

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

October 8, 2013

6:00 pm

Downieville School, 130 School Street, Downieville, California

*This meeting will be available for videoconferencing at Sierra County Office of Education, 109 Beckwith Rd., Room 4, Loyalton, CA 96118
In the case of a technological difficulty at either school site, videoconferencing will not be available.*

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

*Public inspection of agenda documents that are distributed to the Board less than 72 hours before the meeting, will be made available at the
Sierra County Board of Education, 109 Beckwith Road, Room 3, Loyalton, CA, 96118, and posted with the online agenda at
<http://www.sierracountyofficeofeducation.org> (Government Code 54957.5)*

- A. CALL TO ORDER
(Please be advised that this meeting will be recorded.)
- B. ROLL CALL
- C. FLAG SALUTE
- D. APPROVAL OF THE AGENDA
- E. INFORMATION/DISCUSSION ITEMS
 - 1. Superintendent's Report
 - a. Goals
 - b. Appointment of Rebekah Munoz, Instructional Aide, 5.4 hours daily, Loyalton Elementary School, effective September 24, 2013
 - c. Secure Rural Schools
 - d. FIT Report
 - 2. Business Report
 - a. Board Report-Expenditures by Object 07/01/13 to 9/30/13**
 - b. District Administrative Offices will be closed from December 23, 2013, through January 1, 2014
 - 3. Staff Reports (5 minutes)
 - 4. SPTA Report (5 minutes)
 - 5. Board Members' Report (5 minutes)
 - 6. 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 September 10, 2013**
2. Approval of bill warrants for month of September 2013**
4. Approval of Quarterly Report on Williams Uniform Complaints for quarter ending September 30, 2013. It is required per Education Code 35186 section (d) *that a school district shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district. No complaints regarding textbooks and instructional materials, teacher vacancy or misassignment or conditions of facilities were filed with Sierra County Office of Education during the quarter ending September 30, 2013.*

G. ACTION ITEMS

1. New Business

1314-035 Adopt Revision to fiscal year 2012-2013 Unaudited Actuals**(Asquith)

1314-036 Board Bylaw 9320, Meetings And Notices**(Grant)

BOARD POLICIES AND ADMINISTRATIVE REGULATIONS (Wright)

1314-037 Board Policy 1330, Use of School Facilities, revision**

1314-038 Administrative Regulation 1330, Use of School Facilities, revision**

1314-039 Exhibit 1330, Use of School Facilities, revision**

1314-040 Board Policy 3311, Bids, revision**

1314-041 Administrative Regulation 3311, Bids, revision**

1314-042 Board Policy 3350, Travel Expenses, revision**

1314-043 Administrative Regulation 3452, Student Activity Funds, revision**

1314-044 Administrative Regulation 3542, School Bus Drivers, revision**

1314-045 Administrative Regulation 4161.11, Industrial Accident/Illness Leave, revision**

1314-046 Administrative Regulation 4161.8, Family Care and Medical Leave, revision**

1314-047 Board Policy 6144, Controversial Issues, revision**

1314-048 *Delete* Administrative Regulation 6144 Controversial Issues**

1314-049 Administrative Regulation 6153, School-Sponsored Trips, revision**

1314-050 Board Policy 6162.6, Use of Copyrighted Materials, revision**

1314-051 Administrative Regulation 6162.6, Use of Copyrighted Materials, revision**

1314-052 Board Bylaw 9250, Remuneration, Reimbursement and Other Benefits, revision**

H. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on November 12, 2013, at Sierra County Office of Education, 109 Beckwith Rd., Room 4, Loyalton, CA 96118, at 5 pm.

2. Suggested Agenda Items

- a. _____
- b. _____
- c. _____

I. ADJOURNMENT



Dr. Merrill M. Grant, Superintendent

*** prior month handout
** enclosed
* handout

Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund						
1100	Teachers Salaries	160,144.00	160,144.00	147,091.05	20,952.15	7,899.20-
1120	Certificated Substitutes	4,833.00	4,833.00		900.00	3,933.00
1200	Certificated Pupil Support Ser	58,392.00	58,392.00	52,552.80	5,839.20	.00
1300	Certificated Supervisor Admini	65,192.00	65,192.00	68,098.68	19,063.19	21,969.87-
	Total for Object 1000	288,561.00	288,561.00	267,742.53	46,754.54	25,936.07-
2100	Instructional Aides' Salaries	107,184.00	107,184.00	76,002.74	9,650.07	21,531.19
2200	Classified Support Salaries	13,238.00	13,238.00	10,701.29	3,355.09	818.38-
2300	Classified Supervisors' Admini	90,812.00	90,812.00	67,432.50	22,597.50	782.00
2400	Clerical Technical Office Staf	113,140.00	113,140.00	85,054.50	28,752.10	666.60-
2900	Other Classified Salaries	6,144.00	6,144.00		228.00	5,916.00
	Total for Object 2000	330,518.00	330,518.00	239,191.03	64,582.76	26,744.21
3101	STRS Certificated Positions					3,558.36-
3102	STRS Classified Positions	22,319.00	22,319.00	22,088.61	3,788.75	123.75-
3202	PERS Classified Positions	52,074.00	52,074.00	34,798.32	10,009.10	7,266.58
3301	OASDI Certificated Positions	1,118.00	1,118.00			1,118.00
3302	OASDI Classified Positions	19,869.00	19,869.00	14,340.19	3,792.30	1,736.51
3311	Medicare Certificated Position	4,482.00	4,482.00	3,792.69	751.83	62.52-
3312	Medicare Classified Positions	4,653.00	4,653.00	3,353.75	910.41	388.84
3401	Health & Welfare Benefits Cert	70,692.00	70,692.00	68,269.50	9,892.24	7,469.74-
3402	Health & Welfare Benefits Clas	84,530.00	84,530.00	59,771.43	17,418.85	7,339.72
3501	SUI Certificated	1,358.00	1,358.00	133.92	26.64	1,197.44
3502	SUI Classified	165.00	165.00	119.72	32.15	13.13
3601	Workers' Compensation Certific	8,916.00	8,916.00	7,787.97	1,350.90	222.87-
3602	Workers' Compensation Classifi	10,239.00	10,239.00	6,886.75	1,869.47	1,482.78
3701	OPEB, Allocated Certificated	27,730.00	27,730.00			27,730.00
3802	PERS Reduction Recapture				258.86	258.86-
3901	Golden Handshake				6,479.22	6,479.22-
	Total for Object 3000	308,145.00	308,145.00	221,342.85	56,704.47	30,097.68
4200	Library and Reference Material	6,613.00	6,613.00	1,297.20		5,315.80
4300	Materials and Supplies	18,975.00	18,975.00	3,889.73	697.08	14,388.19
4320	Custodial Supplies	1,300.00	1,300.00	252.63	92.62-	1,139.99
4330	Office Supplies	2,000.00	2,000.00			2,000.00
4350	Vehicle Upkeep	6,500.00	6,500.00	2,624.71	62.79	3,812.50
	Total for Object 4000	35,388.00	35,388.00	8,064.27	667.25	26,656.48
5100	Subagreements for Services	33,544.00	33,544.00	29,400.00	4,400.00	256.00-

Balances through September

Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund (continued)						
5200	Travel and Conference	23,985.00	23,985.00	5,541.29	1,352.77	17,090.94
5300	Dues and Membership	17,470.00	17,470.00		9,601.00	7,869.00
5400	Insurance	10,200.00	10,200.00		10,149.00	51.00
5500	Operation Housekeeping Service	8,000.00	8,000.00	1,814.00	186.00	6,000.00
5600	Rentals, Leases, Repairs, Nonc	2,700.00	2,700.00	315.75	106.03	2,278.22
5800	Professional Consulting	9,000.00	9,000.00	5,700.00	3,500.00	200.00-
5801	Legal Services	29,205.00	29,205.00			29,205.00
5803	Legal Publications	500.00	500.00	200.00	40.00-	340.00
5805	Personnel Expense	593.00	593.00	250.00		343.00
5806	Negotiations	2,000.00	2,000.00			2,000.00
5808	Other Services & Fees	1,500.00	1,500.00	928.47	271.53	300.00
5810	Contracted Services	195,310.00	195,310.00	100,764.02	20,545.00	74,000.98
5899	SPJUSD to Reimburse			3,947.25	20,460.05	24,407.30-
5900	Communications	2,000.00	2,000.00			2,000.00
Total for Object 5000		336,007.00	336,007.00	148,860.78	70,531.38	116,614.84
7110	County Tuition Inter Dist Agre	143,407.00	143,407.00	143,442.44		35.44-
7141	Tuition, excess cost etc bntw	213,187.00	213,187.00	17,025.96		196,161.04
7310	Direct Support/Indirect Costs					.00
Total for Object 7000		356,594.00	356,594.00	160,468.40	.00	196,125.60
Total for Expense accounts		1,655,213.00	1,655,213.00	1,045,669.86	239,240.40	370,302.74
Total for Org 001, Fund 01 and Expense accounts		1,655,213.00	1,655,213.00	1,045,669.86	239,240.40	370,302.74

ESCAPE

MINUTES OF THE REGULAR MEEETING OF THE
SIERRA COUNTY BOARD OF EDUCATION

September 10, 2013

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

This meeting was videoconferenced to Downieville School, Downieville, CA.

A. CALL TO ORDER

President ALLEN WRIGHT called the meeting to order at 6:00 pm.

B. ROLL CALL

PRESENT: Mr. Allen Wright, President
Ms. Sharon Dryden, Vice President
Ms. Patty Hall, Clerk
Mr. Tim Driscoll, Member
Mr. Mike Moore, Member

ABSENT: None

VACANT: None

STAFF: Dr. Merrill M. Grant, Superintendent
Ms. Rose Asquith, Business Manager
Ms. Hannah Tomatis, Administrative Assistant
Ms. Marla Stock, Site Administrator
Mr. Derek Cooper, Site Administrator- via videoconference
Ms. Marlene Mongolo, SELPA Director

C. FLAG SALUTE

D. APPROVAL OF THE AGENDA - MOORE motioned to approve the agenda with the removal of Item 1314-034 Board Bylaw 9250, Remuneration, Reimbursement and Other Benefits to be brought back at the October meeting.

MSCU/MOORE/DRISCOLL

E. INFORMATION/DISCUSSION ITEMS

1. SUPERINTENDENT'S REPORT

- a. Staffing:
 - i. Assignment (transfer) of Anne Reugebrink, Instructional Aide, Loyalton High School, effective August 26, 2013, 4.25 hours daily
 - ii. Assignment (transfer) of Angela Kilmurray, Instructional Aide, Loyalton Preschool, effective August 26, 2013, 3.75 hours daily
 - iii. Assignment of Allison Baca, Support Secretary, Downieville School, effective August 26, 2013, 2 hours daily
- b. Secure Rural Schools update –as of today, Secure Rural Schools has been left out of the budget. This represents a loss of \$500,000 for our district and \$60,000 for the county office.
- c. Sierra Schools Foundation Presentation - Megan Meschery gave a brief presentation of the Foundation's strategic plan: "Roots" (rural heritage) and "Boots" (building stem programs and college readiness).

2. BUSINESS REPORT

- a. Board Report-Expenditures by Object 07/01/13 to 8/31/13. There were no questions.
- b. Correspondence from California Department of Education - DRYDEN read a portion of the letter for the benefit of the public.

3. STAFF REPORT

There was no staff report.

4. SPTA REPORT

Pat Doyle, Loyalton Elementary School teacher and SPTA representative, stressed to the board the need for an adjustment to the pay scale for teachers; a 6.5% increase was requested.

