

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

January 12, 2021
6:00pm Regular Session

There will be a recess to the District meeting at approximately 6:05pm to interview candidates and appoint a new Trustee to fill the vacancy for Area 4.

In accordance with the Governor's Executive Order pertaining to the convening of public meetings in response to the COVID-19 pandemic, the Governing Board of the Sierra-Plumas Joint Unified School District will hold meetings via Zoom Videoconferencing.

Zoom link: <https://us02web.zoom.us/j/88584532607>

Phone dial-in: 669-900-9128

Webinar ID: 885 8453 2607

Any individual who requires disability-related accommodations or modifications including auxiliary aids and services in order to participate in the Board meeting should contact the Superintendent or designee in writing. Public inspection of agenda documents that are distributed to the Board less than 72 hours before the meeting, will be made available at the Sierra County Office of Education, Room 3, 109 Beckwith Road, Loyalton, CA, 96118, and posted with the online agenda at <http://www.sierracountyofficeofeducation.org> (Government Code 54957.5).

A. CALL TO ORDER

Please be advised that this meeting will be recorded.

B. ROLL CALL

C. APPROVAL OF AGENDA

D. FLAG SALUTE

E. RECESS TO THE SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEETING TO APPOINT TRUSTEE FOR AREA 4 VACANCY

F. RECONVENE

G. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report
 - a. COVID-19 Addendum to the County/District Injury and Illness Prevention Program**
 - b. Leave of absence for Melissa Bayly, Instructional Aide, January 4-22, 2021**
2. Business Report
 - a. Account Object Summary-Balance from 07/01/2020 to 12/31/2020**
3. Staff Reports (5 minutes)
4. Board Member Reports (5 minutes)
5. Public Comment – This is an opportunity for members of the public to directly address the governing board on any item of interest that is within the subject matter jurisdiction of the governing board whether or not it is listed on the agenda. Three (3) minutes may be allotted to each speaker and a maximum of twenty (20) minutes to each subject matter. (Education Code 35145.5; Bylaw 9322; Government Code 54954.3)

H. CONSENT CALENDAR

1. Approval of minutes for the Regular Board Meeting held December 14, 2020**
2. Approval of Board Report-Checks Dated 12/01/2020 through 12/31/2020**
3. Approval of Quarterly Report on Williams Uniform Complaints for quarter ending December 31, 2020. It is required per Education Code 35186 section (d) that a school district shall report summarized data on the nature and resolution of all complaints on a

quarterly basis to the county superintendent of schools and the governing board of the school district.

- a. No complaints regarding textbooks and instructional materials, teacher vacancy or misassignment or conditions of facilities were filed with Sierra County Office of Education during the quarter ending December 31, 2020.

I. ACTION ITEMS

1. New Business

- a. Approval of 2019-2020 Sierra County Office of Education Special Education School Accountability Report Card**

BOARD POLICIES, ADMINISTRATIVE REGULATIONS, EXHIBITS, BOARD BYLAWS

- b. 4119.25~4219.25~4319.25—Political Activities of Employees
 1. Board Policy, *revisions***
 2. Administrative Regulation, *revisions***
- c. 4140~4240~4340—Bargaining Units
 1. Board Policy, *revisions***
- d. 5113.1—Chronic Absence and Truancy
 1. Board Policy, *revisions***
 2. Administrative Regulation, *revisions***
- e. 5113.11—Attendance Supervision
 1. Administrative Regulation, *NEW***
- f. 6170.1—Transitional Kindergarten
 1. Board Policy, *revisions***
- g. 9012—Board Member Electronic Communications
 1. Board Bylaw, *revisions***
- h. 9320—Meetings and Notices
 1. Board Bylaw, *revisions***

J. ADVANCED PLANNING

1. Next Regular Board Meetings will be held on February 09, 2021 beginning with Closed Session as needed at 5:00pm and the Regular Board Meetings at 6:00pm via Zoom videoconferencing.
2. Suggested Agenda Items

K. ADJOURN



James Berardi, Superintendent
Secretary to the County Board of Education

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

Sierra-Plumas Joint Unified SCHOOL DISTRICT INJURY AND ILLNESS PREVENTION PROGRAM COVID-19 ADDENDUM

Purpose

It is the policy of the Sierra-Plumas Joint Unified School District to ensure a safe and healthy environment for employees, staff, and students. Communicable and infectious diseases such as COVID-19 are minimized by providing prevention, education, identification through examination, surveillance, immunization, treatment and follow-up, isolation, and reporting.

Due to the widespread of COVID-19 in the community Sierra Plumas Joint Unified School District has implemented the following infection control measures, including applicable and relevant recommendations from the Centers for Disease Control and Prevention (CDC) and our state and local guidelines.

Introduction

What is Covid-19?

On February 11, 2020, the World Health Organization announced an official name for the disease that is causing the 2019 novel coronavirus outbreak, first identified in Wuhan China. The new name of this disease is Coronavirus disease 2019, abbreviated as COVID-19. In COVID-19, 'CO' stands for 'corona,' 'VI' for 'virus,' and 'D' for disease. Formerly, this disease was referred to as “2019 novel coronavirus” or “2019-nCoV”. There are many types of human coronaviruses including some that commonly cause mild upper-respiratory tract illnesses. COVID-19 is a new disease, caused by a new coronavirus that has not previously been seen in humans. There is currently no vaccine to prevent COVID-19.

What are the Symptoms of Covid-19?:

Symptoms may appear 2-14 days after exposure to the virus. People with these symptoms may have COVID-19:

- Cough
- Shortness of breath or difficulty breathing
- Fever
- Chills
- Muscle pain
- Sore throat
- New loss of taste or smell

2020 Keenan | License No. 0451271

Keenan & Associates is not a law firm and no opinion, suggestion, or recommendation of the firm or its employees shall constitute legal advice. Clients are advised to consult with their own attorney for a determination of their legal rights, responsibilities and liabilities, including the interpretation of any statute or regulation, or its application to the clients' business activities.

Procedures to Help Prevent the Spread of COVID-19

Protect Yourself

Older adults and people who have severe underlying medical conditions like heart or lung disease or diabetes seem to be at higher risk for developing serious complications from COVID-19 illness.

How does it spread?

There is currently no vaccine to prevent coronavirus disease 2019 (COVID-19). The best way to prevent illness is to avoid being exposed to this virus.

- The virus is thought to spread mainly from person-to-person.
- Between people who are in close contact with one another (within about 6 feet).
- Through respiratory droplets produced when an infected person coughs, sneezes or talks.
- Through respiratory droplets that can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.

Some recent studies have suggested that COVID-19 may be spread by people who are not showing symptoms.

To prevent the spread of respiratory infections from one person to the next, frequent hand washing is recommended.

Germs can spread from other people or surfaces when:

- Touching eyes, nose, and mouth with unwashed hands
- Prepare or eat food and drinks with unwashed hands
- Touch a contaminated surface or objects
- Blowing nose, coughing, or sneezing into hands and then touching other people's hands or common objects.
- Touching an item or surface in a public area that may be frequently touched by other people, such as door handles, tables, etc.

Hand Hygiene

Hand hygiene procedures include the use of alcohol-based hand rubs and hand washing with soap and water. Washing hands with soap and water is the best way to get rid of germs in most situations, and it's one of the most effective ways to prevent the spread of germs. If soap and water are not readily available, use an alcohol-based hand sanitizer (containing at least 60% alcohol).

2020 Keenan | License No. 0451271

Keenan & Associates is not a law firm and no opinion, suggestion, or recommendation of the firm or its employees shall constitute legal advice. Clients are advised to consult with their own attorney for a determination of their legal rights, responsibilities and liabilities, including the interpretation of any statute or regulation, or its application to the clients' business activities.

Properly hand wash with soap and water by:

- Wet hands first with water (avoid using hot water).
- Apply soap to hands.
- Rub hands vigorously for at least 15 seconds, covering all surfaces of hands and fingers.
- Rinse hands with water and dry thoroughly with paper towel.
- Use paper towel to turn off water faucet.

Alcohol-based hand rub is an ideal method for decontaminating hands, except when hands are visibly soiled (e.g., dirt, blood, body fluids), and may not remove harmful chemicals from hands like pesticides and heavy metals, in which case soap and water should be used. Hand hygiene stations should be strategically placed to ensure easy access.

Using Alcohol-based Hand Rub (follow manufacturer's directions):

- Dispense the recommended volume of product;
- Apply product to the palm of one hand; and
- Rub hands together, covering all surfaces of hands and fingers until they are dry (no rinsing is required), this should take around 20 seconds.

Handwashing facilities will be maintained to provide adequate supply of hand washing soap and paper towels.

Coughing and Sneezing Etiquette

Covering coughs and sneezes and keeping hands clean can help prevent the spread of serious respiratory illnesses.

Germs can be easily spread by:

- Coughing, sneezing, or talking
- Touching your face with unwashed hands after touching contaminated surfaces or objects
- Touching surfaces or objects that may be frequently touched by other people
- Covering coughs and sneezes and washing hands are especially important for infection control measures in healthcare settings, such as emergency departments, doctor's offices, and clinics.

To help stop the spread of germs:

- Cover mouth and nose with a tissue when coughing or sneezing.
- Throw used tissues in the trash
- If a tissue is not available, cough or sneeze into the elbow, not in hands.
- Immediately wash hands with soap and water for at least 20 seconds. If soap and water are not readily available, clean hands with a hand sanitizer that contains at least 60% alcohol.

2020 Keenan | License No. 0451271

Keenan & Associates is not a law firm and no opinion, suggestion, or recommendation of the firm or its employees shall constitute legal advice. Clients are advised to consult with their own attorney for a determination of their legal rights, responsibilities and liabilities, including the interpretation of any statute or regulation, or its application to the clients' business activities.

Avoid Close Contact – Distancing

Physical distancing is an effective method that can help stop or slow the spread of an infectious disease by limiting the contact between people. For COVID-19, the recommended distance is at least 6 feet. To help prevent the spread of respiratory disease, employees should avoid close contact with people who are sick.

Each site will have a plan in place to ensure social distancing at their location. The plan will include, but is not limited to the following:

- Implementing flexible work hours by rotating or staggering shifts to limit the number of employees on site at the same time
- Increasing physical space between employees by modifying the workspace.
- Avoiding shared work spaces (desks, offices, and cubicles) and work items (phones, computers, other work tools, and equipment) when possible. If they must be shared, following the cleaning and disinfecting the building and facility guidelines to clean and disinfect shared workspaces and work items before and after use.
- Increasing physical space between employees and public by offering drive-through service or physical barriers such as partitions.
- Using signs, tape marks, or other visual cues on the floor, placed 6 feet apart, to indicate where to stand when physical barriers are not possible.
- Close or limited access to common areas where employees are likely to congregate and interact.
- Delivering services and holding meetings remotely by phone, video or internet.
- Limiting any unnecessary travel with passenger(s) from one site to another in work vehicles and personal employee vehicles.
- Eliminating all non-essential and non-related services, such as entertainment activities.
- Using videoconferencing or teleconferencing when possible for work-related meetings and gatherings.
- Canceling, adjusting, or postponing large work-related meetings or gatherings that can only occur in-person in accordance with state and local regulations and guidance.
- When videoconferencing or teleconferencing is not possible, holding meetings in open, well-ventilated spaces continuing to maintain a distance of 6 feet apart and wear cloth face coverings.

Employees will also be asked to practice social distancing outdoors including, but not limited to the following:

- When working in sports fields, playgrounds, assembly areas, and/or other outdoor areas
- Before starting the work shift
- After the work shift
- Coming and going from vehicles
- Entering, working and exiting physical buildings or other structures
- During breaks and lunch periods

2020 Keenan | License No. 0451271

Keenan & Associates is not a law firm and no opinion, suggestion, or recommendation of the firm or its employees shall constitute legal advice. Clients are advised to consult with their own attorney for a determination of their legal rights, responsibilities and liabilities, including the interpretation of any statute or regulation, or its application to the clients' business activities.

If an Employee is Sick

Employees will be asked to monitor their health each day, and are asked to notify their supervisor before their scheduled shift and prior to arriving at the site, if they have been exposed to someone with COVID-19 or you have a temperature of 100.4 or more, tiredness, chills, shortness of breath, difficulty breathing, nausea, vomiting, diarrhea, sore throat, loss of taste or smell, cough, or muscle pain.

If an employee is not feeling well and is exhibiting symptoms that may be attributed to COVID-19, such as acute respiratory symptoms or a fever, Sierra-Plumas Joint Unified School District will:

- Immediately send employees with acute respiratory illness symptoms home or to medical care as soon as possible
- Actively encourage sick employees to stay home.
- If an employee goes home because they are sick, follow the cleaning and disinfecting the building and facility guidelines to disinfect the area/room/office where the person worked, the tools and equipment they used prior to use by others.
- Employees who are well but who have a sick family member at home with COVID-19 should notify their supervisor and follow CDC-recommended precautions.

Personal Protective Equipment

While engineering and administrative controls are considered more effective in minimizing exposure to COVID-19, PPE may also be needed to prevent certain exposures. While correctly using PPE can help prevent some exposures, it should not take the place of other prevention strategies. Examples of PPE include: gloves, goggles, face shields, face masks, and respiratory protection, when appropriate. During an outbreak of an infectious disease, such as COVID-19, recommendations for PPE specific to occupations or job tasks may change depending on geographic location, updated risk assessments for workers, and information on PPE effectiveness in preventing the spread of COVID-19.

Unless otherwise directed by your supervisor, all employees must cover their mouth and nose with a cloth face cover when around others.

- You could spread COVID-19 to others even if you do not feel sick.
- Everyone should wear a [cloth face cover](#).
 - Cloth face coverings should not be placed on young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance.
- The cloth face cover is meant to protect other people in case you are infected.
- Do NOT use a facemask meant for a healthcare worker.
- Continue to keep about 6 feet between yourself and others. The cloth face cover is not a substitute for social distancing.

2020 Keenan | License No. 0451271

Keenan & Associates is not a law firm and no opinion, suggestion, or recommendation of the firm or its employees shall constitute legal advice. Clients are advised to consult with their own attorney for a determination of their legal rights, responsibilities and liabilities, including the interpretation of any statute or regulation, or its application to the clients' business activities.

Washing Facilities

Notify your supervisor if any washing facilities do not have an adequate supply of suitable cleansing agents, water and single-use towels or blowers.

Cleaning and Disinfecting

Sierra Plumas Joint Unified School District will establish routine schedules to clean and disinfect common surfaces and objects in the workplace. This includes, but is not limited to, classroom technology devices, containers, counters, tables, desks, chairs, benches, door handles, knobs, drinking fountains, refrigerators, vending machines, portable restroom and bathroom surfaces, automobiles and buses – inside and out, and trash cans.

The process of disinfecting includes providing disinfecting products, that are EPA approved for use against the virus that causes COVID-19 and following the manufacturer's instructions for all cleaning and disinfection products (e.g., safety requirements, PPE, concentration, contact time.)

Coronaviruses on surfaces and objects naturally die within hours to days. Warmer temperatures and exposure to sunlight will reduce the time the virus survives on surfaces and objects. Normal routine cleaning with soap and water removes germs and dirt from surfaces. It lowers the risk of spreading COVID-19 infection.

Disinfectants kill germs on surfaces after cleaning, that can further lower the risk of spreading infection. Employees will need to follow the district's approved disinfecting products and procedures when using disinfectants. Disinfecting procedures include:

- Some surfaces only need to be cleaned with soap and water. For example, surfaces and objects that are not frequently touched should be cleaned and do not require additional disinfection.
- Clean and disinfect frequently touched surfaces daily and shared workspaces and work items before and after use.
- Store and use disinfectants in a responsible and appropriate manner according to the label.
- Keep all disinfectants out of the reach of children. Disinfectants should typically not be applied on items used by children, especially any items that children might put in their mouths. Many disinfectants are toxic when swallowed.
- Do not overuse or stockpile disinfectants or other supplies.
- Always wear gloves appropriate for the chemicals being used when you are cleaning and disinfecting. Additional personal protective equipment (PPE) may be needed based on setting and product.
- Areas unoccupied for 7 or more days need only routine cleaning.
- Outdoor areas generally require normal routine cleaning and do not require disinfection.

2020 Keenan | License No. 0451271

Keenan & Associates is not a law firm and no opinion, suggestion, or recommendation of the firm or its employees shall constitute legal advice. Clients are advised to consult with their own attorney for a determination of their legal rights, responsibilities and liabilities, including the interpretation of any statute or regulation, or its application to the clients' business activities.

Electronics

For electronics, such as tablets, touch screens, keyboards, remote controls, and ATM machines:

- Consider putting a wipeable cover on electronics.
- Follow manufacturer's instruction for cleaning and disinfecting.
- If no guidance, use alcohol-based wipes or sprays containing at least 70% alcohol. Dry surface thoroughly.

