00	5.00	New
Timber Yield Tax		8029	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Other Subventions/In-Lieu Taxes									
County & District Taxes		8041	56,167.37	0.00	56,167.37	59,000.00	0.00	59,000.00	5.0%
Secured Roll Taxes		8042	327.10	0.00	327.10	3,000.00	0.00	3,000.00	817.2%
Unsecured Roll Taxes									
Prior Years' Taxes		8043	0.00	0.00	0.00	40.00	0.00	40.00	New
Supplemental Taxes		8044	0.00	0.00	0.00	200.00	0.00	200.00	New
Education Revenue Augmentation Fund (ERAF)		8045	5,850.53	0.00	5,850.53	0.00	0.00	0.00	-100.0%
Community Redevelopment Funds (SB 617/699/1992)		8047	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Penalties and Interest from Delinquent Taxes		8048	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Receipt from Co. Board of Suprs.		8070	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Miscellaneous Funds (EC 41604)		8081	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Royalties and Bonuses		8082	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Other In-Lieu Taxes									
Less: Non-Revenue Limit (50%) Adjustment		8089	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Subtotal, Revenue Limit Sources			399,228.02	0.00	399,228.02	299,036.00	0.00	299,036.00	-25.1%
Revenue Limit Transfers									
Unrestricted Revenue Limit Transfers - Current Year	0000	8091	0.00		0.00	0.00		0.00	0.00%
Juvenile Court/County Community Schools Transfer	2400-2420	8091		0.00	0.00		0.00	0.00	0.00%
Community Day Schools Transfer	2430	8091		0.00	0.00		0.00	0.00	0.00%
Special Education DA Transfer	6500	8091		0.00	0.00		0.00	0.00	0.00%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
All Other Revenue Limit Transfers - Current Year	All Other	8091	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
PERS Reduction Transfer		8092	5,693.00	0.00	5,693.00	5,681.00	0.00	5,681.00	-0.2%
Transfers to Charter Schools in Lieu of Property Taxes		8096	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Property Taxes Transfers		8097	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Revenue Limit Transfers - Prior Years		8099	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL REVENUE LIMIT SOURCES			404,921.02	0.00	404,921.02	304,717.00	0.00	304,717.00	-24.7%
FEDERAL REVENUE									
Maintenance and Operations		8110	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education Entitlement		8181	0.00	97,619.24	97,619.24	0.00	102,336.00	102,336.00	4.8%
Special Education Discretionary Grants		8182	0.00	28,430.69	28,430.69	0.00	28,187.00	28,187.00	-0.9%
Child Nutrition Programs		8220	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Flood Control Funds		8270	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Wildlife Reserve Funds		8280	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
FEMA		8281	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Contracts Between LEAs		8285	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues from Federal Sources		8287	0.00	(0.10)	(0.10)	0.00	0.00	0.00	-100.0%
	3000-3009, 3011-3024, 3026-3299, 4000-4034, 4036-4139, 4202, 4204-4215, 5510	8290		7,025.00	7,025.00		6,805.00	6,805.00	-3.1%
NCLB/IASA									
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	3010	8290		0.00	0.00		0.00	0.00	0.0%
NCLB: Title I, Part D, Local Delinquent Programs	3025	8290		0.00	0.00		0.00	0.00	0.0%
NCLB: Title II, Part A, Teacher Quality	4035	8290		0.00	0.00		0.00	0.00	0.0%
NCLB: Title III, Immigrant Education Program	4201	8290		0.00	0.00		0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F	
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)		
NCLB: Title III, Limited English Proficient (LEP) Student Program	4203	8290		0.00	0.00			0.00	0.00	0.0%
NCLB: Title V, Part B, Public Charter Schools Grant Program (PCSGP)	4610	8290		0.00	0.00			0.00	0.00	0.0%
Vocational and Applied Technology Education	3500-3699	8290		0.00	0.00			0.00	0.00	0.0%
Safe and Drug Free Schools	3700-3799	8290		0.00	0.00			0.00	0.00	0.0%
Other Federal Revenue	All Other	8290	0.00	36,934.98	36,934.98	0.00	0.00	31,215.00	31,215.00	-15.5%
TOTAL FEDERAL REVENUE			0.00	170,009.81	170,009.81	0.00	0.00	168,543.00	168,543.00	-0.9%
OTHER STATE REVENUE										
Other State Apportionments										
Community Day School Additional Funding										
Current Year	2430	8311		0.00	0.00			0.00	0.00	0.0%
Prior Years	2430	8319		0.00	0.00			0.00	0.00	0.0%
ROC/P Entitlement										
Current Year	6355-6360	8311		0.00	0.00			0.00	0.00	0.0%
Prior Years	6355-6360	8319		0.00	0.00			0.00	0.00	0.0%
Special Education Master Plan										
Current Year	6500	8311		305,497.32	305,497.32			344,430.00	344,430.00	12.7%
Prior Years	6500	8319		0.00	0.00			0.00	0.00	0.0%
Home-to-School Transportation	7230	8311		0.00	0.00			0.00	0.00	0.0%
Economic Impact Aid	7090-7091	8311		0.00	0.00			0.00	0.00	0.0%
Spec. Ed. Transportation	7240	8311		0.00	0.00			0.00	0.00	0.0%
All Other State Apportionments - Current Year	All Other	8311	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Apportionments - Prior Years	All Other	8319	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Class Size Reduction, K-3		8434	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Child Nutrition Programs		8520	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Mandated Costs Reimbursements		8550	2,924.00	0.00	2,924.00	0.00	0.00	0.00	0.00	-100.0%
Lottery - Unrestricted and Instructional Materials		8560	4,277.67	967.74	5,245.41	3,440.00	532.00	3,972.00	3,972.00	-24.3%
Tax Relief Subventions										
Restricted Levies - Other										
Homeowners' Exemptions		8575	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
School Based Coordination Program	7250	8590		0.00	0.00		0.00	0.00	0.0%
After School Education and Safety (ASES)	6010	8590		0.00	0.00		0.00	0.00	0.0%
Charter School Facility Grant	6030	8590		0.00	0.00		0.00	0.00	0.0%
Drug/Alcohol/Tobacco Funds	6650-6690	8590		25,346.80	25,346.80		58,209.00	58,209.00	129.7%
Healthy Start	6240	8590		0.00	0.00		0.00	0.00	0.0%
School Community Violence Prevention Grant	7391	8590		0.00	0.00		0.00	0.00	0.0%
Quality Education Investment Act	7400	8590		0.00	0.00		0.00	0.00	0.0%
All Other State Revenue	All Other	8590	58,679.75	41,464.07	100,143.82	78,935.00	46,675.00	125,610.00	25.4%
TOTAL OTHER STATE REVENUE			65,881.42	373,275.93	439,157.35	82,375.00	449,846.00	532,221.00	21.2%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
OTHER LOCAL REVENUE									
Other Local Revenue									
County and District Taxes									
Other Restricted Levies									
Secured Roll		8615	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Unsecured Roll		8616	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Prior Years' Taxes		8617	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Supplemental Taxes		8618	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Non-Ad Valorem Taxes									
Parcel Taxes		8621	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other		8622	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Community Redevelopment Funds									
Not Subject to RL Deduction		8625	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Penalties and interest from									
Delinquent Non-Revenue									
Limit Taxes		8629	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Sales									
Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Sale of Publications		8632	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Food Service Sales		8634	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Sales		8639	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Leases and Rentals		8650	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Interest		8660	8,225.19	0.00	8,225.19	10,100.00	0.00	10,100.00	22.8%
Net Increase (Decrease) in the Fair Value									
of Investments		8662	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Fees and Contracts									
Adult Education Fees		8671	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Non-Resident Students		8672	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Transportation Fees From Individuals		8675	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Transportation Services	7230, 7240	8677	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Services	All Other	8677	153,457.74	0.00	153,457.74	235,972.00	0.00	235,972.00	53.8%
Mitigation/Developer Fees		8681	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Fees and Contracts		8689	0.00	0.00	0.00	0.00	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
Other Local Revenue			0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Plus: Misc Funds Non-Revenue Limit (50%) Adjustment		8691							
Pass-Through Revenues From Local Sources		8697	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Local Revenue		8699	0.36	0.00	0.36	0.00	0.00	0.00	-100.0%
Tuition		8710	0.00	0.00	0.00	0.00	55,305.00	55,305.00	New
All Other Transfers In		8781-8783	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Apportionments									
Special Education SELPA Transfers From Districts or Charter Schools	6500	8791		0.00	0.00		0.00	0.00	0.0%
From County Offices	6500	8792		0.00	0.00		0.00	0.00	0.0%
From JPAs	6500	8793		0.00	0.00		0.00	0.00	0.0%
ROC/P Transfers									
From Districts or Charter Schools	6360	8791		0.00	0.00		0.00	0.00	0.0%
From County Offices	6360	8792		0.00	0.00		0.00	0.00	0.0%
From JPAs	6360	8793		0.00	0.00		0.00	0.00	0.0%
Other Transfers of Apportionments									
From Districts or Charter Schools	All Other	8791	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
From County Offices	All Other	8792	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
From JPAs	All Other	8793	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			161,683.29	0.00	161,683.29	246,072.00	55,305.00	301,377.00	86.4%
TOTAL REVENUES			632,485.73	543,285.74	1,175,771.47	633,164.00	673,694.00	1,306,858.00	11.1%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
CERTIFICATED SALARIES									
Certificated Teachers' Salaries		1100	65,241.49	145,047.95	210,289.44	22,279.00	148,520.00	170,799.00	-18.8%
Certificated Pupil Support Salaries		1200	0.00	58,857.20	58,857.20	0.00	59,350.00	59,350.00	0.8%
Certificated Supervisors' and Administrators' Salaries		1300	0.00	45,795.90	45,795.90	18,030.00	47,192.00	65,192.00	42.4%
Other Certificated Salaries		1900	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			65,241.49	249,701.05	314,942.54	40,309.00	255,032.00	295,341.00	-6.2%
CLASSIFIED SALARIES									
Classified Instructional Salaries		2100	3,152.66	94,950.87	98,103.53	3,310.00	106,427.00	109,737.00	11.9%
Classified Support Salaries		2200	0.00	5,502.66	5,502.66	0.00	4,888.00	4,888.00	-11.2%
Classified Supervisors' and Administrators' Salaries		2300	95,706.00	0.00	95,706.00	100,802.00	0.00	100,802.00	5.3%
Clerical, Technical and Office Salaries		2400	113,613.81	0.00	113,613.81	113,746.00	0.00	113,746.00	0.1%
Other Classified Salaries		2900	0.00	4,386.00	4,386.00	0.00	6,144.00	6,144.00	40.1%
TOTAL, CLASSIFIED SALARIES			212,472.47	104,839.53	317,312.00	217,858.00	117,459.00	335,317.00	5.7%
EMPLOYEE BENEFITS									
STRS		3101-3102	5,514.70	20,389.96	25,904.66	3,625.00	21,041.00	24,666.00	-4.8%
PERS		3201-3202	37,209.85	7,214.91	44,424.76	42,390.00	8,513.00	50,903.00	14.6%
OASDI/Medicare/Alternative		3301-3302	16,588.02	11,417.04	28,005.06	16,305.00	12,131.00	28,436.00	1.5%
Health and Welfare Benefits		3401-3402	90,631.82	66,174.30	156,806.12	94,720.00	68,480.00	163,200.00	4.1%
Unemployment Insurance		3501-3502	4,723.92	5,637.31	10,361.23	2,833.00	4,082.00	6,915.00	-33.3%
Workers' Compensation		3601-3602	7,832.27	10,115.12	17,947.39	7,271.00	10,515.00	17,786.00	-0.9%
OPEB, Allocated		3701-3702	16,265.79	0.00	16,265.79	27,730.00	0.00	27,730.00	70.5%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
PERS Reduction		3801-3802	4,392.99	1,299.58	5,692.57	4,402.00	1,279.00	5,681.00	-0.2%
Other Employee Benefits		3901-3902	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			183,159.36	122,248.22	305,407.58	199,276.00	126,041.00	325,317.00	6.5%
BOOKS AND SUPPLIES									
Approved Textbooks and Core Curricula Materials		4100	905.28	113.27	1,018.55	0.00	532.00	532.00	-47.8%
Books and Other Reference Materials		4200	0.00	5,250.00	5,250.00	1,300.00	2,950.00	4,250.00	-19.0%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
Materials and Supplies		4300	5,050.23	4,549.00	9,599.23	12,750.00	11,825.00	24,575.00	156.0%
Noncapitalized Equipment		4400	1,849.20	0.00	1,849.20	0.00	0.00	0.00	-100.0%
Food		4700	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			7,804.71	9,912.27	17,716.98	14,050.00	15,307.00	29,357.00	65.7%
SERVICES AND OTHER OPERATING EXPENDITURES									
Subagreements for Services		5100	0.00	0.00	0.00	0.00	50,000.00	50,000.00	New
Travel and Conferences		5200	4,178.40	19,596.35	23,774.75	6,200.00	19,831.00	26,031.00	9.5%
Dues and Memberships		5300	8,538.93	600.00	9,138.93	15,420.00	901.00	16,321.00	78.6%
Insurance		5400 - 5450	3,986.85	4,981.15	8,968.00	5,000.00	5,200.00	10,200.00	13.7%
Operations and Housekeeping Services		5500	2,126.00	4,040.66	6,166.66	4,000.00	6,000.00	10,000.00	62.2%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	617.19	111.63	728.82	2,100.00	1,000.00	3,100.00	325.3%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	145,381.25	114,710.85	260,092.10	130,100.00	115,294.00	245,394.00	-5.7%
Communications		5900	740.65	257.00	997.65	2,000.00	0.00	2,000.00	100.5%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			165,569.27	144,297.64	309,866.91	164,820.00	198,226.00	363,046.00	17.2%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
CAPITAL OUTLAY									
Land		6100	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	0.00	28,941.31	28,941.31	0.00	0.00	0.00	-100.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	28,941.31	28,941.31	0.00	0.00	0.00	-100.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)									
Tuition		7110	140,144.29	0.00	140,144.29	133,586.00	0.00	133,586.00	-4.7%
Tuition for Instruction Under Interdistrict Attendance Agreements		7130	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
State Special Schools		7141	78,372.00	0.00	78,372.00	99,264.00	0.00	99,264.00	26.7%
Tuition, Excess Costs, and/or Deficit Payments Payments to Districts or Charter Schools		7142	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Payments to County Offices		7143	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Pass-Through Revenues To Districts or Charter Schools		7211	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education SELPA Transfers of Apportionments To Districts or Charter Schools	6500	7221		0.00	0.00		0.00	0.00	0.0%
To County Offices	6500	7222		0.00	0.00		0.00	0.00	0.0%
To JPAs	6500	7223		0.00	0.00		0.00	0.00	0.0%
ROC/P Transfers of Apportionments To Districts or Charter Schools	6360	7221		0.00	0.00		0.00	0.00	0.0%
To County Offices	6360	7222		0.00	0.00		0.00	0.00	0.0%
To JPAs	6360	7223		0.00	0.00		0.00	0.00	0.0%
Other Transfers of Apportionments	All Other	7221-7223	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers		7281-7283	0.00	0.00	0.00	0.00	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
All Other Transfers Out to All Others		7299	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service									
Debt Service - Interest		7438	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			218,516.29	0.00	218,516.29	232,850.00	0.00	232,850.00	6.6%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS									
Transfers of Indirect Costs		7310	0.00	0.00	0.00	(25,268.00)	25,268.00	0.00	0.0%
Transfers of Indirect Costs - Interfund		7350	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			0.00	0.00	0.00	(25,268.00)	25,268.00	0.00	0.0%
TOTAL EXPENDITURES			852,763.59	659,940.02	1,512,703.61	843,895.00	737,333.00	1,581,228.00	4.5%

