

**AGENDA for the Joint Meeting of the
Sierra County Board of Education
and the
Sierra-Plumas Joint Unified School District Governing Board**

January 10, 2023

5:30pm CLOSED Session

6:00pm Regular Session

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

Patty Hall, Area 1 – phall@spjUSD.org
Annie Tipton, Vice President, Area 2 – atipton@spjUSD.org
Christina Potter, Area 3 – cpotter@spjUSD.org
Kelly Champion, President, Area 4 – kchampion@spjUSD.org
Dorie Gayner, Clerk, Area 5 – dgayner@spjUSD.org

In accordance with AB 361, effective October 1, 2021, 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 suspend the Brown Act teleconferencing posting requirements for any Board members that choose to participate via Zoom videoconferencing.

Zoom: <https://us02web.zoom.us/j/84857738851>

Phone dial-in: 669-900-9128

Webinar ID: 848 5773 8851

(Press *6 to unmute)

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

Public inspection of agenda documents that are distributed to the Board less than 72 hours before the meeting, will be made available at Sierra 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. Approval of utilizing AB 361 for meetings conducted through February 14, 2023

~This suspends the Brown Act teleconferencing posting requirements for any Board members that choose to participate via Zoom videoconferencing

~AB 361 expires January 01, 2024 OR upon the cessation of the current State of Emergency which may be ending February 28, 2023

~Zoom may be available for the public with or without utilizing AB 361

E. PUBLIC COMMENT FOR CLOSED SESSION

At this time, the meeting opens for any public comments regarding the Closed Session item(s).

F. CLOSED SESSION

The Board of Trustees, Superintendent, James Berardi, and Director of Business Services, Nona Griesert, will move into Closed Session to discuss the following item(s):

1. Government Code 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator for the Board: James Berardi, Superintendent

Employee Organizations:

Unrepresented Employees: Sierra-Plumas Teachers' Association
Classified Employees
Confidential Employees
Administrative Employees

G. RETURN TO OPEN SESSION and ADJOURN FOR BREAK

H. 6:00PM – RECONVENE

I. FLAG SALUTE

J. REPORT OUT FROM CLOSED SESSION

K. INFORMATION ITEMS

1. Superintendent's Report

- a. Board Training – Next Steps
- b. Budget Training
- c. Substitute pay comparisons*
- d. Technology Plan
- e. Facilities
- f. Contract with Einen Grandi – land use
- g. District Nurse
- h. Adult Education site update
- i. County Personnel Items:
 1. Resignation for Taya Hernandez, Instructional Aide, Loyalton High School, .67 FTE (4 hours/day), effective 12/22/2022

2. Business Report

- a. Account Object Summary-Balance from 07/01/2022 to 12/31/2022
 1. SCOE**
 2. SPJUSD**
- b. Fourth Month SPJUSD Enrollments for the 2022-2023 School Year**

3. Staff Reports

- a. SCOE
- b. SPJUSD

4. SPTA Report

5. Committee/Board Member Reports

6. **Public Comment** – This is an opportunity for members of the public to directly address the governing board on any item of interest that is within the subject matter jurisdiction of the governing board. Three (3) minutes may be allotted to each speaker and a maximum of twenty (20) minutes to each subject matter.

L. CONSENT CALENDAR

1. Approval of minutes for the Regular Meetings held December 13, 2022
 - a. SCOE**
 - b. SPJUSD**
2. Approval of minutes for the Joint Special Meeting held December 16, 2022**
3. Approval of Board Report-Checks Dated 12/01/2022 through 12/31/2022
 - a. SCOE**
 - b. SPJUSD**
4. Approval of SPJUSD Quarterly Report on Williams Uniform Complaints for the quarter ending 12/31/2022**
5. Approval of SPJUSD Pesticide Use Reporting for 2022 (DES, DHS, LES, LHS, DO)**
6. Approval of the SPJUSD Integrated Pest Management Plan for 2023**
7. Approval of the following SPJUSD Personnel Items:
 - a. Assignment of Hayley Price, Classroom Specialist with Nurse Duties, Districtwide, .5 FTE (3 hours/day), effective November 23, 2022
 - b. Acceptance of Resignation for Taya Hernandez, Instructional Aide, Loyalton High School, .25 FTE (1.5 hours/day), effective 12/22/2022
 1. Authorization to fill Instructional Aide, Loyalton High School, .25 FTE (1.5 hours/day)
 - c. Assignment of Andy Genasci, Instructional Aide, Loyalton High School, .71 FTE (4.25 hours/day), effective January 9, 2023
 - d. Assignment of Taya Hernandez, Instructional Aide, Loyalton Elementary School, .58 FTE (3.5 hours/day), effective January 9, 2023
 - e. Assignment of Mary Ferraro, Clerk Cashier, Loyalton Elementary School, .5 FTE (3 hours/day), effective January 9, 2023
 - f. Assignment of Mary Ferraro, Instructional Aide, Loyalton Elementary School, .23 FTE (1.4 hours/day), effective January 9, 2023

M. ACTION ITEMS

1. New Business
 - a. Appoint committee to create Superintendent Evaluation Tool
 - b. Discussion regarding alternating monthly meeting locations between Loyalton and Downieville
 1. Board Bylaw 9320—Meetings and Notices**

BOARD POLICIES, ADMINISTRATIVE REGULATIONS, EXHIBITS, BOARD BYLAWS

Board Bylaw 9310: “The Superintendent or designee shall develop and present a first reading at a public Board meeting and action may be taken on the proposed policy. The Board may require additional readings if necessary.”

- c. 3250—Transportation Fees
 1. Board Policy, *revisions***
 2. Administrative Regulation, *revisions***
- d. 3260—Fees and Charges
 1. Administrative Regulation, *revisions***

- e. 3460—Financial Reports and Accountability
 - 1. Board Policy, *revisions***
 - 2. Administrative Regulation, *revisions***
- f. 3515—Campus Security
 - 1. Board Policy, *revisions***
 - 2. Administrative Regulation, *revisions***
- g. 3516.2—Bomb Threats
 - 1. Administrative Regulation, *revisions***
- h. 3540—Transportation
 - 1. Board Policy, *revisions***
- i. 9220—Governing Board Elections
 - 1. Board Bylaw, *revisions***
- j. 9223—Filling Vacancies
 - 1. Board Bylaw, *revisions***
- k. 9323—Meeting Conduct
 - 1. Board Bylaw, *revisions***

N. ADVANCED PLANNING

- 1. The next Regular Joint Board Meeting will be held on February 14, 2023, at Downieville School, 130 School St, Downieville CA 95936 at 6:00pm. If needed, Closed Session may be held before the Regular session beginning at 5:00pm. Zoom videoconferencing may be available for the public.
- 2. Suggested Agenda Items

O. ADJOURN



James Berardi, Superintendent

** enclosed

* handout

^^ prior meeting handout

James Berardi, Superintendent – jberardi@spjUSD.org

Kristie Jacobsen, Administrative Assistant to the Superintendent – [kjacobson@spjUSD.org](mailto:kjacobsen@spjUSD.org)

Nona Griesert, Director of Business Services/CBO – ngriesert@spjUSD.org

Office: 530-993-1660 x0

Email schoolinfo@spjUSD.org to be added to the agenda email list.