Cleaning and Disinfecting Building or Facility if Someone is Sick:

- Close off areas used by the sick person.
- Open outside doors and windows to increase air circulation in the area.
 - Wait 24 hours before you clean or disinfect.
 - If 24 hours is not feasible, wait as long as possible.
- Clean and disinfect all areas used by the sick person, such as offices, bathrooms, common areas, shared electronic equipment like tablets, touch screens, keyboards, remote controls.
- Always wash immediately after removing gloves and after contact with a sick person.
- If more than 7 days since the sick person visited or used the facility, additional cleaning and disinfection is not necessary.
- Continue routine cleaning and disinfection

Employee Training

Sierra Plumas Joint Unified School District will provide regular training for employees on the following topics:

- What is COVID-19 and how is it spread
- Signs and symptoms of COVID-19
- When to seek medical attention if not feeling well
- Prevention of the spread of COVID-19 if you are sick
- Physical and social distancing guidelines
- Importance of washing hands with soap and water or use of hand sanitizer if soap and water are not readily available.
- Reminders and methods to avoid touching eyes, nose and mouth
- Coughing and sneezing etiquette
- Safely using cleansers and disinfectants

Compliance

This addendum will be reviewed regularly and according to federal, state and local requirements. These guidelines and written addendum are subject to change as information is received and the situation evolves.

2020 Keenan | License No. 0451271

Keenan & Associates is not a law firm and no opinion, suggestion, or recommendation of the firm or its employees shall constitute legal advice. Clients are advised to consult with their own attorney for a determination of their legal rights, responsibilities and liabilities, including the interpretation of any statute or regulation, or its application to the clients' business activities.

December 10, 2020

I will be taking a short leave of absence from January 4th, 2021 until January 22nd, 2021, to attend to family. I will return to work on Monday, January 25th, 2021.

Thank you for allowing me this time off.

Sincerely,

Melissa Bayly
Instructional Aide

Balances through December						Fiscal Year 2020/21
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund						
1100	Teachers Salaries	362,817.00	371,286.00	191,855.16	130,013.85	49,416.99
1115	Certificated Extra Duty	1,500.00	1,530.00		100.00	1,430.00
1120	Certificated Substitutes	11,000.00	10,991.00		1,290.00	9,701.00
1200	Certificated Pupil Support Ser	30,561.00	30,561.00	15,280.38	17,382.18	2,101.56
1300	Certificated Supervisor Admini	193,338.00	193,338.00	93,368.82	93,368.82	6,600.36
1310	Teacher in Charge	10,000.00	10,000.00	6,000.00	4,000.00	.00
	Total for Object 1000	609,216.00	617,706.00	306,504.36	246,154.85	65,046.79
2100	Instructional Aides' Salaries	182,919.00	189,879.00	78,923.05	39,600.43	71,355.52
2115	Classified Extra Duty	1,000.00	1,000.00		464.66	535.34
2120	Classified Substitutes	5,071.00	5,250.00		1,340.96	3,909.04
2200	Classified Support Salaries	38,348.00	101,199.00	18,405.12	11,751.17	71,042.71
2215	Classified Support Extra Duty	1,000.00	1,000.00			1,000.00
2220	Classified Substitute Salaries	1,000.00	1,000.00			1,000.00
2300	Classified Supervisors' Admini	119,910.00	145,042.00	54,637.26	54,795.00	35,609.74
2400	Clerical Technical Office Staf	131,453.00	137,203.00	64,896.03	63,006.72	9,300.25
2420	Clerical Substiture	250.00	250.00			250.00
2900	Other Classified Salaries	18,984.00	67,360.00		1,170.00	66,190.00
	Total for Object 2000	499,935.00	649,183.00	216,861.46	172,128.94	260,192.60
3101	STRS Certificated Positions	168,308.00	170,199.00	49,500.54	39,245.95	81,452.51
3102	STRS Classified Positions	24,778.00	23,898.00	466.20	431.98	22,999.82
3202	PERS Classified Positions	96,151.00	125,607.00	39,368.31	34,108.33	52,130.36
3301	OASDI Certificated Positions	4,347.00	5,000.00		14.88	4,985.12
3302	OASDI Classified Positions	30,015.00	39,748.00	13,108.04	10,378.53	16,261.43
3311	Medicare Certificated Position	8,522.00	8,659.00	4,270.74	3,440.69	947.57
3312	Medicare Classified Positions	7,181.00	9,383.00	3,110.45	2,470.01	3,802.54
3401	Health & Welfare Benefits Cert	120,128.00	137,745.00	62,016.78	46,888.33	28,839.89
3402	Health & Welfare Benefits Clas	112,389.00	76,035.00	46,722.66	46,076.69	16,764.35
3501	SUI Certificated	304.00	309.00	153.24	123.29	32.47
3502	SUI Classified	251.00	328.00	108.40	85.35	134.25
3601	Workers' Compensation Certific	22,479.00	22,656.00	11,176.14	9,003.88	2,475.98
3602	Workers' Compensation Classifi	18,948.00	24,420.00	8,139.53	6,464.37	9,816.10
3901	Golden Handshake	15,000.00	15,000.00			15,000.00
3902	Golden Handshake-Class	15,000.00	15,000.00			15,000.00
	Total for Object 3000	643,801.00	673,987.00	238,141.03	198,732.28	237,113.69
4100	Approved Textbooks Core Curric	1,103.00	3,375.00			3,375.00

Balances through December						Fiscal Year 2020/21
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund (continued)						
4300	Materials and Supplies	46,202.00	66,495.00	2,740.09	7,312.19	56,442.72
4320	Custodial Grounds Supplies	1,500.00	1,500.00	36.21	28.35	1,435.44
4330	Office Supplies	2,500.00	2,500.00	180.00	57.16	2,262.84
4350	Vehicle Upkeep	5,000.00	5,000.00	1,634.51	707.86	2,657.63
4399	Mat & Sup Undesignated Bal	879.00	2,700.00			2,700.00
4400	Noncapitalized Equipment	12,020.00	34,143.00			34,143.00
	Total for Object 4000	69,204.00	115,713.00	4,590.81	8,105.56	103,016.63
5100	Subagreements for Services	15,000.00	15,000.00			15,000.00
5200	Travel and Conference	17,079.00	24,100.00	5,102.75	5,118.95	13,878.30
5300	Dues and Membership	16,246.00	16,302.00	1,138.02	14,199.02	964.96
5400	Insurance	11,000.00	15,000.00		14,575.81	424.19
5500	Operation Housekeeping Service	14,500.00	14,500.00	3,468.71	1,589.29	9,442.00
5600	Rentals, Leases, Repairs, Nonc	1,850.00	1,850.00	507.55	253.49	1,088.96
5800	Professional Consulting	6,500.00	6,500.00			6,500.00
5801	Legal Services	18,500.00	18,500.00	2,710.00	2,207.50	13,582.50
5803	Legal Publications	500.00	500.00			500.00
5805	Personnel Expense	242.00	242.00	101.00	49.00	92.00
5808	Other Services & Fees	1,500.00	1,500.00	984.95	765.05	250.00
5810	Contracted Services	411,963.00	442,232.00	229,331.71	130,260.06	82,640.23
5899	SPJUSD to Reimburse			3,806.16	662.43	4,468.59
5900	Communications	10,500.00	10,500.00	4,638.48	5,335.77	525.75
	Total for Object 5000	525,380.00	566,726.00	251,789.33	175,016.37	139,920.30
6400	Equipment	79,255.00	92,101.00	2,330.57	49,732.44	40,037.99
6500	Equipment Replacement	15,000.00	15,000.00			15,000.00
	Total for Object 6000	94,255.00	107,101.00	2,330.57	49,732.44	55,037.99
7110	County Tuition Inter Dist Agree	25,000.00	25,000.00			25,000.00
7141	Tuition, excess cost etc betwe	24,428.00	24,428.00			24,428.00
7310	Direct Support/Indirect Costs					.00
	Total for Object 7000	49,428.00	49,428.00	.00	.00	49,428.00
	Total for Fund 01 and Expense accounts	2,491,219.00	2,779,844.00	1,020,217.56	849,870.44	909,756.00
Fund 11 - ADULT ED						
1100	Teachers Salaries		41,800.00		4,211.41	37,588.59
1300	Certificated Supervisor Admini	89,732.00	98,752.00	49,376.04	49,376.04	.08
	Total for Object 1000	89,732.00	140,552.00	49,376.04	53,587.45	37,588.51

Balances through December						Fiscal Year 2020/21
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 11 - ADULT ED (continued)						
2100	Instructional Aides' Salaries	5,684.00	11,368.00			11,368.00
2200	Classified Support Salaries	14,210.00	14,210.00			14,210.00
	Total for Object 2000	19,894.00	25,578.00	.00	.00	25,578.00
3101	STRS Certificated Positions	19,692.00	27,899.00	7,974.24	8,654.38	11,270.38
3202	PERS Classified Positions	3,031.00	5,295.00			5,295.00
3302	OASDI Classified Positions	1,233.00	1,586.00			1,586.00
3311	Medicare Certificated Position	1,301.00	2,038.00	715.98	777.03	544.99
3312	Medicare Classified Positions	288.00	370.00			370.00
3401	Health & Welfare Benefits Cert	12,767.00	12,767.00	6,383.40	6,383.40	.20
3501	SUI Certificated	45.00	70.00	24.66	26.79	18.55
3502	SUI Classified	10.00	13.00			13.00
3601	Workers' Compensation Certific	3,589.00	5,333.00	1,873.50	2,033.30	1,426.20
3602	Workers' Compensation Classifi	795.00	972.00			972.00
	Total for Object 3000	42,751.00	56,343.00	16,971.78	17,874.90	21,496.32
4100	Approved Textbooks Core Curric	5,000.00	6,500.00		5,585.26	914.74
4300	Materials and Supplies	3,000.00	20,119.00		1,856.20	18,262.80
4320	Custodial Grounds Supplies	1,500.00	2,000.00		479.34	1,520.66
4330	Office Supplies	1,000.00	3,000.00		337.28	2,662.72
4350	Vehicle Upkeep	150.00	5,000.00	1,184.22		3,815.78
4400	Noncapitalized Equipment	2,500.00	5,200.00		4,714.03	485.97
	Total for Object 4000	13,150.00	41,819.00	1,184.22	12,972.11	27,662.67
5200	Travel and Conference	1,500.00	6,500.00	761.48	145.46	5,593.06
5203	MILEAGE	1,000.00	1,000.00			1,000.00
5300	Dues and Membership	700.00	1,500.00		1,070.00	430.00
5500	Operation Housekeeping Service	1,250.00	4,200.00	3,650.52	349.48	200.00
5600	Rentals, Leases, Repairs, Nonc	2,500.00	2,500.00	1,508.25	459.01	532.74
5801	Legal Services	1,000.00	1,000.00			1,000.00
5805	Personnel Expense		100.00	50.00		50.00
5810	Contracted Services	15,000.00	17,000.00	299.80	7,153.00	9,547.20
5900	Communications	5,000.00	5,000.00	702.07	688.71	3,609.22
	Total for Object 5000	27,950.00	38,800.00	6,972.12	9,865.66	21,962.22
6200	Building and Improvement of Bu		8,000.00	7,961.50		38.50
6400	Equipment	7,633.00	7,624.00		659.15-	8,283.15
	Total for Object 6000	7,633.00	15,624.00	7,961.50	659.15-	8,321.65
7619	Other Authorized Interfund Tra	4,090.00	4,786.00			4,786.00

Balances through December						Fiscal Year 2020/21
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Total for Fund 11 and Expense accounts		205,200.00	323,502.00	82,465.66	93,640.97	147,395.37
Fund 16 - FOREST RES						
7211	Transfers of Pass-through Rev	330,000.00	330,000.00			330,000.00
7619	Other Authorized Interfund Tra	58,250.00	58,250.00			58,250.00
Total for Fund 16, Expense accounts and Object 7000		388,250.00	388,250.00	.00	.00	388,250.00
Total for Org 001 - Sierra County Office of Education		3,084,669.00	3,491,596.00	1,102,683.22	943,511.41	1,445,401.37

MINUTES FOR THE REGULAR MEETING OF THE
SIERRA COUNTY BOARD OF EDUCATION
December 14, 2020

In accordance with the Governor's Executive Order pertaining to the convening of public meetings in response to the COVID-19 pandemic, the Sierra County Board of Education held this meeting via Zoom Videoconferencing for the public.

6:00pm Regular Session

A. CALL TO ORDER

Clerk ALLEN WRIGHT called the meeting to order at 6:01pm.

B. ROLL CALL

PRESENT: Patty Hall, President
Allen Wright, ~~Clerk~~Vice President
Christina Potter, Clerk
Mike Moore, Member

ABSENT: None

VACANT: Trustee Area 4

C. APPROVAL OF AGENDA

HALL/MOORE

4/0

D. FLAG SALUTE

E. RECESS TO THE SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEETING FOR OATH OF OFFICE TO APPOINTED TRUSTEES at 6:03pm

F. RECONVENE at 6:08pm

G. ANNUAL ORGANIZATIONAL MEETING—BOARD ORGANIZATION

1. Election of Officers for 2021

The Secretary of the Board/County Superintendent will call for the election of a President. After the election is completed, the Secretary will turn the meeting over to the newly elected President. The President will then call for the election of the Vice President and the Clerk of the Board.

a. President

WRIGHT motioned to nominate Patty Hall for President. Second by MOORE.
4/0

b. Vice President

MOORE motioned to nominate Allen Wright for Vice President. Second by HALL.
4/0

c. Clerk of the Board

MOORE motioned to nominate Christina Potter for Clerk. Second by HALL.
4/0

2. The President will appoint the County Superintendent, James Berardi, as Secretary of the Board and direct the Secretary to inform the appropriate agencies of the Sierra County Office of Education of the newly elected officers.

James Berardi, County Superintendent, was appointed as Secretary of the Board.

3. Approval of the Sierra County Board of Education Meeting Calendar for 2021

MOORE/WRIGHT

4/0

H. INFORMATION/DISCUSSION ITEMS

1. Correspondence
 - a. Letter from California Department of Education, LCAP Federal Addendum Approved
2. Superintendent's Report
 - a. Adoption of Resolution No. 20-014C, Intent to withdraw from Schools Excess Liability Fund JPA (*see info page accompanying District Resolution No. 20-016D*)
MARISA GARRAMORE from TCSIG presented an overview for the Board. BERARDI: I will sign this for the County after approval for adoption on the District side.
 - b. Assignment of Patrick Wilson, Downieville Schools, .26 FTE Intervention/Support
BERARDI: The position was announced last month. Just updating you all with the assignment taking place.
 - c. Creation of Foster Youth Services and McKinney-Vento Liaison position
BERARDI: Intend to pool funds together from Foster Youth, McKinney-Vento and TUPE to support a position dedicated to coordinating the Foster Youth, Homeless Youth and TUPE programs and providing services where there are gaps.
3. Business Report
 - a. Account Object Summary-Balance from 07/01/2020 to 11/30/2020
 - b. The Sierra County Office of Education will be closed to the public for winter break from December 21, 2020 through January 1, 2021 (returning January 4)
4. Staff Reports

SELPA—BETHKE: Addressing Targeted Improvements aka Performance Indicator Review. This looks at State Testing participation rates. It only takes 3 students to fall under review with CDE in our small district. Making the District aware and looking for ideas to remedy this issue with State Testing participation.

ADULT ED—JACKSON: Working with Visitors Bureau putting together a plan for offering Career Technical training for Culinary Arts and Hospitality. COVID is making us pivot to go more virtual with this program.
5. Board Member Reports
None
6. Public Comment

NICOLE STANNARD—Can you please let the public know what is going on with Area 4?

LAURIE PETERSON—What happened with appointing the board member for Area 4?