Description	2011-12 Estimated Actuals		2012-13 Budget			% Diff Column C & F
	Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	
INTERFUND TRANSFERS						
INTERFUND TRANSFERS IN						
From: Special Reserve Fund	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers In	160,830.16	0.00	160,830.16	8,465.00	0.00	-94.7%
(a) TOTAL, INTERFUND TRANSFERS IN	160,830.16	0.00	160,830.16	8,465.00	0.00	-94.7%
INTERFUND TRANSFERS OUT						
To: Child Development Fund	0.00	0.00	0.00	0.00	0.00	0.0%
To: Special Reserve Fund	0.00	0.00	0.00	0.00	0.00	0.0%
To: State School Building Fund/ County School Facilities Fund	0.00	0.00	0.00	0.00	0.00	0.0%
To: Deferred Maintenance Fund	0.00	0.00	0.00	0.00	0.00	0.0%
To: Cafeteria Fund	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES						
SOURCES						
State Apportionments	0.00	0.00	0.00	0.00	0.00	0.0%
Emergency Apportionments	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds						
Proceeds from Sale/Lease- Purchase of Land/Buildings	0.00	0.00	0.00	0.00	0.00	0.0%
Other Sources						
County School Bldg Aid	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers from Funds of Lapsed/Reorganized LEAs	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds						
Proceeds from Certificates of Participation	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Capital Leases	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES	0.00	0.00	0.00	0.00	0.00	0.0%
USES						

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL USES			0.00	0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS									
Contributions from Unrestricted Revenues		8980	(52,134.72)	52,134.72	0.00	(63,638.00)	63,638.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Restricted Balances		8997	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL CONTRIBUTIONS			(52,134.72)	52,134.72	0.00	(63,638.00)	63,638.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			108,695.44	52,134.72	160,830.16	(55,173.00)	63,638.00	8,465.00	94.7%

Description	Function Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
A. REVENUES									
1) Revenue Limit Sources		8010-8099	404,921.02	0.00	404,921.02	304,717.00	0.00	304,717.00	-24.7%
2) Federal Revenue		8100-8299	0.00	170,009.81	170,009.81	0.00	168,543.00	168,543.00	-0.9%
3) Other State Revenue		8300-8599	65,881.42	373,275.93	439,157.35	82,375.00	449,846.00	532,221.00	21.2%
4) Other Local Revenue		8600-8799	161,683.29	0.00	161,683.29	246,072.00	55,305.00	301,377.00	86.4%
5) TOTAL, REVENUES			632,485.73	543,285.74	1,175,771.47	633,164.00	673,694.00	1,306,858.00	11.1%
B. EXPENDITURES (Objects 1000-7999)									
1) Instruction	1000-1999		103,411.65	434,539.32	537,950.97	48,382.00	454,440.00	502,822.00	-6.5%
2) Instruction - Related Services	2000-2999		11,920.91	100,372.63	112,293.54	8,376.00	99,094.00	107,430.00	-4.3%
3) Pupil Services	3000-3999		6,723.77	93,481.23	100,205.00	36,230.00	97,891.00	134,121.00	33.8%
4) Ancillary Services	4000-4999		0.00	14,897.91	14,897.91	0.00	33,722.00	33,722.00	126.4%
5) Community Services	5000-5999		0.00	0.00	0.00	0.00	0.00	0.00	0.0%
6) Enterprise	6000-6999		0.00	0.00	0.00	0.00	0.00	0.00	0.0%
7) General Administration	7000-7999		501,865.55	0.00	501,865.55	505,457.00	25,268.00	530,725.00	5.8%
8) Plant Services	8000-8999		10,325.42	16,648.93	26,974.35	12,600.00	26,958.00	39,558.00	46.7%
9) Other Outgo	9000-9999	Except 7600-7699	218,516.29	0.00	218,516.29	232,850.00	0.00	232,850.00	6.6%
10) TOTAL, EXPENDITURES			852,763.59	659,940.02	1,512,703.61	843,895.00	737,333.00	1,581,228.00	4.5%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B10)			(220,277.86)	(116,654.28)	(336,932.14)	(210,731.00)	(63,639.00)	(274,370.00)	-18.6%
D. OTHER FINANCING SOURCES/USES									
1) Interfund Transfers									
a) Transfers In									
8900-8929			160,830.16	0.00	160,830.16	8,465.00	0.00	8,465.00	-94.7%
b) Transfers Out									
7600-7629			0.00	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses									
a) Sources									
8930-8979			0.00	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses									
7630-7699			0.00	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions									
8980-8999			(52,134.72)	52,134.72	0.00	(63,638.00)	63,638.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			108,695.44	52,134.72	160,830.16	(55,173.00)	63,638.00	8,465.00	-94.7%

Description	Function Codes	Object Codes	2011-12 Estimated Actuals			2012-13 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(111,562.42)	(64,519.56)	(176,101.98)	(265,904.00)	(1.00)	(265,905.00)	51.0%
F. FUND BALANCE, RESERVES									
1) Beginning Fund Balance		9791	1,886,777.62	69,479.70	1,956,257.32	1,775,195.20	4,960.14	1,780,155.34	-9.0%
a) As of July 1 - Unaudited		9783	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
b) Audit Adjustments			1,886,777.62	69,479.70	1,956,257.32	1,775,195.20	4,960.14	1,780,155.34	-9.0%
c) As of July 1 - Audited (F1a + F1b)		9785	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
d) Other Restatements			1,886,777.62	69,479.70	1,956,257.32	1,775,195.20	4,960.14	1,780,155.34	-9.0%
e) Adjusted Beginning Balance (F1c + F1d)			1,775,195.20	4,960.14	1,780,155.34	1,509,291.20	4,959.14	1,514,250.34	-14.9%
2) Ending Balance, June 30 (E + F1e)									
Components of Ending Fund Balance									
a) Nonspendable		9711	2,500.00	0.00	2,500.00	2,500.00	0.00	2,500.00	0.0%
Revolving Cash		9712	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Stores		9713	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Prepaid Expenditures		9719	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Others		9740	0.00	4,960.14	4,960.14	0.00	4,960.14	4,960.14	0.0%
b) Restricted									
c) Committed		9750	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Stabilization Arrangements		9760	29,654.00	0.00	29,654.00	44,393.00	0.00	44,393.00	49.7%
Other Commitments (by Resource/Object)									
d) Assigned		9780	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Assignments (by Resource/Object)									
e) Unassigned/unappropriated		9789	151,270.00	0.00	151,270.00	158,122.00	0.00	158,122.00	4.5%
Reserve for Economic Uncertainties		9790	1,591,771.20	0.00	1,591,771.20	1,304,276.20	(1.00)	1,304,275.20	-18.1%
Unassigned/Unappropriated Amount									

July 1 Budget (Single Adoption)
 County School Service Fund
 Exhibit: Restricted Balance Detail

Sierra County Office of Education
 Sierra County

46 10462 0000000
 Form 01

Resource	Description	2011-12		2012-13	
		Estimated	Actuals	Budget	Budget
5810	Other Restricted Federal	4,285.00		4,285.00	
6300	Lottery: Instructional Materials	675.14		675.14	
Total, Restricted Balance		4,960.14		4,960.14	

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals	2012-13 Budget	Percent Difference
A. REVENUES					
1) Revenue Limit Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	470,291.13	75,410.00	-84.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	356.74	0.00	-100.0%
5) TOTAL REVENUES			470,647.87	75,410.00	-84.0%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	0.00	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	0.0%
Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	399,747.45	66,945.00	-83.3%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.0%
9) TOTAL EXPENDITURES			399,747.45	66,945.00	-83.3%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			70,900.42	8,465.00	-88.1%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	0.00	0.00	0.0%
b) Transfers Out		7600-7629	160,830.16	8,465.00	-94.7%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL OTHER FINANCING SOURCES/USES			(160,830.16)	(8,465.00)	-94.7%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals	2012-13 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(89,929.74)	0.00	-100.0%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited					
		9791	89,929.74	0.00	-100.0%
b) Audit Adjustments					
		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)					
			89,929.74	0.00	-100.0%
d) Other Restatements					
		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)					
			89,929.74	0.00	-100.0%
2) Ending Balance, June 30 (E + F1e)					
			0.00	0.00	0.0%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash					
		9711	0.00	0.00	0.0%
Stores					
		9712	0.00	0.00	0.0%
Prepaid Expenditures					
		9713	0.00	0.00	0.0%
All Others					
		9719	0.00	0.00	0.0%
b) Restricted					
		9740	0.00	0.00	0.0%
c) Committed					
Stabilization Arrangements					
		9750	0.00	0.00	0.0%
Other Commitments					
		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments					
		9780	0.00	0.00	0.0%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties					
		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount					
		9790	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals	2012-13 Budget	Percent Difference
G. ASSETS					
1) Cash					
a) in County Treasury		9110	0.00		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	0.00		
c) in Revolving Fund		9130	0.00		
d) with Fiscal Agent		9135	0.00		
e) collections awaiting deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	0.00		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	0.00		
6) Stores		9320	0.00		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) Fixed Assets		9400	0.00		
TOTAL ASSETS			0.00		
H. LIABILITIES					
1) Accounts Payable		9500	0.00		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	0.00		
4) Current Loans		9640			
5) Deferred Revenue		9650	0.00		
6) Long-Term Liabilities		9660			
7) TOTAL LIABILITIES			0.00		
I. FUND EQUITY					
Ending Fund Balance, June 30 (G10 - H7)					
			0.00		

Description	Resource Codes	Object Codes	2011-12 Estimated Actuals	2012-13 Budget	Percent Difference
FEDERAL REVENUE					
Forest Reserve Funds		8260	70,543.68	8,465.00	-88.0%
Pass-Through Revenues from Federal Sources		8287	399,747.45	66,945.00	-83.3%
TOTAL, FEDERAL REVENUE			470,291.13	75,410.00	-84.0%
OTHER LOCAL REVENUE					
Other Local Revenue					
Interest		8660	356.74	0.00	-100.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			356.74	0.00	-100.0%
TOTAL, REVENUES			470,647.87	75,410.00	-84.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)					
Other Transfers Out					
Transfers of Pass-Through Revenues To Districts or Charter Schools		7211	399,747.45	66,945.00	-83.3%
To County Offices		7212	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.0%
All Other Transfers		7281-7283	0.00	0.00	0.0%
All Other Transfers Out to All Others		7299	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			399,747.45	66,945.00	-83.3%
TOTAL, EXPENDITURES			399,747.45	66,945.00	-83.3%
INTERFUND TRANSFERS OUT					
Other Authorized Interfund Transfers Out		7619	160,830.16	8,465.00	-94.7%
(b) TOTAL, INTERFUND TRANSFERS OUT			160,830.16	8,465.00	-94.7%

Description	Function Codes	Object Codes	2011-12 Estimated Actuals	2012-13 Budget	Percent Difference
A. REVENUES					
1) Revenue Limit Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	470,291.13	75,410.00	-84.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	356.74	0.00	-100.0%
5) TOTAL, REVENUES			470,647.87	75,410.00	-84.0%
B. EXPENDITURES (Objects 1000-7999)					
1) Instruction	1000-1999		0.00	0.00	0.0%
2) Instruction - Related Services	2000-2999		0.00	0.00	0.0%
3) Pupil Services	3000-3999		0.00	0.00	0.0%
4) Ancillary Services	4000-4999		0.00	0.00	0.0%
5) Community Services	5000-5999		0.00	0.00	0.0%
6) Enterprise	6000-6999		0.00	0.00	0.0%
General Administration	7000-7999		0.00	0.00	0.0%
8) Plant Services	8000-8999		0.00	0.00	0.0%
9) Other Outgo	9000-9999	Except 7600-7699	399,747.45	66,945.00	-83.3%
10) TOTAL, EXPENDITURES			399,747.45	66,945.00	-83.3%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B10)			70,900.42	8,465.00	-88.1%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	0.00	0.00	0.0%
b) Transfers Out		7600-7629	160,830.16	8,465.00	-94.7%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			(160,830.16)	(8,465.00)	-94.7%

Description	Function Codes	Object Codes	2011-12 Estimated Actuals	2012-13 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(89,929.74)	0.00	-100.0%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited		9791	89,929.74	0.00	-100.0%
b) Audit Adjustments		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			89,929.74	0.00	-100.0%
d) Other Restatements		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			89,929.74	0.00	-100.0%
2) Ending Balance, June 30 (E + F1e)			0.00	0.00	0.0%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash		9711	0.00	0.00	0.0%
Stores		9712	0.00	0.00	0.0%
Prepaid Expenditures		9713	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.0%
b) Restricted			0.00	0.00	0.0%
c) Committed					
Stabilization Arrangements		9750	0.00	0.00	0.0%
Other Commitments (by Resource/Object)		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments (by Resource/Object)		9780	0.00	0.00	0.0%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount		9790	0.00	0.00	0.0%