Balances through December						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund						
1100	Teachers Salaries	374,473.00	453,973.00	182,428.14	140,428.99	131,115.87
1115	Certificated Extra Duty	1,000.00	1,000.00		170.00	830.00
1120	Certificated Substitutes	10,416.00	10,416.00		1,980.00	8,436.00
1200	Certificated Pupil Support Ser	37,716.00	38,716.00	17,108.04	18,757.61	2,850.35
1300	Certificated Supervisor Admini	216,098.00	220,098.00	106,298.76	106,298.76	7,500.48
1310	Teacher in Charge	10,000.00	10,000.00			10,000.00
	Total for Object 1000	649,703.00	734,203.00	305,834.94	267,635.36	160,732.70
2100	Instructional Aides' Salaries	168,282.00	185,032.00	98,673.20	60,507.41	25,851.39
2115	Classified Extra Duty	1,000.00	1,000.00		217.49	782.51
2120	Classified Substitutes	7,500.00	7,500.00		1,771.51	5,728.49
2200	Classified Support Salaries	86,325.00	97,725.00	32,202.24	23,701.88	41,820.88
2215	Classified Support Extra Duty	1,000.00	1,000.00			1,000.00
2220	Classified Substitute Salaries	4,000.00	4,000.00			4,000.00
2300	Classified Supervisors' Admini	170,982.00	170,982.00	72,956.40	72,810.00	25,215.60
2400	Clerical Technical Office Staf	218,422.00	236,922.00	113,749.88	109,917.80	13,254.32
2900	Other Classified Salaries	20,520.00	20,520.00		1,753.75	18,766.25
	Total for Object 2000	678,031.00	724,681.00	317,581.72	270,679.84	136,419.44
3101	STRS Certificated Positions	189,095.00	205,235.00	58,414.50	48,949.82	97,870.68
3102	STRS Classified Positions	1,719.00	1,719.00		191.00	1,528.00
3202	PERS Classified Positions	163,936.00	175,772.00	74,488.86	67,863.84	33,419.30
3301	OASDI Certificated Positions	4,081.00	4,081.00		26.04	4,054.96
3302	OASDI Classified Positions	41,647.00	44,540.00	19,341.49	16,622.16	8,576.35
3311	Medicare Certificated Position	9,371.00	10,598.00	4,275.42	3,985.99	2,336.59
3312	Medicare Classified Positions	9,742.00	10,420.00	4,523.31	3,901.93	1,994.76
3401	Health & Welfare Benefits Cert	103,992.00	121,528.00	61,497.90	46,420.73	13,609.37
3402	Health & Welfare Benefits Clas	111,030.00	155,412.00	80,399.22	63,053.62	11,959.16
3501	SUI Certificated	3,327.00	3,750.00	1,529.16	1,455.87	764.97
3502	SUI Classified	3,392.00	3,626.00	1,587.97	1,364.06	673.97
3601	Workers' Compensation Certific	23,090.00	26,548.00	11,902.50	11,096.68	3,548.82
3602	Workers' Compensation Classifi	24,012.00	25,896.00	12,592.52	10,862.43	2,441.05
3901	Golden Handshake	15,689.00	15,689.00		15,688.50	.50
	Total for Object 3000	704,123.00	804,814.00	330,552.85	291,482.67	182,778.48
4100	Approved Textbooks Core Curric	1,300.00	6,081.00			6,081.00
4300	Materials and Supplies	44,714.00	61,625.00	9,842.94	23,768.69	28,013.37
4320	Custodial Grounds Supplies	1,250.00	1,478.00			1,478.00

Balances through December						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - Gen Fund (continued)						
4330	Office Supplies	1,750.00	1,750.00	330.42	80.07	1,339.51
4350	Vehicle Upkeep	3,500.00	3,500.00	1,472.87	253.35	1,773.78
4399	Mat & Sup Undesignated Bal	8,433.00	9,742.00			9,742.00
4400	Noncapitalized Equipment	9,714.00	10,714.00		1,752.42	8,961.58
	Total for Object 4000	70,661.00	94,890.00	11,646.23	25,854.53	57,389.24
5100	Subagreements for Services	40,000.00	40,000.00			40,000.00
5200	Travel and Conference	15,948.00	35,087.00	1,530.32	11,952.10	21,604.58
5300	Dues and Membership	19,847.00	32,847.00	963.66	26,754.93	5,128.41
5400	Insurance	15,000.00	25,000.00		24,457.60	542.40
5500	Operation Housekeeping Service	14,500.00	14,500.00	4,383.46	3,347.10	6,769.44
5600	Rentals, Leases, Repairs, Nonc	3,000.00	3,000.00	239.94	546.46	2,213.60
5801	Legal Services	18,500.00	25,415.00	2,492.50	2,507.50	20,415.00
5805	Personnel Expense	1,000.00	1,000.00	151.00	49.00	800.00
5808	Other Services & Fees	1,500.00	1,500.00	1,074.19	425.81	.00
5810	Contracted Services	462,653.00	695,097.00	203,400.33	154,629.73	337,066.94
5899	SPJUSD to Reimburse			1,595.44	398.90	1,994.34-
5900	Communications	12,500.00	17,000.00	6,857.38	6,078.06	4,064.56
	Total for Object 5000	604,448.00	890,446.00	222,688.22	231,147.19	436,610.59
6200	Building and Improvement of Bu		77,935.00			77,935.00
6400	Equipment	20,000.00	20,000.00			20,000.00
6500	Equipment Replacement	25,855.00	25,855.00			25,855.00
	Total for Object 6000	45,855.00	123,790.00	.00	.00	123,790.00
7110	County Tuition Inter Dist Agre	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	2,802,249.00	3,422,252.00	1,188,303.96	1,086,799.59	1,147,148.45
Fund 11 - ADULT ED						
1100	Teachers Salaries	4,500.00	88,802.00		15,965.12	72,836.88
1300	Certificated Supervisor Admini	110,566.00	110,566.00	55,283.04	55,283.04	.08-
	Total for Object 1000	115,066.00	199,368.00	55,283.04	71,248.16	72,836.80
2100	Instructional Aides' Salaries	2,000.00	20,000.00			20,000.00
2200	Classified Support Salaries	3,415.00				.00
2400	Clerical Technical Office Staf	27,394.00	31,947.00	16,649.55	15,731.24	433.79-