I. CONSENT CALENDAR

1. Approval of minutes for the Regular Board Meeting held November 10, 2020
2. Approval of Board Report-Checks Dated 11/01/2020 through 11/30/2020

MOORE/WRIGHT

4/0

J. ACTION ITEMS

1. New Business
 - a. Adoption of 2020-2021 First Interim Actuals and Criteria & Standards Report as of October 31, 2020
MOORE/WRIGHT
4/0

- b. Approval of proposed increase on Classified Salary Schedules per California Minimum Wage Law, Effective January 1, 2021
WRIGHT/POTTER
4/0

BOARD POLICIES, ADMINISTRATIVE REGULATIONS, EXHIBITS, BOARD BYLAWS

MOORE motioned to approve c-g as presented. Second by *POTTER*.
4/0

- c. 1113—District and School Web Sites
 - 1. Exhibit, *NEW*
- d. 3280—Sale or Lease of District-Owned Real Property
 - 1. Board Policy, *revisions*
- e. 3530—Risk Management/Insurance
 - 1. Board Policy, *revisions*
 - 2. Administrative Regulation, *revisions*
- f. 6161.1—Selection and Evaluation of Instructional Materials
 - 1. Board Policy, *revisions*
 - 2. Administrative Regulation, *revisions*
 - 3. Exhibit, *revisions*
- g. 9323.2—Actions by the Board
 - 1. Exhibit, *revisions*

K. ADVANCED PLANNING

- 1. Next Regular Board Meetings will be held on January 12, 2021 beginning with Closed Session as needed at 5:00pm and the Regular Board Meetings at 6:00pm.
*****Location to be determined*****
- 2. Suggested Agenda Items
None

L. ADJOURN at 7:00pm
WRIGHT/MOORE
4/0

Christina Potter, Clerk

James Berardi, Superintendent
Secretary to the County Board of Education

Checks Dated 12/01/2020 through 12/31/2020

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00015796	12/11/2020	APEX SAW WORKS	01-4300	SHOP SUPPLIES		211.11
00015797	12/11/2020	CIT	01-5900	PHONE SYSTEM/MAINTENANCE		773.08
00015798	12/11/2020	HEIDI BETHKE	01-4350	MILEAGE		113.85
00015799	12/11/2020	KATIE CAMPBELL	01-4300	BREAKFAST SUPPLIES		16.74
00015800	12/11/2020	FEA	01-5200	COACHING/CLEAR ADMIN PROGRAM		3,750.00
00015801	12/11/2020	K12 MANAGEMENT DBA FUELED	11-5810	ADD-ON LICENSES		200.00
00015802	12/11/2020	GOLDEN RULE SIGNS	01-6400	TUPE SIGNS		36,886.65
00015803	12/11/2020	KELLI GROCK	01-5810	COUNSELING SERVICES		2,173.60
00015804	12/11/2020	LES SCHAWB	01-4350	VEHICLE SERVICE	32.79	
			01-5600	VEHICLE SERVICE	16.40	
			01-5899	VEHICLE SERVICE	16.40	65.59
00015805	12/11/2020	LIBERTY UTILITIES CPEC	01-5500	ELECTRICAL SERVICE	183.19	
			11-5500	ELECTRICAL SERVICE	123.56	306.75
00015806	12/11/2020	PLUMAS-SIERRA TELECOMMUNICATIONS	11-5600	BROADBAND SERVICE		109.00
00015807	12/11/2020	PRESENCELEARNING, INC.	01-5810	PRESENCE LEARNING		9,005.86
00015808	12/11/2020	RAY MORGAN COMPANY	11-5600	COPIER/MAINTENANCE		3.69
00015809	12/11/2020	SIERRA COUNTY OFFICE OF EDUCATION	01-5808	BANK SERVICE FEES		265.70
00015810	12/11/2020	VOYAGER	01-4350	FUEL EXPENSE	241.87	
			01-5899	FUEL EXPENSE	36.24	278.11
00015811	12/22/2020	AT&T	11-5900	PHONE		86.67
00015812	12/22/2020	NORTHEASTERN JOINT POWERS AUTHORITY	76-9571	WORKER'S COMPENSATION		10,411.75
00015813	12/22/2020	RAY MORGAN COMPANY	01-5600	COPIER MAINT.		17.85
00015814	12/22/2020	TRI COUNTY SCHOOLS INSURANCE GROUP	01-9535	DEC 20 HEALTH INSURANCE	2,272.00	
			76-9576	DEC 20 HEALTH INSURANCE	19,228.70	21,500.70
00015815	12/22/2020	U.S. BANK	01-4300	STUDENT FOLDERS	832.53	
				TUPE T-SHIRTS	2,023.81	
			01-4350	WIPER BLADES	38.58	
			01-5200	REGISTRATION	50.00	
			01-5899	INSTRUCTIONAL SUPPLIES	217.20	
			11-4300	CLASSROOM SUPPLIES	111.60	
			11-4320	BREAK ROOM SUPPLIES	15.82-	
			11-4330	BUSINESS PHONE	300.29	3,558.19
Total Number of Checks					20	89,734.89

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

ESCAPE ONLINE

Checks Dated 12/01/2020 through 12/31/2020

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

Fund Summary

<u>Fund</u>	<u>Description</u>	<u>Check Count</u>	<u>Expensed Amount</u>
01	County School Service Fund	15	59,175.45
11	ADULT EDUCATION	6	918.99
76	Payroll Clearing	2	29,640.45
Total Number of Checks		20	89,734.89
Less Unpaid Sales Tax Liability			.00
Net (Check Amount)			89,734.89

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

ESCAPE ONLINE

Sierra County Special Education School Accountability Report Card Reported Using Data from the 2019-2020 School Year Published During 2020-2021

By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control and Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

- For more information about SARC requirements and access to prior year reports, see the California Department of Education (CDE) SARC web page at <https://www.cde.ca.gov/ta/ac/sa/>.
- For more information about the LCFF or the LCAP, see the CDE LCFF webpage at <https://www.cde.ca.gov/fg/aa/lc/>.
- For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

DataQuest

DataQuest is an online data tool located on the CDE DataQuest web page at <https://dq.cde.ca.gov/dataquest/> that contains additional information about this school and comparisons of the school to the district and the county. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners).

California School Dashboard

The California School Dashboard (Dashboard) <https://www.caschooldashboard.org/> reflects California's new accountability and continuous improvement system and provides information about how LEAs and schools are meeting the needs of California's diverse student population. The Dashboard contains reports that display the performance of LEAs, schools, and student groups on a set of state and local measures to assist in identifying strengths, challenges, and areas in need of improvement.

About This School

School Contact Information (School Year 2020-2021)

Entity	Contact Information
School Name	Sierra County Special Education
Street	109 Beckwith Street
City, State, Zip	Loyalton, CA 96118
Phone Number	530-993-1660
Principal	Heidi Bethke
Email Address	hbethke@spjUSD.org
Website	www.sierracountyofficeofeducation.org
County-District-School (CDS) Code	46104626077267

District Contact Information (School Year 2020-2021)

Entity	Contact Information
District Name	Sierra County Office of Education
Phone Number	530-993-1660
Superintendent	James Berardi
Email Address	jberardi@spjUSD.org
Website	www.sierracountyofficeofeducation.org

School Description and Mission Statement (School Year 2020-2021)

Our mission is to provide a primary education with a goal of all children achieving literacy. We provide children with the tools to encourage their total development, enhance their self-esteem and realize their potential in a safe, secure environment.

Sierra County Office of Education Special Education serves Sierra-Plumas Joint Unified School District students. Please see individual Sierra-Plumas Joint Unified School District school sites' School Accountability Report Card for more detail.

Sierra County Office of Education students include students who attend school in the State of Nevada and are reported as out-of-state students. Therefore, no data is reflected for those students in this report.

Sierra County Special Education student population is fewer than 10, therefore no data is reflected for those students in this report. Students attending Sierra-Plumas Joint Unified School District are listed under the enrollment of their respective schools.

Student Enrollment by Grade Level (School Year 2019-2020)

Grade Level	Number of Students
Kindergarten	

Student Enrollment by Student Group (School Year 2019-2020)

Student Group	Percent of Total Enrollment
Homeless	

A. Conditions of Learning

State Priority: Basic

The SARC provides the following information relevant to the State priority: Basic (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair

Teacher Credentials

Teachers	School 2018-19	School 2019-20	School 2020-21	District 2020-21
With Full Credential	4	4	4	4
Without Full Credential	0	0	0	0
Teaching Outside Subject Area of Competence (with full credential)	0	0	0	0

Teacher Misassignments and Vacant Teacher Positions

Indicator	2018-19	2019-20	2020-21
Misassignments of Teachers of English Learners	0	0	0
Total Teacher Misassignments*	0	0	0
Vacant Teacher Positions	0	0	0

Note: "Misassignments" refers to the number of positions filled by teachers who lack legal authorization to teach that grade level, subject area, student group, etc.

*Total Teacher Misassignments includes the number of Misassignments of Teachers of English Learners.

Quality, Currency, Availability of Textbooks and Other Instructional Materials (School Year 2020-2021)

Year and month in which data were collected: N/A

Sierra County Office of Education Special Education serves Sierra-Plumas Joint Unified School District students. Those students use textbooks issued by their school of enrollment. Please see the sections on Textbooks within the individual Sierra-Plumas school sites' School Accountability Report Card for more detail.

Subject	Textbooks and Other Instructional Materials/year of Adoption	From Most Recent Adoption?	Percent Students Lacking Own Assigned Copy
Reading/Language Arts			n/a
Mathematics			n/a
Science			n/a
History-Social Science			n/a
Foreign Language			n/a
Health			n/a
Visual and Performing Arts			n/a

Subject	Textbooks and Other Instructional Materials/year of Adoption	From Most Recent Adoption?	Percent Students Lacking Own Assigned Copy
Science Laboratory Equipment (grades 9-12)			n/a

Note: Cells with N/A values do not require data.

School Facility Conditions and Planned Improvements

To determine the condition of our facilities, our district performs an annual inspection using the Facilities Inspection Tool which is issued by the Office of Public School Construction.

Based on that survey we've answered the questions you see on this report. Please note that the information reflects the condition of our building as of the date of the report. Since that time, those conditions may have changed.

School Facility Good Repair Status

Using the **most recently collected** FIT data (or equivalent), provide the following:

- Determination of repair status for systems listed
- Description of any needed maintenance to ensure good repair
- The year and month in which the data were collected
- The rate for each system inspected
- The overall rating

Year and month of the most recent FIT report: February 2020

System Inspected	Rating	Repair Needed and Action Taken or Planned
Systems: Gas Leaks, Mechanical/HVAC, Sewer	Good	
Interior: Interior Surfaces	Good	
Cleanliness: Overall Cleanliness, Pest/ Vermin Infestation	Good	
Electrical: Electrical	Good	
Restrooms/Fountains: Restrooms, Sinks/ Fountains	Good	
Safety: Fire Safety, Hazardous Materials	Good	
Structural: Structural Damage, Roofs	Good	
External: Playground/School Grounds, Windows/ Doors/Gates/Fences	Good	
Overall Rating	Exemplary	

B. Pupil Outcomes

State Priority: Pupil Achievement

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

- **Statewide assessments** (i.e., California Assessment of Student Performance and Progress [CAASPP] System, which includes the Smarter Balanced Summative Assessments for students in the general education population and the California Alternate Assessments [CAAs] for English language arts/literacy [ELA] and mathematics given in grades three through eight and grade eleven. Only eligible students may participate in the administration of the CAAs. CAAs items are aligned with alternate achievement standards, which are linked with the Common Core State Standards [CCSS] for students with the most significant cognitive disabilities); and
- The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study.

CAASPP Test Results in ELA and Mathematics for All Students

Grades Three through Eight and Grade Eleven

Percentage of Students Meeting or Exceeding the State Standard

Subject	School 2018-19	School 2019-20	District 2018-19	District 2019-20	State 2018-19	State 2019-20
English Language Arts/Literacy (grades 3-8 and 11)		N/A		N/A		N/A
Mathematics (grades 3-8 and 11)		N/A		N/A		N/A

Note: Cells with N/A values do not require data.

Note: The 2019-2020 data are not available. Due to the COVID-19 pandemic, Executive Order N-30-20 was issued which waived the requirement for statewide testing for the 2019-2020 school year.

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: ELA and mathematics test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3-Alternate) on the CAAs divided by the total number of students who participated in both assessments.

CAASPP Test Results in ELA by Student Group

Grades Three through Eight and Grade Eleven (School Year 2019-2020)

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Not Tested	Percent Met or Exceeded
All Students	N/A	N/A	N/A	N/A	N/A
Male	N/A	N/A	N/A	N/A	N/A
Female	N/A	N/A	N/A	N/A	N/A
Black or African American	N/A	N/A	N/A	N/A	N/A
American Indian or Alaska Native	N/A	N/A	N/A	N/A	N/A
Asian	N/A	N/A	N/A	N/A	N/A
Filipino	N/A	N/A	N/A	N/A	N/A
Hispanic or Latino	N/A	N/A	N/A	N/A	N/A
Native Hawaiian or Pacific Islander	N/A	N/A	N/A	N/A	N/A
White	N/A	N/A	N/A	N/A	N/A

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Not Tested	Percent Met or Exceeded
Two or More Races	N/A	N/A	N/A	N/A	N/A
Socioeconomically Disadvantaged	N/A	N/A	N/A	N/A	N/A
English Learners	N/A	N/A	N/A	N/A	N/A
Students with Disabilities	N/A	N/A	N/A	N/A	N/A
Students Receiving Migrant Education Services	N/A	N/A	N/A	N/A	N/A
Foster Youth	N/A	N/A	N/A	N/A	N/A
Homeless	N/A	N/A	N/A	N/A	N/A

Note: Cells with N/A values do not require data.

Note: The 2019-2020 data are not available. Due to the COVID-19 pandemic, Executive Order N-30-20 was issued which waived the requirement for statewide testing for the 2019-2020 school year.

CAASPP Test Results in Mathematics by Student Group Grades Three through Eight and Grade Eleven (School Year 2019-2020)

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Not Tested	Percent Met or Exceeded
All Students	N/A	N/A	N/A	N/A	N/A
Male	N/A	N/A	N/A	N/A	N/A
Female	N/A	N/A	N/A	N/A	N/A
Black or African American	N/A	N/A	N/A	N/A	N/A
American Indian or Alaska Native	N/A	N/A	N/A	N/A	N/A
Asian	N/A	N/A	N/A	N/A	N/A
Filipino	N/A	N/A	N/A	N/A	N/A
Hispanic or Latino	N/A	N/A	N/A	N/A	N/A
Native Hawaiian or Pacific Islander	N/A	N/A	N/A	N/A	N/A
White	N/A	N/A	N/A	N/A	N/A
Two or More Races	N/A	N/A	N/A	N/A	N/A
Socioeconomically Disadvantaged	N/A	N/A	N/A	N/A	N/A
English Learners	N/A	N/A	N/A	N/A	N/A
Students with Disabilities	N/A	N/A	N/A	N/A	N/A
Students Receiving Migrant Education Services	N/A	N/A	N/A	N/A	N/A
Foster Youth	N/A	N/A	N/A	N/A	N/A
Homeless	N/A	N/A	N/A	N/A	N/A

Note: Cells with N/A values do not require data.

Note: The 2019-2020 data are not available. Due to the COVID-19 pandemic, Executive Order N-30-20 was issued which waived the requirement for statewide testing for the 2019-2020 school year.

**CAASPP Test Results in Science for All Students
Grades Five, Eight, and High School
Percentage of Students Meeting or Exceeding the State Standard**

Subject	School 2018-19	School 2019-20	District 2018-19	District 2019-20	State 2018-19	State 2019-20
Science (grades 5, 8 and high school)		N/A		N/A		N/A

Note: Cells with N/A values do not require data.

Note: The 2019-2020 data are not available. Due to the COVID-19 pandemic, Executive Order N-30-20 was issued which waived the requirement for statewide testing for the 2019-2020 school year.

Note: The new California Science Test (CAST) was first administered operationally in the 2018-2019 school year.

**CAASPP Test Results in Science by Student Group
Grades Three through Eight and Grade Eleven (School Year 2019-2020)**

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Not Tested	Percent Met or Exceeded
All Students	N/A	N/A	N/A	N/A	N/A
Male	N/A	N/A	N/A	N/A	N/A
Female	N/A	N/A	N/A	N/A	N/A
Black or African American	N/A	N/A	N/A	N/A	N/A
American Indian or Alaska Native	N/A	N/A	N/A	N/A	N/A
Asian	N/A	N/A	N/A	N/A	N/A
Filipino	N/A	N/A	N/A	N/A	N/A
Hispanic or Latino	N/A	N/A	N/A	N/A	N/A
Native Hawaiian or Pacific Islander	N/A	N/A	N/A	N/A	N/A
White	N/A	N/A	N/A	N/A	N/A
Two or More Races	N/A	N/A	N/A	N/A	N/A
Socioeconomically Disadvantaged	N/A	N/A	N/A	N/A	N/A
English Learners	N/A	N/A	N/A	N/A	N/A
Students with Disabilities	N/A	N/A	N/A	N/A	N/A
Students Receiving Migrant Education Services	N/A	N/A	N/A	N/A	N/A
Foster Youth	N/A	N/A	N/A	N/A	N/A
Homeless	N/A	N/A	N/A	N/A	N/A

Note: Cells with N/A values do not require data.

Note: The 2019-2020 data are not available. Due to the COVID-19 pandemic, Executive Order N-30-20 was issued which waived the requirement for statewide testing for the 2019-2020 school year.

Career Technical Education Programs (School Year 2019-2020)

Sierra County Office of Education Special Education serves Sierra-Plumas Joint Unified School District students. Please see the Sierra-Plumas Joint Unified School District individual school sites' School Accountability Report Card for more detail.

Career Technical Education (CTE) Participation (School Year 2019-2020)

Measure	CTE Program Participation
Number of Pupils Participating in CTE	
Percent of Pupils that Complete a CTE Program and Earn a High School Diploma	
Percent of CTE Courses that are Sequenced or Articulated Between the School and Institutions of Postsecondary Education	

Courses for University of California (UC) and/or California State University (CSU) Admission

UC/CSU Course Measure	Percent
2019-20 Pupils Enrolled in Courses Required for UC/CSU Admission	
2018-19 Graduates Who Completed All Courses Required for UC/CSU Admission	

State Priority: Other Pupil Outcomes

The SARC provides the following information relevant to the State priority: Other Pupil Outcomes (Priority 8):

- Pupil outcomes in the subject areas of physical education.

California Physical Fitness Test Results (School Year 2019-2020)

Grade Level	Percentage of Students Meeting Four of Six Fitness Standards	Percentage of Students Meeting Five of Six Fitness Standards	Percentage of Students Meeting Six of Six Fitness Standards
5	N/A	N/A	N/A
7	N/A	N/A	N/A
9	N/A	N/A	N/A

Note: Cells with N/A values do not require data.

Note: The 2019–2020 data are not available. Due to the COVID-19 pandemic, Executive Order N-56-20 was issued which waived the requirement to administer the physical fitness performance test for the 2019–2020 school year.

C. Engagement

State Priority: Parental Involvement

The SARC provides the following information relevant to the State priority: Parental Involvement (Priority 3):

- Efforts the school district makes to seek parent input in making decisions for the school district and each school site

Opportunities for Parental Involvement (School Year 2020-2021)

Sierra County Office of Education welcomes parental involvement. This process is altered each year in accordance with student attendance, parent schedules and district school parent involvement activities. Parents are most involved with their children at their individual sites.