<u>Resource</u>	<u>Description</u>	<u>2011-12 Estimated Actuals</u>	<u>2012-13 Budget</u>
Total, Restricted Balance		0.00	0.00

(5)

(6)

(7)

Description	2011-12 Estimated Actuals		2012-13 Budget	
	Annual ADA	Revenue Limit ADA	Estimated Annual ADA	Estimated Revenue Limit ADA
ELEMENTARY				
1. County School Tuition Fund	8.00	8.37	8.00	8.00
2. Juvenile Halls, Homes, and Camps				
3. County Group Home and Institution Pupils				
4. Community School Pupils				
a. Probation (EC 1981[c][1][2])				
b. Pupils expelled (EC 1981[c][3])				
c. Homeless (EC 1981[d])				
5. Opportunity Schools and Full-Day Opportunity Classes	2.10	1.70	0.89	0.89
6. Cal-SAFE County Classroom*				
7. Community Day Schools				
8. TOTAL, ELEMENTARY	10.10	10.07	8.89	8.89
HIGH SCHOOL				
9. County School Tuition Fund	8.00	8.61	7.75	7.75
10. Juvenile Halls, Homes, and Camps				
11. County Group Home and Institution Pupils				
12. Community School Pupils				
a. Probation (EC 1981[c][1][2])				
b. Pupils expelled (EC 1981[c][3])				
c. Homeless (EC 1981[d])				
13. Opportunity Schools and Full-Day Opportunity Classes				
14. Cal-SAFE County Classroom*				
Specialized Secondary Schools				
16. Technical, Agricultural, and Conservation Schools				
17. Regional Occupational Centers and Programs*				
18. Adults in Correctional Facilities				
19. Handicapped Adults				
20. Adults*				
21. Community Day Schools				
22. TOTAL, HIGH SCHOOL	8.00	8.61	7.75	7.75
COUNTY SUPPLEMENT				
23. County Community Schools (EC 1982[a])				
a. Elementary				
b. High School				
24. Special Education				
a. Special Day Class - Elementary				
b. Special Day Class - High School				
c. Nonpublic, Nonsectarian Schools - Elementary				
d. Nonpublic, Nonsectarian Schools - High School				
e. Nonpublic, Nonsectarian Schools - Licensed Children's Institutions - Elementary				
f. Nonpublic, Nonsectarian Schools - Licensed Children's Institutions - High School				
25. TOTAL, ADA FROM SCHOOL DISTRICTS	0.00	0.00	0.00	0.00
26. DIRECT SERVICES	381.00	382.81	353.74	353.74
OTHER PURPOSE	419.00	420.98	415.63	415.00

Description	2011-12 Estimated Actuals		2012-13 Budget	
	Annual ADA	Revenue Limit ADA	Estimated Annual ADA	Estimated Revenue Lim ADA
COMMUNITY DAY SCHOOLS (5th-8th Hours)				
28. Elementary				
a. 5th & 6th Hour (ADA) - Mandatory Expelled Pupils only				
b. 7th & 8th Hour Pupil Hours (Hours)*				
29. High School				
a. 5th & 6th Hour (ADA) - Mandatory Expelled Pupils only				
b. 7th & 8th Hour Pupil Hours (Hours)*				
CHARTER SCHOOLS AUTHORIZED BY COUNTY BOARD OF EDUCATION				
30. County Operated Charter Schools - Revenue Limit				
a. Kindergarten through Grade Three				
b. Grades Four through Six				
c. Grades Seven through Eight				
d. Grades Nine through Twelve				
e. Community Day Schools				
31. County Operated Charter Schools - Block Grant				
a. Kindergarten through Grade Three				
b. Grades Four through Six				
c. Grades Seven through Eight				
d. Grades Nine through Twelve				
e. Community Day Schools				
32. Other Charter Schools Authorized by County Board of Education				
a. Kindergarten through Grade Three				
b. Grades Four through Six				
c. Grades Seven through Eight				
d. Grades Nine through Twelve				
e. Community Day Schools				
33. TOTAL CHARTER SCHOOLS ADA	0.00	0.00	0.00	0.00
CHARTER SCHOOLS - COMMUNITY DAY SCHOOLS (5th-8th Hours)				
34. Elementary				
a. 5th & 6th Hour (ADA) - Mandatory Expelled Pupils only				
b. 7th & 8th Hour Pupil Hours (Hours)*				
35. High School				
a. 5th & 6th Hour (ADA) - Mandatory Expelled Pupils only				
b. 7th & 8th Hour Pupil Hours (Hours)*				
SUPPLEMENTAL INSTRUCTION HOURS (Community Schools Only)				
36. Elementary				
a. Core Instruction*				
b. Remedial Instruction*				
37. High School				
a. Core Instruction*				
b. Remedial Instruction*				

*ADA is no longer collected as a result of flexibility provisions of SBX3 4 (Chapter 12, Statutes of 2009), as amended by SB 70 (Chapter 7, Statutes of 2011), currently in effect from 2008-09 through 2014-15.

Description	Object Codes	2012-13 Budget (Form 01) (A)	% Change (Cols. C-A/A) (B)	2013-14 Projection (C)	% Change (Cols. E-C/C) (D)	2014-15 Projection (E)
- Revenue Limit Other Purpose ADA (Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted from Form A, Line 27)						
		415.00	-6.99%	386.00	-8.29%	354.00
(Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted)						
A. REVENUES AND OTHER FINANCING SOURCES						
1. Revenue Limit Sources	8010-8099	304,717.00	-3.72%	293,375.00	-17.88%	240,913.00
2. Federal Revenues	8100-8299	0.00	0.00%	0.00	0.00%	0.00
3. Other State Revenues	8300-8599	82,375.00	0.00%	82,375.00	0.00%	82,375.00
4. Other Local Revenues	8600-8799	246,072.00	1.28%	249,221.00	-0.40%	248,221.00
5. Other Financing Sources						
a. Transfers In	8900-8929	8,465.00	0.00%	8,465.00	0.00%	8,465.00
b. Other Sources	8930-8979	0.00	0.00%	0.00	0.00%	0.00
c. Contributions	8980-8999	(63,638.00)	4.00%	(66,182.00)	4.28%	(69,014.00)
6. Total (Sum lines A1 thru A5)		577,991.00	-1.86%	567,254.00	-9.92%	510,960.00
B. EXPENDITURES AND OTHER FINANCING USES						
1. Certificated Salaries						
a. Base Salaries				40,309.00		40,866.00
b. Step & Column Adjustment				557.00		570.00
c. Cost-of-Living Adjustment						
d. Other Adjustments						
e. Total Certificated Salaries (Sum lines B1a thru B1d)	1000-1999	40,309.00	1.38%	40,866.00	1.39%	41,436.00
2. Classified Salaries						
a. Base Salaries				217,858.00		220,926.00
b. Step & Column Adjustment				3,068.00		284.00
c. Cost-of-Living Adjustment						
d. Other Adjustments						
e. Total Classified Salaries (Sum lines B2a thru B2d)	2000-2999	217,858.00	1.41%	220,926.00	0.13%	221,210.00
3. Employee Benefits	3000-3999	199,276.00	-9.88%	179,579.00	0.29%	180,099.00
4. Books and Supplies	4000-4999	14,050.00	-0.36%	14,000.00	0.00%	14,000.00
5. Services and Other Operating Expenditures	5000-5999	164,820.00	-0.50%	164,000.00	0.00%	164,000.00
6. Capital Outlay	6000-6999	0.00	0.00%	0.00	0.00%	0.00
7. Other Outgo (excluding Transfers of Indirect Costs)	7100-7299, 7400-7499	232,850.00	-2.08%	228,000.00	-23.68%	174,000.00
8. Other Outgo - Transfers of Indirect Costs	7300-7399	(25,268.00)	-1.06%	(25,000.00)	0.00%	(25,000.00)
9. Other Financing Uses						
a. Transfers Out	7600-7629	0.00	0.00%	0.00	0.00%	0.00
b. Other Uses	7630-7699	0.00	0.00%	0.00	0.00%	0.00
10. Other Adjustments (Explain in Section F below)						
11. Total (Sum lines B1 thru B10)		843,895.00	-2.55%	822,371.00	-6.40%	769,745.00
C. NET INCREASE (DECREASE) IN FUND BALANCE (Line A6 minus line B11)						
		(265,904.00)		(255,117.00)		(258,785.00)
D. FUND BALANCE						
1. Net Beginning Fund Balance (Form 01, line F1e)		1,775,195.20		1,509,291.20		1,254,174.20
2. Ending Fund Balance (Sum lines C and D1)		1,509,291.20		1,254,174.20		995,389.20
3. Components of Ending Fund Balance						
a. Nonspendable	9710-9719	2,500.00		2,500.00		2,500.00
b. Restricted	9740					
c. Committed						
1. Stabilization Arrangements	9750	0.00				
2. Other Commitments	9760	44,393.00		44,393.00		59,131.00
d. Assigned	9780	0.00				
e. Unassigned/Unappropriated						
1. Reserve for Economic Uncertainties	9789	158,122.00		153,572.00		148,324.00
2. Unassigned/Unappropriated	9790	1,304,276.20		1,053,709.20		785,434.20
f. Total Components of Ending Fund Balance (Line D3f must agree with line D2)		1,509,291.20		1,254,174.20		995,389.20

Description	Object Codes	2012-13 Budget (Form 01) (A)	% Change (Cols. C-A/A) (B)	2013-14 Projection (C)	% Change (Cols. E-C/C) (D)	2014-15 Projection (E)
E. AVAILABLE RESERVES						
1. County School Service Fund						
a. Stabilization Arrangements	9750	0.00		0.00		0.00
b. Reserve for Economic Uncertainties	9789	158,122.00		153,572.00		148,324.00
c. Unassigned/Unappropriated	9790	1,304,276.20		1,053,709.20		785,434.20
(Enter reserve projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted.)						
2. Special Reserve Fund - Noncapital Outlay (Fund 17)						
a. Stabilization Arrangements	9750					
b. Reserve for Economic Uncertainties	9789					
c. Unassigned/Unappropriated	9790					
3. Total Available Reserves (Sum lines E1a thru E2c)		1,462,398.20		1,207,281.20		933,758.20

F. ASSUMPTIONS

Please provide below or on a separate attachment, the assumptions used to determine the projections for the first and second subsequent fiscal years. Further, please include an explanation for any significant expenditure adjustments projected in lines B1d, B2d, and B10. For additional information, please refer to the Budget Assumptions section of the SACS Financial Reporting Software User Guide.

Description	Object Codes	2012-13 Budget (Form 01) (A)	% Change (Cols. C-A/A) (B)	2013-14 Projection (C)	% Change (Cols. E-C/C) (D)	2014-15 Projection (E)
Revenue Limit Other Purpose ADA (Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted from Form A, Line 27)						
(Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted)						
A. REVENUES AND OTHER FINANCING SOURCES						
1. Revenue Limit Sources	8010-8099	0.00	0.00%	0.00	0.00%	0.00
2. Federal Revenues	8100-8299	168,543.00	-0.03%	168,500.00	0.30%	169,000.00
3. Other State Revenues	8300-8599	449,846.00	-11.33%	398,885.00	-3.23%	386,000.00
4. Other Local Revenues	8600-8799	55,305.00	35.61%	75,000.00	19.33%	89,500.00
5. Other Financing Sources						
a. Transfers In	8900-8929	0.00	0.00%	0.00	0.00%	0.00
b. Other Sources	8930-8979	0.00	0.00%	0.00	0.00%	0.00
c. Contributions	8980-8999	63,638.00	3.71%	66,000.00	4.55%	69,000.00
6. Total (Sum lines A1 thru A5)		737,332.00	-3.93%	708,385.00	0.72%	713,500.00
B. EXPENDITURES AND OTHER FINANCING USES						
1. Certificated Salaries						
a. Base Salaries				255,032.00		258,878.00
b. Step & Column Adjustment				3,846.00		2,437.00
c. Cost-of-Living Adjustment						
d. Other Adjustments						
e. Total Certificated Salaries (Sum lines B1a thru B1d)	1000-1999	255,032.00	1.51%	258,878.00	0.94%	261,315.00
2. Classified Salaries						
a. Base Salaries				117,459.00		118,708.00
b. Step & Column Adjustment				1,249.00		1,109.00
c. Cost-of-Living Adjustment						
d. Other Adjustments						
e. Total Classified Salaries (Sum lines B2a thru B2d)	2000-2999	117,459.00	1.06%	118,708.00	0.93%	119,817.00
3. Employee Benefits	3000-3999	126,041.00	-1.99%	123,539.00	0.87%	124,609.00
4. Books and Supplies	4000-4999	15,307.00	-2.01%	15,000.00	0.00%	15,000.00
5. Services and Other Operating Expenditures	5000-5999	198,226.00	-13.12%	172,219.14	-2.59%	167,759.00
6. Capital Outlay	6000-6999	0.00	0.00%	0.00	0.00%	0.00
7. Other Outgo (excluding Transfers of Indirect Costs)	7100-7299, 7400-7499	0.00	0.00%	0.00	0.00%	0.00
8. Other Outgo - Transfers of Indirect Costs	7300-7399	25,268.00	-1.06%	25,000.00	0.00%	25,000.00
Other Financing Uses						
a. Transfers Out	7600-7629	0.00	0.00%	0.00	0.00%	0.00
b. Other Uses	7630-7699	0.00	0.00%	0.00	0.00%	0.00
10. Other Adjustments (Explain in Section F below)				0.00		0.00
11. Total (Sum lines B1 thru B10)		737,333.00	-3.25%	713,344.14	0.02%	713,500.00
C. NET INCREASE (DECREASE) IN FUND BALANCE						
(Line A6 minus line B11)						
		(1.00)		(4,959.14)		0.00
D. FUND BALANCE						
1. Net Beginning Fund Balance (Form 01, line F1e)		4,960.14		4,959.14		0.00
2. Ending Fund Balance (Sum lines C and D1)		4,959.14		0.00		0.00
3. Components of Ending Fund Balance						
a. Nonspendable	9710-9719	0.00				
b. Restricted	9740	4,960.14				
c. Committed						
1. Stabilization Arrangements	9750					
2. Other Commitments	9760					
d. Assigned	9780					
e. Unassigned/Unappropriated						
1. Reserve for Economic Uncertainties	9789					
2. Unassigned/Unappropriated	9790	(1.00)		0.00		0.00
f. Total Components of Ending Fund Balance		4,959.14		0.00		0.00
(Line D3f must agree with line D2)						