Janet McHenry, Loyalton High School teacher, spoke that her salary would reflect an increase of \$9,000 if she had remained a teacher in Plumas Unified School District.

Pat Doyle: Stated that we need to plan for the future, have a COLA in place and backfill compensation to the teachers.

5. BOARD MEMBER'S REPORT

DRISCOLL: Reported that he had received a phone call from a parent signifying that we will lose our best teachers if we don't give them a pay increase.

MOORE: Stated that he believed the community supports the teachers and a pay increase.

6. PUBLIC COMMENT

President WRIGHT opened the meeting for public comment at 6:26 pm.

There was no comment from the Loyalton location.

There was no comment from the teleconferenced location.

President WRIGHT closed the meeting for public comment at 6:27 pm.

F. CONSENT CALENDAR

The following items were included in the consent calendar:

- 1. Approval of minutes of the Regular Board meeting held August 13, 2013
- 2. Approval of bill warrants for month of August
MSCU/HALL/DRISCOLL

G. ACTION ITEMS

1. NEW BUSINESS

1314-020 Approval of the Sierra County Office of Education and Sierra-Plumas Joint Unified School District Technology Plan for 2013-2016. A presentation was given by Blaine Donnelly, Technology Director.
MSCU/MOORE/HALL

1314-021 The Public Hearing opened at 6:48 pm. The hearing was set to receive public comment on textbooks or instructional materials for kindergarten through 12th grade in each subject; and to show they are aligned with the state standards adopted pursuant to Ed. Code §60605 or 60605.8 and also meet the reporting and sufficiency requirements contained in Ed. Code §60119. There was no comment.

Sierra County Board of Education
Regular Meeting Minutes
September 10, 2013

1314-022 Adoption of Resolution 13-003, Sufficiency of Textbooks and Instructional Materials
MOORE/HALL
TRUSTEE DRISCOLL AYE
TRUSTEE DRYDEN AYE
TRUSTEE HALL AYE
TRUSTEE WRIGHT AYE
TRUSTEE MOORE AYE
5/0

1314-023 Review of Board Policy and Administrative Regulation 0000, Vision
No action was taken.

1314-024 Adoption of Resolution No. 13-004, Gann Limit
HALL/DRISCOLL
TRUSTEE DRISCOLL AYE
TRUSTEE DRYDEN AYE
TRUSTEE HALL AYE
TRUSTEE WRIGHT AYE
TRUSTEE MOORE AYE
5/0

1314-025 Adoption of Unaudited Actuals for Fiscal Year End June 30, 2013
MOORE/HALL
TRUSTEE DRISCOLL AYE
TRUSTEE DRYDEN AYE
TRUSTEE HALL AYE
TRUSTEE WRIGHT AYE
TRUSTEE MOORE AYE
5/0

BOARD POLICIES AND ADMINISTRATIVE REGULATIONS (Wright)

MOORE moved to approve Items 026, 028, and 030, 031, 032 and 033. HALL SECONDED.
Motion Passed Unanimously

1314-026 Approval of Board Policy 0420, School Plans/Site Councils, revision
MSCU/MOORE/HALL

1314-027 Approval of Administrative Regulation 0420, School Plans/Site Councils, revision
MOORE/DRISCOLL
TRUSTEE DRISCOLL AYE
TRUSTEE DRYDEN AYE
TRUSTEE HALL AYE
TRUSTEE WRIGHT AYE
TRUSTEE MOORE AYE
5/0

1314-028 Approval of Board Policy 1325, Advertising and Promotion, revision
MSCU/MOORE/HALL

Sierra County Board of Education
Regular Meeting Minutes
September 10, 2013

1314-029 Approval of Board Policy 1431, Waivers, revision
HALL/MOORE
TRUSTEE DRISCOLL AYE
TRUSTEE DRYDEN AYE
TRUSTEE HALL AYE
TRUSTEE WRIGHT AYE
TRUSTEE MOORE AYE
5/0

1314-030 Approval of Administrative Regulation 6153, School Sponsored Trips, revision
MSCU/MOORE/HALL

1314-031 Approval of Board Bylaws, 9010, Public Statements, revision
MSCU/MOORE/HALL

1314-032 Approval of Board Bylaws 9130, Board Committees, revision
MSCU/MOORE/HALL

1314-033 Approval of Board Bylaws 9220, Governing Board Elections, revision
MSCU/MOORE/HALL

~~1314-034 Approval of Board Bylaws 9250, Remuneration, Reimbursement and Other Benefits, revision~~

H. ADVANCED PLANNING

The next regular meeting of the Board will be held on Tuesday, October 8, 2013, at Downieville School, Downieville, California at 6:00 pm.

Suggested Agenda Items

- a. Board Bylaw 9250
- b. Meetings Policy
- c. Closed Session, Downieville

I. ADJOURNMENT

Adjourned at 7:08 pm.
MSCU/MOORE/HALL

Patty Hall, Clerk

Dr. Merrill M. Grant, Superintendent

Checks Dated 09/01/2013 through 09/30/2013

Check Number	Check Date	Pay to the Order of	Fund Object	Expensed Amount	Check Amount
00013789	09/04/2013	CASBO	01-5300		619.00
00013790	09/04/2013	CCSESA	01-5300		250.00
00013791	09/04/2013	DEPT OF HEALTH CARE SERVICES OVERPAYMENT & INJURY SECTION	01-9590		9,375.57
00013792	09/04/2013	HM RECEIVABLES CO LLC	01-4300		603.67
00013793	09/04/2013	U.S. BANK	01-5200		980.00
00013794	09/18/2013	CDE CASHIER'S OFFICE	01-5200		60.00
00013795	09/18/2013	EVAN-MOOR PUBLICATION, DEPT ORDER PROCESS	01-4300		93.41
00013796	09/18/2013	MERRILL GRANT	01-5200		142.95
00013797	09/18/2013	HOLIDAY INN CAPITOL PLAZA	01-5200		109.25
00013798	09/18/2013	LIBERTY UTILITIES CPEC	01-5500		115.52
00013799	09/18/2013	BARBARA MCKURTIS	01-5100		4,400.00
00013800	09/18/2013	SIERRA COUNTY OFFICE OF EDUCATION	01-5808		193.01
00013801	09/18/2013	TRI COUNTY SCHOOLS INSURANCE GROUP	01-9535	3,158.00	
			76-9576	12,089.10	15,247.10
00013802	09/18/2013	VOYAGER	01-4350	62.79	
			01-5899	158.19	220.98
Total Number of Checks				14	<u>32,410.46</u>

Fund Summary

Fund	Description	Check Count	Expensed Amount
01	County School Service Fund	14	20,321.36
76	Payroll Clearing	1	12,089.10
Total Number of Checks		14	32,410.46
Less Unpaid Sales Tax Liability			.00
Net (Check Amount)			<u>32,410.46</u>

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

Page 1 of 1

**Sierra County Office of Education
2012-2013 Unaudited Actuals Revised
Presented October 8, 2013**

General Fund Form 01:

Ending Fund Balance (page 2, F.2)

Beginning Funding Balance 7/01/2013: \$1,925,929

Ending Fund Balance: 6/30/2013: ~~\$1,858,641~~ \$1,974,523 - a decrease increase of ~~(\$67,288)~~ \$48,594

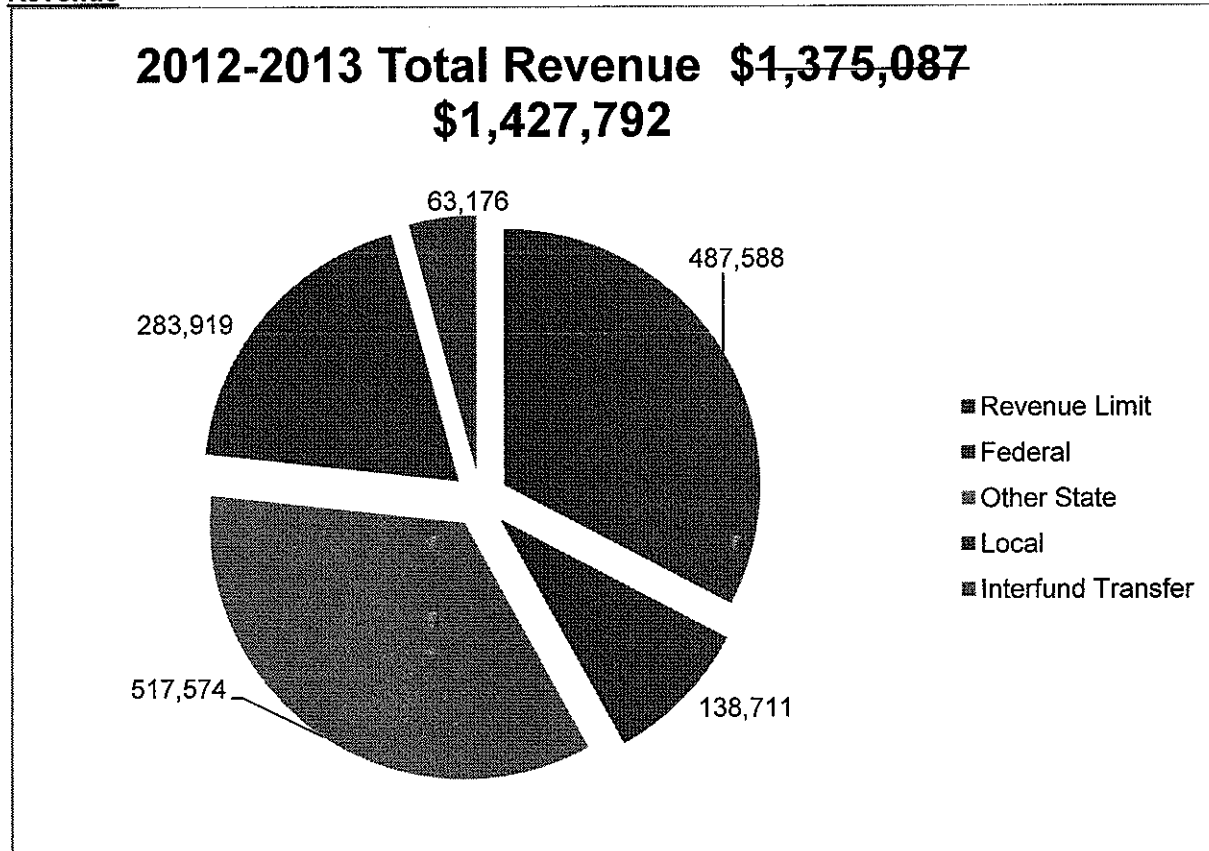
Components of Ending Fund Balance 2012-2013

1) Revolving Cash:	\$ 500
2) Restricted:	\$ 12,091
3) OPEB:	\$ 44,458
4) REU:	\$ 144,237
5) Unassigned:	<u>\$1,657,355</u> <u>\$1,773,237</u>

REVENUE LIMIT REVENUE

Revenue Limit calculations used a 3.24% COLA and a deficit factor of 22.549%, for an unfunded revenue limit of (\$98,309). The County receives revenue limit funds for the Opportunity Program, Direct and Other County School Operations, Beginning Teacher Salary Incentive revenue and for Out-of-State Tuition (Washoe Students). Out-of-State Tuition funds are not subject to the deficit factor.