Balances through December							Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance	
Fund 11 - ADULT ED (continued)							
Total for Object 2000		32,809.00	51,947.00	16,649.55	15,731.24	19,566.21	
3101	STRS Certificated Positions	27,178.00	43,279.00	10,559.04	10,858.03	21,861.93	
3202	PERS Classified Positions	8,173.00	13,113.00	3,719.34	3,991.03	5,402.63	
3301	OASDI Certificated Positions				892.79	892.79-	
3302	OASDI Classified Positions	2,035.00	3,221.00	940.54	908.00	1,372.46	
3311	Medicare Certificated Position	1,668.00	2,891.00	792.90	1,024.39	1,073.71	
3312	Medicare Classified Positions	475.00	753.00	219.95	212.35	320.70	
3401	Health & Welfare Benefits Cert	13,019.00	13,019.00	6,509.40	6,509.40	.20	
3402	Health & Welfare Benefits Clas	17,536.00	17,536.00	8,768.28	5,845.52	2,922.20	
3501	SUI Certificated	576.00	997.00	276.42	356.25	364.33	
3502	SUI Classified	164.00	260.00	83.26	78.65	98.09	
3601	Workers' Compensation Certific	4,111.00	7,536.00	2,207.34	2,851.81	2,476.85	
3602	Workers' Compensation Classifi	1,172.00	2,023.00	612.38	591.17	819.45	
Total for Object 3000		76,107.00	104,628.00	34,688.85	34,119.39	35,819.76	
4100	Approved Textbooks Core Curric	3,000.00	10,000.00		8,416.41	1,583.59	
4300	Materials and Supplies	12,967.00	12,085.00	1,842.84	1,184.09-	11,426.25	
4320	Custodial Grounds Supplies	1,000.00	2,500.00	53.71	2.45	2,443.84	
4330	Office Supplies	2,500.00	2,000.00	339.37	75.52-	1,736.15	
4350	Vehicle Upkeep	2,000.00	2,000.00		38.11	1,961.89	
4400	Noncapitalized Equipment	5,000.00	22,556.00	10,386.33	4,844.11	7,325.56	
Total for Object 4000		26,467.00	51,141.00	12,622.25	12,041.47	26,477.28	
5200	Travel and Conference	6,500.00	6,500.00	831.32	708.63-	6,377.31	
5203	MILEAGE	1,000.00	1,000.00			1,000.00	
5300	Dues and Membership	1,500.00	1,500.00		1,130.00	370.00	
5500	Operation Housekeeping Service	4,200.00	5,000.00	3,430.20	2,818.48-	4,388.28	
5600	Rentals, Leases, Repairs, Nonc	2,600.00	2,679.00	1,437.87	1,064.42-	2,305.55	
5801	Legal Services	1,000.00	1,000.00			1,000.00	
5805	Personnel Expense	100.00	100.00	100.00	100.00-	100.00	
5808	Other Services & Fees	1,000.00	1,000.00			1,000.00	
5810	Contracted Services	21,500.00	15,497.00		14,379.93	1,117.07	
5900	Communications	1,600.00	2,000.00	473.22	702.06	824.72	
Total for Object 5000		41,000.00	36,276.00	6,272.61	11,520.46	18,482.93	
6200	Building and Improvement of Bu	34,054.00	212,087.00	103,867.96	10,730.12-	118,949.16	
6400	Equipment	5,000.00				.00	
Total for Object 6000		39,054.00	212,087.00	103,867.96	10,730.12-	118,949.16	

Balances through December						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 11 - ADULT ED (continued)						
7619	Other Authorized Interfund Tra	6,722.00	6,615.00			6,615.00
Total for Fund 11 and Expense accounts		337,225.00	662,062.00	229,384.26	133,930.60	298,747.14
Fund 16 - FOREST RES						
7211	Transfers of Pass-through Rev	262,000.00	262,000.00			262,000.00
7619	Other Authorized Interfund Tra	46,000.00	46,000.00			46,000.00
Total for Fund 16, Expense accounts and Object 7000		308,000.00	308,000.00	.00	.00	308,000.00
Total for Org 001 - Sierra County Office of Education		3,447,474.00	4,392,314.00	1,417,688.22	1,220,730.19	1,753,895.59

Balances through December						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - General FD						
1100	Teachers Salaries	2,121,520.00	2,587,123.00	1,185,427.26	817,605.65	584,090.09
1115	Extra Duty Hourly	2,000.00	73,217.00		4,811.73	68,405.27
1120	Certificated Substitutes	37,000.00	40,277.00		30,060.00	10,217.00
1300	Certificated Superv/Admin Sala	246,305.00	286,305.00	123,152.10	123,152.10	40,000.80
1310	Teacher In Charge/Head Teacher	14,000.00	14,000.00	6,000.00	4,000.00	4,000.00
	Total for Object 1000	2,420,825.00	3,000,922.00	1,314,579.36	979,629.48	706,713.16
2100	Instructional Aides Salaries	260,790.00	260,966.00	149,916.09	93,418.78	17,631.13
2115	Inst. Aide Extra Duty	1,000.00	28,000.00		1,288.06	26,711.94
2120	Instructional Aides Substitute	3,500.00	3,500.00		720.44	2,779.56
2200	Classified Support Salaries	409,531.00	391,363.00	188,344.87	171,131.01	31,887.12
2201	Bus Driver	62,442.00	62,755.00	28,937.38	19,990.06	13,827.56
2215	Classified Extra Duty	7,500.00	7,500.00		1,897.79	5,602.21
2220	Classified Support Substitute	25,000.00	25,000.00		16,339.23	8,660.77
2300	Classified Sup/Admin Salaries	2,700.00	77,700.00	1,481.75	765.00	75,453.25
2400	Clerical & Office Salaries	166,820.00	207,585.00	108,857.22	92,512.22	6,215.56
2420	Clerical & Office Sub Salaries	5,000.00	5,000.00		1,681.30	3,318.70
2900	Other Classified Salaries	4,513.00	4,513.00	2,511.00	953.25	1,048.75
	Total for Object 2000	948,796.00	1,073,882.00	480,048.31	400,697.14	193,136.55
3101	State Teachers Retirement Syst	658,067.00	755,389.00	243,407.03	168,764.95	343,217.02
3102	State Teachers Retirement Syst	9,567.00	9,567.00			9,567.00
3201	Public Employees Retirement Sy	1,000.00	1,000.00			1,000.00
3202	Public Employees Retirement Sy	239,492.00	265,420.00	96,195.09	84,042.65	85,182.26
3311	OASDI-Certificated Positions	1,878.00	2,748.00		938.92	1,809.08
3312	OASDI-Classified Positions	57,766.00	64,945.00	28,952.45	24,618.64	11,373.91
3321	Medicare-Certificated Position	33,649.00	41,683.00	18,036.78	13,359.44	10,286.78
3322	Medicare-Classified Positions	13,523.00	15,191.00	6,771.25	5,757.57	2,662.18
3401	Health & Welfare -Certificated	453,215.00	653,869.00	272,424.00	187,782.83	193,662.17
3402	Health & Welfare-Classified Po	159,027.00	221,427.00	108,142.38	93,425.80	19,858.82
3501	State Unemployment Insurance-C	12,371.00	15,092.00	6,660.48	5,320.50	3,111.02
3502	State Unemployment Insurance-	4,743.00	5,363.00	2,400.37	2,043.12	919.51
3601	Workers' Compensation Insuranc	74,912.00	102,887.00	45,274.26	33,461.52	24,151.22
3602	Workers' Compensation Insuranc	29,260.00	37,247.00	16,605.54	14,119.97	6,521.49
3901	Other Benefits, Certificated P	52,610.00	52,610.00	52,609.62	20,459.32	20,458.94
	Total for Object 3000	1,801,080.00	2,244,438.00	897,479.25	654,095.23	692,863.52
4100	Textbooks	26,605.00	267,506.00	89.55	235,585.16	31,831.29