Description	Object Codes	2012-13 Budget (Form 01) (A)	% Change (Cols. C-A/A) (B)	2013-14 Projection (C)	% Change (Cols. E-C/C) (D)	2014-15 Projection (E)
E. AVAILABLE RESERVES						
1. County School Service Fund						
a. Stabilization Arrangements	9750					
b. Reserve for Economic Uncertainties	9789					
c. Unassigned/Unappropriated	9790					
d. Allowable Reserves - JUV/CCS/ROP (Form 01CS, Criterion 8, lines 8C8 and 8C9)		0.00		0.00		0.00
(Enter reserve projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted.)						
2. Special Reserve Fund - Noncapital Outlay (Fund 17)						
a. Stabilization Arrangements	9750					
b. Reserve for Economic Uncertainties	9789					
c. Unassigned/Unappropriated	9790					
3. Total Available Reserves (Sum lines E1a thru E2c)		0.00		0.00		0.00
F. ASSUMPTIONS						
Please provide below or on a separate attachment, the assumptions used to determine the projections for the first and second subsequent fiscal years. Further, please include an explanation for any significant expenditure adjustments projected in lines B1d, B2d, and B10. For additional information, please refer to the Budget Assumptions section of the SACS Financial Reporting Software User Guide.						
Rounding						

Description	Object Codes	2012-13 Budget (Form 01) (A)	% Change (Cols. C-A/A) (B)	2013-14 Projection (C)	% Change (Cols. E-C/C) (D)	2014-15 Projection (E)
Revenue Limit Other Purpose ADA (Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted from Form A, Line 27)		415.00	-6.99%	386.00	-8.29%	354.00
(Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted)						
A. REVENUES AND OTHER FINANCING SOURCES						
1. Revenue Limit Sources	8010-8099	304,717.00	-3.72%	293,375.00	-17.88%	240,913.00
2. Federal Revenues	8100-8299	168,343.00	-0.03%	168,500.00	0.30%	169,000.00
3. Other State Revenues	8300-8599	532,221.00	-9.58%	481,260.00	-2.68%	468,375.00
4. Other Local Revenues	8600-8799	301,377.00	7.58%	324,221.00	4.16%	337,721.00
5. Other Financing Sources						
a. Transfers In	8900-8929	8,465.00	0.00%	8,465.00	0.00%	8,465.00
b. Other Sources	8930-8979	0.00	0.00%	0.00	0.00%	0.00
c. Contributions	8980-8999	0.00	0.00%	(182.00)	-92.31%	(14.00)
6. Total (Sum lines A1 thru A5)		1,315,323.00	-3.02%	1,275,639.00	-4.01%	1,224,460.00
B. EXPENDITURES AND OTHER FINANCING USES						
1. Certificated Salaries				295,341.00		299,744.00
a. Base Salaries				4,403.00		3,007.00
b. Step & Column Adjustment				0.00		0.00
c. Cost-of-Living Adjustment				0.00		0.00
d. Other Adjustments				0.00		0.00
e. Total Certificated Salaries (Sum lines B1a thru B1d)	1000-1999	295,341.00	1.49%	299,744.00	1.00%	302,751.00
2. Classified Salaries				335,317.00		339,634.00
a. Base Salaries				4,317.00		1,393.00
b. Step & Column Adjustment				0.00		0.00
c. Cost-of-Living Adjustment				0.00		0.00
d. Other Adjustments				0.00		0.00
e. Total Classified Salaries (Sum lines B2a thru B2d)	2000-2999	335,317.00	1.29%	339,634.00	0.41%	341,027.00
3. Employee Benefits	3000-3999	325,317.00	-6.82%	303,118.00	0.52%	304,708.00
4. Books and Supplies	4000-4999	29,357.00	-1.22%	29,000.00	0.00%	29,000.00
5. Services and Other Operating Expenditures	5000-5999	363,046.00	-7.39%	336,219.14	-1.33%	331,759.00
6. Capital Outlay	6000-6999	0.00	0.00%	0.00	0.00%	0.00
7. Other Outgo (excluding Transfers of Indirect Costs)	7100-7299, 7400-7499	232,850.00	-2.08%	228,000.00	-23.68%	174,000.00
8. Other Outgo - Transfers of Indirect Costs	7300-7399	0.00	0.00%	0.00	0.00%	0.00
9. Other Financing Uses						
a. Transfers Out	7600-7629	0.00	0.00%	0.00	0.00%	0.00
b. Other Uses	7630-7699	0.00	0.00%	0.00	0.00%	0.00
10. Other Adjustments				0.00		0.00
11. Total (Sum lines B1 thru B10)		1,581,228.00	-2.88%	1,535,715.14	-3.42%	1,483,245.00
C. NET INCREASE (DECREASE) IN FUND BALANCE (Line A6 minus line B11)						
		(265,905.00)		(260,076.14)		(258,785.00)
D. FUND BALANCE						
1. Net Beginning Fund Balance (Form 01, line F1e)		1,780,155.34		1,514,250.34		1,254,174.20
2. Ending Fund Balance (Sum lines C and D1)		1,514,250.34		1,254,174.20		995,389.20
3. Components of Ending Fund Balance						
a. Nonspendable	9710-9719	2,500.00		2,500.00		2,500.00
b. Restricted	9740	4,960.14		0.00		0.00
c. Committed						
1. Stabilization Arrangements	9750	0.00		0.00		0.00
2. Other Commitments	9760	44,393.00		44,393.00		59,131.00
d. Assigned	9780	0.00		0.00		0.00
e. Unassigned/Unappropriated						
1. Reserve for Economic Uncertainties	9789	158,122.00		153,572.00		148,324.00
2. Unassigned/Unappropriated	9790	1,304,275.20		1,053,709.20		785,434.20
f. Total Components of Ending Fund Balance (Line D3f must agree with line D2)		1,514,250.34		1,254,174.20		995,389.20

Description	Object Codes	2012-13 Budget (Form 01) (A)	% Change (Cols. C-A/A) (B)	2013-14 Projection (C)	% Change (Cols. E-C/C) (D)	2014-15 Projection (E)
E. AVAILABLE RESERVES						
1. County School Service Fund						
a. Stabilization Arrangements	9750	0.00		0.00		0.00
b. Reserve for Economic Uncertainties	9789	158,122.00		153,572.00		148,324.00
c. Unassigned/Unappropriated	9790	1,304,276.20		1,053,709.20		785,434.20
d. Allowable Reserves - JUV/CCS/ROP (Form 01CS, Criterion 8, lines 8C8 and 8C9)		0.00		0.00		0.00
e. Negative Restricted Ending Balances (Negative resources 2000-9999) (Enter projections)	979Z	(1.00)		0.00		0.00
2. Special Reserve Fund - Noncapital Outlay (Fund 17)						
a. Stabilization Arrangements	9750	0.00		0.00		0.00
b. Reserve for Economic Uncertainties	9789	0.00		0.00		0.00
c. Unassigned/Unappropriated	9790	0.00		0.00		0.00
3. Total Available Reserves - by Amount (Sum lines E1a thru E2c)		1,462,397.20		1,207,281.20		933,758.20
4. Total Available Reserves - by Percent (Line E3 divided by Line F3c)		92.48%		78.61%		62.95%
F. RECOMMENDED RESERVES						
1. Special Education Pass-through Exclusions						
For counties that serve as the administrative unit (AU) of a special education local plan area (SELPA):						
a. Do you choose to exclude from the reserve calculation the pass-through funds distributed to SELPA members?	Yes					
b. If you are the SELPA AU and are excluding special education pass-through funds:						
1. Enter the name(s) of the SELPA(s):						
2. Special education pass-through funds (Column A: Fund 10, resources 3300-3499 and 6500-6540, objects 7211-7213 and 7221-7223; enter projections for subsequent years 1 and 2 in Columns C and E)						
		0.00		0.00		0.00
2. County Office's Total Expenditures and Other Financing Uses Used to determine the reserve standard percentage level on line F3d (Line B11, plus line F1b2 if line F1a is No)						
		1,581,228.00		1,535,715.14		1,483,245.00
3. Calculating the Reserves						
a. Expenditures and Other Financing Uses (Line B11)		1,581,228.00		1,535,715.14		1,483,245.00
b. Plus: Special Education Pass-through Funds (Line F1b2, if Line F1a is No)		0.00		0.00		0.00
c. Total Expenditures and Other Financing Uses (Line F3a plus line F3b)		1,581,228.00		1,535,715.14		1,483,245.00
d. Reserve Standard Percentage Level (Refer to Form 01CS, Criterion 8 for calculation details)		5%		5%		5%
e. Reserve Standard - By Percent (Line F3c times F3d)		79,061.40		76,785.76		74,162.25
f. Reserve Standard - By Amount (Refer to Form 01CS, Criterion 8 for calculation details)		62,000.00		62,000.00		62,000.00
g. Reserve Standard (Greater of Line F3e or F3f)		79,061.40		76,785.76		74,162.25
h. Available Reserves (Line E3) Meet Reserve Standard (Line F3g)	YES			YES		YES

Description	Principal Appt. Software Data ID	2011-12 Estimated Actuals	2012-13 Budget
REVENUE LIMIT SUBJECT TO DEFICIT			
1. Juvenile Court Schools and County Community Schools (This amount should be included in resources 2400, 2410 & 2420, Object 8091)	3217	0.00	0.00
2. Homeless Children	3220	0.00	0.00
3. Opportunity Schools	3231	218,742.00	113,112.00
4. Vocational Technical Schools	3236	0.00	0.00
5. Adults in Correctional Facilities (Contra Costa, Marin, and Riverside Counties)	3242	0.00	0.00
6. Total Special Schools and Classes (Sum Lines 1 through 5)	3244	218,742.00	113,112.00
7. Direct Services	3006	28,650.00	28,474.00
8. Other County School Service Fund Operations	3010	67,988.00	68,336.00
9. Minimum Teacher Salary Adjustment	3013	0.00	0.00
10. Teachers' Retirement Board	3015	0.00	0.00
11. Community Day Schools	3103	0.00	0.00
12. Beginning Teacher Salary Incentive Funding	3085	3,290.00	2,250.00
13. REVENUE LIMIT SUBJECT TO DEFICIT (Sum Lines 6 through 12)	3018	318,670.00	212,172.00
DEFICIT CALCULATION			
14. Deficit Factor	3019	0.79111	0.77451
15. DEFICITED REVENUE LIMIT (Line 13 times Line 14)	3020	252,103.02	164,329.34
OTHER REVENUE LIMIT ITEMS			
16. Handicapped Adults (Glenn, Inyo, and Santa Cruz Counties) Inemployment Insurance Increases	3245 3025	0.00 10,252.00	0.00 6,802.00
16a. Less: PERS Reduction (Must agree with objects 8092 and 3801-3802)	3098	5,693.00	5,681.00
19. County School Tuition (Out-of-state)	3033	143,450.00	133,586.00
20. School Building Aid (EC Section 2555)	3034	0.00	0.00
21. Specialized Secondary Schools	3037	0.00	0.00
22. Less: Excess Juvenile Court and Community School Account Ending Balance	3038	0.00	0.00
23. Transfer of Special Education Revenue Limit from School Districts:			
a. Special Day Class	3041	0.00	0.00
b. NPS (EC Section 56366(a)(7))	3246	0.00	0.00
c. NPS/LCI	3042	0.00	0.00
24. Transfer of County Community School Funds from School Districts (Should be included in Resource 2400 or 2420, Object 8091)	3045	0.00	0.00
25. Apprenticeship Funding	0570		
26. Community Day Schools Additional Funding	3103, 9007		
27. Adult Education (EC Section 52616.21)	0487		
28. Core Academic Programs	9001		
29. Remedial Program (California High School Exit Exam)	9002		
30. Other Adjustments	---	0.00	
31. TOTAL, OTHER REVENUE LIMIT ITEMS (Sum Lines 16, 17, 19 through 21, 23 through 30, minus Lines 18 and 22)	---	148,009.00	134,707.00
TOTAL, REVENUE LIMIT (Sum Lines 15 and 31)	---	400,112.02	299,036.34

Description	Principal Appt. Software Data ID	2011-12 Estimated Actuals	2012-13 Budget
PROPERTY TAX REVENUES			
33. Total Property Tax Revenues (Including prior year restricted moneys reported in Line 41b)	3059	62,345.00	62,345.00
34. Ratio of Special Education Property Taxes to Total Property Taxes (Round to six decimals)	3062	0.000000	0.000000
REVENUE LIMIT - LOCAL SOURCES			
35. Less: Property Taxes other than Special Education (Line 33 times (1 minus Line 34))	3067	62,345.00	62,345.00
36. Less: Receipts from County Board of Supervisors (Must agree with Object 8070)	3029	0.00	0.00
37. Less: Federal Categorical Aid Other than Special Education	3030	0.00	0.00
38. STATE AID (Line 32 minus Lines 35 through 37)	---	337,767.02	236,691.34
39. STATE AID (For counties receiving excess property taxes) (Sum Lines 19, 20, 21, and 23a through 30 minus Line 22)	---	143,450.00	133,586.00
40. TOTAL STATE AID PORTION OF REVENUE LIMIT (Line 38 or 39, whichever is greater) (This amount should agree with Object 8011)		337,767.02	236,691.34
OTHER ITEMS			
41. Other Items			
a. Excess ERAF	---	0.00	0.00
b. Prior Year Restricted Moneys (EC Section 2558(e))	3055	0.00	0.00
FOR USE IN THE CRITERIA AND STANDARDS REVIEW FORM, REVENUE LIMIT STANDARD CALCULATION			
42. Base Revenue Limit per ADA for Juvenile Court Schools, County Community Schools, and County Community School Students Expelled	3200, 3204, 3214	0.00	0.00
43. Base Revenue Limit per ADA for Other Purpose	3008	158.98	164.42
44. Juvenile Court Schools Statewide Average Base Revenue Limit per ADA for Community Day School	3205	0.00	0.00
45. Base Revenue Limit per ADA for Direct Services	3004	74.38	76.93
OTHER NON-REVENUE LIMIT ITEMS			
46. Apprenticeship Funding	0570	0.00	0.00
47. Community Day Schools Additional Funding	3103, 9007	0.00	0.00
48. Adult Education (EC Section 52616.21)	0487	0.00	0.00
49. Core Academic Programs	9001	0.00	0.00
50. Remedial Program (California High School Exit Exam)	9002	0.00	0.00

Provide methodology and assumptions used to estimate ADA, enrollment, revenues, expenditures, reserves and fund balance, and multiyear commitments (including cost-of-living adjustments).