Revenue



Description	2012-13 Unaudited Actuals			2013-14 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	487,588.48	0.00	487,588.48	407,491.00	0.00	407,491.00	-16.4%
2) Federal Revenue	0.00	138,711.17	138,711.17	0.00	166,294.00	166,294.00	19.9%
3) Other State Revenue	120,397.22	397,177.31	517,574.53	84,116.00	386,366.00	470,484.00	-9.1%
4) Other Local Revenue	251,156.59	32,762.13	283,918.72	233,425.00	27,125.00	260,550.00	-8.2%
5) TOTAL REVENUES	859,142.29	568,650.61	1,427,792.90	725,032.00	579,787.00	1,304,819.00	-8.6%
B. EXPENDITURES							
1) Certificated Salaries	40,206.00	253,695.14	293,901.14	40,309.00	248,252.00	288,561.00	-1.8%
2) Classified Salaries	222,931.67	113,290.75	336,222.42	220,819.00	109,699.00	330,518.00	-1.7%
3) Employee Benefits	182,224.67	124,897.72	307,122.39	185,443.00	122,702.00	308,145.00	0.3%
4) Books and Supplies	13,600.16	7,839.87	21,440.03	15,050.00	20,338.00	35,388.00	65.1%
5) Services and Other Operating Expenditures	104,606.46	118,850.70	223,457.16	197,727.00	138,280.00	336,007.00	50.4%
6) Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)	260,231.32	0.00	260,231.32	356,594.00	0.00	356,594.00	37.0%
8) Other Outgo - Transfers of Indirect Costs	(39,311.78)	39,311.78	0.00	(25,452.00)	25,452.00	0.00	0.0%
9) TOTAL EXPENDITURES	784,488.50	657,885.96	1,442,374.46	990,490.00	684,723.00	1,655,213.00	14.8%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)							
	74,653.79	(89,235.35)	(14,581.56)	(265,458.00)	(84,936.00)	(350,394.00)	2303.0%
D. OTHER FINANCING SOURCES/USES							
1) Interfund Transfers							
a) Transfers In	63,175.86	0.00	63,175.86	0.00	0.00	0.00	-100.0%
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	(88,042.03)	88,042.03	0.00	(84,936.00)	84,936.00	0.00	0.0%
3) Contributions	(24,866.17)	88,042.03	63,175.86	(84,936.00)	84,936.00	0.00	-100.0%
4) TOTAL OTHER FINANCING SOURCES/USES							

Description	2012-13 Unaudited Actuals			2013-14 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)	49,787.62	(1,193.32)	48,594.30	(350,394.00)	0.00	(350,394.00)	-821.1%
F. FUND BALANCE, RESERVES							
1) Beginning Fund Balance							
a) As of July 1 - Unaudited	1,912,644.67	13,284.07	1,925,928.74	1,962,432.29	12,090.75	1,974,523.04	2.5%
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)	1,912,644.67	13,284.07	1,925,928.74	1,962,432.29	12,090.75	1,974,523.04	2.5%
d) Other Restatements	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)	1,912,644.67	13,284.07	1,925,928.74	1,962,432.29	12,090.75	1,974,523.04	2.5%
2) Ending Balance, June 30 (E + F1e)	1,962,432.29	12,090.75	1,974,523.04	1,612,038.29	12,090.75	1,624,129.04	-17.7%
Components of Ending Fund Balance							
a) Nonspendable							
Revolving Cash	500.00	0.00	500.00	500.00	0.00	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	12,090.75	12,090.75	0.00	12,090.75	12,090.75	0.0%
c) Committed							
Stabilization Arrangements	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Commitments	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
d) Assigned							
Other Assignments	44,457.82	0.00	44,457.82	65,000.00	0.00	65,000.00	46.2%
e) Unassigned/unappropriated							
Reserve for Economic Uncertainties	144,237.00	0.00	144,237.00	163,000.00	0.00	163,000.00	13.0%
Unassigned/Unappropriated Amount	1,773,237.47	0.00	1,773,237.47	1,383,538.29	0.00	1,383,538.29	-22.0%

Description	Resource Codes	Object Codes	2012-13 Unaudited Actuals			2013-14 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		9110	2,061,454.59	(163,053.10)	1,898,401.49				
a) in County Treasury		9111	0.00	0.00	0.00				
1) Fair Value Adjustment to Cash in County Treasury		9120	0.00	0.00	0.00				
b) in Banks		9130	500.00	0.00	500.00				
c) in Revolving Fund		9135	0.00	0.00	0.00				
d) with Fiscal Agent		9140	0.00	0.00	0.00				
e) collections awaiting deposit		9150	0.00	0.00	0.00				
2) Investments		9200	0.00	2,000.00	2,000.00				
3) Accounts Receivable		9290	135,585.47	242,533.77	378,119.24				
4) Due from Grantor Government		9310	0.00	0.00	0.00				
5) Due from Other Funds		9320	0.00	0.00	0.00				
6) Stores		9330	0.00	0.00	0.00				
7) Prepaid Expenditures		9340	0.00	0.00	0.00				
8) Other Current Assets			0.00	0.00	0.00				
9) TOTAL ASSETS			2,197,540.06	81,480.67	2,279,020.73				
H. LIABILITIES									
1) Accounts Payable		9500	214,166.81	222.88	214,389.69				
2) Due to Grantor Governments		9590	20,940.96	38,633.40	59,574.36				
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	30,533.64	30,533.64				
6) TOTAL LIABILITIES			235,107.77	69,389.92	304,497.69				
I. FUND EQUITY									
Ending Fund Balance, June 30 (must agree with line F2) (G9 - H6)			1,962,432.29	12,090.75	1,974,523.04				

Sierra County/Sierra-Plumas Joint USD

Board Bylaw

Meetings And Notices

BB 9320

Board Bylaws

Meetings of the Board of Education are conducted for the purpose of accomplishing district business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

A Board meeting exists whenever a majority of Board members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the Board or district.

(Government Code 54952.2)

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. However, an employee or district official may engage in separate conversations with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

(cf. 9012 - Board Member Electronic Communications)

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1)

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1)

Regular Meetings

The Board shall hold one regular meeting each month. The Sierra County Board of Education regular meetings shall be held at 6 pm on the second Tuesday of every month, with the exception of the month of June, whereas the meetings shall be held on the third Wednesday.

Sierra-Plumas Joint Unified School District regular meetings shall be held immediately

following the Sierra County Office of Education meeting. Meetings shall be held at Downieville School, 130 School Street, Downieville, CA, and the Sierra County Office of Education, 109 Beckwith Rd., Room 4, Loyalton, CA, alternating months. Meetings may be held from 5 to 5:55 pm for Closed Session purposes.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the district's Internet web site. (Government Code 54954.2)

(cf. 1113 - District and School Web Sites)

Whenever agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose. (Government Code 54957.5)

(cf. 1340 - Access to District Records)

Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent, assistant superintendent, or other management employee as described in Government Code 3511.1. (Government Code 54956)

(cf. 2121 - Superintendent's Contract)

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the district's Internet web site. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

An emergency situation means either of the following: (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board

(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)

2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time he/she notifies the other members of the Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

Adjourned/Continued Meetings

A majority vote by the Board may adjourn/continue any regular or special meeting to a later time and place that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place where the meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships.

(cf. 2000 - Concepts and Roles)

(cf. 2111 - Superintendent Governance Standards)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9400 - Board Self-Evaluation)

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session,

retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within district boundaries. Action items shall not be included on the agenda for these meetings.

Other Gatherings

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern
3. An open and noticed meeting of another body of the district
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board, provided that the Board members who are not members of the standing committee attend only as observers

(cf. 9130 - Board Committees)

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, including, but not limited to, religion, sex, or sexual orientation. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

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

Meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party
2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held

within one of the other agencies' boundaries, with all participating agencies giving the notice required by law

4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques
9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district
10. Interview a potential employee from another district

Meetings exempted from the boundary requirements, as specified in items #1-10 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the Board attends the meeting.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a place designated by the Board president or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

Teleconferencing

A teleconference is a meeting of the Board linking various locations by electronic means through audio and/or video for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law.

All of the Board shall participate from the primary board meeting location. Inability to attend the meeting at the primary location is considered an absence.

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location. (Government Code 54953)

All Board policies, administrative regulations, and bylaws shall apply equally to meetings that are

teleconferenced. The Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.

Legal Reference:

EDUCATION CODE

- 35140 Time and place of meetings
- 35143 Annual organizational meeting, date, and notice
- 35144 Special meeting
- 35145 Public meetings
- 35145.5 Agenda; public participation; regulations
- 35146 Closed sessions
- 35147 Open meeting law exceptions and applications

GOVERNMENT CODE

- 3511.1 Local agency executives
- 11135 State programs and activities, discrimination
- 54950-54963 The Ralph M. Brown Act, especially:
 - 54953 Meetings to be open and public; attendance
 - 54954 Time and place of regular meetings
 - 54954.2 Agenda posting requirements, board actions
 - 54956 Special meetings; call; notice
 - 54956.5 Emergency meetings

UNITED STATES CODE, TITLE 42

- 12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

- 35.160 Effective communications
- 36.303 Auxiliary aids and services

COURT DECISIONS

- Wolfe v. City of Fremont, (2006) 144 Cal.App. 544

ATTORNEY GENERAL OPINIONS

- 88 Ops.Cal.Atty.Gen. 218 (2005)
- 84 Ops.Cal.Atty.Gen. 181 (2001)
- 84 Ops.Cal.Atty.Gen. 30 (2001)
- 79 Ops.Cal.Atty.Gen. 69 (1996)
- 78 Ops.Cal.Atty.Gen. 327 (1995)

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2009

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

The ABCs of Open Government Laws

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, 2nd Ed., 2010

WEB SITES

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

CSBA, Agenda Online: <http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx>

California Attorney General's Office: <http://www.ag.ca.gov>

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

League of California Cities: <http://www.cacities.org>

Policy

adopted: November 13, 2007

revised January 13, 2009

revised December 13, 2011

revised: February 14, 2012

revised: October 8, 2013

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

The " ***Note " paragraphs are for information only; they will be removed

Sierra County/Sierra-Plumas Joint USD

Board Policy

Use Of School Facilities

BP 1330

Community Relations

Note: Education Code 38133 mandates that the Governing Board develop rules and regulations related to the management, direction, and control of school facilities. Pursuant to Education Code 38130-38138 (the Civic Center Act), school facilities are civic centers and, under certain circumstances, members of the school community must be allowed to use them for specified purposes. In granting access for use of school facilities to district residents and community groups, the Board must be careful to avoid discriminating against certain individuals, groups, or viewpoints and thereby violating constitutional requirements, including their free speech rights. In *Good News Club v. Milford Central School*, the U.S. Supreme Court held that the school district violated the club's free speech rights when it denied the club use of school facilities for after-school meetings because of the religious nature of the meetings.

The Governing Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

(cf. 6145.5 - Student Organizations and Equal Access)

School-related activities shall have priority in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

Note: The following optional paragraph may be modified to reflect district practice. A district may enter into an agreement with another entity for the joint use of school facilities or grounds. For considerations to guide the development of such an agreement, see BP 1330.1 - Joint Use Agreements. Any district interested in entering into any such agreement is also encouraged to review CSBA's policy brief *Maximizing Opportunities for Physical Activity Through Joint Use of Facilities* and CSBA's publication *Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement* for tips regarding successful collaboration, information about funding sources for joint use, suggested components of joint use agreements, model agreements, and additional resources.

As necessary to ensure efficient use of school facilities, the Superintendent may enter into an agreement for the joint use of any school facilities or grounds. The Superintendent shall approve any such agreement only if it determines that it is in the best interest of the district and the community.

(cf. 1330.1 - Joint Use Agreements)

The Superintendent or designee may grant the use of school facilities on those days on which the school is closed. (Education Code 37220)

(cf. 6115 - Ceremonies and Observances)

For the effective management and control of school facilities and grounds, the Superintendent or designee shall

The " ***Note " paragraphs are for information only; they will be removed.)

maintain procedures and regulations that: (Education Code 38133)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary

(cf. 0450 - Comprehensive School Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

There shall be no advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 - Advertising and Promotion.