Balances through December						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - General FD (continued)						
4300	Class Mat'l and Supplies	54,724.00	72,557.00	4,002.90	32,690.61	35,863.49
4301	Class Consumable Mat'l	6,000.00	6,000.00	220.30	4,303.60	1,476.10
4302	Class Paper/Toner	9,000.00	9,000.00	260.06	6,737.77	2,002.17
4305	Other Student M&S	28,500.00	29,500.00	4,835.81	8,000.73	16,663.46
4320	Custodial Grounds Supplies	30,000.00	79,582.00	6,793.33	24,741.20	48,047.47
4330	Office Supplies	19,500.00	19,500.00	1,050.66	5,914.05	12,535.29
4350	Vehicle Maint. M&S	18,000.00	19,000.00	6,496.33	3,681.28	8,822.39
4351	Vehicle FUEL	20,500.00	20,500.00	8,439.40	11,487.77	572.83
4399	M&S Misc -undesignated	469.00	56,703.00			56,703.00
4400	Non-Capital Equipment (Up to \$	65,933.00	165,000.00	20,148.70	70,048.20	74,803.10
	Total for Object 4000	279,231.00	744,848.00	52,337.04	403,190.37	289,320.59
5100	Subagreement for Services	185,000.00	185,000.00	174,000.00		11,000.00
5200	Travel & Conferences	22,577.00	166,956.00	1,187.67	12,980.95	152,787.38
5300	Dues & Membership	10,000.00	10,128.00	1,092.00	7,969.00	1,067.00
5400	Insurance-Fire, liability, etc	160,000.00	210,000.00		207,851.59	2,148.41
5510	Power	153,000.00	153,000.00	110,099.38	42,863.31	37.31
5520	Garbage	7,000.00	7,000.00	4,347.19	2,520.13	132.68
5530	Water	60,000.00	60,000.00	35,897.44	24,102.56	.00
5540	Propane	132,000.00	132,000.00	102,527.39	29,472.61	.00
5590	Miscellaneous Utilities	15,000.00	15,000.00	11,298.22	3,701.78	.00
5600	Rentals, Leases & Repairs	83,500.00	83,500.00	54,700.10	12,823.70	15,976.20
5800	Services & Operating Expense		25,000.00		3,736.72	21,263.28
5810	Legal Expenses	20,000.00	113,698.00	4,550.00	5,926.70	103,221.30
5812	Board Election Expense	2,000.00	2,000.00		1,313.14	686.86
5840	Audit Expense	14,523.00	14,523.00			14,523.00
5860	Solid Waste Tax	10,000.00	12,500.00		11,820.20	679.80
5890	Contracts/Servic	613,910.00	987,229.00	389,984.82	329,607.71	267,636.47
5899	SCOE Interagency Reimburse			17,770.54	4,640.32	22,410.86-
5900	Communications	3,500.00	28,500.00	3,546.76	21,891.07	3,062.17
5910	Telephone-Monthly Service	12,275.00	15,775.00	9,722.42	5,364.92	687.66
	Total for Object 5000	1,504,285.00	2,221,809.00	920,723.93	728,586.41	572,498.66
6200	Building & Improvements		90,000.00	131,751.07	14,252.93	56,004.00-
6400	Equipment	25,000.00	40,000.00	34,764.62	1,368.34	3,867.04
6500	Equipment Replacement	55,000.00	80,000.00	10,482.22		69,517.78
	Total for Object 6000	80,000.00	210,000.00	176,997.91	15,621.27	17,380.82

Balances through December						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
Fund 01 - General FD (continued)						
7110	Out-of-State Tuition	104,450.00	104,450.00	104,450.00		.00
7310	Direct Support/Indirect Costs					.00
7616	Trans fr Gen Fund to Cafeteria	100,654.00	115,713.00			115,713.00
	Total for Object 7000	205,104.00	220,163.00	104,450.00	.00	115,713.00
	Total for Fund 01 and Expense accounts	7,239,321.00	9,716,062.00	3,946,615.80	3,181,819.90	2,587,626.30
Fund 13 - Cafeteria						
2200	Classified Support Salaries	92,270.00	103,918.00	50,849.17	40,834.03	12,234.80
2215	Classified Extra Duty	1,500.00	1,500.00		768.59	731.41
2220	Classified Support Substitute	1,500.00	1,500.00		538.18	961.82
	Total for Object 2000	95,270.00	106,918.00	50,849.17	42,140.80	13,928.03
3202	Public Employees Retirement Sy	22,055.00	23,954.00	11,194.44	9,895.60	2,863.96
3312	OASDI-Classified Positions	5,716.00	6,312.00	3,038.15	2,536.42	737.43
3322	Medicare-Classified Positions	1,337.00	1,476.00	710.52	593.17	172.31
3402	Health & Welfare-Classified Po	17,537.00	17,537.00	10,521.96	7,014.64	.40
3502	State Unemployment Insurance-	476.00	525.00	254.25	210.70	60.05
3602	Workers' Compensation Insuranc	2,893.00	3,621.00	1,742.54	1,454.75	423.71
	Total for Object 3000	50,014.00	53,425.00	27,461.86	21,705.28	4,257.86
4340	Food Service	7,500.00	7,500.00	4,901.04	2,078.51	520.45
4400	Non-Capital Equipment (Up to \$	4,900.00	4,900.00			4,900.00
4700	Food	55,000.00	69,341.00	25,350.33	31,384.74	12,605.93
	Total for Object 4000	67,400.00	81,741.00	30,251.37	33,463.25	18,026.38
5200	Travel & Conferences	500.00	500.00			500.00
5600	Rentals, Leases & Repairs	8,070.00	8,070.00	600.00	2,287.63	5,182.37
5800	Services & Operating Expense	400.00	400.00	300.00		100.00
5890	Contracts/Servic	500.00	500.00		406.00	94.00
	Total for Object 5000	9,470.00	9,470.00	900.00	2,693.63	5,876.37
	Total for Fund 13 and Expense accounts	222,154.00	251,554.00	109,462.40	100,002.96	42,088.64
Fund 40 - Dist Build						
6200	Building & Improvements		113,093.00	2,500.00	21,616.60	88,976.40
	Total for Fund 40, Expense accounts and Object 6000	.00	113,093.00	2,500.00	21,616.60	88,976.40
Fund 73 - Bechen						
5800	Services & Operating Expense	15,000.00	15,000.00			15,000.00