Deviations from the standards must be explained and may affect the approval of the budget.

CRITERIA AND STANDARDS

1. CRITERION: Average Daily Attendance

A. STANDARD: Projected countywide other purpose average daily attendance (ADA) has not been overestimated in 1) the first prior fiscal year OR in 2) two or more of the previous three fiscal years by more than the following percentage levels:

Percentage Level	Countywide ADA
3.0%	0 to 6,999
2.0%	7,000 to 59,999
1.0%	60,000 and over

County Office ADA (Form A, Estimated Revenue Limit ADA column, line 27):

County Office Countywide ADA Standard Percentage Level:

1A-1. Calculating the County Office's Countywide ADA Variances

DATA ENTRY: Enter data in the Revenue Limit Countywide Other Purpose ADA, Original Budget column for the First, Second, and Third Prior Years; all other data are extracted or calculated.

Fiscal Year	Revenue Limit Countywide Other Purpose ADA Original Budget (Use Form A, Line 27)	Estimated/Unaudited Actuals (Form A, Line 27)	ADA Variance Level (If Budget is greater than Actuals, else N/A)	Status
Third Prior Year (2009-10)	484.00	441.91	8.7%	Not Met
Second Prior Year (2010-11)	410.00	412.10	N/A	Met
Fiscal Year (2011-12)	415.00	420.98	N/A	Met

1A-2. Comparison of County Office Countywide ADA to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - Projected countywide ADA has not been overestimated by more than the standard percentage level for the first prior year.

Explanation:
(required if NOT met)

The incoming kindergarten class was lower than kindergarten roundup by a higher than normal percent.

1b. STANDARD MET - Projected countywide ADA has not been overestimated by more than the standard percentage level for two or more of the previous three years.

Explanation:
(required if NOT met)

1. CRITERION: Average Daily Attendance (continued)

B. STANDARD: Projected ADA for county operated programs for any of the budget year or two subsequent fiscal years has not increased from the historical average from the three prior fiscal years by more than two percent (2%) each year.

1B-1. Calculating the County Office's Historical Average Projected ADA for County Operated Programs

DATA ENTRY: All data are extracted or calculated.

Fiscal Year	Average Daily Attendance (Form A, Revenue Limit Column, Actuals Data)			
	Juvenile Court and County Community Schools ADA (Lines 2-4b, 10-12b, 30a-30d)	Other Purpose ADA (Line 27)	Community Day Schools ADA (Lines 7, 21, 30e)	Direct Services ADA (Line 26)
Third Prior Year (2009-10)		441.91		445.65
Second Prior Year (2010-11)		412.10		425.73
First Prior Year (2011-12)	0.00	420.98	0.00	382.81
Historical Average:	0.00	425.00	0.00	418.06

County Office's County Operated Programs ADA Standard:

Budget Year (2012-13) (historical average plus 2%):	0.00	433.50	0.00	426.42
1st Subsequent Year (2013-14) (historical average plus 4%):	0.00	442.00	0.00	434.78
2nd Subsequent year (2014-15) (historical average plus 6%):	0.00	450.50	0.00	443.14

1B-2. Calculating the County Office's Projected ADA for County Operated Programs

DATA ENTRY: If Form MYP exists, Other Purpose ADA will be extracted for the two subsequent years; otherwise enter this data. Enter the remaining data in each column for the 1st and 2nd Subsequent Years; all other data are extracted or calculated.

Fiscal Year	Average Daily Attendance (Form A, Revenue Limit Column, Budget Data)			
	Juvenile Court and County Community Schools ADA (Lines 2-4b, 10-12b, 30a-30d)	Other Purpose ADA (Line 27) (Form MYP, RL Other Purpose ADA)	Community Day Schools ADA (Lines 7, 21, 30e)	Direct Services ADA (Line 26)
Budget Year (2012-13)	0.00	415.00	0.00	353.00
1st Subsequent Year (2013-14)	0.00	386.00	0.00	342.00
2nd Subsequent Year (2014-15)	0.00	354.00	0.00	334.00
Status:	Met	Met	Met	Met

1B-3. Comparison of County Office Projected County Operated Programs ADA to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - Projected ADA for county operated programs has not exceeded the standard for the budget and two subsequent fiscal years.

Explanation:
(required if NOT met)

2. CRITERION: Revenue Limit

STANDARD: Projected revenue limit for any of the budget year or two subsequent fiscal years has not changed from the prior fiscal year by more than the change in population and the funded cost-of-living adjustment (COLA), plus or minus one percent.

For excess property tax counties, projected revenue limit has not changed from the prior fiscal year by more than the percent change in property tax revenues, plus or minus one percent.

2A. Calculating the County Office's Revenue Limit Standard

2A-1. Projected Revenue Limit - Budget Year (2012-13)

DATA ENTRY: All data are extracted or calculated.

	Juvenile Court and County Community Schools	Other Purpose	Community Day Schools	Direct Services
Step 1 - Funded COLA				
a. Base Revenue Limit (BRL) per ADA (Form RL, Lines 42, 43, 44, and 45)	0.00	164.42	0.00	76.93
b. Deficit Factor (Form RL, Line 14)	0.77451	0.77451	0.77451	0.77451
c. Funded BRL per ADA (Step 1a times Step 1b)	0.00	127.34	0.00	59.58
d. Prior Year Funded BRL per ADA (Form RL, Lines 42, 43, 44, and 45 times the deficit factor, Line 14)	0.00	125.77	0.00	58.84
e. Difference (Step 1c minus Step 1d)	0.00	1.57	0.00	0.74
f. Percent Change Due to COLA (Step 1e divided by Step 1d)	0.00%	1.25%	0.00%	1.26%

Step 2 - Change in Population

a. Revenue Limit ADA (From Criterion #1, Section 1B-2)	0.00	415.00	0.00	353.74
b. Prior Year Revenue Limit ADA (From Criterion #1, Section 1B-1)	0.00	420.98	0.00	382.81
c. Difference (Step 2a minus Step 2b)	0.00	(5.98)	0.00	(29.07)
d. Percent Change Due to Population (Step 2c divided by Step 2b)	0.00%	-1.42%	0.00%	-7.59%

Step 3 - Weighted Change

a. Projected BRL times ADA (Step 1a times Step 2a)	0.00	68,234.30	0.00	27,213.22
b. Percent Allocation by ADA Category (Step 3a for each category divided by the total of all four categories)	0.00%	71.49%	0.00%	28.51%
c. Percent Change in COLA plus Population (Step 1f plus Step 2d)	0.00%	-0.17%	0.00%	-6.33%
d. Percent Weighted Change (Step 3b times Step 3c)	0.00%	-0.12%	0.00%	-1.80%

Revenue Limit Standard - 2012-13
(Sum of Step 3d, all columns, plus/minus 1%): **-2.92 % to -0.92 %**

2A-2. Projected Revenue Limit - 1st Subsequent Year (2013-14)

DATA ENTRY: Enter data in lines 1a, 1b, and 2 for all columns.

	Juvenile Court and County Community Schools	Other Purpose	Community Day Schools	Direct Services
1. a. Percent Change Due to COLA (Net of deficit)	0.00%		0.00%	
b. Percent Change Due to Population	0.00%			
c. Percent Change in COLA plus Population (Line 1a plus Line 1b)	0.00%	0.00%	0.00%	0.00%
2. Percent Allocation by ADA Category (The sum of line 2 must equal 100%)				
3. Percent Weighted Change (Line 1c times Line 2)	0.00%	0.00%	0.00%	0.00%

Revenue Limit Standard - 2013-14
(Sum of Line 3, all columns, plus/minus 1%): **-1.00 % to 1.00 %**

2A-3. Projected Revenue Limit - 2nd Subsequent Year (2014-15)

DATA ENTRY: Enter data in lines 1a, 1b, and 2 for all columns.

	Juvenile Court and County Community Schools	Other Purpose	Community Day Schools	Direct Services
1. a. Percent Change Due to COLA (Net of deficit)	0.00%		0.00%	
b. Percent Change Due to Population	0.00%		0.00%	
c. Percent Change in COLA plus Population (Line 1a plus Line 1b)	0.00%	0.00%	0.00%	0.00%
2. Percent Allocation by ADA Category (The sum of line 2 must equal 100%)				
3. Percent Weighted Change (Line 1c times Line 2)	0.00%	0.00%	0.00%	0.00%

Revenue Limit Standard - 2014-15
(Sum of Line 3, all columns, plus/minus 1%): -1.00 % to 1.00 %

2B. Alternate Revenue Limit Standard - Excess Property Tax

DATA ENTRY: If applicable to your county office, input data in the 1st and 2nd Subsequent Year columns for projected local property taxes; all other data are extracted or calculated.

Excess Property Tax County Office Projected Revenue Limit (Applicable if Form RL, Budget column, line 35 is greater than the sum of lines 15 through 17)

	Prior Year (2011-12)	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
Projected local property taxes (Form RL, Line 35)	62,345.00	62,345.00	62,345.00	62,345.00
Excess Property Tax Standard (Percent change over previous year, plus/minus 1%):		N/A	N/A	N/A

2C. Calculating the County Office's Projected Change in Revenue Limit

DATA ENTRY: Enter data on lines 1 and 2 in the 1st and 2nd Subsequent Year columns; all other data are extracted or calculated.

	Prior Year (2011-12)	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
1. Revenue Limit (Fund 01, Objects 8011, 8020-8089)	400,112.02	299,036.00	293,375.00	240,913.00
2. Less: Adjustments for Transfers from Districts (Form RL, Lines 23-24)	0.00	0.00	0.00	0.00
3. Adjusted Revenue Limit (Line 1 minus Line 2)	400,112.02	299,036.00	293,375.00	240,913.00
County Office's Projected Change in Revenue Limit:		-25.26%	-1.89%	-17.88%
Revenue Limit Standard:		-2.92 % to -0.92 %	-1.00 % to 1.00 %	-1.00 % to 1.00 %
Status:		Not Met	Not Met	Not Met

2D. Comparison of County Office Revenue Limit to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. STANDARD NOT MET - Projected change in revenue limit is outside the standard in one or more of the budget or two subsequent fiscal years. Provide reasons why the projection(s) exceed the standard(s) and a description of the methods and assumptions used in projecting revenue limit.

Explanation:
(required if NOT met)

2012-13 the County plans to only operate one opportunity program. For 13-14 & 14-15 reduction due to Out-of-State Tuition (Washoe County Students).

3 CRITERION: Salaries and Benefits

STANDARD: Projected total salaries and benefits for any of the budget year or two subsequent fiscal years has not changed from the prior year amount by more than the change in funded COLA plus or minus five percent.

3A. Calculating the County Office's Salaries and Benefits Standard Percentages

DATA ENTRY: All data are extracted or calculated.

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
1. County Office's Change in Funded COLA (Criterion 2A, Percent Change Due to COLA, Other Purpose):	1.25%		
2. County Office's Salaries and Benefits Standard (Line 1, plus/minus 5%):	-3.75% to 6.25%	-5.00% to 5.00%	-5.00% to 5.00%

3B. Calculating the County Office's Projected Change in Salaries and Benefits

DATA ENTRY: If Form MYP exists, Salaries and Benefits for the 1st and 2nd Subsequent Years will be extracted; if not, enter data for the two subsequent years. All other data are extracted or calculated.

Fiscal Year	Salaries and Benefits (Form 01, Objects 1000-3999) (Form MYP, Lines B1-B3)	Percent Change Over Previous Year	Status
First Prior Year (2011-12)	937,662.12		
Budget Year (2012-13)	955,975.00	1.95%	Met
1st Subsequent Year (2013-14)	942,496.00	-1.41%	Met
2nd Subsequent Year (2014-15)	948,486.00	0.64%	Met

3C. Comparison of County Office Change in Salaries and Benefits to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

STANDARD MET - Ratio of total salaries and benefits to total expenditures has met the standard for the budget and two subsequent fiscal years.

Explanation:
(required if NOT met)

4. CRITERION: Other Revenues and Expenditures

STANDARD: Projected operating revenues (including federal, other state, and other local) or expenditures (including books and supplies, and services and other operating), for any of the budget year or two subsequent fiscal years, have not changed from the prior fiscal year amount by more than the change in funded COLA plus or minus ten percent.

For each major object category, changes that exceed the percentage change in the funded COLA plus or minus five percent must be explained.

4A. Calculating the County Office's Other Revenues and Expenditures Standard Percentage Ranges

DATA ENTRY: All data are extracted or calculated.

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
1. County Office's Change in Funded COLA (Criterion 2A, Percent Change Due to COLA, Other Purpose):	1.25%		
2. County Office's Other Revenues and Expenditures Standard Percentage Range (Line 1, plus/minus 10%):	-8.75% to 11.25%	-10.00% to 10.00%	-10.00% to 10.00%
3. County Office's Other Revenues and Expenditures Explanation Percentage Range (Line 1, plus/minus 5%):	-3.75% to 6.25%	-5.00% to 5.00%	-5.00% to 5.00%

4B. Calculating the County Office's Change by Major Object Category and Comparison to the Explanation Percentage Range (Section 4A, Line 3)

DATA ENTRY: If Form MYP exists, the 1st and 2nd Subsequent Year data for each revenue and expenditure section will be extracted; if not, enter data for the two subsequent years. All other data are extracted or calculated.

Explanations must be entered for each category if the percent change for any year exceeds the county office's explanation percentage range.

Object Range / Fiscal Year	Amount	Percent Change Over Previous Year	Change Is Outside Explanation Range
----------------------------	--------	--------------------------------------	--

Federal Revenue (Fund 01, Objects 8100-8299) (Form MYP, Line A2)

First Prior Year (2011-12)	170,009.81		
Budget Year (2012-13)	168,543.00	-0.86%	No
1st Subsequent Year (2013-14)	168,500.00	-0.03%	No
2nd Subsequent Year (2014-15)	169,000.00	0.30%	No

Explanation:
(required if Yes)

Other State Revenue (Fund 01, Objects 8300-8599) (Form MYP, Line A3)

First Prior Year (2011-12)	439,157.35		
Budget Year (2012-13)	532,221.00	21.19%	Yes
1st Subsequent Year (2013-14)	481,260.00	-9.58%	Yes
2nd Subsequent Year (2014-15)	468,375.00	-2.68%	No

Explanation:
(required if Yes)

For the current year, not all revenue has been accrued which is affected the percent of change. For 1314, declining special education revenue.