(cf. 1325 - Advertising and Promotion)

Fees

Note: Education Code 38134 authorizes districts to charge an amount "not to exceed" direct costs for the use of school facilities or grounds by community groups and entities and mandates each district to adopt a policy specifying the activities and organizations that shall be charged up to direct costs. Pursuant to Education Code 38134, if the district authorizes any group to use the facilities for religious services, the group must be charged "at least" direct costs.

Note: Education Code 38134 lists nonprofit organizations, clubs, and organizations that promote youth and school activities. As amended by SB 1404 (Ch. 764, Statutes of 2012), Education Code 38134 now includes the YMCA and religious organizations or churches that arrange for and supervise sports league activities for youth among these groups.

Note: Districts that wish to give free use to some groups, but charge other groups, should proceed cautiously and ensure that such free use is granted on a reasonable and nondiscriminatory basis. It is strongly recommended that districts consult legal counsel before deciding which groups will be charged and, based upon legal counsel's advice, discuss whether it would be appropriate to specifically name the community groups that will be charged in the district's policy.

The Board authorizes the use of school facilities or grounds without charge by nonprofit organizations, clubs, or associations organized to promote youth and school activities. In accordance with Education Code 38134(a), these groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire USA, YMCA, parent-teacher associations, and school-community advisory councils. Other groups that request the use of school facilities under the Civic Center Act, including nonprofit groups not organized to promote youth and school activities and for-profit groups, shall be charged an amount not to exceed direct costs. However, if the use of school facilities or grounds is for religious services, entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students, the group shall be charged an amount that equals or exceeds direct costs determined in accordance with Education Code 38134.

In determining direct costs to be charged for community use of school facilities or grounds, including, but not limited to, playing or athletic fields, track and field venues, tennis courts, and outdoor basketball courts, the Superintendent or designee shall include a proportionate share of the costs of the following: (Education Code 38134)

The " ***Note " paragraphs are for information only; they will be removed.)

1. Supplies, utilities, janitorial services, other services of district employees, and salaries of district employees directly associated with operation and maintenance of the school facilities or grounds involved

2. Maintenance, repair, restoration, and refurbishment of the school facilities or grounds

However, for classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and child care programs, direct costs to be charged shall not include the cost of maintenance, repair, restoration, or refurbishment of the school facilities or grounds. (Education Code 38134)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

Note: Education Code 38134 requires the district to charge fair rental value when facilities are used for fundraising activities which are not beneficial to youth, public school activities, or charitable purposes, under the conditions specified below. "Fair rental value" is defined as direct costs plus the amortized costs of the school facilities or grounds used for the duration of the activity.

Legal Reference:

EDUCATION CODE

10900-10914.5 Community recreation programs

32282 School safety plan

37220 School holidays

38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

25608 Alcoholic beverage on school premises

MILITARY AND VETERANS CODE

1800 Definitions

UNITED STATES CODE, TITLE 20

7905 Equal access to public school facilities

COURT DECISIONS

Good News Club v. Milford Central School, (2001) 533 U.S. 98

Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384

Cole v. Richardson, (1972) 405 U.S. 676

Connell v. Higgenbotham, (1971) 403 U.S. 207

ACLU v. Board of Education of Los Angeles, (1961) 55 Cal.2d 167

Ellis v. Board of Education, (1945) 27 Cal.2d 322

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen. 90 (1999)

79 Ops.Cal.Atty.Gen. 248 (1996)

Management Resources:

CSBA PUBLICATIONS

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

WEB SITES

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

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

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

Policy

adopted: April 10, 2007

revised: August 12, 2008

revised: October 8, 2013

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Use Of School Facilities

AR 1330

Community Relations

Note: The following administrative regulation is mandated for the management, direction, and control of school facilities, pursuant to Education Code 38133.

Application for Use of Facilities

Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

All use agreements must be reviewed annually. Each year, July 1 begins a new permit cycle.

Persons or organizations applying for the use of school facilities or grounds shall submit a facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts.

Civic Center Use

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131)

1. Public, literary, scientific, recreational, educational, or public agency meetings
2. The discussion of matters of general or public interest

Note: An Attorney General Opinion (79 Ops.Cal.Atty.Gen. 248 (1996)) found unconstitutional the section of Education Code 38131 which provides that a board may grant the use of school facilities to a religious group to conduct services only when the religious group has no other suitable meeting place. Although Attorney General opinions do not carry the force of law, they are given deference by the courts in the case of legal challenge. Therefore, a district should consult legal counsel before requiring a religious organization to establish that it lacks another suitable meeting place for the conduct of its services in order to rent school facilities. In that same opinion, the Attorney General also determined that Education Code 38131 does not limit the renewability of the temporary use permit for school facilities by a religious organization. Thus, legal counsel should also be consulted before a district refuses to renew a temporary permit. Item #3 below is consistent with the Attorney General's interpretation of Education Code 38131.

3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by

any church or religious organization

4. Child care programs to provide supervision and activities for children of preschool and elementary school age

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies

6. Supervised recreational activities, including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination

7. A community youth center

(cf. 1020 - Youth Services)

8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Governing Board

Restrictions

Note: In adopting rules for the management and control of school facilities, districts must be careful to ensure that they do not impose restrictions that may violate constitutionally protected rights. Generally, court decisions have held that districts may not discriminate on the basis of a group's viewpoint, and thus the use of facilities should be granted on a neutral basis. In *Good News Club v. Milford Central School*, the U.S. Supreme Court held that a district which prohibited a religious club from using school facilities after school hours for activities for which it allowed other community groups to use the school facilities discriminated against the club on the basis of the club's religious viewpoint in violation of the First Amendment to the United States Constitution.

Note: Because federal and state constitutional free speech issues may be involved when a district denies the use of school facilities to certain groups, it is strongly recommended that a district consult with legal counsel before doing so.

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of the school facilities for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances, including tobacco (All District facilities are tobacco free.)

(cf. 3513.3 - Tobacco-Free Schools)

DELETED PER CSBA:

~~4. Any use that involves unlawful discrimination against an individual or group of individuals~~

~~5. Any use that may violate the canons of good morals, manners, or taste, or be harmful to the buildings, grounds or equipment.~~

The district may exclude certain school facilities from nonschool use for safety or security reasons.

Damage and Liability

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.

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

Policy
adopted: April 10, 2007
revised: August 12, 2008
revised: October 8, 2013

Sierra County/Sierra-Plumas Joint USD

Exhibit

Use Of School Facilities

E 1330

Community Relations

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT FACILITIES USE STATEMENT

I, the undersigned, am duly authorized by _____ (name of organization) to act on its behalf in requesting the use of school facilities, including, but not limited to, executing any agreement or undertaking required by law and district policy and regulations governing the use of the facilities.

The organization shall comply with all restrictions placed on the use of the school facilities by law or district policy or regulations.

The organization recognizes that, in accordance with Education Code 38134, it is liable for any damage to the school facilities or for any injury to any person due to the organization's negligence in using the school facilities.

(Signed)

(Date)

(Organization)

(Organization Phone Number, Address and Contact Person, if applicable)

Policy
adopted: April 10, 2007
revised: October 8, 2013

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

Sierra County/Sierra-Plumas Joint USD

Board Policy

Bids

BP 3311

Business and Noninstructional Operations

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. In leasing or purchasing equipment, materials, supplies, or services for the district and when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such leases and purchases shall be made using competitive bidding.

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

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

Note: Requirements for competitive bidding, including notice and advertising, are specified in Public Contract Code 20111-20118.4. See the accompanying administrative regulation.

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

From
AR

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20118.4. (Public Contract Code 20116)

Note: Districts should be careful in crafting bid specifications as a misleading specification that results in a lower bid than might have been made may make the district liable for the extra work done or expenses incurred by the contractor. In Los Angeles Unified School District v. Great American Insurance Co., the California Supreme Court held in favor of a contractor who was misled by the district's nondisclosure of material information that would have affected the contractor's bid.

When calling for bids, the Superintendent or designee shall ensure that the bid specification clearly describes in appropriate detail the quality, delivery, and service required and includes all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

***Note: Pursuant to Public Contract Code 20111.5, the district is permitted, but not required, to establish prequalification procedures for any contract for which bids are legally required; see the accompanying administrative regulation. However, pursuant to Public Contract Code

20111.6, as added by AB 1565 (Ch. 808, Statutes of 2012), a district with average daily attendance of 2,500 or greater is required to prequalify all general contractors and electrical, mechanical, and plumbing subcontractors for public projects of \$1 million or more awarded on or after January 1, 2014, if School Facilities Program funds (Education Code 17070.10-17079.30) or other future state school bonds are used. In addition, the Governing Board is required to adopt a uniform system of rating bidders based on completed questionnaires and financial statements which must address, at a minimum, the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations for such purpose.***

The Superintendent or designee shall develop the procedures to be used for rating bidders for award of contracts which, by law or Board policy, require prequalification. The procedures shall identify a uniform system for rating bidders and shall address the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations pursuant to Public Contract Code 20101.

(cf. 9270 - Conflict of Interest)

Note: Pursuant to Public Contract Code 20111, a contract required to be put out to bid must be awarded to the lowest responsible bidder. A "responsible bidder" is one who possesses the quality, fitness, and capacity to satisfactorily perform the proposed work. (City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court)

Note: However, a bid may be awarded to other than the "lowest responsible bidder" when conditions specified in law exist. For example, a district is permitted to give preference to minorities, women, veterans, and small businesses in accordance with Public Contract Code 2000-2002. Also see "Award of Contract" section in the accompanying administrative regulation.

From
AR

Except as authorized by law and specified in the administrative regulation, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

Note: Pursuant to Public Contract Code 20118, districts may be exempt from the bidding requirements and may "piggyback" onto the bid of any public corporation or agency for specific items when the Board determines it is in the best interest of the district. See the accompanying administrative regulation for a list of those items that may be leased or purchased using this procedure.

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. (Public Contract Code 20118)

Legal Reference:

EDUCATION CODE

17070.10-17079.30 Leroy F. Greene School Facilities Act
 17406 Lease-leaseback contract
 17595 Purchase of supplies through Department of General Services
 17602 Purchase of surplus property from federal agencies
 38083 Purchase of perishable foodstuffs and seasonable commodities
 38110-38120 Apparatus and supplies
 39802 Transportation services

GOVERNMENT CODE

4217.10-4217.18 Energy conservation contracts
 4330-4334 Preference for California-made materials
 6252 Definition of public record
 53060 Special services and advice
 54201-54205 Purchase of supplies and equipment by local agencies

PUBLIC CONTRACT CODE

1102 Emergencies
 2000-2002 Responsive bidders
 3000-3010 Roofing projects
 3400 Bids, specifications by brand or trade name not permitted
 3410 United States produce and processed foods
 6610 Bid visits
 12200 Definitions, recycled goods, materials and supplies
 20101-20103.7 Public construction projects, requirements for bidding
 20103.8 Award of contracts
 20107 Bidder's security
 20111-20118.4 Contracting by school districts
 20189 Bidder's security, earthquake relief
 22002 Definition of public project
 22030-22045 Alternative procedures for public projects (UPCCAA)
 22050 Alternative emergency procedures
 22152 Recycled product procurement

COURT DECISIONS

Los Angeles Unified School District v. Great American Insurance Co., (2010) 49 Cal.4th 739
 Great West Contractors Inc. v. Irvine Unified School District, (2010) 187 Cal.App.4th 1425
 Marshall v. Pasadena Unified School District, (2004) 119 Cal.App.4th 1241
 Konica Business Machines v. Regents of the University of California, (1988) 206 Cal.App.3d 449
 City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court, (1972) 7 Cal.3d 861

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 1 (2006)

Management Resources:

WEB SITES

CSBA: [http:// www.csba.org](http://www.csba.org)

California Association of School Business Officials: <http://www.casbo.org>

Policy

adopted: April 10, 2007

revised: October 8, 2013

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

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Bids

AR 3311

Business and Noninstructional Operations

Advertised/Competitive Bids

The district shall advertise for competitive bids to let any public project contract involving an expenditure of \$15,000 or more. Public project means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)

Note: For items #1-3 below, Public Contract Code 20111 requires the Superintendent of Public Instruction (SPI) to annually establish a bid limit that reflects U.S. Department of Commerce data. The following optional paragraph allows the amount to escalate automatically once the SPI has made the annual determination. For 2013, the bid limit is \$83,400.