State Priority: Pupil Engagement

The SARC provides the following information relevant to the State priority: Pupil Engagement (Priority 5):

- High school dropout rates; and
- High school graduation rates.

Dropout Rate and Graduation Rate (Four-Year Cohort Rate)

Indicator	School 2016-17	School 2017-18	School 2018-19	District 2016-17	District 2017-18	District 2018-19	State 2016-17	State 2017-18	State 2018-19
Dropout Rate									
Graduation Rate									

State Priority: School Climate

The SARC provides the following information relevant to the State priority: School Climate (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety.

Suspensions and Expulsions

(data collected between July through June, each full school year respectively)

Rate	School 2017-18	School 2018-19	District 2017-18	District 2018-19	State 2017-18	State 2018-19
Suspensions						
Expulsions						

Suspensions and Expulsions for School Year 2019-2020 Only

(data collected between July through February, partial school year due to the COVID-19 pandemic)

Rate	School 2019-20	District 2019-20	State 2019-20
Suspensions			
Expulsions			

Note: The 2019-2020 suspensions and expulsions rate data are not comparable to prior year data because the 2019-2020 school year is a partial school year due to the COVID-19 crisis. As such, it would be inappropriate to make any comparisons in rates of suspensions and expulsions in the 2019-2020 school year compared to prior years.

School Safety Plan (School Year 2020-2021)

Sierra County Office of Education is situated in a small rural town. Staff members remain vigilant during school breaks and before and after school each day. Being very small and intimate, the staff is very familiar with all of the parents, guardians and other family members of the children. The school building is situated securely between Loyaltan Elementary School and the District Office Complex. All visitors are asked to check in at the school office, and regular school volunteers are screened. Our Safety Plan is based on the National Emergency Management System and is reviewed by the Board of Education annually. The plan covers emergency action procedures and general crisis management for potential situations in the classroom, outside the building and while on school buses. The School Safety Plan is reviewed annually by the administrators and the Board of Education. The school runs practice safety drills (fire, earthquake, intruder) several times a year on a surprise basis to monitor the effectiveness of each drill. This includes a week-long safety training for all staff and students.

D. Other SARC Information

The information in this section is required to be in the SARC but is not included in the state priorities for LCFF.

Average Class Size and Class Size Distribution (Elementary)

Grade Level	2017-18	2017-18	2017-18	2017-18	2018-19	2018-19	2018-19	2018-19	2019-20	2019-20	2019-20	2019-20
	Average Class Size	# of Classes* Size 1-20	# of Classes* Size 21-32	# of Classes* Size 33+	Average Class Size	# of Classes* Size 1-20	# of Classes* Size 21-32	# of Classes* Size 33+	Average Class Size	# of Classes* Size 1-20	# of Classes* Size 21-32	# of Classes* Size 33+
K												

*Number of classes indicates how many classes fall into each size category (a range of total students per class).

** "Other" category is for multi-grade level classes.

Average Class Size and Class Size Distribution (Secondary)

Subject	2017-18	2017-18	2017-18	2017-18	2018-19	2018-19	2018-19	2018-19	2019-20	2019-20	2019-20	2019-20
	Average Class Size	# of Classes* Size 1-20	# of Classes* Size 21-32	# of Classes* Size 33+	Average Class Size	# of Classes* Size 1-20	# of Classes* Size 21-32	# of Classes* Size 33+	Average Class Size	# of Classes* Size 1-20	# of Classes* Size 21-32	# of Classes* Size 33+
English Language Arts												
Mathematics												
Science												
Social Science												

*Number of classes indicates how many classrooms fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

Ratio of Pupils to Academic Counselor (School Year 2019-2020)

Title	Ratio
Academic Counselors*	

*One full time equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

Student Support Services Staff (School Year 2019-2020)

Title	Number of FTE* Assigned to School
Counselor (Academic, Social/Behavioral or Career Development)	
Library Media Teacher (Librarian)	
Library Media Services Staff (Paraprofessional)	
Psychologist	
Social Worker	
Nurse	
Speech/Language/Hearing Specialist	
Resource Specialist (non-teaching)	
Other	

*One Full Time Equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

Expenditures Per Pupil and School Site Teacher Salaries (Fiscal Year 2018-2019)

Level	Total Expenditures Per Pupil	Expenditures Per Pupil (Restricted)	Expenditures Per Pupil (Unrestricted)	Average Teacher Salary
School Site	n/a	n/a	n/a	n/a
District	N/A	N/A	n/a	61,814
Percent Difference - School Site and District	N/A	N/A	n/a	n/a
State	N/A	N/A	n/a	n/a
Percent Difference - School Site and State	N/A	N/A	n/a	n/a

Note: Cells with N/A values do not require data.

Types of Services Funded (Fiscal Year 2019-2020)

Sierra County Office of Education Special Education serves Sierra-Plumas Joint Unified School District students. Please see the Sierra-Plumas Joint Unified School District individual school sites' School Accountability Report Card for more detail.

Teacher and Administrative Salaries (Fiscal Year 2018-2019)

Category	District Amount	State Average For Districts In Same Category
Beginning Teacher Salary		
Mid-Range Teacher Salary		
Highest Teacher Salary		
Average Principal Salary (Elementary)		
Average Principal Salary (Middle)		
Average Principal Salary (High)		
Superintendent Salary		
Percent of Budget for Teacher Salaries		
Percent of Budget for Administrative Salaries		

For detailed information on salaries, see the CDE Certificated Salaries & Benefits web page at <https://www.cde.ca.gov/ds/fd/cs/>.

Advanced Placement (AP) Courses (School Year 2019-2020)

Subject	Number of AP Courses Offered*	Percent of Students In AP Courses
Computer Science		N/A
English		N/A
Fine and Performing Arts		N/A
Foreign Language		N/A
Mathematics		N/A
Science		N/A
Social Science		N/A
All courses		

*Where there are student course enrollments of at least one student.

Professional Development (Most Recent Three Years)

Measure	2018-19	2019-20	2020-21
Number of school days dedicated to Staff Development and Continuous Improvement	39	39	43

In conjunction with Sierra-Plumas Joint Unified School District, a Professional Learning Community (PLC) was implemented and meets regularly throughout the school year (typically 2 full days before students arrive on campus in the fall, additional full days as scheduled, and the remainder are partial days on Wednesdays with Early Release). The primary focus is the utilization of technology in order to increase student achievement. Please see the Sierra-Plumas Joint Unified School District individual school sites' School Accountability Report Card for more detail.

CSBA POLICY GUIDE SHEET – January 12, 2021

Note: Descriptions below identify revisions made to CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts and county offices of education should review the sample materials and modify their own policies accordingly.

Board Policy 4119.25/4219.25/4319.25 - Political Activities of Employees

Policy updated to recognize the importance of employee political activity, voting, and civic engagement, and reflect Pickering v. Board of Education Township High School District regarding the prohibition against dismissing or demoting an employee due to engagement in constitutionally protected political activity.

Administrative Regulation 4119.25/4219.25/4319.25 - Political Activities of Employees

Regulation updated to reflect law which makes it a misdemeanor to use any reproduction of the district's seal in any campaign literature or mass mailing with the intent to deceive voters, the prohibition against posting or distributing political campaign materials in classrooms or through distance learning platforms, and the court's decision in San Leandro Teachers Association v. Governing Board of San Leandro Unified School District regarding the district's ability to refuse to permit the use of school mailboxes for union communications involving candidate endorsements. Regulation also updated to delete material regarding employee organization communications which do not constitute political activity, now addressed in 4140/4240/4340 - Bargaining Units, and to delete material regarding employee activities during a concerted action or work stoppage.

Board Policy 4140/4240/4340 - Bargaining Units

Policy updated to reflect Public Employment Relations Board decisions regarding the wearing of union buttons, clarify material regarding employees in management, senior management, and confidential positions, divide material regarding "Access to Employee Orientations" and "Access to Employee Contact Information," and add section on "Communications with Employees" with material formerly in AR 4119.25/4219.25/4319.25 - Political Activities of Employees.

Board Policy 5113.1 - Chronic Absence and Truancy

Policy updated to designate the attendance supervisor as the person responsible for performing various assignments related to absence and truancy; reflect a tiered approach for reducing chronic absence which includes universal strategies and letters to parents/guardians; expand material regarding early intervention; add the provision of training and information to staff for the implementation of a trauma-informed approach to chronic absence; reflect chronic absence as a measure of district and school performance on the California School Dashboard; and add grade level to the list of specific data to be provided to the board regarding attendance, absence, and truancy.

Administrative Regulation 5113.1 - Chronic Absence and Truancy

Regulation updated to reflect law allowing the referral of a chronic absentee (rather than a student who is "irregular in attendance") to a school attendance review board (SARB), a truancy mediation, or a comparable program and requiring documentation of the interventions undertaken at the school when making such a referral. Regulation also revised to give students who are absent the opportunity to make up missed work for full credit and support to limit the impact of absences on grades. Regulation clarifies that parents/guardians of students between 13 and 18 years of age must be notified, upon initial identification of their child for truancy, that the student may be subject to suspension, or delay of driving privilege.

NEW TO SCOE/SPJUSD - Administrative Regulation 5113.11 - Attendance Supervision

Regulation updated to reflect the requirements to investigate complaints of violations of compulsory education laws, gather and transmit to the county superintendent of schools the number and type of referrals made to the SARB and of requests for petitions made to the juvenile court, and refer a matter to court if a parent/guardian continually and willfully fails to respond to SARB directives or services.

Board Bylaw 9012 - Board Member Electronic Communications

Bylaw updated to clarify that electronic communications should not be used as a means to restrict access to a public forum, that meeting locations include teleconference locations, and that the prohibition against serial meetings includes a series of communications directly or through intermediaries. Bylaw reflects **NEW LAW (AB 992, 2020)** which authorizes board members to engage in separate conversations or communications on social media platforms that are open and accessible to the public as long as a majority of the board does not use the platform to discuss among themselves business within the subject matter jurisdiction of the board, board members do not respond directly to any communication from other board members, and board members do not comment on or use digital icons to express reactions to communications made by other board members. Bylaw also references court decisions which clarify that a public official's social media account which includes discussion of public business may be considered a public forum from which the official cannot exclude access or comments by members of the public based on viewpoint.

Board Bylaw 9320 - Meetings and Notices

Bylaw updated to clarify that meeting locations include teleconference locations and reflect **NEW LAW (AB 992, 2020)** which authorizes board members to engage in separate conversations or communications on social media platforms that are open and accessible to the public as long as a majority of the board does not use the platform to discuss among themselves business within the subject matter jurisdiction of the board, board members do not respond directly to any communication from other board members, and board members do not comment on or use digital icons to express reactions to communications made by other board members. Bylaw also updated to clarify the vote requirements for holding a closed session during an emergency meeting and for adjourning or continuing a board meeting to a later time or location.

Sierra County/Sierra-Plumas Joint USD

Board Policy

All Personnel

BP 4119.25 ~ 4219.25 ~ 4319.25

POLITICAL ACTIVITIES OF EMPLOYEES

Note: The following policy pertains to political activities of individual employees acting on their own behalf as well as employee organizations. Employees engaging in political activities on behalf of the district are subject to legal limitations as discussed in BP 1160 - Political Processes. For any portion of the district's educational program that includes instruction related to political philosophy or activities which may be controversial in nature, see the accompanying administrative regulation and BP 6144 - Controversial Issues.

The First Amendment generally prohibits districts from disciplining an employee because of the employee's engagement in constitutionally protected political activity. In Pickering v. Board of Education Township High School District, the U.S. Supreme Court held that a teacher may not be dismissed for exercising the right to speak on issues of public importance, including criticisms of the board and superintendent, without proof of false statements made knowingly or recklessly. However, an employee may be disciplined if the speech impedes the employee's proper performance of daily duties or interferes with the regular operation of the schools.

Districts should be careful that employee discipline does not amount to retaliation in response to the exercise of free speech protected by the First Amendment, and are encouraged to consult legal counsel as appropriate.

The Governing Board recognizes the importance of political activity, voting, and civic engagement, and respects the right of school district employees to engage in political discussions and activities as individuals on their own time and at their own expense. ~~On~~When engaging in such ~~occasions~~activities, employees shall make it clear that they are acting ~~as individuals on their own behalf~~ and not as representatives of the district.

(cf. 1160 - Political Processes)

Like other community members, (cf. 6144 - Controversial Issues)

District employees, as members of the community, may use school facilities for meetings, including political activities, as permitted under the Civic Center Act and district policy.

(cf. 1330 - Use of School Facilities)

Employees shall refrain from prohibited political activities identified in law, Board policy, and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

(cf. 1325 - Advertising and Promotion)

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

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

Legal Reference:

EDUCATION CODE

7050-~~7057~~7058 *Political activities of school officers and employees*

38130-38139 *Civic Center Act*

51520 *Prohibited solicitations on school premises*

ELECTIONS CODE

18304 Prohibition against use of district seal in campaign literature

GOVERNMENT CODE

3543.1 *Rights of employee organizations*

8314 Prohibition against use of public resources for campaign activity

82041.5 Definition of mass mailing

PENAL CODE

424 Punishment for misuse of public funds

COURT DECISIONS

Heffernan v. City of Paterson, (2016) 136 S. Ct. 1412

Diquisto v. County of Santa Clara, (2010) 181 Cal. App. 4th 236

San Leandro Teachers Association v. Governing Board of the San Leandro Unified School District, (2010) 46 Cal. 4th 822

Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003

California Teachers Association v. Governing Board of San Diego Unified School District, (1996) 45 Cal.App. 4th 1383

L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551

Pickering v. Board of Education Township High School District, (1968) 88 S. Ct. 1731

ATTORNEY GENERAL OPINIONS

84 *Ops. Cal. Atty. Gen.* 106 (2001)

84 *Ops. Cal. Atty. Gen.* 52 (2001)

77 *Ops. Cal. Atty. Gen.* 56 (1994)

PERB-PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS

California Federation of Teachers, Local 1931 v. Sacramento, (2019) PERB Dec. No. 2702m

Conejo Valley Unified School District, (2009) PERB Dec. No. 2054

East Whittier School District, (2004) PERB Dec. No. 1727

Turlock Joint Elementary School District, (2004) PERB Dec. No. 1490a

San Diego Community College District, (2001) PERB Order #Dec. No. 1467-(26 PERC 33014)

Management Resources:

CSBA PUBLICATIONS

Political Activities of School Districts: Legal Issues, 1998, revised 2001

WEB SITES

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

California Office of the Attorney General, ~~Dept. of Justice~~: <http://eaag.stateoag.ca.us/gov>

Public Employment Relations Board: <http://www.perb.ca.gov>

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

Policy adopted: April 10, 2007

revised: January 12, 2021

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

All Personnel

AR 4119.25 ~ 4219.25~ 4319.25

POLITICAL ACTIVITIES OF EMPLOYEES

Note: Education Code 7055 authorizes the Governing Board to establish rules and regulations related to officers and employees engaging in political activity during working hours and political activities on district premises.

No employee shall be prohibited from soliciting or receiving political funds or contributions to promote the support or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

Personnel

District employees shall not:

- 1.- Use district funds, services, supplies ~~or~~, equipment, work hours, or other public resources to urge the ~~passagesupport~~ or defeat of any ballot measure or candidate, including any candidate for election to the Governing Board of Education (Education Code 7054, 7056; Government Code 8314)
2. Use the district's seal in any campaign literature or mass mailing with the intent to deceive voters, including, but not limited to, the use of a reproduction or facsimile of the seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by the Board, a Board member, or the district (Elections Code 18304)
(*cf. 1160 - Political Processes*)
- ~~2.-3.~~ During working hours ~~and on district property~~, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service or other working conditions (Education Code 7056)

~~3.-~~ Note: Items #4-9 below present examples of other types of activities that are not specified in law but would be prohibited as they constitute a use of public funds, services, supplies or equipment.

4. During working hours ~~and on district property~~, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures
- ~~4. Use district time to urge the passage or defeat of any ballot measure or candidate~~

- 5.- Use district equipment for the preparation or reproduction of political campaign materials; ~~even if the district is reimbursed~~
(*cf. 3512 - Equipment*)
- 6.- Post or distribute political campaign materials in classrooms, through distance learning platforms, or on district property
- 7.- Disseminate political campaign materials through the district's mail service, e-mail, or staff mailboxes
(*cf. 4040 - Employee Use of Technology*)
- 8.- Use students to write, address, or distribute political campaign materials
- 9.- Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of ~~opposing views~~ all perspectives
(*cf. 6144 - Controversial Issues*)

Note: Optional item #10 below prohibits employees from wearing political buttons during instructional time. In California Teachers Association v. Governing Board of San Diego, the appellate court concluded that a district may prevent its employees from wearing political buttons in its classrooms and when they are otherwise engaged in providing instruction to the district's students. The ruling in this case applied to both elementary and secondary teachers. This decision supports and expands upon an earlier Attorney General opinion of 1994, which made a similar conclusion regarding elementary teachers only. Districts that decide to allow teachers to wear political buttons during instructional time may not support this activity with public funds nor selectively permit some speech while prohibiting other speech.

The authority to prohibit political buttons does not extend to noninstructional time. Although not binding, in 2001 the Attorney General opined that teachers cannot be prevented from wearing political buttons at Back-to-School Night because it is a noninstructional setting, parents/guardians are less likely than students to be unduly influenced by these political expressions, and teachers' political buttons are not likely to be perceived as reflecting the district's views.