Other Local Revenue (Fund 01, Objects 8600-8799) (Form MYP, Line A4)

First Prior Year (2011-12)	161,683.29		
Budget Year (2012-13)	301,377.00	86.40%	Yes
1st Subsequent Year (2013-14)	324,221.00	7.58%	Yes
2nd Subsequent Year (2014-15)	337,721.00	4.16%	No

Explanation:
(required if Yes)

For the current year, not all revenue has been accrued which is affected the percent of change. 2013-14, Increase bill back to the District.

Books and Supplies (Fund 01, Objects 4000-4999) (Form MYP, Line B4)

First Prior Year (2011-12)	17,716.98		
Budget Year (2012-13)	29,357.00	65.70%	Yes
1st Subsequent Year (2013-14)	29,000.00	-1.22%	No
2nd Subsequent Year (2014-15)	29,000.00	0.00%	No

Explanation:
(required if Yes)

Budget includes restricted carryover.

Services and Other Operating Expenditures (Fund 01, Objects 5000-5999) (Form MYP, Line B5)

First Prior Year (2011-12)	309,866.91		
Budget Year (2012-13)	363,046.00	17.16%	Yes
1st Subsequent Year (2013-14)	336,219.14	-7.39%	Yes
2nd Subsequent Year (2014-15)	331,759.00	-1.33%	No

Explanation:
(required if Yes)

Budget includes restricted carryover.

4C. Calculating the County Office's Change in Total Operating Revenues and Expenditures (Section 4A, Line 2)

DATA ENTRY: All data are extracted or calculated.

Object Range / Fiscal Year	Amount	Percent Change Over Previous Year	Status
----------------------------	--------	-----------------------------------	--------

Total Federal, Other State, and Other Local Revenue (Section 4B)

First Prior Year (2011-12)	770,850.45		
Budget Year (2012-13)	1,002,141.00	30.00%	Not Met
1st Subsequent Year (2013-14)	973,981.00	-2.81%	Met
2nd Subsequent Year (2014-15)	975,096.00	0.11%	Met

Total Books and Supplies, and Services and Other Operating Expenditures (Section 4B)

First Prior Year (2011-12)	327,583.89		
Budget Year (2012-13)	392,403.00	19.79%	Not Met
1st Subsequent Year (2013-14)	365,219.14	-6.93%	Met
2nd Subsequent Year (2014-15)	360,759.00	-1.22%	Met

4D. Comparison of County Office Total Operating Revenues and Expenditures to the Standard Percentage Range

DATA ENTRY: Explanations are linked from Section 4B if the status in Section 4C is not met; no entry is allowed below.

- 1a. STANDARD NOT MET - Projected total operating revenues have changed by more than the standard in one or more of the budget or two subsequent fiscal years. Reasons for the projected change, descriptions of the methods and assumptions used in the projections, and what changes, if any, will be made to bring the projected operating revenues within the standard must be entered in Section 4B above and will also display in the explanation box below.

Explanation:
Federal Revenue
(linked from 4B
if NOT met)

Explanation:
Other State Revenue
(linked from 4B
if NOT met)

For the current year, not all revenue has been accrued which is affected the percent of change. For 1314, declining special education revenue.

Explanation:
Other Local Revenue
(linked from 4B
if NOT met)

For the current year, not all revenue has been accrued which is affected the percent of change. 2013-14, Increase bill back to the District.

- 1b. STANDARD NOT MET - Projected total operating expenditures changed by more than the standard in one or more of the budget or two subsequent fiscal years. Reasons for the projected change, descriptions of the methods and assumptions used in the projections, and what changes, if any, will be made to bring the projected operating expenditures within the standard must be entered in Section 4B above and will also display in explanation box below.

Explanation:
Books and Supplies
(linked from 4B
if NOT met)

Budget includes restricted carryover.

Explanation:
Services and Other Exps
(linked from 4B
if NOT met)

Budget includes restricted carryover.

5. CRITERION: Facilities Maintenance

STANDARD: Confirm that the annual contribution for facilities maintenance funding is not less than the amounts required pursuant to Education Code sections 17584 (Deferred Maintenance) and 17070.75 (Ongoing and Major Maintenance/Restricted Maintenance Account), if applicable.

5A. Determining the County Office's Compliance with the Contribution Requirement for EC Section 17584 - Deferred Maintenance

NOTE: SBX3 4 (Chapter 12, Statutes of 2009), as amended by SB 70 (Chapter 7, Statutes of 2011), eliminates the local match requirement for Deferred Maintenance from 2008-09 through 2014-15. Therefore, this section has been inactivated for that period.

5B. Determining the County Office's Compliance with the Contribution Requirement for EC Section 17070.75 as modified by Section 17070.766 and amended by SB 70 (Chapter 7, Statutes of 2011), effective 2008-09 through 2014-15 - Ongoing and Major Maintenance/Restricted Maintenance Account (OMMA/RMA)

NOTE: SB 70 (Chapter 7, Statutes of 2011) extends EC Section 17070.766 from 2008-09 through 2014-15. EC Section 17070.766 reduced the contributions required by EC Section 17070.75 from 3 percent to 1 percent. Therefore, the calculation in this section has been revised accordingly for that period.

DATA ENTRY: All data are extracted or calculated. If standard is not met, enter an X in the appropriate box and enter an explanation, if applicable.

	Budgeted Unrestricted Expenditures and Other Financing Uses (Form 01, Resources 0000-1999, Objects 1000-7999)	1% Required Minimum Contribution (Unrestricted Budget times 1%)	Budgeted Contribution ¹ to the Ongoing and Major Maintenance Account	Status
Ongoing and Major Maintenance/ Restricted Maintenance Account	843,895.00	8,438.95	0.00	Not Met

¹ Fund 01, Resource 8150, Objects 8900-8999

If standard is not met, enter an X in the box that best describes why the minimum required contribution was not made:

x	Not applicable (county office does not participate in the Leroy F. Green School Facilities Act of 1998)
	Other (explanation must be provided)

Explanation:
(required if NOT met
and Other is marked)

6 CRITERION: Deficit Spending

STANDARD: Unrestricted deficit spending (total unrestricted expenditures and other financing uses is greater than total unrestricted revenues and other financing sources), as a percentage of total unrestricted expenditures and other financing uses, has not exceeded one-third of the county office's available reserves¹ as a percentage of total expenditures and other financing uses², in two out of three prior fiscal years.

6A. Calculating the County Office's Deficit Spending Standard Percentage Levels

DATA ENTRY: All data are extracted or calculated.

	Third Prior Year (2009-10)	Second Prior Year (2010-11)	First Prior Year (2011-12)
1. County Office's Available Reserve Amounts (resources 0000-1999)			
a. Designated for Economic Uncertainties (Funds 01 and 17, Object 9770)	164,366.00	149,278.00	
b. Undesignated Amounts (Funds 01 and 17, Object 9790)	1,647,244.44	1,735,173.82	
c. Reserve for Economic Uncertainties (Funds 01 and 17, Object 9789)			151,270.00
d. Unassigned/Unappropriated (Funds 01 and 17, Object 9790)			1,591,771.20
e. Negative County School Service Fund Ending Balances in Restricted Resources (Fund 01, Object 979Z, if negative, for each of resources 2000-9999)	0.00	0.00	0.00
f. Available Reserves (Lines 1a through 1e)	1,811,610.44	1,884,451.82	1,743,041.20
2. Expenditures and Other Financing Uses			
a. County Office's Total Expenditures and Other Financing Uses (Fund 01, objects 1000-7999)	1,643,661.22	1,492,179.68	1,512,703.61
b. Less: Special Education Pass-through Funds (Fund 01, resources 3300-3499 and 6500-6540, objects 7211-7213 and 7221-7223)	0.00	0.00	
c. Plus: Special Education Pass-through Funds (Fund 10, resources 3300-3499 and 6500-6540, objects 7211-7213 and 7221-7223)			0.00
d. Net Expenditures and Other Financing Uses (Line 2a minus Line 2b, or Line 2a plus Line 2c)	1,643,661.22	1,492,179.68	1,512,703.61
3. County Office's Available Reserve Percentage (Line 1f divided by Line 2d)	110.2%	126.3%	115.2%
County Office's Deficit Spending Standard Percentage Levels (Line 3 times 1/3):	36.7%	42.1%	38.4%

¹ Available reserves from the Juvenile Court/County Community Schools and Regional Occupational Centers/Programs may be included, up to the applicable percentage of program expenditures. Funds designated as reserves for this purpose continue to be restricted for use only in those programs.

Available reserves are the unrestricted amounts in the Reserve for Economic Uncertainties and the Unassigned/Unappropriated accounts in the County School Service Fund and the Special Reserve Fund for Other Than Capital Outlay Projects. Available reserves will be reduced by any negative ending balances in restricted resources in the County School Service Fund.

² A county office of education that is the administrative unit of a special education local plan area (SELPA) may exclude from its expenditures the distribution of funds to its participating members.

6B. Calculating the County Office's Deficit Spending Percentages

DATA ENTRY: All data are extracted or calculated.

Fiscal Year	Net Change in Unrestricted Fund Balance (Form 01, Section E)	Total Unrestricted Expenditures and Other Financing Uses (Form 01, Objects 1000-7999)	Deficit Spending Level (If Net Change in Unrestricted Fund Balance is negative, else N/A)	Status
Third Prior Year (2009-10)	94,301.84	771,998.19	N/A	Met
Second Prior Year (2010-11)	587,996.27	830,990.02	N/A	Met
First Prior Year (2011-12)	(111,582.42)	852,763.59	13.1%	Met
Budget Year (2012-13) (Information only)	(265,904.00)	843,895.00		

6C. Comparison of County Office Deficit Spending to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - Unrestricted deficit spending, if any, has not exceeded the standard percentage level in two or more of the three prior years.

Explanation:
(required if NOT met)

7. CRITERION: Fund Balance

STANDARD: Budgeted beginning unrestricted county school service fund balance has not been overestimated for two out of three prior fiscal years by more than the following percentage levels:

Percentage Level ¹	County Office Total Expenditures and Other Financing Uses ²	
1.7%	0	to \$5,540,999
1.3%	\$5,541,000	to \$13,850,999
1.0%	\$13,851,000	to \$62,332,000
0.7%	\$62,332,001	and over

¹ Percentage levels equate to a rate of deficit spending which would eliminate recommended reserves for economic uncertainties over a three year period.

² A county office of education that is the Administrative Unit of a Special Education Local Plan Area may exclude from its expenditures the distribution of funds to its participating members.

County Office's Expenditures and Other Financing Uses (Criterion 8B1), plus SELPA Pass-through (Criterion 7A2b) if Criterion 7A, Line 1 is No:

1,581,228

County Office's Fund Balance Standard Percentage Level:

1.7%

7A. Calculating the County Office's Special Education Pass-through Exclusions (only for county offices that serve as the AU of a SELPA)

DATA ENTRY: For SELPA AUs, if Form MYP exists, all data will be extracted including the Yes/No button selection. If not, click the appropriate Yes or No button for item 1 and, if Yes, enter data for item 2a and for the two subsequent years in item 2b; Budget Year data are extracted.

For county offices that serve as the AU of a SELPA (Form MYP, Lines F1a, F1b1, and F1b2):

- Do you choose to exclude pass-through funds distributed to SELPA members from the calculations for fund balance and reserves?
- If you are the SELPA AU and are excluding special education pass-through funds:
 - Enter the name(s) of the SELPA(s):

Yes

b. Special Education Pass-through Funds (Fund 10, resources 3300-3499 and 6500-6540, objects 7211-7213 and 7221-7223):

Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
0.00	0.00	0.00

7B. Calculating the County Office's Unrestricted County School Service Fund Beginning Balance Percentages

DATA ENTRY: Enter data in the Original Budget column for the First, Second, and Third Prior Years; all other data are extracted or calculated.

Fiscal Year	Unrestricted County School Service Fund Beginning Balance ³ (Form 01, Line F1e, Unrestricted Column)		Beginning Fund Balance Variance Level (If overestimated, else N/A)	Status
	Original Budget	Estimated/Unaudited Actuals		
Third Prior Year (2009-10)	1,211,696.00	1,204,653.71	0.6%	Met
Second Prior Year (2010-11)	1,119,461.00	1,298,955.55	N/A	Met
First Prior Year (2011-12)	1,774,649.00	1,886,777.62	N/A	Met
Budget Year (2012-13) (Information only)	1,775,195.20			

³ Adjusted beginning balance, including audit adjustments and other restatements (objects 9791-9795)

7C. Comparison of County Office Unrestricted Beginning Fund Balance to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- STANDARD MET - Unrestricted county school service fund beginning fund balance has not been overestimated by more than the standard percentage level for two or more of the previous three years.

Explanation:
(required if NOT met)

8 CRITERION: Reserves

STANDARD: Available reserves¹ for any of the budget year or two subsequent fiscal years are not less than the following percentages or amounts as applied to total expenditures and other financing uses²:

Percentage Level ³	County Office Total Expenditures and Other Financing Uses ³	
5% or \$62,000 (greater of)	0	to \$5,540,999
4% or \$277,000 (greater of)	\$5,541,000	to \$13,850,999
3% or \$554,000 (greater of)	\$13,851,000	to \$62,332,000
2% or \$1,870,000 (greater of)	\$62,332,001	and over

¹ Available reserves from Juvenile Court/County Community Schools and Regional Occupational Centers/Programs may be included, up to the applicable percentage of program expenditures. Funds designated as reserves for this purpose continue to be restricted for use only in those programs.

Available reserves are the unrestricted amounts in the Reserve for Economic Uncertainties and the Unassigned/Unappropriated accounts in the County School Service Fund and the Special Reserve Fund for Other Than Capital Outlay Projects. Available reserves will be reduced by any negative ending balances in restricted resources in the County School Service Fund.

² A county office of education that is the Administrative Unit of a Special Education Local Plan Area may exclude from its expenditures the distribution of funds to its participating members.

³ Dollar amounts to be adjusted annually by the prior year statutory cost-of-living adjustment (Education Code Section 2557), rounded to the nearest thousand.