Balances through December						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
	Total for Fund 73, Expense accounts and Object 5000	15,000.00	15,000.00	.00	.00	15,000.00
	Total for Org 006 - Sierra-Plumas Joint Unified School District	<u>7,476,475.00</u>	<u>10,095,709.00</u>	<u>4,058,578.20</u>	<u>3,303,439.46</u>	<u>2,733,691.34</u>

ENROLLMENT BY SCHOOL MONTH - 2022-2023

****As of 01/03/2023**

	Downieville Elementary	Loyalton Elementary	Downieville Jr High	Loyalton Jr High	Downieville Sr High	Loyalton Sr High	Sierra Pass Continuation	Long-Term ISP/SDC	TOTAL
Ending 2021-2022	27	184	8	63	14	93	7	included in site #	396
1st Day 2022-2023	25	192	8	60	12	101	5	included in site #	403

	Month	Downieville Elementary	Loyalton Elementary	Downieville Jr High	Loyalton Jr High	Downieville Sr High	Loyalton Sr High	Sierra Pass Continuation	Long-Term ISP/SDC	TOTAL
September	1	25	191	8	62	12	100	6	included in site #	404
08/24/22-09/16/22										
October	2	25	191	8	63	12	100	6	included in site #	405
09/19/22-10/14/22										
November	3	25	191	8	62	11	100	6	included in site #	403
10/17/22-11/10/22										
December	4	25	191	8	62	11	99	7	included in site #	403
11/14/22-12/09/22										
January	5								included in site #	0
12/12/22-01/20/23										
February	6								included in site #	0
01/23/23-02/17/23										
March	7								included in site #	0
02/21/22-03/17/23										
April	8								included in site #	0
03/20/23-04/14/23										
May	9								included in site #	0
04/17/23-05/12/23										
June	10								included in site #	0
05/15/23-06/09/23										

2021-2022	SPJUSD	SCOE	Washoe
P1 ADA	348.74	0.42	15.10
P2 ADA	347.95	0.42	14.54
Annual	349.64	0.42	14.59

Long-Term ISP	
DES	0
LES	1
DHS	0
LHS	7

2019-2020	SPJUSD	SCOE	Washoe
P1 ADA	410.52	5.54	18.74
P2 ADA	409.30	5.07	15.36
Annual	409.30	5.07	15.36

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

December 13, 2022

The Regular Session for the County meeting was held immediately after the Annual Organizational Meeting of the 6:00pm District meeting.

Downieville: Downieville School, 130 School St, Downieville CA 95936

Zoom videoconferencing was also available for the public.

In accordance with AB 361, effective October 1, 2021, pertaining to the convening of public meetings in response to the COVID-19 pandemic, the Sierra County Board of Education suspended the Brown Act teleconferencing posting requirements for any Board members that chose to participate via Zoom videoconferencing.

A. CALL TO ORDER

Vice President CHRISTINA POTTER called the meeting to order at 6:26pm.

B. ROLL CALL

PRESENT: *Patty Hall, Clerk, Area 1 (via Zoom)*
Annie Tipton, Area 2
Christina Potter, Vice President, Area 3 (via Zoom)
Kelly Champion, Area 4
Dorie Gayner, Area 5

ABSENT: *None*

C. APPROVAL OF AGENDA

HALL/TIPTON

5/0

D. Approval of utilizing AB 361 for meetings conducted through January 10, 2023

~This suspends the Brown Act teleconferencing posting requirements for any Board members that choose to participate via Zoom videoconferencing

~AB 361 expires January 01, 2024

~Zoom may be available for the public with or without utilizing AB 361

HALL/GAYNER

5/0

E. ANNUAL ORGANIZATIONAL MEETING—BOARD ORGANIZATION

1. Accept the Officers elected for the District Board as the same Officers for the County Board if changing to joint meetings

TIPTON/HALL

5/0

OR

Election of Officers for 2023 if continuing with separate County and District meetings

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
- b. Vice President
- c. Clerk of the Board

2. The President (*KELLY CHAMPION*) 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.
 3. Approval of the Sierra County Board of Education Meeting Calendar for 2023:
 - a. Option 1 (joint), Option 2 (re-order) or Option 3 (traditional)
GAYNER motioned to approve Option 1 for joint meetings with the change of the June meeting to the 21st, same as in the District meeting. Second by HALL. 5/0
 - b. Schedule of Annual Governance Matters
TIPTON motioned to approve the schedule with the addition of the Superintendent Evaluation process starting in March, same as in the District meeting. Second by HALL. 5/0
- F. PRESENTATION by TCSIG & Risk Strategies regarding Intent to withdraw from Schools Excess Liability Fund (SELF) Joint Powers Authority (JPA)
Guest speakers: Lynn Whitlock with TCSIG and Paul Harrison with Risk Strategies
- G. INFORMATION/DISCUSSION ITEMS
1. Superintendent's Report
 - a. Sierra County Office of Education and Sierra County Schools for Adults MOU with Sierra County Social Services – for Implementation of CDA Access to Technology Grant
 1. Classroom Specialist (Personal Device Education Specialist), .5 FTE
BERARDI: \$110K grant. Part of the grant funds will be used to hire a part-time position to help with technology education.
 - b. Facility use at Adult Education and Old Middle School gym location
BERARDI: The parking lot is being cleaned up and worked on as best as we can in a timely manner.
 2. Business Report
 - a. Account Object Summary-Balance from 07/01/2022 to 11/30/2022
 - b. The Sierra County Office of Education will be closed to the public for Winter Break: December 23, 2022, through January 6, 2023
 3. Staff Reports
SELPA—BETHKE: Nothing to report this month.
ADULT ED—JACKSON: We have a graduation ceremony for three students this Thursday at 6pm at the District Office, Room 4.
 4. Board Member Reports
POTTER—Welcome to the new board members! I'm excited to move forward with the new board. It will be an exciting next year.
HALL—I can ditto that one.
TIPTON—I'm excited to get started and work with all of you and learn a lot.
GAYNER—Yes, welcome. Looking forward to Friday's training and getting on the same page.
CHAMPION—I'm really excited. I think we have a strong group. I have some goals, but I understand there is some other stuff that needs to happen in order to reach those goals. I will be working as hard as I can outside of family and work. I also hope that we can work towards engaging more public input in meetings.

5. Public Comment

PAMELA—Speaking about handicap parking accessibility at Adult Ed campus and Old Middle School gym. It is not easy for my husband to get into the Old Middle School gym currently. Thank you to Richard and Annie for helping out!