In East Whittier School District, the Public Employment Relations Board (PERB) found that the wearing of union buttons that favor or oppose any matter that is the subject of negotiations does not constitute a political activity, and that a district policy prohibiting employees from wearing such buttons violated the Educational Employment Relations Act. See BP 4140/4240/4340 - Bargaining Units.

10. Wear buttons, hats, or other articles of clothing that express political opinions on ballot measures or candidates during instructional time

~~However, teachers shall not be prohibited from wearing political buttons during noninstructional time, such as Back to School Night.~~

~~Nothing in Board policy or administrative regulation shall be construed to prevent employees from soliciting or receiving funds or contributions for political purposes during nonworking time, including before and after school, the lunch period or other scheduled work intermittency during the school day. Political Activities of (~~Education Code 7056~~)~~

Employee Organizations

~~Employee organizations may use district mailboxes and other means to communicate with~~

~~employees, subject to reasonable regulation. Employee organizations may have access at reasonable times to areas in which employees work; may use institutional bulletin boards, mailboxes, and other means of communication and may use district facilities at reasonable times for the purpose of meetings. (Government Code 3543.1)~~

Note: In San Leandro Teachers Association v. Governing Board of San Leandro Unified School District, the California Supreme Court held that the district's refusal to permit union communication through school mailboxes which included endorsements of certain school board candidates was within the scope of Education Code 7054. The court concluded that the policy did not violate Government Code 3543.1, which gives school employee organizations the right to use internal mailboxes subject to "reasonable regulation." It further held that a policy that bans candidate endorsements pursuant to Education Code 7054 to preserve the integrity of the electoral process does not unduly limit a union's statutory right of access nor does it interfere with the union's core mission of advocating for its members. The court emphasized the narrowness of its holding, and stated that school boards are not prohibited from opening up mailboxes to political endorsement literature as long as this "nonpublic forum" is made available to all sides on an equitable basis. This holding does not extend to literature that merely urges the involvement in upcoming elections and informs union members how to do so, or engages in public policy discussion in more general terms. Also see PERB rulings in Conejo Valley Unified School District and San Diego Community College District.

Employee organizations shall not use district funds, services, supplies, or equipment, such as staff mailboxes or the district mail system, to urge the passagesupport or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)
(cf. 4140/4240/4340 - Bargaining Units)

~~Access to district communication channels shall be limited in cases where such access would be disruptive to district operations.~~

~~In the event of a concerted action or work stoppage, political activities by employee organizations and individual employees shall be restricted to peaceful informational picketing and other activities allowed by law.~~

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

No employee organization or its officers, agents, or representatives shall be prohibited from soliciting or receiving political funds or contributions to promote the passage or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
Regulation approved: April 10, 2007
revised: January 12, 2021

Sierra County/Sierra-Plumas Joint USD

Board Policy

All Personnel

BP 4140 ~ 4240 ~ 4340

BARGAINING UNITS

Note: Pursuant to Government Code 3544, an employee organization may become the employees' exclusive representative for negotiations by filing a request with the district providing proof that a majority of the employees in an appropriate unit wish to be represented by that organization. Notice of such request must be immediately posted conspicuously on all employee bulletin boards in each district facility in which members of the unit are employed. Government Code 3544.1 requires the district to grant the request for recognition unless (1) the district doubts the appropriateness of the unit, (2) another employee organization files a challenge to the appropriateness of the unit or submits a competing claim of representation within 15 work days of the posting of notice of the written request, or (3) the district currently has a lawful written agreement with another employee organization representing the same employees.

Pursuant to Government Code 3540.1, the definition of "exclusive representative" includes representation of "all public school employees" other than management and confidential employees, as defined.

Government Code 3543 provides that public school employees have the right to represent themselves individually in their employment relations with the district except that, once an exclusive representative has been recognized, an employee in that unit is prohibited from meeting and negotiating with the district.

The Governing Board of Education recognizes the right of district employees to form a bargaining unit, select an employee organization as their exclusive representative, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with recognized employee organizations and respecting the rights of employees and employee organizations.

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code 3543.5)

Note: In East Whittier School District, the Public Employment Relations Board (PERB) found that the district's policy limiting the wearing of union buttons that favor or oppose any matter that is the subject of negotiations in the classroom or in other instructional areas in the presence of students violated the Educational Employment Relations Act, as there was no finding of special circumstances which would limit the established right of employees to wear union buttons in the workplace, nor was there a finding that wearing the union buttons was a political activity. PERB continues to use a case-by-case approach to determine whether a district's policy restricting employees from wearing union buttons is justified by special circumstances. See PERB's ruling in City of Sacramento. Due to the legal uncertainty in this area, districts are encouraged to consult legal counsel prior to limiting the wearing of union buttons that support the union's position in collective bargaining.

Employees shall not be prohibited from wearing union buttons or other items that favor or oppose the formation of a bargaining unit or any matter that is the subject of negotiations.

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

Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (Government Code 3545)

The district may recognize a bargaining unit of supervisory employees if: (Government Code 3545)

1. The bargaining unit includes all supervisory employees.
2. The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.
(cf. 4300 - Administrative and Supervisory Personnel)
(cf. 4301 - Administrative Staff Organization)
(cf. 4312.1 - Contracts)

For this purpose, *supervisory employee* means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be merely routine or clerical in nature, but shall require the use of independent judgment. (Government Code 3540.1)

Note: Pursuant to Government Code 3543.4, management and confidential employees, as defined in Government Code 3540.1, are excluded from the right to be represented in negotiations by an employee organization. The Public Employment Relations Board ultimately determines, based upon the duties of the position, which positions qualify as "management" or "confidential" and thus are excluded from bargaining.

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. Such employees may represent themselves individually ~~or~~. For purposes other than negotiations and bargaining, such employees may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. ~~When represented by an employee organization, that organization shall not meet and negotiate with the district.~~ For this purpose: (Government Code 3540.1, 3543.4)

1. *Management employee* means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.
2. *Confidential employee* means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

Membership

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate

against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code 3543.5, 3550)
(*cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights*)

Note: The remainder of this section is optional. Government Code 3553 establishes requirements for districts that choose to disseminate a mass communication regarding employees' rights to join, support, or refrain from joining or supporting an employee organization. A "mass communication" means any written document, including a script for an oral or recorded presentation or message, intended for multiple employees.

Districts should exercise caution and consult with legal counsel before communicating with employees about their rights to join or not join an employee organization to avoid violating the law against unfair labor practices. When an employee approaches the district with questions specifically about the benefits of the membership in an employee organization, the employee should be referred to the employee organization.

The Superintendent or designee may communicate with district employees regarding their rights under the law. Such communications shall be factual and accurate, and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication provided that, at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

Access to Employee Orientations ~~and Contact Information~~

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. (Government Code 3555.5, 3556)

The structure, time, and manner of the access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative, following a request to negotiate by either party. If the district and exclusive representative fail to reach an agreement, matters related to the access to new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. (Government Code 3556, 3557)

The date, time, and place of the orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. (Government Code 3556)

Access to Employee Contact Information

Note: Pursuant to Government Code 3558, districts are required to provide recognized employee organizations with specified contact information for new employees in the bargaining unit, as provided below. The information required by Government Code 3558 must be provided in a manner consistent with Government Code 6254.3, which authorizes disclosure of an employee's home address, home telephone number(s), and personal cell phone number to an employee organization unless the district receives a written request by the employee to not disclose the information. Pursuant to Government Code 6254.3, the personal email address of an employee is not disclosable unless used by the employee to conduct public business. The following paragraph should be revised if districts have an agreement with their employee organization(s) requiring more frequent or more detailed contact lists.

In County of Los Angeles v. Service Employees International Union, Local 721, the California Supreme Court held that (1) an employer has a duty to provide information relevant to collective bargaining to the applicable bargaining unit and failure to do so is a violation of the employer's obligation to bargain in good faith; (2) the disclosure of an employee's home address and phone number(s) by an employer to the union is presumptively relevant to the union's role as bargaining agent and does not violate the employee's constitutional right of privacy; and (3) other avenues for implementing privacy safeguards are available, such as bargaining for a notice and opt-out procedure or drafting employment contracts that will notify employees that their home contact information is subject to disclosure to the union and that they may request nondisclosure.

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire. In addition, the Superintendent or designee shall provide the same information in regard to all employees in the bargaining unit to an exclusive representative at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative. (Government Code 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor ~~shall he/she~~ disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code 6207 or of any employee who provides a written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. (Government Code 3558, 6207, 6254.3)

(cf. 1340 - Access to District Records)

Communications with Employees

Employee organizations may have access at reasonable times to areas in which employees work and may use district facilities at reasonable times for the purpose of meetings. Subject to reasonable regulation, employee organizations may also use institutional bulletin boards, mailboxes, and other means of communication to communicate with employees. (Government Code 3543.1)

Access to district means of communication shall be limited in cases where such access would be disruptive to district operations.

Membership Dues or Other Payments to an Employee Organization

Note: Bargaining unit employees who choose to join the employee organization pay membership dues, which are deducted from the employee's salary or wage payment as provided below. Pursuant to the U.S. Supreme Court's decision in Janus v. American Federation of State, County, and Municipal Employees, bargaining unit employees who choose not to join an employee organization cannot be required to pay any fees to the employee organization. However, pursuant to Education Code 45060 and 45168, an employee who chooses not to join an employee organization may be charged fees for applicable services, programs, or committees provided to the employee by the employee organization if that nonmember employee first affirmatively and voluntarily consents to pay those fees to the employee organization, as required by Janus v. AFSCME.

Education Code 45060 and 45168 set forth the process for handling authorizations, changes, and cancellations for dues or other payments, and provide safeguards for districts that rely on information provided by an employee organization concerning such payroll deductions (i.e., the employee organization's indemnification of the district against any employee's claim based on such reliance).

When drawing an order for the salary or wage payment of a bargaining unit employee of an employee organization, the district shall deduct any amount which has been requested by the employee in a revocable written authorization for the purpose of paying dues or other payments for any service, program, or committee provided or sponsored by the employee organization. (Education Code 45060, 45168)

An employee organization that certifies that it has and will maintain individual employee authorizations shall handle and process employee written authorizations for payroll deductions. When an employee organization provides such a certification to the district, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and from which employees. The employee organization shall not be required to submit to the district a copy of the written authorization in order for the payroll deductions to be effective. However, when there is a dispute about the existence or terms of the written authorization, a copy of the employee's written authorization shall be submitted to the district. The employee organization shall indemnify the district for any employee claims regarding payroll deductions made by the district in reliance on notification from the employee organization. (Education Code 45060, 45168)

When an employee organization which has declined to certify that it will handle and process employee written authorizations makes a request for payroll deductions, the district shall request a copy of the employee's written authorization before making the payroll deductions. (Education Code 45060, 45168)

A written authorization shall remain in effect until expressly revoked in writing by the employee and pursuant to the terms of the written authorization. Employee requests to cancel or change authorizations for payroll deductions for employee organizations shall be directed to the employee organization rather than the district. The employee organization shall be responsible for processing these requests. The district shall rely on the information provided by the employee organization regarding whether deductions for an employee organization were properly canceled or changed. The employee organization shall be required to indemnify the district for any claims made by an employee for deductions made by the district in reliance on information from the employee organization. (Education Code 45060, 45168)

*Legal Reference:*EDUCATION CODE*45060-45061.5 Deduction of fees from salary or wage payment, certificated employees**45100.5 Senior management positions**45104.5 Abolishment of senior classified management positions**45108.5 Definition of senior classified management employees**45108.7 Waiver of provisions of 45108.5**45168 Deduction of fees from salary or wage payment, classified employees**45220-45320 Merit system, classified employees*GOVERNMENT CODE*3540-3549.3 Educational Employment Relations Act, especially:**3540.1 Definitions**3543.4 Management position; representation**3545 Appropriateness of unit; basis**3550-3552 Prohibition on public employers deterring or discouraging union membership**3555-3559 Public employee communication, information and orientation**6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking**6254.3 Disclosure of employee contact information to employee organization**6503.5 Joint powers agencies**53260-53264 Employment contracts*CODE OF REGULATIONS, TITLE 8*33015-33490 Recognition of exclusive representative; proceedings**33700-33710 Severance of established unit**34020 Petition to rescind organizational security arrangement**34055 Reinstatement of organizational security arrangement*COURT DECISIONS*Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138 S.Ct. 2448**Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083**County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905*PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS*City of Sacramento, (2019) PERB Dec. No. 2702m**East Whittier School District, (2004) PERB Dec. No. 1727**Management Resources:*WEB SITES*CSBA: <http://www.csba.org>**Association of California School Administrators: -<http://www.acsa.org>**California Federation of Teachers: -<http://www.cft.org>**California School Employees Association: -<http://www.csea.com>**California Teachers Association: -<http://www.cta.org>**Public Employment Relations Board: -<http://www.perb.ca.gov>*

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

*Policy adopted: April 10, 2007**revised: February 14, 2012**revised: December 12, 2017**revised: October 9, 2018**revised: January 12, 2021*

Sierra County/Sierra-Plumas Joint USD

Board Policy

Students

BP 5113.1

CHRONIC ABSENCE AND TRUANCY

Note: The following optional policy addresses both chronic absence, which refers to students missing an excessive number of school days for any reason, whether excused or unexcused, and truancy, which refers to students missing school and/or being tardy without a valid excuse. Education Code 48260 defines a "valid excuse" for purposes of classifying students as truants; see the accompanying administrative regulation. Also see BP/AR 5113 - Absences and Excuses for information about methods of verification of student absences.

The Governing Board believes that absenteeism, whatever the cause, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district.

(cf. 5113 - Absences and Excuses)

(cf. 5113.11 - Attendance Supervision)

Note: The following paragraph may be revised to reflect district practice. Districts must track student attendance for the purpose of reporting chronic absenteeism for the state accountability system (the California School Dashboard) and identifying students who are classified as truants pursuant to Education Code 48260-48273. Tools to calculate chronic absence, such as the District Attendance Tracking Tool and School Attendance Tracking Tool, are available from Attendance Works.

The Superintendent or designee shall establish a system to accurately track student attendance in order to identify individual students who are chronic absentees and truants, as defined in law and administrative regulation, and to identify patterns of absence throughout the district. ~~He/she shall provide the Board with data on school attendance, chronic absence, and truancy rates districtwide, for each school, and disaggregated for each numerically significant student subgroup as defined in Education Code 52052. Such data shall be used in the development of annual goals and specific actions for student attendance and engagement to be included in the district's local control and accountability plan and other applicable school and district plans.~~

~~*(cf. 0400 - Comprehensive Plans)*~~

~~*(cf. 0420 - School Plans/Site Councils)*~~

~~*(cf. 0450 - Comprehensive Safety Plan)*~~

~~*(cf. 0460 - Local Control and Accountability Plan)*~~

Note: In developing strategies for addressing chronic absence and truancy, districts may consider reasons for absences given by individual students as well as survey data using tools such as the California Healthy Kids Survey and/or the California School Climate, Health, and Learning Survey System available from WestEd.

~~*(cf. 0500 - Accountability)*~~

The Superintendent, attendance supervisor, or designee shall consult with students, parents/guardians, school staff, and community agencies, as appropriate, to identify factors contributing to chronic absence and truancy.

~~The Superintendent, attendance supervisor, or designee shall develop strategies that focus on prevention of a tiered approach to reducing chronic absence. Such an approach shall include strategies for preventing attendance problems, which may include, but are not limited to, efforts to provide a safe and positive school environment, relevant and engaging learning experiences, school activities that help develop students' feelings of connectedness with the school, school-based health services, letters alerting parents/guardians to the value of regular school attendance, and incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance. The Superintendent or designee also shall develop strategies that enable early outreach to students as soon as they show signs of poor attendance.~~

The tiered approach shall also provide for early outreach to students as soon as they show signs of poor attendance or if they were chronically absent in the prior school year. Early intervention may include personalized outreach, individual attendance plans, and/or mentoring to students with moderate levels of chronic absence, with additional intensive, interagency wrap-around services for students with the highest level of absence.

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

(cf. 5126 - Awards for Achievement)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.6 - School Health Services)

(cf. 5145.3 - Nondiscrimination/Harassment)

~~The Superintendent or designee shall consult with students, parents/guardians, school staff, and community agencies, as appropriate, to identify factors contributing to chronic absence and truancy.~~

~~Interventions for students~~Students with serious attendance problems shall be ~~designed to meet the provided with interventions~~ specific to their needs ~~of the student and, which~~ may include, but are not limited to, health care referrals, transportation assistance, counseling for mental or emotional difficulties, academic supports, efforts to address school or community safety concerns, discussions with the student and parent/guardian about their attitudes regarding schooling, or other strategies to remove identified barriers to school attendance. The Superintendent, attendance supervisor, or designee may collaborate with child welfare services, law enforcement, courts, public health care agencies, other government agencies, and/or medical, mental health, and oral health care providers to make alternative educational programs and support services available for students and families.

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

~~*(cf. 1020 - Youth Services)*~~

(cf. 5030 - Student Wellness)

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

(cf. 5147 - Dropout Prevention)

(cf. 6158 - Independent Study)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6175 - Migrant Education Program)

(cf. 6179 - Supplemental Instruction)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6183 - Home and Hospital Instruction)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

The Superintendent or designee shall ensure that staff assigned to fulfill attendance-related duties are trained in implementing a trauma-informed approach to chronic absence and receive information about the high correlation between chronic absence and exposure to adverse childhood experiences.