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
County Office's Expenditures and Other Financing Uses (Criterion 8B1), plus SELPA Pass-through (Criterion 7A2b) if Criterion 7A, Line 1 is No:	1,581,228	1,535,715	1,483,245
County Office's Reserve Standard Percentage Level:	5%	5%	5%

8A. Calculating the County Office's Available Reserves from Juvenile Court/County Community Schools and Regional Occupational Centers/Programs

DATA ENTRY: Click the appropriate Yes or No button in Step 1. If Yes, enter budget year data in step 3b, and enter subsequent year data in steps 2 and 3 for lines a and b. All other data will be extracted or calculated.

Step 1 - Including Restricted Reserves in the Reserve Calculation

Do you choose to include in the county office's reserve calculation the available restricted reserves from Juvenile Court/County Community Schools and Regional Occupational Centers/Programs?
(If Yes, complete supplemental Form JUV for use in step 2; ROP GL data will be extracted for use in Step 3)

No

NOTE: Funds designated as reserves for this purpose continue to be restricted for use only in those programs.

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
Step 2 - Juvenile Court/County Community Schools			
a. Total Expenditures (Form JUV, Line B7)			
b. Reserve for Economic Contingencies per EC 42238.18 (Form JUV, Line D2b1)			
c. Maximum Reserves (Step 2a times the standard percentage level)	0.00	0.00	0.00
d. Allowable Reserves (Lesser of Step 2b or Step 2c)	0.00	0.00	0.00

NOTE: SBX3 4 (Chapter 12, Statutes of 2009) and amended by SB 70 (Chapter 7, Statutes of 2011) eliminated Resource 6350, ROC/P Apportionment, for a five-year period from 2008-09 to 2014-15.

Step 3 - Regional Occupational Centers/Programs (Resources 6355 and 6360)

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
a. Total Expenditures (Fund 01, Objects 1000-7499)	0.00		
b. General Reserve per EC 52321(b)			
c. Maximum Reserves (Step 3a times the standard percentage level)	0.00	0.00	0.00
d. Allowable Reserves (Lesser of Step 3b or Step 3c)	0.00	0.00	0.00

8B. Calculating the County Office's Reserve Standard

DATA ENTRY: If Form MYP exists, 1st and 2nd Subsequent Year data for line 1 will be extracted; if not, enter data for the two subsequent years.
All other data are extracted or calculated.

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
1. Expenditures and Other Financing Uses (Fund 01, objects 1000-7999) (Form MYP, Line B11)	1,581,228.00	1,535,715.14	1,483,245.00
2. Plus: Special Education Pass-through (Criterion 7A, Line 2b if Criterion 7A, Line 1 is No)	0.00	0.00	0.00
3. Total Expenditures and Other Financing Uses (Line B1 plus Line B2)	1,581,228.00	1,535,715.14	1,483,245.00
4. Reserve Standard Percentage Level	5%	5%	5%
5. Reserve Standard - by Percent (Line B3 times Line B4)	79,061.40	76,785.76	74,162.25
6. Reserve Standard - by Amount (From percentage level chart above)	62,000.00	62,000.00	62,000.00
7. County Office's Reserve Standard (Greater of Line B5 or Line B6)	79,061.40	76,785.76	74,162.25

8C. Calculating the County Office's Budgeted Reserve Amount

DATA ENTRY: If Form MYP exists, 1st and 2nd Subsequent Year data for lines 1 through 7 will be extracted; if not, enter data for the two subsequent years.
All other data are extracted or calculated.

Reserve Amounts

(Unrestricted resources 0000-1999 except lines 4, 8, and 9):

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
1. County School Service Fund - Stabilization Arrangements (Fund 01, Object 9750) (Form MYP, Line E1a)	0.00		
2. County School Service Fund - Reserve for Economic Uncertainties (Fund 01, Object 9789) (Form MYP, Line E1b)	158,122.00	153,572.00	148,324.00
3. County School Service Fund - Unassigned/Unappropriated Amount (Fund 01, Object 9790) (Form MYP, Line E1c)	1,304,276.20	1,053,709.20	785,434.00
4. County School Service Fund - Negative Ending Balances in Restricted Resources (Fund 01, Object 979Z, if negative, for each of resources 2000-9999) (Form MYP, Line E1e)	(1.00)	0.00	0.00
5. Special Reserve Fund - Stabilization Arrangements (Fund 17, Object 9750) (Form MYP, Line E2a)	0.00		
6. Special Reserve Fund - Reserve for Economic Uncertainties (Fund 17, Object 9789) (Form MYP, Line E2b)	0.00		
7. Special Reserve Fund - Unassigned/Unappropriated Amount (Fund 17, Object 9790) (Form MYP, Line E2c)	0.00		
8. Juvenile Court/County Community Schools Allowable Reserves (Section 8A, Step 2d, if Step 1 is Yes)	0.00	0.00	0.00
9. Regional Occupational Centers/Programs Allowable Reserves (Section 8A, Step 3d, if Step 1 is Yes)	0.00	0.00	0.00
10. County Office's Budgeted Reserve Amount (Lines C1 thru C9)	1,462,397.20	1,207,281.20	933,758.20
11. County Office's Budgeted Reserve Percentage (Information only) (Line 10 divided by Section 8B, Line 3)	92.48%	78.61%	62.95%
County Office's Reserve Standard (Section 8B, Line 7):	79,061.40	76,785.76	74,162.25
Status:	Met	Met	Met

8D. Comparison of County Office Reserve Amount to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. STANDARD MET - Projected available reserves have met the standard for the budget and two subsequent fiscal years.

Explanation:
(required if NOT met)

SUPPLEMENTAL INFORMATION

DATA ENTRY: Click the appropriate Yes or No button for items S1 through S4. Enter an explanation for each Yes answer.

S1. Contingent Liabilities

1a. Does your county office have any known or contingent liabilities (e.g., financial or program audits, litigation, state compliance reviews) that may impact the budget?

No

1b. If Yes, identify the liabilities and how they may impact the budget:

S2. Use of One-time Revenues for Ongoing Expenditures

1a. Does your county office have ongoing county school service fund expenditures in the budget in excess of one percent of the total county school service fund expenditures that are funded with one-time resources?

No

1b. If Yes, identify the expenditures and explain how the one-time resources will be replaced to continue funding the ongoing expenditures in the following fiscal years:

S3. Use of Ongoing Revenues for One-time Expenditures

Does your county office have large non-recurring county school service fund expenditures that are funded with ongoing county school service fund revenues?

No

1b. If Yes, identify the expenditures:

S4. Contingent Revenues

1a. Does your county office have projected revenues for the budget year or either of the two subsequent fiscal years contingent on reauthorization by the local government, special legislation, or other definitive act (e.g., parcel taxes, forest reserves)?

Yes

1b. If Yes, identify any of these revenues that are dedicated for ongoing expenses and explain how the revenues will be replaced or expenditures reduced:

Forest Reserve Revenue and the plan to reduce expenditures is by moving the business office to Loyalton on the Loyalton Elementary School property and close down the business office located in Sierraville.

S5. Contributions

Identify projected contributions from unrestricted resources in the county school service fund to restricted resources in the county school service fund for the budget year and two subsequent fiscal years. Provide an explanation if contributions have changed from prior fiscal year amounts by more than \$20,000 and more than ten percent. Explanation should include whether contributions are ongoing or one-time in nature.

Identify projected transfers to or from the county school service fund to cover operating deficits in either the county school service fund or any other fund for the budget year and two subsequent fiscal years. Provide an explanation if transfers have changed from prior fiscal year amounts by more than \$20,000 and more than ten percent. Explanation should include whether transfers are ongoing or one-time in nature.

Estimate the impact of any capital projects on the county school service fund operational budget.

County Office's Contributions and Transfers Standard: -10.0% to +10.0%
or -\$20,000 to +\$20,000

S5A. Identification of the County Office's Projected Contributions, Transfers, and Capital Projects that may Impact the County School Service Fund

DATA ENTRY: Enter data in the Projection column for contributions, transfers in, and transfers out for all fiscal years, except the First Prior Year and Budget Year for Contributions, which will be extracted, and click the appropriate button for item 1d; all other data are extracted or calculated.

Description / Fiscal Year	Projection	Amount of Change	Percent Change	Status
1a. Contributions, Unrestricted County School Service Fund (Fund 01, Resources 0000-1999, Object 8980)				
First Prior Year (2011-12)	(52,134.72)			
Budget Year (2012-13)	(63,638.00)	11,503.28	22.1%	Met
1st Subsequent Year (2013-14)	(66,182.00)	2,544.00	4.0%	Met
2nd Subsequent Year (2014-15)	(69,014.00)	2,832.00	4.3%	Met
1b. Transfers In, County School Service Fund *				
First Prior Year (2011-12)	0.00			
Budget Year (2012-13)	0.00	0.00	0.0%	Met
1st Subsequent Year (2013-14)	0.00	0.00	0.0%	Met
2nd Subsequent Year (2014-15)	0.00	0.00	0.0%	Met
1c. Transfers Out, County School Service Fund *				
First Prior Year (2011-12)	0.00			
Budget Year (2012-13)	0.00	0.00	0.0%	Met
1st Subsequent Year (2013-14)	0.00	0.00	0.0%	Met
2nd Subsequent Year (2014-15)	0.00	0.00	0.0%	Met

1d. **Impact of Capital Projects**
Do you have any capital projects that may impact the county school service fund operational budget? No

* Include transfers used to cover operating deficits in either the county school service fund or any other fund.

S5B. Status of the County Office's Projected Contributions, Transfers, and Capital Projects

DATA ENTRY: Enter an explanation if Not Met for items 1a-1c or if Yes for item 1d.

1a. MET - Projected contributions have not changed by more than the standard for the budget and two subsequent fiscal years.

Explanation:
(required if NOT met)

1b. MET - Projected transfers in have not changed by more than the standard for the budget and two subsequent fiscal years.

Explanation:
(required if NOT met)

1c. MET - Projected transfers out have not changed by more than the standard for the budget and two subsequent fiscal years.

Explanation:
(required if NOT met)

1d. NO - There are no capital projects that may impact the county school service fund operational budget.

Project Information:
(required if YES)

S6. Long-term Commitments

Identify all existing and new multiyear commitments¹ and their annual required payment for the budget year and two subsequent fiscal years. Explain how any increase in annual payments will be funded.

Also, explain how any decrease to funding sources used to pay long-term commitments will be replaced.

¹ Include multiyear commitments, multiyear debt agreements, and new programs or contracts that result in long-term obligations.

S6A. Identification of the County Office's Long-term Commitments

DATA ENTRY: Click the appropriate button in item 1 and enter data in all columns of item 2 for applicable long-term commitments; there are no extractions in this section.

1. Does your county office have long-term (multiyear) commitments?
(If No, skip item 2 and sections S6B and S6C)

2. If Yes to item 1, list all new and existing multiyear commitments and required annual debt service amounts. Do not include long-term commitments for postemployment benefits other than pensions (OPEB); OPEB is disclosed in Criterion S7A.

Type of Commitment	# of Years Remaining	SACS Fund and Object Codes Used For:		Principal Balance as of July 1, 2012
		Funding Sources (Revenues)	Debt Service (Expenditures)	
Capital Leases				
Certificates of Participation				
General Obligation Bonds				
Supp Early Retirement Program				
State School Building Loans				
Compensated Absences		unrestricted	unsued vacation	16,500

Other Long-term Commitments (do not include OPEB):

Type of Commitment	# of Years Remaining	Funding Sources (Revenues)	Debt Service (Expenditures)	Principal Balance as of July 1, 2012

Type of Commitment (continued)	Prior Year (2011-12) Annual Payment (P & I)	Budget Year (2012-13) Annual Payment (P & I)	1st Subsequent Year (2013-14) Annual Payment (P & I)	2nd Subsequent Year (2014-15) Annual Payment (P & I)
Capital Leases				
Certificates of Participation				
General Obligation Bonds				
Supp Early Retirement Program				
State School Building Loans				
Compensated Absences	16,500	16,300	0	0

Other Long-term Commitments (continued):

Type of Commitment	Prior Year (2011-12) Annual Payment (P & I)	Budget Year (2012-13) Annual Payment (P & I)	1st Subsequent Year (2013-14) Annual Payment (P & I)	2nd Subsequent Year (2014-15) Annual Payment (P & I)

Total Annual Payments: 16,500 16,300 0 0

Has total annual payment increased over prior year (2011-12)? No No No

S/ Comparison of County Office's Annual Payments to Prior Year Annual Payment

DATA ENTRY: Enter an explanation if Yes.

- 1a. NO - Annual payments for long-term commitments have not increased in one or more of the budget and two subsequent fiscal years.

Explanation:
(required if Yes to increase
in total annual payments)

S6C. Identification of Decreases to Funding Sources Used to Pay Long-term Commitments

DATA ENTRY: Click the appropriate Yes or No button in item 1; if Yes, an explanation is required in item 2.

1. Will funding sources used to pay long-term commitments decrease or expire prior to the end of the commitment period, or are they one-time sources?

No

2. NO - Funding sources will not decrease or expire prior to the end of the commitment period, and one-time funds are not being used for long-term commitment annual payments.

Explanation:
(required if Yes)

S7. Unfunded Liabilities

Estimate the unfunded liability for postemployment benefits other than pensions (OPEB) based on an actuarial valuation, if required, or other method; identify or estimate the annual required contribution; and indicate how the obligation is funded (pay-as-you-go, amortized over a specific period, etc.).

Estimate the unfunded liability for self-insurance programs such as workers' compensation based on an actuarial valuation, if required, or other method; identify or estimate the required contribution; and, indicate how the obligation is funded (level of risk retained, funding approach, etc.).

S7A. Identification of the County Office's Estimated Unfunded Liability for Postemployment Benefits Other than Pensions (OPEB)

DATA ENTRY: Click the appropriate button in item 1 and enter data in all other applicable items; there are no extractions in this section except the budget year data on line 5b.

1. Does your county office provide postemployment benefits other than pensions (OPEB)? (If No, skip items 2-5)

Yes

2. For the county office's OPEB:
a. Are they lifetime benefits?

No

b. Do benefits continue past age 65?

No

c. Describe any other characteristics of the county office's OPEB program including eligibility criteria and amounts, if any, that retirees are required to contribute toward their own benefits:

3. a. Are OPEB financed on a pay-as-you-go, actuarial cost, or other method?