H. CONSENT CALENDAR

1. Approval of minutes for the Regular Board Meeting held November 08, 2022
GAYNER/POTTER
4/0 (1 abstention - CHAMPION)
2. Approval of Board Report-Checks Dated 11/01/2022 through 11/30/2022
TIPTON/GAYNER
5/0

I. ACTION ITEMS

1. New Business

- a. Adoption of Resolution No. 23-004C, Intent to withdraw from SELF JPA
TIPTON/HALL
ROLL CALL VOTE:
HALL – Aye
TIPTON – Aye
POTTER – Aye
CHAMPION – Aye
GAYNER – Aye
5/0
- b. Adoption of the 2022-2023 First Interim Actuals and Criteria and Standards Report as of October 31, 2022
Overview given by GRIESERT.
CHAMPION/GAYNER
5/0
- c. First reading of the 2021-2022 Sierra County Office of Education Special Education School Accountability Report Card (SARC)
TIPTON/HALL
5/0

BOARD POLICIES, ADMINISTRATIVE REGULATIONS, EXHIBITS, BOARD BYLAWS

Board Bylaw 9310: “The Superintendent or designee shall develop and present a first reading at a public Board meeting and action may be taken on the proposed policy. The Board may require additional readings if necessary.”

d. 9320—Meetings and Notices

1. Board Bylaw – review for possible changes depending on which Board Calendar is approved for 2023
TIPTON motioned to approve with edits by JACOBSEN to reflect change to joint meetings. Second by GAYNER.
5/0

CSBA generated and recommended updates:

~~All updates were reviewed by District Office staff~~

- e. 4118—Dismissal/Suspension/Disciplinary Action (*Certificated Staff*)
 - 1. Board Policy, *revisions*
 - 2. Administrative Regulation, *revisions*
- f. 4216—Probationary/Permanent Status (*Classified Staff*)
 - 1. Board Policy, *revisions*
- g. 4218—Dismissal/Suspension/Disciplinary Action (*Classified Staff*)
 - 1. Board Policy, *revisions*
 - 2. Administrative Regulation, *revisions*
- h. 4119.1~4219.1~4319.1—Civil and Legal Rights (*All Staff*)
 - 1. Board Policy, *revisions*
- i. 4140~4240~4340—Bargaining Units (*All Staff*)
 - 1. Board Policy, *revisions*
- j. 4161.2~4261.2~4361.2—Personal Leaves (*All Staff*)
 - 1. Administrative Regulation, *revisions*
- k. 4161.5~4261.5~4361.5—Military Leave (*All Staff*)
 - 1. Administrative Regulation, *revisions*

GAYNER motioned to approve e-k as presented. Second by TIPTON.

5/0

J. ADVANCED PLANNING

- 1. Next Regular Board Meeting will be held on January 10, 2023, at Sierra County Office of Education, Room 4, 109 Beckwith Rd, Loyalton CA 96118, beginning with Closed Session as needed at 5:00pm and the Regular Board Meeting at 6:00pm. Zoom videoconferencing may be available for the public.
- 2. Suggested Agenda Items

None

K. ADJOURN at 7:41pm

HALL/GAYNER

5/0

Dorie Gayner, Clerk

James Berardi, Superintendent
Secretary to the County Board of Education

MINUTES FOR THE REGULAR MEETING OF THE GOVERNING BOARD OF THE
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

December 13, 2022

5:30pm CLOSED Session

6:00pm Regular Session

There was a recess to the County meeting after the Annual Organizational Meeting (item G). The remainder of the Regular Session for the District meeting immediately followed the County meeting.

Downieville: Downieville School, 130 School St, Downieville CA 95936

Zoom videoconferencing was also available for the public.

In accordance with AB 361, effective October 1, 2021, 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 suspended the Brown Act teleconferencing posting requirements for any Board members choosing to participate via Zoom videoconferencing.

A. CALL TO ORDER

Vice President PATTY HALL called the meeting to order at 5:44pm.

B. OATH OF OFFICE

The Superintendent gave the Oath of Office to the following Trustees prior to the start of the meeting to establish a quorum:

- 1. Annie Tipton, Trustee Area #2 (Sierraville, Sierra City & Sattley), Elected*
- 2. Kelly Champion, Trustee Area #4 (North West & North East of Loyalton), Elected*
- 3. Dorie Gayner, Trustee Area #5 (City of Loyalton), Appointment in Lieu of Election*

C. ROLL CALL

*PRESENT: Patty Hall, Vice President, Area 1 (via Zoom)
Annie Tipton, Area 2
Christina Potter, Clerk, Area 3 (joined via Zoom at 6:05pm)
Kelly Champion, Area 4
Dorie Gayner, Area 5*

ABSENT: None

D. APPROVAL OF AGENDA

CHAMPION/GAYNER

4/0

E. Approval of utilizing AB 361 for meetings conducted through January 10, 2023

~This suspends the Brown Act teleconferencing posting requirements for any Board members that choose to participate via Zoom videoconferencing

~AB 361 expires January 01, 2024

~Zoom may be available for the public with or without utilizing AB 361

TIPTON/HALL

4/0

F. PUBLIC COMMENT FOR CLOSED SESSION

None

G. CLOSED SESSION

The Board of Trustees, Superintendent James Berardi and Director of Business Services Nona Griesert moved into Closed Session at 5:48pm to discuss the following item(s):

1. Government Code 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator for the Board: James Berardi, Superintendent

Employee Organizations:

Unrepresented Employees: Superintendent

H. RETURN TO OPEN SESSION and ADJOURN FOR BREAK at 6:02pm

I. 6:00PM – RECONVENE THE SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEETING – 6:06pm

J. FLAG SALUTE

K. ANNUAL ORGANIZATIONAL MEETING—BOARD ORGANIZATION

1. Election of Officers for 2023

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

*TIPTON motioned for Kelly Champion to be President. Second by CHAMPION.
5/0*

b. Vice President

*GAYNER motioned for Annie Tipton to be Vice President. Second by CHAMPION.
5/0*

c. Clerk of the Board

*CHAMPION motioned for Dorie Gayner to be Clerk. Second by TIPTON.
5/0*

2. The President will appoint Board Representatives to the following committees:

a. Nominate and Appoint two Board members to Facilities Committee

Currently: *vacant/vacant*
CHAMPION & GAYNER

b. Nominate and Appoint two Board members to Negotiations Committee

Currently: *HALL/vacant* (Alternates: *vacant/POTTER*)
CHAMPION & TIPTON

c. Nominate and Appoint two Board members to Transportation Committee-West

Currently: *HALL/vacant*
HALL & TIPTON

d. Nominate and Appoint two Board members to Transportation Committee-East

Currently: *POTTER/vacant*
POTTER & TIPTON

e. Nominate and Appoint two Board members to Technology Committee

Currently: *HALL/vacant*
GAYNER & POTTER

3. Approval of the Sierra-Plumas Joint Unified School District Governing Board Meeting Calendar for 2023

a. Option 1 (joint), Option 2 (re-order) or Option 3 (traditional)

*TIPTON motioned to adopt Option 1 for joint meetings with the change of the June meeting to the 21st. Second by HALL.
5/0*

- b. Schedule of Annual Governance Matters
GAYNER motioned to approve the schedule with the addition of the Superintendent Evaluation process starting in March. Second by HALL.
5/0

L. RECESS TO THE SIERRA COUNTY BOARD OF EDUCATION MEETING at 6:26pm

M. RECONVENE THE SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEETING at 7:42pm

N. REPORT OUT FROM CLOSED SESSION

TIPTON: Was for discussion only – to catch up the new board members regarding the Addendum to the Superintendent’s Contract up for possible approval under Action Items.