The district shall also seek competitive bids through advertisement for contracts exceeding the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Public Contract Code 20111)

1. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
2. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
3. Repairs that are not a public project, including maintenance

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. Maintenance includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment, but does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice

shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20112)

(cf. 1113 - District and School Web Sites)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting. The notice shall also detail when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

(cf. 3510 - Green School Operations)

2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)

- a. Cash
- b. A cashier's check made payable to the district
- c. A certified check made payable to the district
- d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)

4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)

5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)

6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #a below shall be used. (Public Contract Code 20103.8)

- a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
- b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
- c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

7. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
8. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

9. When a bid is disqualified as nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information.

Prequalification Procedure

Note: The following section is optional. Pursuant to Public Contract Code 20111.5, a district is permitted, but not required, to establish prequalification procedures for any contract for which bids are legally required. However, pursuant to Public Contract Code 20111.6, as added by AB 1565 (Ch. 808, Statutes of 2012), a district with average daily attendance (ADA) of 2,500 or greater is required to prequalify all general contractors and electrical, mechanical, and plumbing subcontractors for any public project of \$1 million or more awarded on or after January 1, 2014, if School Facilities Program funds (Education Code 17070.10-17079.30) or other future state school bonds are used.

When required by law or the Board, each prospective bidder shall complete and submit a standardized questionnaire and financial statement. For this purpose, the Superintendent or designee shall provide a standardized proposal form which requires a complete statement of the bidder's financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Public Contract Code 20111.5, 20111.6)

Prospective bidders shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids. (Public Contract Code 20111.5)

The Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. Bidders must be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

The district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. (Public Contract Code 20111.5)

Award of Contract

The district shall award each contract to the lowest responsible bidder except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. For any transportation service contract involving an expenditure of more than \$10,000, which the Board contemplates may be made with a person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)
3. When the contract is one for which the Board has established goals and requirements relating to participation of minority, women, disabled veteran, or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)

Protests by Bidders

Note: The law does not specify a procedure for handling protests by bidders. The following optional section provides one such procedure and should be modified to reflect district practice.

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also

convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide reasonable notice to the bidder of the date and time for Board consideration of the protest. The Board's decision shall be final.

Alternative Bid Procedures for Technological Supplies and Equipment

Rather than seek competitive bids, the Board may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

The competitive negotiation process shall include, but not be limited to, the following requirements: (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. The Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district with price and all other factors considered.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award.
8. The Board, at its discretion, may reject all proposals and request new RFPs.
9. Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer.

Sole Sourcing

Note: "Sole sourcing" is the practice by which one brand name product is specified, although comparable, competitive products are available. Public Contract Code 3400 allows sole sourcing in limited circumstances and requires that the specification of the designated product be followed by the words "or equal," so that bidders for such a contract are able to base their bids on the use of other products of equal functionality that may result in cost savings for the district. The following section is optional.

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall not draft the bid specification in a manner that: (Public Contract Code 3400)

1. Directly or indirectly limits bidding to any one specific concern
2. Calls for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

Note: The following optional paragraph is for districts with ADA of more than 2,500. For the repair or replacement of the roof of a public facility, a material must meet the requirements specified below to be considered "equal" pursuant to Public Contract Code 3000-3010.

When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification. (Public Contract Code 3002)

However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name (sole sourcing), if the Board has made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

(cf. 9323.2 - Actions by the Board)

Bids Not Required

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

(cf. 3300 - Expenditures and Purchases)

In addition, upon a determination that it is in the best interest of the district and without advertising for bids, the Board may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). (Education Code 17406)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

(cf. 3510 - Green School Operations)

(cf. 3511 - Energy and Water Management)

(cf. 9320 - Meetings and Notices)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

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

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 20113)

(cf. 3517 - Facilities Inspection)

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids.
(Education Code 17602)

Policy

adopted: April 10, 2007
revised: October 8, 2013

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

Sierra County/Sierra-Plumas Joint USD

Board Policy

Travel Expenses

BP 3350

Business and Noninstructional Operations

The Governing Board recognizes that district employees may incur expenses in the course of performing their assigned duties and responsibilities. To ensure the prudent use of public funds, the Superintendent or designee shall establish rules to keep such expenses to a minimum while affording employees a reasonable level of safety and convenience.

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Board shall authorize payment for actual and necessary travel expenses incurred by any employee performing authorized services for the district, whether within or outside district boundaries. (Education Code 44032)

The Superintendent or designee shall establish procedures for the approval of travel requests and the submission and verification of expense claims. He/she also shall establish reimbursement rates in accordance with law and Board policy.

An employee shall obtain approval from the Superintendent or designee prior to traveling. The Superintendent or designee may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee's supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the performance of the employee's duties. Travel expenses not previously budgeted may be approved on a case-by-case basis by the Superintendent or designee if he/she determines that the travel is essential and that resources may be obtained or redirected for this purpose.

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

All out-of-state travel for which reimbursement will be claimed shall be approved in advance by the Board.

Reimbursable travel expenses may include, but are not limited to, costs of transportation, parking fees, bridge or road tolls, lodging when district business reasonably requires an overnight stay, registration fees for seminars and conferences, telephone and other communication expenses incurred on district business, and other necessary incidental expenses.

The district shall not reimburse personal travel expenses including, but not limited to, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on district-related business, personal use of an automobile, and personal losses or traffic violation fees incurred while on district business.

Except as otherwise provided, reimbursement of travel expenses shall be based on actual expenses as documented by receipts.

Authorized employees shall be reimbursed for the use of their own private vehicles in the performance of assigned duties, on a mileage basis as determined by the Superintendent or designee. (Ed. Code 44033)

The mileage allowance provided by the district for employees' use of their private vehicles shall be equal to the rate established by the Internal Revenue Service.

Vehicles should be shared whenever possible to minimize travel costs. No employee shall be entitled to reimbursement for automobile travel when he/she is transported free of charge or by another employee who is entitled to the expense reimbursement.

Meal costs shall be reimbursed based on documented actual expenses within the maximum amounts established by the Superintendent or designee and based on the time of day that travel for district business begins and ends.

Any expense that exceeds the maximum rate of reimbursement established by the district shall be reimbursed only with the approval of the Superintendent or designee.

All expense reimbursement claims shall be submitted on a district form, within 10 working days following return from travel when possible. The form shall be accompanied by receipts and any explanation necessary to document that the expenses meet district criteria for reimbursement.

The Superintendent or designee shall approve expense claims only upon verifying that all necessary documentation is provided and that all expenses are appropriate and related to district business. If an expense claim is disallowed due to lack of documentation or inappropriate expenses, the employee may be personally responsible for any improper costs incurred.

Legal Reference:

EDUCATION CODE

- 42634 Itemization of expenses
- 44016 Travel expense to employment interview
- 44032 Travel expenses
- 44033 Automobile allowance
- 44802 Student teacher's travel expense

Management Resources:

INTERNAL REVENUE SERVICE PUBLICATIONS

Per Diem Rates (For Travel Within the Continental United States), Publication 1542

WEB SITES

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

U.S. General Services Administration, Per Diem Rates: <http://www.gsa.gov/perdiem>

Policy

adopted: April 10, 2007

revised: October 8, 2013

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

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Student Organization Funds And Financial Transactions

AR 3452

Business and Noninstructional Operations

Under the general supervision of the building principal, the following procedures shall be employed in dealing with student organization funds and financial transactions.

Student Body Accounts

1. All student body and student organization funds for each school shall be deposited and maintained in and disbursed from a single commercial checking account established at an appropriate bank, except as noted below.
 - a. The school secretary shall make all deposits.
 - b. Each such account shall be established under the name Associated Students of-----School.
 - c. From time to time, upon the recommendation of the principal, with the approval of the Board of Education, a special purpose savings account may be established in the name of a specific student organization when such action seems appropriate.
2. The school secretary shall maintain detailed records and books showing all of the following:
 - a. The amount of the cash balance in the student body account that belongs to each student organization.
 - b. All deposits made to the account and to which student organization they should be credited.
 - c. All disbursements from the account and to which student organization they are charged.
 - d. Date and purpose of each transaction.
3. The school secretary shall issue receipts for all monies received.
4. All disbursements of student organization funds shall be made by check; cash disbursements are prohibited.
5. The school secretary shall reconcile the periodic statements issued by the bank for the student body account. He/she shall balance the student body books at the end of each month and prepare a financial statement for each student organization.
6. Semi-annually the school secretary shall forward a copy of each student organization's financial statement to the District's Business Manager for the period end June 30th and December 31, by the 25th of the following month (July 25th and January 25th).
7. All checks drawn on the Student Body Account must bear two authorized signatures. Authorized check signers are the Student Body Advisor, the Principal, *the District's Business Manager and the District's Account Technician*.
8. No unsigned checks shall ever be issued to anyone at any time for any purpose.

Student Organization Disbursement Procedure

1. Any disbursement of student organization funds must have the prior approval of a majority of the organization membership as recorded in the official minutes of the organization.
2. A purchase order shall be prepared in duplicate for each disbursement using an approved form which indicates all of the following:
 - a. Date of preparation
 - b. Name of the student organization
 - c. Name of the vendor
 - d. Address of the vendor
 - e. Description of purpose for the disbursement
 - f. Amount to be disbursed for goods or services
 - g. Tax and shipping costs where appropriate
 - h. Name and address of the school involved
3. Both copies of the purchase order must bear the signatures of the student organization advisor, the principal or designee, and an officer of the student organization.
4. One copy of the purchase order is submitted to the school secretary; the second copy goes to the vendor.
5. In cases of local disbursements, the purchase order may be hand carried to the vendor who will provide the goods or services and present a bill to the person presenting the purchase order. Both the purchase order and the bill shall be returned to the school secretary who will verify the purchase.
6. In cases where a vendor receives a purchase order by mail, the school secretary will verify receipt of the purchase and attach the bill or invoice to the office copy of the purchase order.
7. No disbursement check will be issued unless both the bill and the purchase order are in the school office.
8. Once the above procedures have been completed, the secretary will draw a check for the correct amount on the student body account. When properly signed, as per Item 6 above, the check will be sent to the vendor and the proper amount charged against the appropriate student organization in the school secretary's books.
9. In cases where the vendor is an independent contractor, the school secretary will contact district office in order for payment to be processed through the district's financial system (Ref: Section Independent Contractor a-g)

Student Organization Cash Income Procedures

1. Faculty Advisor responsibilities
 - a. Attendance at and immediate supervision of all sales taking place on school sites, such as admissions to school activities, and concessions.
 - b. General supervision of sales off school sites, such as door-to-door sales, yearbook ads, and the like.