Pay-as-you-go

b. Indicate any accumulated amounts earmarked for OPEB in a self-insurance or government fund

Self-Insurance Fund	Government Fund
0	90,600

4. OPEB Liabilities

- a. OPEB actuarial accrued liability (AAL)
- b. OPEB unfunded actuarial accrued liability (UAAL)
- c. Are AAL and UAAL based on the county office's estimate or an actuarial valuation?
- d. If based on an actuarial valuation, indicate the date of the OPEB valuation.

181,654.00
181,654.00
Actuarial
Jul 01, 2011

5. OPEB Contributions

- a. OPEB annual required contribution (ARC) per actuarial valuation or Alternative Measurement Method
- b. OPEB amount contributed (for this purpose, include premiums paid to a self-insurance fund) (funds 01-70, objects 3701-3752)
- c. Cost of OPEB benefits (equivalent of "pay-as-you-go" amount)
- d. Number of retirees receiving OPEB benefits

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
a.	27,730.00	27,730.00	27,730.00
b.	27,730.00	27,730.00	27,730.00
c.	12,991.00	12,991.00	12,991.00
d.	1	1	1

S7B. Identification of the County Office's Unfunded Liability for Self-Insurance Programs

D. ITRY: Click the appropriate button in item 1 and enter data in all other applicable items; there are no extractions in this section.

1. Does your county office operate any self-insurance programs such as workers' compensation, employee health and welfare, or property and liability? (Do not include OPEB, which is covered in Section 7A) (If No, skip items 2-4)

Yes

2. Describe each self-insurance program operated by the county office, including details for each such as level of risk retained, funding approach, basis for the valuation (county office's estimate or actuarial valuation), and date of the valuation:

Northeastern JPA Self Insurance, funded at an 80% confidential level. Health & Welfare JPA is Tri-County Schools.

3. Self-Insurance Liabilities

- a. Accrued liability for self-insurance programs
b. Unfunded liability for self-insurance programs

0.00
389,000.00

4. Self-Insurance Contributions

- a. Required contribution (funding) for self-insurance programs
b. Amount contributed (funded) for self-insurance programs

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
a. Required contribution (funding) for self-insurance programs	17,786.00	17,000.00	17,000.00
b. Amount contributed (funded) for self-insurance programs	17,786.00	17,000.00	17,000.00

S8. Status of Labor Agreements

Analyze the status of employee labor agreements. Identify new labor agreements, as well as new commitments provided as part of previously ratified multiyear agreements; and include all contracts, including all administrator contracts (and including all compensation). For new agreements, indicate the date of the required board meeting. Compare the increase in new commitments to the projected increase in ongoing revenues, and explain how these commitments will be funded in future fiscal years.

If salary and benefit negotiations are not finalized at budget adoption, upon settlement with certificated or classified staff:

The county office of education must determine the cost of the settlement, including salaries, benefits, and any other agreements that change costs, and provide the California Department of Education (CDE) with an analysis of the cost of the settlement and its impact on the operating budget.

The CDE shall review the analysis relative to the criteria and standards, and may provide written comments to the president of the governing board and the county superintendent of schools.

S8A. Cost Analysis of County Office's Labor Agreements - Certificated (Non-management) Employees

DATA ENTRY: Enter all applicable data items; there are no extractions in this section.

	Prior Year (2nd Interim) (2011-12)	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
Number of certificated (non-management) full-time-equivalent (FTE) positions	5.9	4.5	4.5	4.5

Certificated (Non-management) Salary and Benefit Negotiations

1. Are salary and benefit negotiations settled for the budget year?

Yes

If Yes, and the corresponding public disclosure documents have not been filed with the CDE, complete questions 2-4.

If No, identify the unsettled negotiations including any prior year unsettled negotiations and then complete questions 5 and 6.

County Office is asking for a healthcare cap and to open all available plans offered by Tri-County and furlough days. Both parties agree to no salary increase and to discuss furlough days after the November election. Healthcare cost is undetermined at this time.

Negotiations Settled

2. Per Government Code Section 3547.5(a), date of public disclosure board meeting:

[]

3. Period covered by the agreement:

Begin Date: [] End Date: []

4. Salary settlement:

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
Is the cost of salary settlement included in the budget and multiyear projections (MYPs)?	[]	[]	[]
One Year Agreement			
Total cost of salary settlement	[]	[]	[]
% change in salary schedule from prior year	[]	[]	[]
or			
Multiyear Agreement			
Total cost of salary settlement	[]	[]	[]
% change in salary schedule from prior year (may enter text, such as "Reopener")	[]	[]	[]

Identify the source of funding that will be used to support multiyear salary commitments:

[]

Negotiations Not Settled

5. Cost of a one percent increase in salary and statutory benefits

0

6. Amount included for any tentative salary schedule increases

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
Amount included for any tentative salary schedule increases	0	0	0

Certificated (Non-management) Health and Welfare (H&W) Benefits

1. Are costs of H&W benefit changes included in the budget and MYPs?
2. Total cost of H&W benefits
3. Percent of H&W cost paid by employer
4. Percent projected change in H&W cost over prior year

Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
No	No	No

Certificated (Non-management) Prior Year Settlements

- Are any new costs from prior year settlements included in the budget?
If Yes, amount of new costs included in the budget and MYPs
If Yes, explain the nature of the new costs:

No		

Certificated (Non-management) Step and Column Adjustments

1. Are step & column adjustments included in the budget and MYPs?
2. Cost of step & column adjustments
3. Percent change in step & column over prior year

Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
Yes	Yes	Yes

Certificated (Non-management) Attrition (layoffs and retirements)

1. Are savings from attrition included in the budget and MYPs?
2. Are additional H&W benefits for those laid-off or retired employees included in the budget and MYPs?

Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
No	No	No
No	No	No

Certificated (Non-management) - Other

List other significant contract changes and the cost impact of each change (i.e., class size, hours of employment, leave of absence, bonuses, etc.):

S8B. Cost Analysis of County Office's Labor Agreements - Classified (Non-management) Employees

DATA ENTRY: Enter all applicable data items; there are no extractions in this section.

	Prior Year (2nd Interim) (2011-12)	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
Number of classified (non-management) FTE positions	4.8	5.8	5.8	5.8

Classified (Non-management) Salary and Benefit Negotiations

1. Are salary and benefit negotiations settled for the budget year?

Yes

If Yes, and the corresponding public disclosure documents have not been filed with the CDE, complete questions 2-4.

If No, identify the unsettled negotiations including any prior year unsettled negotiations and then complete questions 5 and 6.

County Office is asking for a healthcare cap and to open all available plans offered by Tri-County and furlough days. Both parties agree to no salary increase and to discuss furlough days after the November election. Healthcare cost is undetermined at this time.

Negotiations Settled

2. Per Government Code Section 3547.5(a), date of public disclosure board meeting:

[]

3. Period covered by the agreement:

Begin Date:

[]

End Date:

[]

4. Salary settlement:

Budget Year
(2012-13)

1st Subsequent Year
(2013-14)

2nd Subsequent Year
(2014-15)

Is the cost of salary settlement included in the budget and multiyear projections (MYPs)?

Yes	Yes	Yes
-----	-----	-----

One Year Agreement

Total cost of salary settlement

0		
---	--	--

% change in salary schedule from prior year
or

--	--	--

Multiyear Agreement

Total cost of salary settlement

--	--	--

% change in salary schedule from prior year
(may enter text, such as "Reopener")

--	--	--

Identify the source of funding that will be used to support multiyear salary commitments:

[]

Negotiations Not Settled

5. Cost of a one percent increase in salary and statutory benefits

[]

Budget Year
(2012-13)

1st Subsequent Year
(2013-14)

2nd Subsequent Year
(2014-15)

6. Amount included for any tentative salary schedule increases

--	--	--

Classified (Non-management) Health and Welfare (H&W) Benefits

1. Are costs of H&W benefit changes included in the budget and MYPs?
2. Total cost of H&W benefits
3. Percent of H&W cost paid by employer
4. Percent projected change in H&W cost over prior year

Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
No	No	No

Classified (Non-management) Prior Year Settlements

- Are any new costs from prior year settlements included in the budget?
If Yes, amount of new costs included in the budget and MYPs
If Yes, explain the nature of the new costs:

No		

Classified (Non-management) Step and Column Adjustments

1. Are step & column adjustments included in the budget and MYPs?
2. Cost of step & column adjustments
3. Percent change in step & column over prior year

Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
Yes	Yes	Yes

Classified (Non-management) Attrition (layoffs and retirements)

1. Are savings from attrition included in the budget and MYPs?
2. Are additional H&W benefits for those laid-off or retired employees included in the budget and MYPs?

Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
No	No	No
No	No	No

Classified (Non-management) - Other

List other significant contract changes and the cost impact of each change (i.e., hours of employment, leave of absence, bonuses, etc.):

S8C. Cost Analysis of County Office's Labor Agreements - Management/Supervisor/Confidential Employees

DATA ENTRY: Enter all applicable data items; there are no extractions in this section.

	Prior Year (2nd Interim) (2011-12)	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
Number of management, supervisor, and confidential FTE positions	3.9	4.0	4.0	4.0

Management/Supervisor/Confidential Salary and Benefit Negotiations

1. Are salary and benefit negotiations settled for the budget year?

Yes

If Yes, complete question 2.

If No, identify the unsettled negotiations including any prior year unsettled negotiations and then complete questions 3 and 4.

If n/a, skip the remainder of Section S8C.

Negotiations Settled

2. Salary settlement:

Is the cost of salary settlement included in the budget and multiyear projections (MYPs)?

Total cost of salary settlement

% change in salary schedule from prior year (may enter text, such as "Reopener")

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)
Yes	Yes	Yes	Yes
0	0	0	0
0.0%	0.0%	0.0%	0.0%

Negotiations Not Settled

3. Cost of a one percent increase in salary and statutory benefits

4. Amount included for any tentative salary schedule increases

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)

Management/Supervisor/Confidential Health and Welfare (H&W) Benefits

- Are costs of H&W benefit changes included in the budget and MYPs?
- Total cost of H&W benefits
- Percent of H&W cost paid by employer
- Percent projected change in H&W cost over prior year

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)

Management/Supervisor/Confidential Step and Column Adjustments

- Are step & column adjustments included in the budget and MYPs?
- Cost of step & column adjustments
- Percent change in step & column over prior year

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)

Management/Supervisor/Confidential Other Benefits (mileage, bonuses, etc.)

- Are costs of other benefits included in the budget and MYPs?
- Total cost of other benefits
- Percent change in cost of other benefits over prior year

	Budget Year (2012-13)	1st Subsequent Year (2013-14)	2nd Subsequent Year (2014-15)

ADDITIONAL FISCAL INDICATORS

The following fiscal indicators are designed to provide additional data for reviewing agencies. A "Yes" answer to any single indicator does not necessarily suggest a cause for concern, but may alert the reviewing agency to the need for additional review.

DATA ENTRY: Click the appropriate Yes or No button for items A1 through A8 except item A3, which is automatically completed based on data in Criterion 1.

A1. Do cash flow projections show that the county office will end the budget year with a negative cash balance in the county school service fund?

A2. Is the system of personnel position control independent from the payroll system?

A3. Is other purpose ADA decreasing in both the prior fiscal year and budget year? (Data from Criterion 1, Sections 1B-1 and 1B-2, Other Purpose ADA column, are used to determine Yes or No)

A4. Are new charter schools operating in county office boundaries that impact the county office's ADA, either in the prior fiscal year or budget year?

A5. Has the county office entered into a bargaining agreement where any of the budget or subsequent years of the agreement would result in salary increases that are expected to exceed the projected state funded cost-of-living adjustment?

A6. Does the county office provide uncapped (100% employer paid) health benefits for current or retired employees?

Does the county office have any reports that indicate fiscal distress?
(If Yes, provide copies to CDE)

A8. Have there been personnel changes in the superintendent or chief business official positions within the last 12 months?

When providing comments for additional fiscal indicators, please include the item number applicable to each comment.

Comments:
(optional)

End of County Office Budget Criteria and Standards Review



Description	Object Codes	Lottery: Unrestricted (Resource 1100)	Transferred to Other Resources for Expenditure	Lottery: Instructional Materials (Resource 6300)*	Totals
A. AMOUNT AVAILABLE FOR THIS FISCAL YEAR					
1. Adjusted Beginning Fund Balance	9791-9795	15,969.91		620.67	16,590.58
2. State Lottery Revenue	8560	4,277.67		967.74	5,245.41
3. Other Local Revenue	8600-8799	55.36		0.00	55.36
4. Transfers from Funds of Lapsed/Reorganized Districts	8965	0.00		0.00	0.00
5. Contributions from Unrestricted Resources (Total must be zero)	8980	0.00			0.00
6. Total Available (Sum Lines A1 through A5)		20,302.94	0.00	1,588.41	21,891.35
B. EXPENDITURES AND OTHER FINANCING USES					
1. Certificated Salaries	1000-1999	0.00			0.00
2. Classified Salaries	2000-2999	0.00			0.00
3. Employee Benefits	3000-3999	0.00			0.00
4. Books and Supplies	4000-4999	1,357.00		913.27	2,270.27
5. a. Services and Other Operating Expenditures (Resource 1100)	5000-5999	4,085.77			4,085.77
b. Services and Other Operating Expenditures (Resource 6300)	5000-5999, except 5100, 5710, 5800				
c. Duplicating Costs for Instructional Materials (Resource 6300)	5100, 5710, 5800				
6. Capital Outlay	6000-6999	0.00			0.00
7. Tuition	7100-7199	0.00			0.00
8. Interagency Transfers Out					
a. To Other Districts, County Offices, and Charter Schools	7211,7212,7221, 7222,7281,7282	0.00			0.00
b. To JPAs and All Others	7213,7223, 7283,7299	0.00			0.00
9. Transfers of Indirect Costs	7300-7399				
10. Debt Service	7400-7499	0.00			0.00
11. All Other Financing Uses	7630-7699	0.00			0.00
12. Total Expenditures and Other Financing Uses (Sum Lines B1 through B11)		5,442.77	0.00	913.27	6,356.04
C. ENDING BALANCE					
(Must equal Line A6 minus Line B12)	979Z	14,860.17	0.00	675.14	15,535.31
D. COMMENTS:					

Data from this report will be used to prepare a report to the Legislature as required by Control Section 24.60 of the Budget Act.

*Pursuant to Government Code Section 8880.4.5(a)2(B) and the definition in Education Code Section 60010(h), Resource 6300 funds are to be used for the purchase of instructional materials only. Any amounts in the shaded cells of this column should be reviewed for appropriateness.