O. INFORMATION ITEMS

1. Superintendent’s Report

- a. Board Training – scheduled for December 16th
BERARDI: This Friday at 11:30am with Mike Walsh.
- b. Strategic Planning
BERARDI: Following the Board Training we will set a date for Strategic Planning to establish who we are and where we’re going.
- c. Revisit substitute pay
BERARDI: We raised our substitute pay about a year and half ago. The concern is that Plumas County has raised their pay and we are no longer competitive with them. Plumas County will soon be changing over to a Basic Aid District – different funding model with the ability to offer higher pay. We cannot compete with them dollar-for-dollar with that in mind. We can conduct a comparison study again with Truckee, Reno and other surrounding districts. If we can increase our substitute pay again, I would like to see that, but we have to consider what we can afford as a District.
- d. Schools’ safety
BERARDI: New cameras going in at LES and Downieville. New bleachers at LHS and new front doors being installed. Communicating regularly with the Sheriff’s Department about strategic plans for locking doors when necessary. ALICE and Active Shooter trainings with staff will continue.
- e. District calendars and the use of snow days
BERARDI: I just want everyone to be aware that we need to build in more snow days/make-up days in the school calendars going forward. Two to three days is proving to not be enough. By law we have to have 180 instructional days per year, so when we fall short of that we apply for a J-13A waiver. The State will start pushing back on J-13A waivers if this continues year after year.

2. Business Report

- a. Account Object Summary-Balance from 07/01/2022 to 11/30/2022
- b. Third Month Enrollments for the 2022-2023 School Year
- c. The Sierra-Plumas Joint Unified School District Office will be closed to the public for Winter Break: December 23, 2022, through January 6, 2023

3. Staff Reports

LES—CERESOLA: Parent-Teacher Conferences went well. It was nice to have them be “normal” this year with parents able to come into the classroom and sit with the teacher. TK-K and K-1 classes had a huge feast for Thanksgiving at the end of November. 3rd Grade class wrote letters to Veterans. Thank you to Sherrill

Rahe for her work out in the garden each year! Annual Coat Drive – collecting coats, hats, scarves and gloves in a box by front office. Our 5-8 Grade basketball teams already took part in their first tournament in Portola. First Trimester assembly held last week. Everyone was recognized. The 6th Grade class made stockings for the dogs at High Sierra Animal Rescue. Tomorrow, we have our monthly “Pop with a Cop” visit. December-to-Remember with a dress up day every day of the month leading up to Winter Break. Christmas program coming back this year on December 21st at 6pm. Welcome to the new board members!

LHS—MESCHERY: Welcome to the new board members! You are all welcome to set up a visit at LHS and Sierra Pass. Looking forward to Winter Break due to all of the illnesses staff and students have been experiencing. We have lots of holiday activities going on. Musica Sierra putting on their showcase holiday event on December 18th at 2:30pm. Site Council meeting tomorrow night at 6pm. After break there will be a new “Home of the Grizzlies” sign going up on the building. Booster Club and Student Body using special funds to help paint the gym, and putting up decals and motivational signs in the locker rooms. After break there will be a winter dance for middle school students that coincides with the basketball tournament. Winterfest for all students is the week of January 23rd. Ski and snowboard team is doing dry-land training. Basketball has kicked off with a ton of tournaments. Congratulations to the teams and coaches for winning the Sportsmanship Award for the school!

DES & DHS—BERARDI: Held our Christmas show down at the Yuba theater. Christmas parties taking place next week for students and staff. Last week we had spirit week with students dressing up. We had our GOLDEN Awards assembly. Still holding “Pizza with the Principal” each month. We are working through the WASC re-accreditation process.

4. SPTA Report

PRESIDENT—PETTERSON: No report, but would like to say welcome to the new school board members! We’re excited to have them onboard.

5. Board Members’ Report

GAYNER: Looking at PA systems at LES and LHS. Planning for updates to include a bell system. I’ve been teaching Art at Sierra Pass once a week. I will be hanging their artwork at LES for the Christmas show on the 21st. Mr. Berardi has written a letter in support of grants the City of Loyalton is pursuing for water infrastructure.

6. Public Comment

None

P. CONSENT CALENDAR

1. Approval of minutes for the Special Board Meeting held November 22, 2022

GAYNER/HALL

4/0 (1 abstention – CHAMPION)

2. Approval of Board Report-Checks Dated 11/01/2022 through 11/30/2022

GAYNER/CHAMPION

5/0

3. Approval of the following Personnel items:

a. Assignment of Joel Armstrong, 2022-2023 Boys Varsity Basketball Coach, Loyalton High School

b. Assignment of Michael Simpkins, 2022-2023 Boys Junior Varsity Basketball Coach, Loyalton High School

- c. Assignment of Libby Ryan, 2022-2023 Winter Cheer Coach, Loyalton High School
- d. Assignment of Joanna Haug, 2022-2023 Site Technology Coordinator, Loyalton Elementary School
- e. Acceptance of Retirement for Tammy Helm, Cook, Downieville Schools, .68 FTE (5.4 hours/day), effective June 13, 2023
- f. Authorization to fill Cook, Downieville Schools, .68 FTE (5.4 hours/day)

GAYNER/POTTER

5/0

Q. ACTION ITEMS

1. New Business

- a. Adoption of Resolution No. 23-004D, Intent to withdraw from Schools Excess Liability Fund (SELF) Joint Powers Authority (JPA)
(Presentation by TCSIG & Risk Strategies given during the County meeting)

TIPTON/HALL

ROLL CALL VOTE:

HALL – Aye

TIPTON – Aye

POTTER – Aye

CHAMPION – Aye

GAYNER – Aye

5/0

- b. Adoption of the 2022-2023 First Interim Actuals and Criteria and Standards Report as of October 31, 2022

GAYNER/HALL

5/0

- c. Approval of Addendum to Superintendent Contract 2020-07D, new Addendum Contract 2023-007D

Postponed to a future meeting TBD.

- d. Approval of Districtwide Re-Key

GAYNER/HALL

5/0

- e. Update on water infrastructure plan for City of Loyalton as it relates to soccer field (GAYNER)

GAYNER: Next water planning meeting will be held January 5th at 5:30pm at City Hall. Aggressively going after grants from USDA, Water Boards and looking at assessments. No action needed at this time.

- f. First reading of the 2021-2022 School Accountability Report Cards (SARCs):

- 1. Downieville Elementary School
- 2. Loyalton Elementary School
- 3. Downieville Jr/Sr High School
- 4. Loyalton High School
- 5. Sierra Pass Continuation School

TIPTON/GAYNER

5/0

BOARD POLICIES, ADMINISTRATIVE REGULATIONS, EXHIBITS, BOARD BYLAWS

Board Bylaw 9310: “The Superintendent or designee shall develop and present a first reading at a public Board meeting and action may be taken on the proposed policy. The Board may require additional readings if necessary.”