- c. Distribution of tickets or other forms of receipts to students for use in sales, and accounting for tickets sold, receipts issued, and reconciling with cash received.
 - d. Obtaining change and verifying amount prior to activity as described below.
 - e. Issuing receipts to students for all monies turned in to him/her.
 - f. Turning in all monies received to the school secretary and obtaining a receipt for same, or placing cash in night depository, as appropriate.
 - g. Verifying cash count as described below.
2. Use of tickets/receipts
 - a. Every sales transaction must include the issuance of some type of receipt to the payee, a copy or portion of which is retained by the seller, to be turned in to the faculty advisor. Concession stand sales are exempt from this requirement.
 - b. Numbered tickets are to be used where possible and appropriate.
 - c. Ticket stubs and/or copies of receipts are to be reconciled with cash receipts following each activity.
 - d. Students issued tickets for sale are responsible for either the return of unsold tickets, or the corresponding monies.
3. Handling of Cash
 - a. Cash collected by students is to be turned in daily to the faculty advisor.
 - b. The faculty advisor will issue a receipt for cash turned in to him/her as the monies are turned in.
 - c. The faculty advisor will turn in all cash receipts daily to the school secretary who shall issue receipts for all monies so received. If a night depository is used, the secretary shall issue the receipt the next school day.
 - d. No cash is ever to be taken home overnight by either a student or any member of the faculty.
 - e. A night depository should be used where available.
 - f. On the day of an activity and prior to beginning the activity, the faculty advisor will obtain the cash box and change from the school secretary.
 - g. The secretary will draw a check on the student body account for change. A single check will suffice for all change needs on a specific date.
 - h. Upon acquiring the change, the faculty advisor and an organization officer shall immediately count it and verify the total amount received on the financial report form included with the money.
 - i. Immediately following an activity, the faculty advisor and at least one organization officer shall count and verify the total amount of cash received. That amount shall be entered on the financial report form and verified by the signatures of those people who have counted.

- j. All cash receipts shall be deposited by the secretary in the student body account, and credit the change and the gross receipts to the proper accounts in the books.

Restrictions

1. Deficit spending shall not be permitted.
2. Borrowing of funds against the student body account or general fund is prohibited.

Independent Contractor

1. The district office will issue all payment to an independent contractor. This will insure that the district is in compliance with state guidelines, districts must report to the Employment Development Department within 20 days of either making payments totaling \$600 or more, or entering into a contract for \$600 or more with an independent contractor. The independent contractor information is required to be reported on the "Report of Independent Contractors" Form DE542.
2. The secretary will fax to the district office a copy of the purchase order.
3. The district office, account technician, will mail a W-9 form to the independent contractor and report to EDD the required information on form DE542.
4. The secretary will sign, date and state, "okay to pay" on the original invoice received from the independent contractor. Both the purchase order and invoice will be forward to the district office for payment.
5. The district office will process payment to the independent contractor through their financial system and do all the required reporting to the federal and/or state. Financial system and do all the required reporting to the federal and/or state.
6. The district office will send a copy of the check to the secretary.
7. The secretary will send a check, payable to the district, and the proper amount will be charged against the appropriate student organization in the school secretary's book.

Annual Audit

1. Annually the Business Manager or designee will conduct an audit for each student body account and prepare an annual summary financial statement for the student body accounts.
2. The objective of the audit will be to report on internal controls.

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

Regulation
approved: April 10, 2007
revised: August 14, 2007
revised: February 10, 2009
revised: September 14, 2010
revised: October 8, 2013

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

School Bus Drivers

AR 3542

Business and Noninstructional Operations

Qualifications

All drivers employed to operate school buses or student activity buses shall possess, and shall retain in their immediate possession while operating the bus, the following documents: (Vehicle Code 12517, 12517.4)

1. A valid driver's license issued by the California Department of Motor Vehicles (DMV) for the appropriate class of vehicle to be driven and endorsed for school bus and/or passenger transportation
2. A certificate issued by the California Highway Patrol (CHP) which permits the operation of school buses or student activity buses, as applicable

(cf. 3540 - Transportation)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 4200 - Classified Personnel)

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

The Superintendent or designee may use an electronic fingerprinting system, managed by the California Department of Justice, to fingerprint an applicant for an initial certificate to drive a school bus or student activity bus. (Vehicle Code 12517.3)

(cf. 4212.5 - Criminal Record Check)

When initially applying for or renewing a license or certificate to drive a school bus or student activity bus, and annually upon reaching age 65 years, the driver shall submit to the DMV and to the Superintendent or designee a report of a medical examination conducted in accordance with the timelines and procedures specified in Vehicle Code 12517.2. (Vehicle Code 12517.2; 13 CCR 1234)

The Superintendent or designee shall notify each driver of the expiration date of his/her driver's license, certificate, and medical certificate and shall ensure each document is renewed prior to expiration. (13 CCR 1234)

(4112.9/4212.9/4312.9 - Employee Notifications)

School bus and student activity bus drivers shall be subject to drug and alcohol testing in

accordance with Board policy and the requirements of federal law.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

The Superintendent or designee shall notify the DMV within five days whenever any driver refuses, fails to comply, or receives a positive test result on a drug or alcohol test; is dismissed for a cause related to student transportation safety; or is reinstated after being dismissed for a cause related to student transportation safety. (Vehicle Code 1808.8, 13376)

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

Training

In addition to any other training required to obtain or renew the certificate authorizing operation of a school bus or student activity bus, drivers shall receive training which includes, but is not limited to:

1. First aid practices deemed necessary for school bus drivers, through a course of instruction that prepares drivers to pass the related DMV examination (Vehicle Code 12522)

2. The proper installation of mobile seating devices in the bus securement systems (Education Code 56195.8)

(cf. 3541.2 - Transportation for Students with Disabilities)

3. The proper actions to be taken in the event that a school bus is hijacked (Education Code 39831)

To determine any other needs for professional development, the Superintendent or designee shall periodically review accident reports involving district drivers and may seek input from drivers, district and school administrators, students, and/or other stakeholders on desired topics for professional development.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Authority

Students transported in a school bus or student activity bus shall be under the authority of, and responsible directly to, the driver of the bus. The driver shall be held responsible for the orderly conduct of the students while they are on the bus or being escorted across a street, highway, or road. (5 CCR 14103)

(cf. 5131.1 - Bus Conduct)

The driver shall have the authority to discontinue the operation of a school bus or student activity bus whenever he/she determines that it is unsafe to continue.

(cf. 3516.5 - Emergency Schedules)
(cf. 3543 - Transportation Safety and Emergencies)

This regulation and AR 5131.1 - Bus Conduct shall be made available to parents/guardians, students, teachers, and other interested parties. (5 CCR 14103)

Responsibilities

The driver's primary responsibility is to safely transport students to and from school and school activities. He/she shall follow procedures contained in district plans and regulations pertaining to transportation safety.

The driver shall stop to load or unload students only at school bus stops designated by the Superintendent or designee, or authorized by the Superintendent or designee for school activity trips. (Vehicle Code 22112)

(cf. 3541 - Transportation Routes and Services)

The driver shall activate the amber warning light system, flashing red signal lights, and stop arm signal and shall escort students in accordance with Vehicle Code 22112.

The driver shall not require any student to leave the bus en route between home and school or other destinations. (5 CCR 14103)

The driver shall not drive a school bus or student activity bus while using a wireless telephone or using a wireless communications device for text-based communication, except when otherwise authorized by law and AR 3543 - Transportation Safety and Emergencies.

The driver shall report the following to the Superintendent or designee:

1. The condition of the bus at the completion of each work day (13 CCR 1215)
2. His/her duty status for each 24-hour period, including, but not limited to, the number of hours on and off duty (13 CCR 1213)
3. Any traffic accident involving the bus (13 CCR 1219)

In addition to notifying the Superintendent or designee, the driver shall immediately notify the CHP of any traffic accident and, if the bus is operated under contract, his/her employer. (13 CCR 1219)

4. Traffic violations
5. Consistently late school dismissals which cause transportation delays
6. Overload runs
7. Recurring and serious student misbehavior
8. Parent/guardian and student complaints

Vehicle Idling

The driver of a school bus or student activity bus shall: (13 CCR 2480)

1. Turn off the bus engine upon stopping at a school or within 100 feet of a school and not restart the engine more than 30 seconds before beginning to depart
1. Not cause or allow the bus to idle at any location greater than 100 feet from a school for more than five consecutive minutes or for an aggregated period of more than five minutes in any one hour

(cf. 3514 - Environmental Safety)

However, vehicle idling may be allowed under limited conditions, including, but not limited to, occasions when idling is necessary to: (13 CCR 2480)

1. Stop for an official traffic control signal or device, for traffic conditions under which the driver has no control, or at the direction of law enforcement
2. Ascertain that the bus is in safe operating condition and properly equipped
3. Operate equipment designed to safely load, unload, or transport students with disabilities
4. Operate a heater, air conditioner, defroster, or other equipment as necessary to ensure the safety or health of passengers
5. Cool down a turbo-charged diesel engine before turning off the engine
6. Recharge a battery or other energy storage unit of a hybrid electric bus or vehicle

The Superintendent or designee shall notify all drivers, upon employment and at least once per year thereafter, of the requirements specified above and the potential legal and employment consequences of failure to comply. All complaints of noncompliance shall be reviewed and remedial action taken as necessary. The Superintendent or designee shall retain records of the training and of any complaints and enforcement actions for at least three years. (13 CCR 2480)

Reports

The Superintendent or designee shall retain records of: (13 CCR 1234)

1. Each driver's duty status and supporting documents provided pursuant to 13 CCR 1201 and 1213. Such records shall be retained for six months and made available to the CHP upon request.
2. The different types of vehicles and vehicle combinations each driver has demonstrated capability to operate.
3. Records of each driver's license, certificate, medical certificate, first aid certificate, and training as specified in 13 CCR 1234.
4. Daily vehicle inspection reports prepared by drivers pursuant to 13 CCR 1215.

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

39800.5 Qualifications of driver of 15-passenger van

39830-39842 School buses

40080-40090.5 Training required to obtain or renew bus driver certificate

45125.1 Criminal background checks for contractors

56195.8 Training in installation of mobile seating devices

HEALTH AND SAFETY CODE

39640-39642 Vehicle idling, penalties

PENAL CODE

241.3 Assault against school bus driver

243.3 Battery against school bus driver

VEHICLE CODE

415 Definition of motor vehicle

545 Definition of school bus

546 Definition of student activity bus

1808.8 Dismissal for safety-related cause

2570-2574 Contracts with private school bus contractors

12516-12517.4 Certification requirements

12522 First aid training for school bus drivers

13370-13371 Suspension or revocation of bus driver certificate

13376 Driver certificates; revocation or suspension; sex offense prosecution

22112 School bus signals; roadway crossings

23123-23125 Prohibitions against use of wireless telephone and text communications while

driving; exceptions

25257-25257.7 School bus equipment

34501.6 School buses; reduced visibility

CODE OF REGULATIONS, TITLE 5

14103 Authority of the driver

14104 School bus driver instructor

CODE OF REGULATIONS, TITLE 13

1200-1202.2 Motor carrier safety

1212-1228 School bus driver requirements

1234 Reports regarding school buses and bus drivers

2480 Vehicle idling

CODE OF FEDERAL REGULATIONS, TITLE 49

40.1-40.413 Transportation drug and alcohol testing programs

382.101-382.605 Controlled substance and alcohol use and testing

571.222 Federal motor vehicle safety standard #222

Management Resources:

DEPARTMENT OF MOTOR VEHICLES PUBLICATIONS

California Commercial Driver Handbook

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PUBLICATIONS

School Bus Driver In-Service Safety Series, October 2011

WEB SITES

California Air Resources Board: <http://www.arb.ca.gov>

California Department of Education, Office of School Transportation:

<http://www.cde.ca.gov/ls/tn>

California Highway Patrol: <http://www.chp.ca.gov>

California Department of Motor Vehicles: <http://www.dmv.ca.gov>

California Department of Justice: <http://oag.ca.gov>

National Transportation Safety Board: <http://www.nts.gov>

U.S. Department of Transportation, National Highway Traffic Safety Administration:

<http://www.nhtsa.dot.gov>

Policy

adopted: April 10, 2007

revised: October 8, 2013

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

Sierra County/Sierra-Plumas Joint USD

Board Policy

Controversial Issues

BP 6144

Instruction

The Governing Board recognizes that the district's educational program may sometimes include instruction related to controversial issues that may arouse strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students' critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
 (cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
 (cf. 6142.3 - Civic Education)
 (cf. 6142.8 - Comprehensive Health Education)
 (cf. 6142.94 - History-Social Science Instruction)
 (cf. 6143 - Courses of Study)

The Board expects administrators and teachers to exercise professional judgment when deciding whether or not a particular issue is suitable for study or discussion. They shall consult with the Superintendent or designee as necessary to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.