(cf. 4131 - Staff Development)

Note: State law establishes a series of interventions that the district is required or authorized to impose depending on the number of trancies committed by a student; see the accompanying administrative regulation. Habitually truant students, as defined in Education Code 48262, may be referred to a school attendance review board (SARB) if established by the county office of education or to a SARB established by the district Governing Board pursuant to Education Code 48321; see BP/AR 5113.12 - District School Attendance Review Board. Instead of the SARB process, students may be referred to a truancy mediation program operated by the county's district attorney or probation officer pursuant to Education Code 48260.6. Education Code 48264.5 authorizes, but does not require, students who continue to be truant after receiving these interventions to be referred to a juvenile court. Parents/guardians of students who are identified as truant may be subject to penalties pursuant to Education Code 48293, Penal Code 270.1, and/or Penal Code 272.

Students who are identified as chronically absent or truant shall be subject to the interventions specified in law and administrative regulation.

(cf. 5113.12 - District School Attendance Review Board)

Note: Education Code 48900 expresses legislative intent that alternatives to suspension or expulsion be used with students who are truant, tardy, or otherwise absent from assigned school activities; see BP 5144 - Discipline and BP 5144.1 - Suspension and Expulsion/Due Process.

A student's truancy, tardiness, or other absence from school shall not be the basis for his/her suspension or expulsion. Alternative strategies and positive reinforcement for attendance shall be used whenever possible.

(cf. 5144 - Discipline)

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

Note: Education Code 52060 requires districts to include the rates of school attendance, chronic absence, dropout, and graduation, as applicable, in their local control and accountability plan (LCAP); see BP/AR 0460 - Local Control and Accountability Plan.

The California School Dashboard includes measures of district and school performance in each priority area addressed in the LCAP, including chronic absence for grades K-8. The Dashboard reports the degree to which districts and schools meet performance criteria as well as changes in performance from year to year. See BP 0500 - Accountability. For grades 9-12, chronic absence rates are available through the California Department of Education's DataQuest.

The Superintendent, attendance supervisor, or designee shall periodically report to the Board regarding ~~the district's progress in improving~~ student attendance ~~rates for all students~~ patterns in the district, including rates of chronic absence and truancy districtwide and for each school, grade level, and numerically significant student populationsubgroup as defined in Education Code 52052. Such information shall be used to evaluate the effectiveness of strategies implemented to reduce chronic absence and truancy and to ~~make changes as needed.~~ develop annual goals and specific actions for student attendance and engagement to be included in the district's local control and accountability plan and other applicable school and district plans. As appropriate, the Superintendent or designee shall engage school staff in program evaluation and improvement and in the determination of how to best allocate available community resources.

(cf. 0500 - Accountability)
(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

EDUCATION CODE

1740-1742 Employment of personnel to supervise attendance (county superintendent)
 37223 Weekend classes
 46000 Records (attendance)
 46010-46014 Absences
 46110-46119 Attendance in kindergarten and elementary schools
 46140-46147 Attendance in junior high and high schools
 48200-48208 Children ages 6-18 (compulsory full-time attendance)
 48225.5 Work permits, entertainment and allied industries
 48240-48246 Supervisors of attendance
 48260-48273 Truants
 48290-48297 Failure to comply; complaints against parents
 48320-48325 School attendance review boards
 48340-48341 Improvement of student attendance
 48400-48403 Compulsory continuation education
 48900 Suspension and expulsion
 49067 Unexcused absences as cause of failing grade
 52052 **Academic Performance Index** Accountability; numerically significant student subgroups

60901 Chronic absence

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

PENAL CODE

270.1 Chronic truancy; parent/guardian misdemeanor
 272 Parent/guardian duty to supervise and control minor child; criminal liability for truancy
 830.1 Peace officers

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

256-258 Juvenile hearing officer
 601-601.4 Habitually truant minors
 11253.5- Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence
 420-421 Record of verification of absence due to illness and other causes

COURT DECISIONS

L.A. v. Superior Court of San Diego County, (2012) 209 Cal.App.4th 976

Management Resources:

CSBA PUBLICATIONS

Attendance Awareness Month, Fact Sheet, September 2014

ATTENDANCE WORKS PUBLICATIONS

Count Us In! Working Together to Show that Every School Day Matters, 2014

District Attendance Tracking Tool

For School Board Members: Frequently Asked Questions About Chronic Absence

School Attendance Tracking Tool

Bringing Attendance Home: Engaging Parents in Preventing Chronic Absence, 2015

The Power of Positive Connections: Reducing Chronic Absence Through PEOPLE: Priority Early Outreach for Positive Linkages and Engagement, 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Attendance Review Board ~~Handbook~~: A Road Map for Improved School Attendance and Behavior, 2015 rev. 2018

School Attendance Improvement Handbook, 2000

WEB SITES

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

Attendance Works: <http://www.attendanceworks.org>

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

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

California Healthy Kids Survey: <http://chks.wested.org>

California School Climate, Health, and Learning Survey System: <http://www.cal-schls.wested.org>

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

Policy adopted: April 10, 2007

revised: February 12, 2013

revised: June 17, 2015

revised: November 14, 2017

revised: January 12, 2021

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Students

AR 5113.1

CHRONIC ABSENCE AND TRUANCY

Note: The following administrative regulation may be revised to reflect the district personnel responsible for duties related to attendance supervision and matters related to chronic absence and truancy. Pursuant to Education Code 48240-48246, the district may appoint an attendance supervisor, join a consortium of districts to employ an attendance supervisor, or contract with the County Superintendent of Schools to supervise the attendance of district students. See AR 5113.11 - Attendance Supervision.

Education Code 48273 mandates that the district adopt rules and regulations related to reports of district referrals to a school attendance review board (SARB). See the section on "Reports" below for language fulfilling this mandate.

Definitions

Chronic absentee means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular schools of the district, exclusive of Saturdays and Sundays. (Education Code 60901)

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and ~~his/her~~the student's parent/guardian after either of the two previous reports. (Education Code 48262, 48264.5)

Chronic truant means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260, 48260.5, 48261, 48262, 48263, and 48291. (Education Code 48263.6)

Note: As provided above, definitions of the various categories of truancy are based on the number of absences from school without a valid excuse. Education Code 48260 defines a "valid excuse," for purposes of classifying a student as a truant, as any of the reasons specified in Education Code 48205 (i.e., illness, quarantine, health services appointments, funeral service attendance, jury duty, illness or medical appointment of student's child, justifiable personal reasons, service on precinct board, time with family member called to active duty or on leave from active duty, and religious exercises), Education Code 48225.5 (i.e., entertainment or allied industries work permits and nonprofit organization performances), or other reasons at the discretion of school administrators. AR 5113 - Absences and Excuses reflects the reasons that students may be excused from school and provides information about methods of verification of student absences.

For purposes of classifying a student as a truant, *valid excuse* includes, but is not limited to, the reasons for which a student shall be excused from school pursuant to Education Code 48205 and 48225.5- and AR 5113 - Absences and Excuses. A valid excuse may include other reasons that are within the discretion of school administrators and, based on the facts of the student's circumstances, are deemed to constitute a valid excuse. (Education Code 48260)

(cf. 5113 - Absences and Excuses)

(cf. 5113.2 - Work Permits)

Addressing Chronic Absence

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

When a student is identified as a chronic absentee, the Superintendent, attendance supervisor, or designee shall communicate with the student and his/her/the student's parents/guardians to determine the reason(s) for the excessive absences, ensure the student and parents/guardians are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

(cf. 5113.11 - Attendance Supervision)

(cf. 6020 - Parent Involvement)

The student may be referred to a student success team or school-site attendance review team to assist in evaluating his/her needs and identifying strategies and programs to assist him/her/the student's needs and identifying strategies and programs to assist the student. When necessary, the student may be referred to a school attendance review board (SARB) program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the Superintendent or designee, in accordance with Education Code 48263 and item #3 in the section "Addressing Truancy" below.

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

(cf. 5147 - Dropout Prevention)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6175 - Migrant Education Program)

A student who is struggling academically may be offered tutoring or other supplemental instruction, extended learning opportunities, and/or alternative educational options as appropriate.

Note: Pursuant to Education Code 49067, the Governing Board may authorize teachers to assign failing grades to students with excessive unexcused absences, with the threshold number of absences established by the Board. See BP 5121 - Grades/Evaluation of Student Achievement. However, CSBA's governance brief Research-Supported Strategies to Improve the Accuracy and Fairness of Grades recommends that student absences be dealt with separately from grading and that absences should not be considered in determining a student's level of understanding of course content. The following paragraph is consistent with that recommendation and may be revised to reflect district practice.

Students who are absent shall be given an opportunity to make up missed assignments or assessments and shall receive full credit for satisfactory completion of the work. Students with excessive absences shall be supported to the extent possible to limit the impact of absences on the student's grades.

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

(cf. 6158 - Independent Study)

(cf. 6176 - Weekend/Saturday Classes)
 (cf. 6178.1 - Work-Based Learning)
 (cf. 6179 - Supplemental Instruction)
 (cf. 6181 - Alternative Schools/Programs of Choice)
 (cf. 6183 - Home and Hospital Instruction)
 (cf. 6184 - Continuation Education)

Whenever chronic absenteeism is linked to a health ~~issue~~, social-emotional, family, or other nonschool condition, the Superintendent or designee may recommend school or community resources and/or collaborate with community agencies and organizations to address the needs of the student and ~~his/her~~ the student's family.

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

~~(cf. 1020 - Youth Services)~~

(cf. 5141.6 - School Health Services)

Addressing Truancy

An attendance supervisor or designee, peace officer, probation officer, or school administrator or designee may, as applicable, arrest or assume temporary custody during school hours of any minor student found away from ~~his/her~~ home who is absent from school without a valid excuse. Any person arresting or assuming temporary custody of a minor student shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264, 48265, 48266)

(cf. 3515.3 - District Police/Security Department)

The Superintendent, attendance supervisor, or designee shall investigate a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341. (Education Code 48290)

When a student has been identified as a truant as defined above, the following steps shall be implemented based on the number of trancies ~~he/she~~ the student has committed:

1. Initial truancy
 - a. The student shall be reported to the Superintendent, attendance supervisor, or designee. (Education Code 48260)

Note: When a student is classified as truant, Education Code 48260.5 requires notification of the student's parents/guardians by the most cost-effective method possible, which may include email or a telephone call. The California Department of Education's (CDE) School Attendance Review Board: A Road Map for Improved School Attendance and Behavior provides sample letters.

- b. The student's parent/guardian shall be notified by the most cost-effective method possible, which may include email or a telephone call, that: (Education Code 48260.5)
 - (1) The student is truant.
 - (2) The parent/guardian is obligated to compel the student to attend school. ~~If and, if~~ the parent/guardian fails to meet this obligation, ~~he/she~~ the parent/guardian may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.

- (3) Alternative educational programs are available in the district.
 - (4) The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.
 - (5) The student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator or designee, or attendance supervisor or designee pursuant to Education Code 48264 if found away from home and absent from school without a valid excuse.
 - (6) ~~The~~If the student is at least 13 years of age but under age 18, the student may be subject to the suspension, restriction, or delay of ~~his/her~~ driving privilege pursuant to Vehicle Code 13202.7.
 - (7) It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.
(*cf. 5145.6 - Parental Notifications*)
- c. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
 - d. The student and, as appropriate, ~~his/her~~the student's parent/guardian may be requested to attend a meeting with a school counselor or other school designee to discuss the root causes of the attendance issue and develop a joint plan to improve the student's attendance. (Education Code 48264.5)

Note: The following **optional** item is for use by districts in which there is no county SARB and the county's district attorney or probation officer has elected to participate in a truancy mediation program pursuant to Education Code 48260.6.

- e. The Superintendent, attendance supervisor, or designee may notify the district attorney and/or probation officer of the student's name and the name and address of ~~his/her~~the student's parents/guardians. (Education Code 48260.6)
2. Second truancy
- a. Any student who has once been reported as a truant shall again be reported to the Superintendent, attendance supervisor, or designee as a truant if ~~he/she~~the student is absent from school without a valid excuse one or more days or is tardy on one or more days during the school year. (Education Code 48261)
 - b. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
 - c. The student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, ~~he/she~~the student shall be subject to item #3 below. (Education Code 48264.5)

Note: Education Code 48262 provides that a student cannot be classified as a habitual truant (item #3 below) until the district has made a conscientious effort to hold at least one conference with the student and parent/guardian after the attendance supervisor has been notified of either the first or second truancy. Education Code 48262 defines "conscientious effort," for purposes of this section, as attempting to communicate with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. Thus, the following paragraph requires such communication in the event of the second truancy.

- d. An appropriate district staff member shall make a conscientious effort to hold at least one conference with the student and ~~his/her~~ the student's parent/guardian by communicating with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. (Education Code 48262)
- e. The student may be given a written warning by a peace officer. A record of that warning may be kept at the school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)

Note: The following **optional** item is for use by districts in which there is no county SARB and the county's district attorney or probation officer has elected to participate in a truancy mediation program. Pursuant to Education Code 48260.6, if the district notifies the district attorney and/or probation officer that a student continues to be classified as a truant after proper notification to the parents/guardians as described in item #1b above, the district attorney or probation officer may request a meeting with the student and the student's parents/guardians to discuss the possible legal consequences of the student's truancy.

- f. The Superintendent or designee may notify the district attorney and/or probation officer when the student continues to be classified as a truant after the parents/guardians have been notified in accordance with item #1b above. (Education Code 48260.6)

3. Third truancy (habitual truancy)

Note: Education Code 48263 and 48264.5 authorize the district to refer habitual truants, chronic absentees, and students who are habitually insubordinate or disorderly to a SARB, a county truancy mediation program, or a comparable program for services. The district should revise the following items to reflect the option(s) available in the district.

According to CDE's School Attendance Review Board: A Road Map for Improved School Attendance and Behavior, prior to referring a student to a SARB or county truancy mediation program, some districts initiate an intermediate step, such as a school-site attendance review team or student success team. Districts that have established such an intermediate step may revise the following item accordingly.

- a. A student who is habitually truant, ~~irregular in school attendance~~ a chronic absentee, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a ~~school attendance review board (SARB)~~ program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the Superintendent or designee. (Education Code 48263, 48264.5)
(*cf. 5113.12 - District School Attendance Review Board*)
- b. Upon making a referral to the SARB or the probation department, the ~~Superintendent or designee shall provide the student and~~ Superintendent, attendance supervisor, or other person designated to make the referral shall provide the student,

the student's parent/guardian, and SARB or probation department with documentation of the interventions undertaken at the school. The attendance supervisor or designee shall also provide the student and the student's parent/guardian, in writing, the name and address of the SARB or probation department and the reason for the referral. This notice shall indicate that the student and the student's parent/guardian shall be required, along with the district staff person making the referral, to meet with the SARB or a probation officer to consider a proper disposition of the referral. (Education Code 48263)

- c. If the student does not successfully complete the truancy mediation program or other similar program, he/she/the student shall be subject to item #4 below. (Education Code 48264.5)

Note: Pursuant to Education Code 48263, the SARB or probation officer may direct a student and/or the student's parents/guardians to make use of available community services and may require satisfactory evidence of participation. If the SARB or probation officer determines that available community resources cannot resolve the problem, or if the student and/or the student's parents/guardians have failed to respond to the directives of the SARB or probation officer, the SARB may so notify the district attorney and/or probation officer, or the probation officer may notify the district attorney provided the district attorney or probation officer participates in a truancy mediation program. If the county has not established a SARB, the district may make this finding and notification.

The following paragraph is for use by districts in which the county has not established a SARB and the county's district attorney or probation officer has elected to participate in a truancy mediation program.

- d. If the Superintendent or designee determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or his/her/the student's parents/guardians have failed to respond to the directives of the district or to services provided, the Superintendent or designee may so notify the district attorney and/or the probation officer. (Education Code 48263)

4. Fourth truancy

- a. Upon his/her/the fourth truancy within the same school year, the student may be referred to the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)

Note: Pursuant to Education Code 48264.5 and Welfare and Institutions Code 601, a student coming within the jurisdiction of the juvenile court may be adjudged a ward of the court and required to perform community service, pay a fine, attend a court-approved truancy prevention program, and/or lose driving privileges. In L.A. v. Superior Court of San Diego County, a court of appeal held that juvenile court judges have the authority to imprison a truant as a last resort if the student commits an egregious violation of a court order, less restrictive alternatives have proved ineffective, and the student is confined separately from youths held for criminal violations.

- b. If a student has been adjudged by the county juvenile court to be a habitual truant, the Superintendent or designee shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (Education Code 48267)

Note: Item #5 below is for use by districts that offer any of grades K-8. Penal Code 270.1 states that a parent/guardian of a "chronic truant" who is at least six years old and is in any of grades K-8 is guilty of a misdemeanor punishable by a fine and/or imprisonment if the parent/guardian has failed to reasonably supervise and encourage the student's school attendance and has been offered language-accessible support services to address the student's truancy. Pursuant to Penal Code 270.1, a parent/guardian found guilty of a misdemeanor may participate in a program established by a superior court, if available, which includes periodic meetings with district representatives and service referrals.

5. Chronic truancy (unexcused absence for 10 percent of school days)
 - a. The Superintendent or designee shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's truancy.
 - b. If a chronically truant student is at least age six years and is in any of grades K-8, the Superintendent or designee shall notify the student's parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.

Records

Note: The following **optional** paragraph may be revised to reflect district practice. CDE's School Attendance Review Board: A Road Map for Improved School Attendance and Behavior cautions that it is important to keep accurate and complete records of any violations of compulsory school attendance laws because such records may ultimately be introduced as evidence in a trial for truancy.

The Superintendent, attendance supervisor, or designee shall maintain accurate attendance records for students identified as habitual or chronic truants. ~~The Superintendent or~~ In addition, the attendance supervisor, designee also shall document all contacts, and/or the staff persons who have direct contact with the student ~~and his/her~~ parent/guardian shall document all their contacts regarding the student's attendance, including a summary of all conversations and a record of all intervention efforts.

(cf. 5125 - Student Records)

Note: Education Code 48273 **mandates** that the district adopt rules and regulations for the purpose of gathering data and making a report to the County Superintendent of Schools regarding SARB referrals. CDE's web site provides a model annual summary report form.

The Superintendent, attendance supervisor, or designee shall gather and transmit to the County Superintendent of Schools the number and types of referrals made to the SARB and of requests for petitions made to the juvenile court. (Education Code 48273)

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

Regulation approved: April 10, 2007

revised: February 12, 2013

revised: November 14, 2017

revised: January 12, 2021

Sierra County/Sierra-Plumas Joint USD

Administrative Regulation

Students

AR 5113.11

ATTENDANCE SUPERVISION

Note: The following optional administrative regulation is for use by districts that appoint their own attendance supervisor and may be revised to reflect district practice. Pursuant to Education Code 48242 and 48243, the district may appoint an attendance supervisor or may jointly employ an attendance supervisor with one or more other districts. Alternatively, pursuant to Education Code 48244, the district may contract with the County Superintendent of Schools for the supervision of attendance of district students.

The Superintendent or designee shall appoint an attendance supervisor and any assistant attendance supervisor(s) as may be necessary to supervise the attendance of district students. (Education Code 48240, 48242)

Note: Education Code 48241 and 48245 require an attendance supervisor to be certificated for the work by the County Board of Education. However, it is not clear that all county boards currently provide this function. The following paragraph may be revised to reflect local practice.

Any person appointed as an attendance supervisor shall be appropriately certificated to perform the work. (Education Code 48241, 48245)

Such supervisors shall perform duties related to compulsory full-time education, truancy, compulsory continuation education, work permits, and any additional duties prescribed by the Superintendent or designee. (Education Code 48240)

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.2 - Work Permits)

(cf. 6184 - Continuation Education)

Note: Items #1-5 below may be revised to reflect district practice. Education Code 48240 states the Legislature's intent that attendance supervisors fulfill the following duties.

The attendance supervisor shall promote a culture of attendance and establish a system to accurately track student attendance in order to achieve all of the following:

1. Raise the awareness of school personnel, parents/guardians, caregivers, community partners, and local businesses of the effects of chronic absenteeism and truancy and other challenges associated with poor attendance
2. Identify and respond to grade level or student subgroup patterns of chronic absenteeism or truancy
 - (cf. 5146 - Married/Pregnant/Parenting Students)*
 - (cf. 6173 - Education for Homeless Children)*
 - (cf. 6173.1 - Education for Foster Youth)*
 - (cf. 6173.2 - Education of Children of Military Families)*

(cf. 6175 - Migrant Education Program)

3. Identify and address factors contributing to chronic absenteeism and habitual truancy, including suspension and expulsion
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
4. Ensure that students with attendance problems are identified as early as possible to provide applicable support services and interventions
5. Evaluate the effectiveness of strategies implemented to reduce chronic absenteeism rates and truancy rates
(cf. 0500 - Accountability)

The attendance supervisor may provide support services and interventions, including, but not limited to, the following: (Education Code 48240)

1. A conference between school personnel, the student's parent/guardian, and the student
2. Promotion of cocurricular and extracurricular activities that increase student connectedness to school, such as tutoring, mentoring, the arts, service learning, or athletics
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6142.6 - Visual and Performing Arts)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
3. Recognition of students who achieve excellent attendance or demonstrate significant improvement in attendance
(cf. 5126 - Awards for Achievement)
4. Referral of the student to a school nurse, school counselor, school psychologist, school social worker, and other student support personnel for case management and counseling
(cf. 5141.6 - School Health Services)
(cf. 6164.2 - Guidance/Counseling Services)
5. Collaboration with child welfare services, law enforcement, courts, public health care agencies, government agencies, or medical, mental health, and oral health care providers to receive necessary services
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
6. Collaboration with school study teams, guidance teams, school attendance review teams, or other intervention-related teams to assess the attendance or behavior problem in partnership with the student and the student's parents/guardians or caregivers
(cf. 6164.5 - Student Success Teams)
7. In schools with significantly higher rates of chronic absenteeism, identification of barriers to attendance that may require schoolwide strategies rather than case management
8. Referral of the student for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program for a student with

disabilities or creating a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973

(cf. 6159 - Individualized Education Program)

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

9. Referral of the student to a school attendance review board (SARB) established pursuant to Education Code 48321 or to the probation department pursuant to Education Code 48263
(cf. 5113.12 - District School Attendance Review Board)
10. Referral of the student to a truancy mediation program operated by the county's district attorney or probation officer pursuant to Education Code 48260.6

Note: Pursuant to Education Code 48290, the Governing Board is required to investigate any complaint that a parent/guardian has violated compulsory education laws. The following paragraph delegates this responsibility to the attendance supervisor and may be revised to reflect district practice. Pursuant to Education Code 48292, it is the responsibility of the attendance supervisor to file a criminal complaint against a parent/guardian who continually and willfully fails to respond to school attendance review board directives or services.

Upon receiving any complaint that a parent/guardian or other person having control or charge of a student has violated Education Code 48200-48341, the state compulsory education laws, the attendance supervisor shall investigate the matter and, if a violation is found, shall recommend referral to a SARB. If the district is subsequently notified by the SARB that the parent/guardian continually and willfully has failed to respond to directives of the SARB or the services provided, the attendance supervisor shall refer the matter for possible prosecution in court in accordance with Education Code 48291-48292, as applicable. (Education Code 48290-48292)

Note: Pursuant to Education Code 48273, the Board is required to assign appropriate officers and employees to provide the County Superintendent with a report of SARB referrals and requests for petitions to the juvenile court; see AR 5113.1 - Chronic Absence and Truancy. The following paragraph is for use by districts that have delegated this responsibility to the attendance supervisor.

The attendance supervisor shall gather and transmit to the County Superintendent of Schools the number and types of referrals made to the SARB and of requests for petitions made to the juvenile court. (Education Code 48273)

Note: The following optional paragraph may be revised to reflect district practice. Among the primary roles of the attendance supervisor are the accurate tracking of student attendance and monitoring of chronic absence in order to identify students at risk. Pursuant to Education Code 52060, districts are required to include rates of school attendance, chronic absence, dropout, and graduation, as applicable, in their local control and accountability plan (see BP/AR 0460 - Local Control and Accountability Plan), and chronic absence is one of the state accountability indicators in the California School Dashboard (see BP 0500 - Accountability).

The attendance supervisor shall annually report student attendance data to the Superintendent or designee and the Governing Board. Such data shall include, by school, grade level, and each numerically significant student subgroup as defined in Education Code 52052, rates of school attendance, chronic absence in which students are absent on 10 percent of more of the school days in the school year, and dropout.

(cf. 5147 - Dropout Prevention)

*Legal Reference:*EDUCATION CODE*1740 Employment of personnel to supervise attendance (county superintendent)**37223 Weekend classes**46000 Records (attendance)**46010-46014 Absences**46110-46119 Attendance in kindergarten and elementary schools**46140-46147 Attendance in junior high and high schools**48200-48208 Children ages 6-18 (compulsory full-time attendance)**48240-48246 Supervisors of attendance**48260-48273 Truants**48290-48297 Failure to comply; complaints against parents**48320-48325 School attendance review boards**48340-48341 Improvement of student attendance**48400-48403 Compulsory continuation education**52052 Accountability; numerically significant student subgroups**52060-52077 Local control and accountability plan**60901 Chronic absence*PENAL CODE*270.1 Chronic truancy; parent/guardian misdemeanor*WELFARE AND INSTITUTIONS CODE*601-601.4 Habitually truant minors**11253.5 Compulsory school attendance*CODE OF REGULATIONS, TITLE 5*306 Explanation of absence**420-421 Record of verification of absence due to illness and other causes**Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*School Attendance Review Board Handbook, 2015**School Attendance Improvement Handbook, 2000*WEB SITES*CSBA: <http://www.csba.org>**Attendance Works: <http://www.attendanceworks.org>**California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>**California Department of Education: <http://www.cde.ca.gov>*

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

SIERRA COUNTY OFFICE OF EDUCATION

Regulation approved: January 12, 2021

Sierra County/Sierra-Plumas Joint USD

Board Policy

Instruction

BP 6170.1

TRANSITIONAL KINDERGARTEN

Note: The following policy is for use by districts that maintain kindergarten and may be revised to reflect district practice. Education Code 48000 provides that children are eligible for kindergarten enrollment if they have their fifth birthday on or before September 1 in that school year; see AR 5111 - Admission. Pursuant to Education Code 48000, any child whose fifth birthday is between September 2 and December 2 must be offered a transitional kindergarten (TK) program.

Education Code 48000 defines TK as the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. Many of the requirements applicable to kindergarten (e.g., class size, minimum school day, facilities) are also applicable to TK. The district will receive funding based on average daily attendance (ADA) for students in a TK program that meets the requirements specified in Education Code 48000.

For guidance on implementing TK programs, see the Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, published by the California Department of Education (CDE).

The Governing Board of Education desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The TK program shall assist students in developing the academic, social, and emotional skills ~~they~~ need to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in the development, implementation, and evaluation of the district's TK program.

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Eligibility

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 48000)

Note: CDE's "Transitional Kindergarten FAQs" clarify that children are required to have documentation of required immunizations or a valid exemption prior to admission to TK. For information about required immunizations and exemptions, see BP/AR 5141.31 - Immunizations.

Parents/guardians of eligible children shall be notified of the availability of the TK program and of the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)
 (cf. 5141.22 - Infectious Diseases)
 (cf. 5141.3 - Health Examinations)
 (cf. 5141.31 - Immunizations)
 (cf. 5141.32 - Health Screening for School Entry)

Note: The following paragraph is optional. If the district chooses to allow kindergarten-eligible children to enroll in the TK program, CDE recommends that the district establish criteria to determine selection requirements. The parent/guardian of a kindergarten-eligible child who is enrolled in TK must, at the end of the year, sign a Kindergarten Continuance Form verifying agreement with the child enrolling in kindergarten the following year; see section "Continuation in Kindergarten" below.

On a case-by-case basis, a child whose fifth birthday is on or before September 1 may be admitted into the district's TK program upon request of a child's parents/guardians, ~~the district may, on a case-by-case basis after~~if the Superintendent or designee determines that it is in the child's best interest, ~~admit into the district's TK program a child whose fifth birthday is on or before September 1 and who is therefore eligible.~~

Note: The following paragraph is optional. Pursuant to Education Code 48000, the district may, at its discretion, determine whether to allow admittance of children whose fifth birthday is after December 2. Such students may be admitted at any time during the school year, including at the beginning of the year. Education Code 48000 provides that districts will not receive ADA apportionment for ~~kindergarten~~a child whose birthday is after December 2 until the child's fifth birthday.

At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after December 2 of that same school year, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)

Curriculum and Instruction

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

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

Note: Education Code 48000 states the Legislature's intent that the TK curriculum be aligned to the California Preschool Learning Foundations developed by CDE. These standards address essential knowledge and skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education (CDE). It shall be designed to facilitate students' development in essential **knowledge and skills** related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

(cf. 5148.3 - Preschool/Early Childhood Education)
 (cf. 6011 - Academic Standards)
 (cf. 6174 - Education for English Learners)

Note: The following optional paragraph may be revised to reflect district practice. Education Code 37202 permits districts to maintain TK and kindergarten classes for different lengths of time during the school day, either at the same or a different school site. Districts offering TK classes for different lengths of time are still required to meet the minimum and maximum length of school day provided in law. Pursuant to Education Code 46111, 46115, and 46117, at the kindergarten and TK level the minimum school day is three hours (180 minutes), including recess but excluding noon intermission, and the maximum school day is four hours (240 minutes), excluding recess, unless the district has adopted an extended-day kindergarten pursuant to Education Code 8973. However, pursuant to Education Code 46119, if the district has fewer than 40 kindergarten students, the Governing Board may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, including recesses, taught on the same day by the same teacher. Also see AR 6112 - School Day.

Pursuant to Education Code 48003, districts are required to provide an annual report to CDE regarding the type of kindergarten program offered by the district, including part day, full day, or both. The California Basic Educational Data System (CBEDS) School Information Form, located on CDE's web site, requires a report on the type of TK program offered.

The Board shall establish the length(s) of the school day in the district's TK program. ~~TK programs may be maintained for different lengths of time either at the same or different school sites, as long as the school day is, which shall be~~ at least three hours but no more than four hours long. ~~If the district has adopted an extended-day kindergarten, the length of the school day for the TK program may be different than the length of the school day for the kindergarten program either at the same or different school sites.~~ The Superintendent or designee shall annually report to CDE as to whether the district's TK programs are offered full day, part day, or both. (Education Code 8973, 37202, 46111, 46115, 46117, 48003)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

Note: The following optional paragraph may be revised to reflect district practice. According to CDE's "Transitional Kindergarten FAQs," it is the intent of the law to provide separate and unique experiences for TK and kindergarten students. However, districts have flexibility to determine how best to meet the curricular needs of each child and whether TK and kindergarten students may be enrolled in the same classrooms.

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

TK students may be ~~placed commingled~~ in ~~at the same~~ classroom ~~commingled~~ with ~~4~~four-year-old students from a California State Preschool Program as long as all of the requirements of each program are met and the classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten. (Education Code 8235, 48000)

(cf. 5148.3 - Preschool/Early Childhood Education)

Staffing

Note: To be qualified to teach a TK class, the teacher must possess an appropriate multiple subjects or early childhood education credential issued by the Commission on Teacher Credentialing authorizing instruction in TK. Education Code 48000 establishes additional requirements for credentialed teachers who are first assigned to a TK class after July 1, 2015, as provided below.

TK assignments are subject to assignment monitoring and reporting by the County Superintendent of Schools in accordance with Education Code 44258.9.

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

(cf. 4112.2 - Certification)

Note: Education Code 48000, as amended by SB 98 (Ch. 24, Statutes of 2020), extends until August 1, 2021, the requirement for credentialed teachers who are first assigned to a transitional kindergarten class to meet additional qualifications, as described below.

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, ~~2020~~2021, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.

(cf. 4131 - Staff Development)

Continuation to Kindergarten

Note: The following section is consistent with guidance in CDE's "Transitional Kindergarten FAQs."

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

Note: The following optional paragraph is for use by districts that allow kindergarten-eligible children to enroll in TK; see "Eligibility" section above. When such students are subsequently enrolled in kindergarten, the district is required to obtain a signed Kindergarten Continuance Form in order to receive kindergarten ADA for those children since they would otherwise be age-eligible for first grade. CDE recommends that approval for a student to continue in kindergarten not be sought until near the end of the year of TK, since permission obtained unreasonably far in advance could be found invalid.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

Note: Pursuant to Education Code 46300, the district may not include for ADA purposes the attendance of any student for more than two years in kindergarten or for more than two years in a combination of TK and kindergarten.

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

(cf. 5123 - Promotion/Acceleration/Retention)

Assessment

Note: The following section may be revised to reflect district practice. One assessment resource for TK students is CDE's Desired Results Developmental Profile, which is designed to assess the developmental progression of all children from early infancy to kindergarten entry.

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. ~~He/she~~The Superintendent or designee

shall monitor and regularly report to the Board regarding program implementation ~~and~~, the progress of students in meeting related academic standards, and student preparedness for future education.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

8235 California State Preschool Program

~~8973 - Extended~~ 8970-8974 Early primary programs; extended-day kindergarten

37202 School calendar; equivalency of instructional minutes

44258.9 Assignment monitoring by county superintendent of schools

46111 Kindergarten, hours of attendance

46114-46119 Minimum school day, kindergarten

46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten

48000 Age of admission, kindergarten and transitional kindergarten

48002 Evidence of minimum age required to enter kindergarten or first grade

48003 Kindergarten annual report

48200 Compulsory education, starting at age six

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

Desired Results Developmental Profile, 2015

Transitional Kindergarten Implementation Guide:- A Resource for California Public School District

Administrators and Teachers, 2013

California Preschool Curriculum Framework, Vol. 3, 2013

California Preschool Learning Foundations, Vol. 3, 2012

California Preschool Curriculum Framework, Vol. 2, 2011

California Preschool Learning Foundations, Vol. 2, 2010

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

WEB SITES

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

California Department of Education: [-http://www.cde.ca.gov](http://www.cde.ca.gov)

California Kindergarten Association: [-http://www.ckanet.org](http://www.ckanet.org)

Commission on Teacher Credentialing: [-http://www.ctc.ca.gov](http://www.ctc.ca.gov)

Transitional Kindergarten California: [-http://www.tkcalifornia.org](http://www.tkcalifornia.org)

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

Policy adopted: June 17, 2015

revised: December 11, 2018

revised: January 12, 2021

Sierra County/Sierra-Plumas Joint USD

Board Bylaw

BB 9012

BOARD MEMBER ELECTRONIC COMMUNICATIONS

Note: The following optional Board bylaw should be modified to reflect district practice. The Brown Act (Government Code 54950-54963) requires that Governing Board members conduct district business at properly noticed and agendized public meetings. In general, Board members should keep in mind that, for purposes of the Brown Act, electronic communications are subject to the same conditions and the same rules of confidentiality that are applicable to other forms of communication, such as individual conversations, telephone calls, or paper copies of documents. However, the ease with which electronic communication can be shared and forwarded requires extra caution.