(cf. 6141 - Curriculum Development and Evaluation)
 (cf. 6161.1 - Selection and Evaluation of Instructional Materials)
 (cf. 6161.11 - Supplementary Instructional Materials)

When providing instruction related to a controversial issue, the following guidelines shall apply:

1. The topic shall be suitable to the age and maturity of the students.
2. Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.
3. The teacher may express a personal opinion provided he/she identifies it as a personal opinion and clarifies that he/she is not speaking on behalf of the school or district. The teacher shall not express an opinion for the purpose of persuading students to his/her point of view.
4. No student's viewpoint shall be suppressed, provided such expression is not malicious or abusive toward others. Students shall be assured of their right to form and express an opinion without jeopardizing their relationship with the teacher or school.

(cf. 5022 - Student and Family Privacy Rights)
 (cf. 5145.2 - Freedom of Speech/Expression)
 (cf. 6145.5 - Student Organizations and Equal Access)

5. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.

(cf. 5131 - Conduct)
 (cf. 5131.2 - Bullying)
 (cf. 5137 - Positive School Climate)

6. Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.

7. The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
 (cf. 5145.3 - Nondiscrimination/Harassment)
 (cf. 5145.9 - Hate-Motivated Behavior)

8. The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation related to a controversial issue, the Board requires that he/she be notified of this policy and the expectations and goals regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

(cf. 6145.8 - Assemblies and Special Events)

When required by law or otherwise deemed appropriate by the teacher or administrator, parents/guardians shall be notified prior to instruction related to any controversial issue and parent/guardian consent shall be obtained for student participation. Students whose parents/guardians decline such instruction may be offered the option to participate in an alternative activity of similar value.

A student or parent/guardian with concerns regarding instruction about controversial issues shall be directed to appropriate district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)
 (cf. 1312.2 - Complaints Concerning Instructional Materials)

EDUCATION CODE

220 Prohibition of discrimination
 51500 Prohibited instruction or activity
 51510 Prohibited study or supplemental materials
 51511 Religious matters properly included in courses of study
 51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate
 51933 Sex education courses
 51938 Right of parent/guardian to excuse child from sexual health instruction
 60040 Portrayal of cultural and racial diversity
 60044 Prohibited instructional materials
 60045 Criteria for instructional materials

Policy
 adopted: April 10, 2007
 revised: October 8, 2013

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

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Controversial Issues

AR 6144

Instruction

Controversial issues may be discussed in the classroom, provided that

1. The issue is related to the course of study and provides opportunities for critical thinking, for developing tolerance, and for understanding conflicting points of view.
2. The issue has a meaningful relationship to matters of concern to the students.
3. Available information about the issue is sufficient to allow alternative points of view to be discussed and evaluated on a factual basis.
4. All sides of the issue are given a proper hearing, using established facts as primary evidence.
5. The issue has points of view which can be understood and defined by the students.
6. The teacher does not use his/her position to forward his/her own religious, political, economic or social bias. The teacher may express a personal opinion if he/she identifies it as such and does not express the opinion for the purpose of persuading students to his/her point of view.
7. Discussion or study of the issue is instigated by the students or by the established curriculum, but not by a source outside of the schools.
8. The discussion does not reflect adversely upon persons because of their race, sex, color, creed, national origin, ancestry, handicap or occupation.
9. The oral or written presentation does not violate state or federal law.

The Superintendent or designee shall have the authority to judge whether the above conditions are being met.

Regulation SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
approved: April 10, 2007 Sierraville, California

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

School-Sponsored Trips

AR 6153

Instruction

Supervision

Students on school-sponsored trips are under the jurisdiction of the district and shall be subject to district and school rules and regulations.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

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

The Superintendent or designee shall ensure that adequate supervision is provided on all school-sponsored trips and that there is an appropriate ratio of adults to students present on the trip. If the trip involves water activities, this ratio shall be revised as necessary.

Parent/Guardian Permission

Before a student can participate in a school-sponsored trip, the teacher shall obtain parent/guardian permission for the trip. Whenever a trip involves water activities, the parent/guardian shall provide specific permission for his/her child to participate in the water activities. The district shall provide an alternative educational experience for students whose parents/guardians do not wish them to participate in a trip.

All persons making the field trip or excursion shall be deemed to have waived all claims against the district or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out-of-state field trips or excursions and all parents/guardians of students taking out-of-state field trips or excursions shall sign a statement waiving such claims. (Education Code 35330)

Out of State field trip requests (with the exception of Ashland, Oregon and neighboring Reno/Sparks, Nevada), must be in the Superintendent's office for approval six weeks in advance of the field trip for Governing Board approval. Sierra-Plumas Joint Unified School District Board Meetings are held on the second Tuesday of every month.

International field trip requests must be in the Superintendent's office for approval three months in advance of the field trip for Governing Board approval.

Safety Issues

1. While conducting a trip, the teacher, employee, or agent of the school shall have the school's first aid kit in his/her possession or immediately available. (Education Code 32041)

Whenever trips are conducted in areas known to be infested with poisonous snakes, the first aid kit taken on the trip shall contain medically accepted snakebite remedies. In addition, a teacher, employee, or agent of the school who has completed a first aid course which is certified by the American Red Cross and which emphasizes the treatment of snakebites shall participate in the trip. (Education Code 32043)

2. The district shall provide or make available medical and/or hospital insurance for students injured while participating in any excursion or field trip. (Education Code 35331)

(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 5143 - Insurance)

3. If the Superintendent or designee receives threat level warnings from the Homeland Security Advisory System pertaining to the destination of a school-sponsored trip, he/she shall implement precautions necessary to protect the safety of students and staff.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

4. Lifeguards are required for all swimming activities. If the activity is at a private pool, the owner of the pool shall provide a certificate of insurance, designating the district as an additional insured, for not less than \$500,000 in liability coverage. Staff shall determine supervisory responsibilities for all chaperones.

(cf. 3530 - Risk Management/Insurance)
(cf. 5141.7 - Sun Safety)

5. Before trips of more than one day, the principal or designee may hold a meeting for staff, chaperones, parents/guardians, and students to discuss safety and the importance of safety-related rules for the trip.

(cf. 5142 - Safety)

Regulation

approved: April 10, 2007
revised: October 8, 2013

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

Sierra County/Sierra-Plumas Joint USD

Board Policy

Use Of Copyrighted Materials

BP 6162.6

Instruction

Note: 17 USC 106 grants a copyright owner the exclusive rights to reproduce, distribute, make derivative works of, publicly perform, or publicly display the copyrighted work or to authorize others to do so. The district should be aware that materials subject to copyright protection need not be registered with the U.S. Copyright Office to be subject to federal intellectual property protection.

Note: However, pursuant to 17 USC 107, "fair use" (i.e., the reproduction of limited portions of copyrighted materials without the copyright owner's permission) is allowed for such purposes as criticism, comment, news reporting, teaching, scholarship, or research. Factors to be included in determining whether a particular use constitutes "fair use" include: (1) the purpose and character of the use, including whether the use is of a commercial nature or is for nonprofit educational purposes; (2) the nature of the copyrighted work; (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and (4) the effect of the use upon the potential market for or value of the copyrighted work. In *Campbell v. Acuff-Rose Music, Inc.* and *Cambridge University Press et al. v. Becker et al.*, the courts reaffirmed that the four factors must be weighed together, not in isolation, on a case-by-case basis and that 17 USC 107 does not exclude consideration of other factors.

Note: Other exceptions exist for schools, including library reproduction and archiving (17 USC 108); first sale (17 USC 109); and classroom performance, display, and distance education (17 USC 110). In addition, materials that are in the "public domain" (i.e., materials that are ineligible for copyright or have an expired copyright) may be freely used. Determination of whether a material is in the public domain depends on the date of the original copyright and other factors; see the U.S. Copyright Office web site and University of California Copyright Education web site.

The Governing Board recognizes that district staff and students may use a variety of copyrighted materials in the educational program and other district operations. When such materials have not been purchased by the district for the intended use, the Board expects staff and students to respect the protections afforded by federal law to the copyright owners of those materials and respect any limitations by the copyright holder to the license of such materials.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 4040 - Employee Use of Technology)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4132/4232/4332 - Publication or Creation of Materials)
(cf. 5131.9 - Academic Honesty)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6163.1 - Library Media Centers)

Note: Pursuant to 17 USC 102, copyright protection exists for works in the categories listed below and applies to works in "any tangible medium of expression, now known or later developed." Thus, most works available on the Internet or distributed electronically are protected by copyright, including images, text, logos, software, sounds, movie clips, email, and postings to newsgroups. Like other works, material found on the Internet may not be copied unless permission is given by the copyright holder or the use conforms to a recognized exception, such as "fair use" as described above.

Any literary, musical, dramatic, choreographic, pictorial, graphic, sculptural, audiovisual or motion picture, sound, architectural, or other original work shall be assumed to be a copyrighted work, regardless of whether the work appears in print, audio, video, electronic, or other fixed and tangible form.

Before reproducing a copyrighted material for instructional or other district purposes, a staff member shall determine if the material is in the public domain or if the intended use of the material meets the criteria for fair use or another exception pursuant to 17 USC 107-122. If the material is not in the public domain or no recognized exception applies, the staff member shall seek permission of the copyright holder before using the material.

The Superintendent or designee shall inform staff that inclusion of an attribution citing the author and source of a copyrighted material does not absolve the staff member from the responsibility to either obtain permission or satisfy criteria for fair use or another exception.

If a staff member is uncertain as to whether the intended use of the material meets the criteria for fair use or another exception, he/she shall take the safest course and seek permission from the copyright holder to use the material or, if it is impracticable to obtain permission, shall contact the Superintendent or designee for clarification and assistance.

Students shall not copy or distribute copyrighted works to others. Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment.

(cf. 3300 - Expenditures and Purchases)
 (cf. 3312 - Contracts)
 (cf. 6163.4 - Student Use of Technology)

Note: The following optional paragraph may be revised to reflect district practice. Among the factors considered by the court in Cambridge University Press et al. v. Becker et al. was the extent to which faculty had been trained in implementation of the university's copyright policy. Although the university had offered a one-hour training, it was perceived as voluntary and some faculty who were later accused of copyright infringement had not attended the session.

The Superintendent or designee may ensure that staff and students receive information and training about copyright laws and the penalties for violating such laws.