Furthermore, although Board members are not considered employees, there may be tax implications if the district provides Board members with laptop computers or subsidies for an Internet connection. In some circumstances, such provision or reimbursement may be considered a taxable benefit. Also see AR 3513.1 - Cellular Phone Reimbursement.

The Governing Board recognizes that electronic communication is an efficient and convenient way for Board members to communicate and expedite the exchange of information within the district and with members of the public. Board members shall exercise caution so as to ensure that electronic communications are not used as a means for the Board to deliberate outside of an agendized Board meeting ~~nor to~~ circumvent the public's right to access records regarding district business, or restrict access to a public forum.

(cf. 1100 - Communication with the Public)

(cf. 9000 - Role of the Board)

(cf. 9322 - Agenda/Meeting Materials)

Note: Government Code 54952.2 defines a "meeting" as any congregation of a majority of the members of the Board at the same time and location, including teleconference location as permitted by Government Code 54953, to hear, discuss, deliberate, or take action upon any item that is within the subject matter jurisdiction of the Board. Government Code 54952.2 prohibits a serial meeting, defined as a series of communications of any kind, directly or through intermediaries, involving a majority of the Board to discuss, deliberate, or take action on any item of district business outside of an authorized meeting. Thus, a series of emails, as well as other electronic communications such as postings on an online forum, that ultimately include a majority of the Board could lead to a Brown Act violation. While the safest course of action is to not send an email to another Board member that, if forwarded, could lead to a discussion about district business by a majority of the Board, given the prevalence of email, such a practice may not be practical. However, in order to help prevent an inadvertent violation, Board members may wish to consider including a "do not reply/forward alert" in the subject line of emails, as appropriate.

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic 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. (Government Code 54952.2)

(cf. 9320 - Meetings and Notices)

Note: CSBA's GAMUT Meetings is an electronic board meeting management application for use by districts and county offices of education that streamlines meeting preparation and provides easy and secure access to meeting materials, including Board meeting agendas, supporting documents, and minutes. Further information is available on CSBA's web site.

Examples of permissible electronic communications concerning district business include, but are not limited to, dissemination of Board meeting agendas and agenda packets, reports of activities from the Superintendent, and reminders regarding meeting times, dates, and places.

Note: Pursuant to Government Code 54952.2, as amended by AB 992 (Ch. 89, Statutes of 2020), Board members may engage in separate conversations or communications with members of the public on an Internet-based social media platform that is open and accessible to the public as long as a majority of the Board does not use the platform to discuss among themselves business within the subject matter jurisdiction of the Board and members do not comment on or use digital icons (e.g., "likes" or emojis) to express reactions to communications made by other Board members. Consequently, a Board member is prohibited from responding directly to any communication from other members of the Board on a social media platform regarding matters that are within the subject matter jurisdiction of the Board.

Board members may engage in separate conversations or communications with members of the public on a social media platform to answer questions, provide information, or solicit information regarding a matter that is within the subject matter jurisdiction of the Board, as long as a majority of the Board does not use the platform to discuss among themselves any business of a specific nature that is within the subject matter jurisdiction of the Board. A Board member is prohibited from responding directly to any communication from other Board members regarding matters that are within the subject matter jurisdiction of the Board or using digital icons (e.g., "likes" or emojis) to express reactions to communications made by other Board members. (Government Code 54952.2)

Note: Board members who use a social media platform to communicate with the public about district business or Board activities should be cautious about blocking access to members of the public. In Knight First Amendment Institute at Columbia University v. Trump, the court held that President Donald Trump's twitter account was a public forum from which the government may not exclude people based on their views and that blocking critics from viewing and replying to the account excluded individuals from a public forum in violation of the First Amendment. While there is not a clearly defined rule as to whether a board member's social media account is a public forum, the holding has been used in cases restricting school board members from blocking members of the public from their social media. See Garnier v. Poway Unified School District.

Whenever a Board member uses a social media platform to communicate with the public about district business or Board activities, the Board member shall not block access to a member of the public based on the viewpoint expressed by that individual.

Note: The prohibitions in the Brown Act apply only to discussions regarding district business. Like other citizens, Board members are permitted to use email to discuss personal, nondistrict matters.

Board members may use electronic communications to discuss matters that do not pertain to district business, regardless of the number of Board members participating in the discussion.

Note: The following optional paragraph may be revised to reflect district practice. Many districts have established bylaws or other protocols describing how the Board has agreed to handle questions, concerns, or complaints received from members of the community. For example, see BB 9200 - Limits of Board Member Authority and BP 1112 - Media Relations.

Board members shall make every effort to ensure that their electronic communications conform to the same standards and protocols established for other forms of communication. A Board member may respond, as appropriate, to an electronic communication received from a member of the community and should make clear that his/her/the response does not necessarily reflect the views of the Board as a whole. Any complaint or request for information should be forwarded to the Superintendent in accordance with Board bylaws and protocols so that the issue may receive proper consideration and be handled through the appropriate district process. As appropriate, communication received from the media shall be forwarded to the designated district spokesperson.

(cf. 1112 - Media Relations)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3320 - Claims and Actions Against the District)
(cf. 9005 - Governance Standards)
(cf. 9121 - President)
(cf. 9200 - Limits of Board Member Authority)

Note: Electronic communications received and sent by Board members are subject to disclosure upon request pursuant to the California Public Records Act (CPRA) (Government Code 6250-6270) depending on the content of the communication and whether it is "prepared, owned, used, or retained" by the district in its normal course of business. District legal counsel should be consulted as appropriate. Also see BP/AR 1340 - Access to District Records and BP/AR 3580 - District Records.

In City of San Jose v. Superior Court, the California Supreme Court held that a public official's communications about public business, even if sent or received on the official's personal account or device, are public records and are not categorically excluded from disclosure under the CPRA. The court observed that the CPRA requires public agencies to use "reasonable effort" to locate existing records in response to a public records request, but that such searches need not be extraordinarily extensive or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications.

To the extent possible, electronic communications regarding any district-related business shall be transmitted through a district-provided device or account. When any such communication is transmitted through a Board member's personal device or account, he/she/the Board member shall copy the communication to a district electronic storage device for easy retrieval.

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE
 35140 *Time and place of meetings*
 35145 *Public meetings*
 35145.5 *Agenda; public participation; regulations*
 35147 *Open meeting law exceptions and applications*
GOVERNMENT CODE
 6250-6270 *California Public Records Act*
 11135 *State programs and activities, discrimination*
 54950-54963 *The Ralph M. Brown Act, especially:*

54952.2 Meeting, defined
 54953 Meetings to be open and public; attendance
 54954.2 Agenda posting requirements, board actions

COURT DECISIONS

Garnier v. Poway Unified School District, No. 17-cv-2215-W (JLB), 2019 WL 4736208 (S.D. Cal. September 26, 2019)

Knight First Amendment Institute at Columbia University v. Trump, 928 F.3d 226 (2019)

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2019

Legal Alert:- Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

~~The Brown Act: School Boards and Open Meeting Laws, rev. 2014~~

ATTORNEY GENERAL PUBLICATIONS

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

WEB SITES

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

CSBA, ~~Agenda Online:~~ <https://www.csba.org/ProductsAndServices/AllServices/AgendaOnline.aspx> ~~GAMUT Meetings:~~

<http://www.csba.org/ProductsAndServices/AllServices/AgendaOnline.aspx> ~~GamutMeetingsPolicy~~

California Attorney General's Office: <https://oag.ca.gov>

SIERRA COUNTY OFFICE OF EDUCATION
 SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
 Bylaw adopted: June 14, 2011
 revised: June 13, 2017
revised: January 12, 2021

Sierra County/Sierra-Plumas Joint USD

Board Bylaw

BB 9320

MEETINGS AND NOTICES

Meetings of the Governing 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/location, including teleconference location, to hear, discuss, ~~or~~ deliberate, or take action upon any item within the subject matter jurisdiction of the Board or district. (Government Code 54952.2)

Note: The Brown Act prohibits serial meetings, defined under Government Code 54952.2 as a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of district business.

This prohibition against serial meetings also applies to communications via technology. Email exchanges, chat room threads, or comments posted on a blog or social media account that result in a majority of the Board "discussing" an item within the subject matter jurisdiction of the Board could result in a Brown Act violation. Pursuant to Government Code 54952.2, as amended by AB 992 (Ch. 89, Statutes of 2020), Board members may engage in separate conversations or communications with members of the public on an Internet-based social media platform that is open and accessible to the public as long as a majority of the Board does not use the platform to discuss among themselves business within the subject matter jurisdiction of the Board and members do not comment on or use digital icons (e.g., "likes" or emojis) to express reactions to communications made by other Board members. Consequently, a Board member is prohibited from responding directly to any communication from other members of the Board on a social media platform regarding matters that are within the subject matter jurisdiction of the Board. See BB 9012 - Board Member Electronic Communications.

In 84 Ops.Cal.Atty.Gen. 30 (2001), the Attorney General opined that Government Code 54952.2 prohibits a majority of the Board from sending emails to each other to develop a collective concurrence as to action to be taken by the Board even if the emails are (1) sent to the secretary and chairperson, (2) posted on the district's web site, and (3) distributed at the next meeting. Although the Attorney General recognized that those three conditions would allow the deliberations to be conducted, to some extent, "in public," the emails were prohibited by the Brown Act because all debate would be completed before the meeting and members of the public who did not have Internet access would be excluded from the debate.

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, including social media and other electronic communications, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

Note: Government Code 54952.2 specifies that briefings between staff and Board members are permissible in order to answer questions or to provide information, as long as the briefing is not used to communicate the comments or position of any other Board member. Thus, Superintendent briefings involving less than a majority of the Board are allowed, but participants must ensure that the comments or positions of one member are not shared with other members.

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)

Note: Government Code 54953.2 requires that all Board meetings meet the protections of the Americans with Disabilities Act (42 USC 12132) and implementing regulations (28 CFR 35.160, 36.303). Such protections require the district to ensure that the meeting is accessible to persons with disabilities and, upon request, to provide disability-related accommodations, such as auxiliary aids and services. Auxiliary aids and services may include accommodations at the actual meeting, such as a sign-language interpreter, or accommodations to the supporting documentation, such as Braille translation of the agenda packet. Government Code 54954.2 requires that the agenda specify how, when, and to whom a request for accommodation should be made; see BB 9322 - Agenda/Meeting Materials.

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, 54954.2)

Regular Meetings

Note: Education Code 35140 and Government Code 54954 mandate the Board to fix the time and place for its regular meetings by rule and regulation.

The Board shall hold regular meeting(s) each month. Regular meetings shall be held at 6:00pm on the second Tuesday of each month with the exception of June and December. Meetings will be held at _____.

Note: Pursuant to Government Code 54954.2, the agenda for a regular meeting must be posted at least 72 hours prior to the meeting, at a location that is freely accessible to the public. Government Code 54954.2 also requires that the agenda be posted on the district's Internet web site, if it has one. Any district that does not have a web site should delete the reference to it in the following paragraph.

The Attorney General has determined in 78 Ops.Cal.Atty.Gen. 327 (1995) that weekend hours may be counted as part of the 72-hour period for posting of the agenda prior to a regular meeting. In the same opinion, the Attorney General found that the term "freely accessible" requires that the agenda be posted in a location where it can be read by the public at any time during the 72 hours immediately preceding the meeting. For example, if a building where the agenda is posted is closed during the evening hours, the agenda must also be posted in a location accessible during evening hours, such as a lighted display case outside of the building. The Attorney General also opined in 88 Ops.Cal.Atty.Gen. 218 (2005) that the agenda may be posted on a touch screen electronic kiosk, in lieu of a paper copy on a bulletin board, as long as the kiosk is accessible without charge to the public 24 hours a day, seven days a week.

~~The Sierra Plumas Joint Unified School District regular meetings shall be held immediately following the Sierra County Office of Education regular meeting.~~

~~The president of either board or a majority of the board members may request to reschedule either regular meeting date and/or time if foreseen circumstances reveal rescheduling to be a benefit to board business, the county office or school district.~~

~~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, in alternate months. Closed Session meetings may be held any time prior to or thereafter any regular or special meeting as deemed necessary by the board president.~~

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)

Note: Pursuant to Government Code 54957.5, the agenda must list any address where the public can inspect agenda materials that are distributed to Board members less than 72 hours before a regular meeting; see BB 9322 - Agenda/Meeting Materials. In addition, pursuant to the California Public Records Act (Government Code 6252-6270), agenda materials related to an open session of a Board's regular meeting are "public records" and are subject to the inspection of any member of the public. For a list of documents subject to disclosure by the district, see BP/AR 1340 - Access to District Records.

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

Note: Education Code 35144 and Government Code 54956 allow the Board to hold special meetings to address any matter that requires timely action. For example, the Board may hold a special meeting to discuss the need for an emergency state apportionment when the district is in financial distress; see AR 3460 - Financial Reports and Accountability. However, pursuant to Government Code 54956, certain specified matters, as described below, may not be addressed in a special meeting.

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)

Note: Pursuant to Government Code 54956, written notice of a special meeting may be delivered personally or by other means, including email or fax. Government Code 54956 requires any district that has its own Internet web site to also post the notice on its web site. Any district that does not have its own web site should delete reference to it in the following paragraph.

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~~location 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

Note: Government Code 54956.5 authorizes a closed session during emergency meetings, as long as two-thirds of the members present at the meeting agree on the need for the closed session or, if less than two-thirds of the members are present, by unanimous vote of the members present. See BB 9321 - Closed Session and E(1) 9323.2 - Actions by the Board.

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~~notification is given to 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~~The Board may adjourn/continue any regular or special meeting to a later time and ~~place~~location 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

Note: The following section is optional and may be revised to reflect district practice. Pursuant to Government Code 54954.2, the Board must still comply with the public notice requirements when holding a study session, retreat, public forum or other such meeting.

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/location 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 in which Board members are in different locations, connected by electronic means through audio and/or video ~~for the benefit of the public and the legislative body of a local agency.~~ (Government Code 54953)

The Board may use teleconferences for all purposes in connection with any meeting or proceeding authorized by law within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

Regular Meetings

~~The Board considers its responsibility to meet, discuss and make decisions on behalf of and for~~ During the county/district a high priority and that physical presence teleconference, at all meetings is beneficial to least a quorum of the outcome.

Members members of the Board of Education shall be allowed to participate from the videoconferenced location when all of the following conditions apply: locations within district boundaries. (Government Code 54953)

1. ~~_____~~ Circumstances have occurred beyond the board member's control
2. ~~The board president or designee confirms that circumstances are beyond the member's control. When both Sierra County Board of Education and Sierra Plumas Joint Unified School District Board of Education are affected, both presidents must concur.~~

~~A board member may attend no more than two regular meetings per calendar year via videoconference. If extenuating circumstances arise (severe illness, disability, etc.), this number may be increased by a unanimous vote of the board.~~

Special Meetings

~~A board member may attend a special board meeting via videoconference when~~

1. ~~_____~~ Circumstances have occurred beyond the board member's control
2. ~~_____~~ The meeting topic is of an elemental nature
3. ~~_____~~ The board member has the unanimous agreement of the board.

Emergency Meetings

~~A board member may attend any emergency board meeting via videoconference.~~

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

Note: In 84 Ops.Cal.Atty.Gen. 181 (2001), the Attorney General opined that a city is not required under the Americans with Disabilities Act to provide, as an accommodation for city council member with disabilities who was unable to attend a regularly scheduled meeting, a teleconference connection to the member's house where the public would not be permitted to be present. According to the Attorney General, Government Code 54953 requires that members of the public be permitted to be present at any teleconference location.

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. ~~A quorum is required to participate from locations within the boundaries over which the board has jurisdiction. All votes in a teleconferenced meeting must be by roll call.~~ (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.

~~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 *in connection with a student*
 35147 Open meeting law exceptions and applications

GOVERNMENT CODE

3511.1 Local agency executives
 11135 State programs and activities; *prohibition of* 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 *for individuals with disabilities*
 36.303 Auxiliary aids and services *for individuals with disabilities*

COURT DECISIONS

Garnier v. Poway Unified School District, No. 17-cv-2215-W (JLB), 2019 WL 4736208 (S.D. Cal. September 26, 2019)
Knight First Amendment Institute at Columbia University v. Trump, 928 F.3d 226 (2019)

Wolfe v. City of Fremont, (2006) 144 Cal.App. ~~544~~^{4th} 54433

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~~²⁰¹⁹

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~~^{GAMUT Meetings}:

<http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspxProductsAndServices/AllServices/GamutMeetingsPolicy>

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

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

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

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

Policy adopted: November 13, 2007

revised: January 13, 2009

revised: December 13, 2011

revised: February 14, 2012

revised: October 8, 2013

revised: August 11, 2015

revised: December 13, 2016

revised: January 17, 2017

revised: January 12, 2021