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

Legal Reference:

EDUCATION CODE

35182 Computer software

UNITED STATES CODE, TITLE 17

101-122 Subject matter and scope of copyright, especially:

102 Definitions

106 Copyright protection

107 Fair use of copyrighted works

110 Limitations on exclusive rights: Exemption of certain performances and displays

504 Penalties for copyright infringement

COURT DECISIONS

Cambridge University Press et al. v. Becker et al. (N.D. Ga. 2012) 863 F.Supp.2d 1190

Campbell v. Acuff-Rose Music, Inc., (1994) 510 U.S. 569

Marcus v. Rowley, (9th Cir., 1982) 695 F.2d 1171

Management Resources:

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Copyright Law: Do Schools Need a License to Show a Movie?, School Law Review, July 2010

U.S. COPYRIGHT OFFICE PUBLICATIONS

Circular 21: Reproduction of Copyrighted Works by Educators and Librarians, rev. 2009

Circular 22: How to Investigate the Copyright Status of a Work, rev. 2013

Circular 23: The Copyright Card Catalog and the Online Files of the Copyright Office, rev. 2012

WEB SITES

Copyright Society of the USA: <http://www.csusa.org>National School Boards Association: <http://www.nsba.org>

University of California, Copyright Education:

<http://copyright.universityofcalifornia.edu/usingcopyrightedworks.html>U.S. Copyright Office: <http://www.copyright.gov>

Policy

adopted: April 10, 2007

revised: October 11, 2011

revised: October 8, 2013

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

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Use Of Copyrighted Materials

AR 6162.6
Instruction

Prior to reproducing, distributing, displaying, posting, performing, or otherwise using a copyrighted material for an instructional purpose or in the course of other district business, district staff shall determine whether it is necessary to request permission of the copyright holder. Unless the staff member is reasonably certain that the material is in the public domain or the intended use meets the criteria for an exception specified in 17 USC 107-122 and this administrative regulation, he/she shall either obtain permission from the copyright holder or avoid use of the material. In addition, permission of the copyright holder shall be requested whenever district staff intend to publicly disseminate a copyrighted work, such as by posting on the district or school web site or using another method of communications accessible to the public.

(cf. 1113 - District and School Web Sites)
 (cf. 1114 - District-Sponsored Social Media)
 (cf. 4040 - Employee Use of Technology)
 (cf. 4119.21/4219.21/4319.21 - Professional Standards)
 (cf. 4132/4232/4332 - Publication or Creation of Materials)
 (cf. 5131.9 - Academic Honesty)
 (cf. 6141 - Curriculum Development and Evaluation)
 (cf. 6161.1 - Selection and Evaluation of Instructional Materials)
 (cf. 6161.11 - Supplementary Instructional Materials)
 (cf. 6163.1 - Library Media Centers)

Any reproduction or other use of a copyrighted work shall include the copyright notice.

District staff shall not reproduce and distribute copyrighted works of any type in any of the following circumstances:

1. When the copyrighted work is a "consumable" work such as a workbook, standardized test, answer sheet, or similar material
2. To substitute for the purchase of the work
3. To create, replace, or substitute for anthologies or collective works

Request for Permission to Use Copyrighted Material

As necessary, district staff desiring to use a copyrighted material shall identify and contact the copyright holder to request permission to use the material. The request shall include the following

information:

1. Title, author(s), editor(s) or publisher, producer(s) or distributor
2. Edition, copyright, and/or production year
3. Exact amount of material to be used, such as the number of lines, pages, or chapters or percentage of the work
4. Nature of the use, such as the course in which it will be used, the grade level of the students, the number of students, and the frequency of use
5. How the material will be reproduced and distributed

If the copyright holder requires a fee to grant permission, district staff shall seek approval from the Superintendent or designee prior to incurring the cost.

Criteria for Fair Use

In considering whether a copyrighted work may be used without the copyright holder's permission on the grounds that the intended use is "fair use" pursuant to 17 USC 107, including reproduction in copies, phonorecords, or any other reproductive form for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, district staff shall consider all of the following factors: (17 USC 107)

1. The purpose and character of the use, including whether the use is of a commercial nature or for nonprofit educational purposes, realizing that a nonprofit educational purpose alone does not automatically ensure fair use.
2. The nature of the copyrighted work
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole

Any fair use of the copyrighted work based on items #1-3 above must be balanced with the financial harm that the use would have on the potential market or value of the work.

4. The effect of the use upon the potential market for or value of the copyrighted work

Any determination of fair use shall weigh together all the factors specified in items #1-4 above in addition to any applicable guidelines presented in this administrative regulation for specific types of copyrighted works.

Guidelines for Copying Text

Staff may reproduce text from a copyrighted work from a printed resource, the Internet, or other source, without permission from the copyright holder, under the following conditions:

1. A single copy of a chapter of a book, article from a periodical or newspaper, short story, short essay, short poem, chart, graph, diagram, drawing, cartoon, or picture may be made by or for a teacher for his/her scholarly research or use in teaching or preparation to teach a class.

2. Multiple copies, not to exceed one copy per student in a course, may be made by or for a teacher for classroom use or discussion, provided that:

a. The amount to be copied does not exceed:

(1) 250 words for a complete poem or excerpt from a poem

(2) 2,500 words for a complete article, story, or essay

(2) 1,000 words or 10 percent of the whole (with a minimum of 500 words), whichever is less, for an excerpt from a larger prose work

(4) One illustration (e.g., chart, graph, diagram, cartoon, or picture) per book or periodical issue

b. The copying is for only one course in the school.

c. With the exception of newspapers and other news periodicals, not more than one work is copied from the same author per term, not more than three works are copied from the same collective work or periodical volume per term, and there are no more than nine instances of multiple copying per course per term.

d. A delay to request permission from the copyright holder would preclude the most effective instructional use of the material.

Guidelines for Reproducing Sheet and Recorded Music

District staff may reproduce sheet music and recorded music without permission from the copyright holder under the following conditions:

1. Emergency copies may be made when purchased copies needed for an imminent performance are not available, provided that replacement copies shall be purchased in due course.

2. Single or multiple copies of excerpts of works may be made for academic purposes other than performances, provided that the excerpt does not constitute an entire performable unit (e.g., a section, movement, or aria), no more than 10 percent of the total work is used, and the number of copies made does not exceed one per student.

3. Printed copies that have been purchased may be edited or simplified provided that the character of the work is not distorted and lyrics are not added or altered.

4. A single copy of a recorded performance by students may be made for evaluation or rehearsal

purposes.

5. A single copy of recordings of copyrighted music owned by the district or individual teacher may be made for the purpose of constructing exercises or examinations.

Guidelines for Performing or Displaying Copyrighted Works

In the course of face-to-face instruction in a classroom or similar place devoted to instruction, teachers or students may recite, render, play, dance, act, or show a copyrighted work either directly or by means of any device or process or, in the case of a motion picture or other audiovisual work, show its images in any sequence or to make the sounds accompanying it audible, provided that: (17 USC 101, 110)

1. The performance or display is given by means of a lawfully obtained copy of the work.
2. The performance or display is made by, at the direction of, or under the actual supervision of a teacher as an integral part of a class session.
3. The performance or display is directly related and of material assistance to the teaching content of the transmission.
4. The transmission is limited to students enrolled in the course or to Governing Board members or employees as part of their official duties or employment.
5. If the work is to be digitally transmitted, the district has applied technological protections that reasonably prevent retention of the work in accessible form for longer than the class session and the unauthorized further dissemination of the work.

Any use of a motion picture or other audiovisual work outside the curriculum, such as for entertainment, a school or class reward, or a fundraiser, shall require permission from the copyright holder or a special viewing license.

Guidelines for Recording Broadcast Programming

Teachers may make recordings of television programs for use in a classroom for educational purposes under the following conditions:

1. Only programs provided to the public free of charge may be recorded and shown. Any use of programming from paid television services shall require permission of the copyright holder.
2. The recording may be shown only during the first 10 consecutive school days after it is made. It may be used once by an individual teacher in the course of relevant teaching activities and may be repeated once only when instructional reinforcement is necessary.
3. A limited number of copies may be reproduced from each recording to meet the legitimate needs of the teacher. Each copy shall be subject to all the provisions governing the original recording.

4. The recording may be retained for 45 calendar days after it is made and then shall be erased or destroyed. However, after the first 10 consecutive school days, the recording may only be used for purposes of determining whether or not to include the broadcast program in the teaching curriculum. If the teacher decides to keep the program for use in the curriculum, he/she shall request permission from the copyright owner.

5. Off-air recordings need not be used in their entirety, but the content of recorded programs may not be altered.

Guidelines for Copying Computer Programs or Software

District staff shall observe all licensing agreements between vendors and the district, including monitoring the number of users permitted by an agreement. Unless the applicable licensing agreement authorizes multiple users of a single computer program or software, the district shall not make multiple copies.

Copies of district-owned software may be made under either of the following conditions: (17 USC 117)

1. The copy is needed as an essential step in using the computer program with a particular machine.
2. The copy is used for archival or "backup" purposes only. This copy may be held only as a file copy and must be destroyed in the event that continued possession of the program ceases to be rightful, unless the copyright owner authorizes its sale, lease, or transfer as part of the sale, lease, or transfer of the original program.

Legal Reference:

U.S. Copyright Office's Circular 21: Reproduction of Copyrighted Works by Educators and Librarians
 Campbell v. Acuff-Rose Music, Inc.,
 Cambridge University Press et al. v. Becker et al.
 17 USC 1087-122

U.S. Copyright Office publication:

Circular 21: Reproduction of Copyrighted Works by Educators and Librarians
 Circular 22: How to Investigate and Copyright Status of a Work
 Circular 23: The Copyright Card Catalog and the Online Files of the Copyright Office

Policy
 adopted: April 10, 2007
 October 11, 2011
 revised: October 8, 2013

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

Sierra County/Sierra-Plumas Joint USD

Board Bylaw

Remuneration, Reimbursement And Other Benefits

BB 9250

Board Bylaws

Remuneration

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

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

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

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

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

Reimbursement of Expenses

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

(cf. 9240 - Board Development)

(cf. 3350 - Travel Expenses)

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

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

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

Health and Welfare Benefits for Current Board Members

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

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

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

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

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

Medicare Eligible Current Board Members

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

In lieu of enrollment in the district/county's group sponsored health insurance plan, a current Board member eligible for Medicare health insurance may receive reimbursement from the district/county for the cost of his/her Medicare Plan(s) (Part A and/or Part B and/or Part D).

When a Board member is enrolled in a Medicare policy and receiving cost reimbursement from the District/County, the same courtesy may be extended to a dependent who is Medicare eligible.

A Board member who elects a Medicare supplement policy in lieu of enrollment in the district/county's group sponsored health insurance plan may receive premium reimbursement from the district/county. A Board member may be reimbursed for a family member's Medicare supplement policy if the dependent was covered under the district/county plan (tier rate structure) immediately prior to un-enrollment from the group plan.

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

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

Health and Welfare Benefits for Former Board Members (Retiree)

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

Legal Reference:

EDUCATION CODE

1090 Compensation for members and mileage allowance

33050-33053 General waiver authority

33362-33363 Reimbursement of expenses (Department of Education and CSBA workshops)

35012 Board members; number, election and term

35044 Payment of traveling expenses of representatives of board

35120 Compensation (services as member of governing board)

35172 Promotional activities

44038 Cash deposits for transportation purchased on credit

GOVERNMENT CODE

20322 Elective officers; election to become member

53200-53209 Group insurance

UNITED STATES CODE, TITLE 26

403(b) Tax-sheltered annuities

COURT DECISIONS

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

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

ATTORNEY GENERAL OPINIONS

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

Management Resources:

WEB SITES

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

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

Bylaw

adopted: April 10, 2007

revised: June 12, 2012

revised: May 14, 2013

revised: July 9, 2013

revised: October 8, 2013

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