CHAMPION motioned to approve all policies as was done in the County meeting.

Second by *POTTER*.

5/0

g. 9320—Meetings and Notices

1. Board Bylaw – review for possible changes depending on which Board Calendar is approved for 2023

CSBA generated and recommended updates:

~~All updates were reviewed by District Office staff~~

h. 4118—Dismissal/Suspension/Disciplinary Action (*Certificated Staff*)

1. Board Policy, *revisions*
2. Administrative Regulation, *revisions*

i. 4216—Probationary/Permanent Status (*Classified Staff*)

1. Board Policy, *revisions*

j. 4218—Dismissal/Suspension/Disciplinary Action (*Classified Staff*)

1. Board Policy, *revisions*
2. Administrative Regulation, *revisions*

k. 4119.1~4219.1~4319.1—Civil and Legal Rights (*All Staff*)

1. Board Policy, *revisions*

l. 4140~4240~4340—Bargaining Units (*All Staff*)

1. Board Policy, *revisions*

m. 4161.2~4261.2~4361.2—Personal Leaves (*All Staff*)

1. Administrative Regulation, *revisions*

n. 4161.5~4261.5~4361.5—Military Leave (*All Staff*)

1. Administrative Regulation, *revisions*

R. ADVANCED PLANNING

1. Next Regular Board Meeting will be held on January 10, 2023, at Sierra County Office of Education, Room 4, 109 Beckwith Rd, Loyalton CA 96118, beginning with Closed Session as needed at 5:00pm and the Regular Board Meeting following the 6:00pm County meeting. Zoom videoconferencing may be available for the public.

2. Suggested Agenda Items

- Grandi Contract*
- Intercom system*
- Substitute pay comparisons*

S. ADJOURN

CHAMPION adjourned the meeting at 8:38pm.

Dorie Gayner, Clerk

James Berardi, Superintendent

**SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT—SPJUSD
CLOSED SESSION REPORTING FORM**

DATE: December 13, 2022

CLOSED SESSION BEGAN AT: 5:48 P.M.

BOARD MEMBERS PRESENT:

Patty Hall Annie Tipton Christina Potter Kelly Champion Dorie Gayner

OTHERS PRESENT:

James Berardi, Superintendent
 Nona Griesert, Director of Business Services *> asked to leave during discussion*

I. SESSION TOPIC(S):

<p>Item #1—Government Code 54957.6 CONFERENCE WITH LABOR NEGOTIATORS Agency Negotiator for the Board: James Berardi, Superintendent Employee Organizations: Unrepresented Employees: Superintendent</p> <p>RESULT:</p> <p><input type="checkbox"/> DIRECTION WAS GIVEN TO SUPERINTENDENT <input checked="" type="checkbox"/> THE CLOSED SESSION WAS FOR PURPOSES OF DISCUSSION ONLY. NO ACTION WAS TAKEN. <input type="checkbox"/> A ROLL CALL VOTE WAS TAKEN: HALL _____ TIPTON _____ POTTER _____ CHAMPION _____ GAYNER _____ <input type="checkbox"/> A ROLL CALL VOTE WAS TAKEN IN OPEN SESSION: HALL _____ TIPTON _____ POTTER _____ CHAMPION _____ GAYNER _____</p>
--

II. MOTION TO ADJOURN CLOSED SESSION AT 6:02 P.M. AND RETURN TO OPEN SESSION

BY: Gayner (NAME) SECONDED: Hall (NAME)

MOTION PASSED / FAILED

PRESIDED BY: _____
Patty Hall, VICE PRESIDENT

RECORDED BY: *Christina Potter*
~~Christina Potter, CLERK~~
Dorie Gayner, Member

MINUTES FOR THE *SPECIAL MEETING* OF THE
SIERRA COUNTY BOARD OF EDUCATION
AND THE
GOVERNING BOARD OF THE SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

December 16, 2022

11:30am-4:30pm – Board Training Workshop with Mike Walsh

Loyalton: Sierra County Office of Education, Room 4, 109 Beckwith Rd, Loyalton CA 96118
Zoom videoconferencing was also available for the public.

In accordance with AB 361, effective October 1, 2021, pertaining to the convening of public meetings in response to the COVID-19 pandemic, the Sierra County Board of Education and the Governing Board of the Sierra-Plumas Joint Unified School District suspended the Brown Act teleconferencing posting requirements for any Board members choosing to participate via Zoom videoconferencing.

A. CALL TO ORDER

The meeting began at approximately 11:50am with no official Call to Order.

B. ROLL CALL

PRESENT: *Patty Hall, Area 1 (via Zoom/phone)*
Annie Tipton, Vice President, Area 2
Christina Potter, Area 3
Kelly Champion, President, Area 4
Dorie Gayner, Clerk, Area 5

ABSENT: *None*

C. APPROVAL OF AGENDA

D. FLAG SALUTE

E. PUBLIC COMMENT

F. BOARD TRAINING WORKSHOP WITH MIKE WALSH

G. ADVANCED PLANNING

1. Next Regular Board Meetings will be held on January 10, 2023 at Sierra County Office of Education, Room 4, 109 Beckwith Rd, Loyalton CA 96118, beginning with Closed Session as needed at 5:00pm and the Regular Board Meetings at 6:00pm. Zoom videoconferencing will be available for the public.

H. ADJOURN

The meeting ended at approximately 4:10pm with no official adjournment.

Dorie Gayner, SCOE & SPJUSD Clerk

James Berardi, Superintendent

Checks Dated 12/01/2022 through 12/31/2022

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00016448	12/13/2022	ALHAMBRA	11-4330	WATER SERVICE		31.96
00016449	12/13/2022	AMAZON CAPITAL SERVICES	01-4300	CLASS SUPPLIES	101.51	
				CLASSROOM SUPPLIES	38.48	
				HOMELESS STUDENT SUPPLIES	566.36	
			11-4300	HARDDRIVE	50.40	756.75
00016450	12/13/2022	MEGAN ANDALUZ	01-5810	TRANSPORTATION REIMBURSE		248.54
00016451	12/13/2022	APEX SAW WORKS	01-4300	SHOP SUPPLIES		51.39
00016452	12/13/2022	AT&T	11-5900	PHONE		152.04
00016453	12/13/2022	FIRST-CITIZENS BANK & TRUST	01-5900	PHONE SYSTEM/MAINTENANCE		773.08
00016454	12/13/2022	DONALD BERGSTROM	01-5810	SPED BUILDING CLEANING		892.50
00016455	12/13/2022	HEIDI BETHKE	01-5200	MILEAGE	61.88	
				WEBINAR	75.00	136.88
00016456	12/13/2022	MELANIE CHRISTIAN	01-5810	TRANSPORTATION REIMBURSE		862.50
00016457	12/13/2022	MICAH COHEN, MOT, OTR/L	01-5810	OCCUPATIONAL THERAPY SERVICES		2,771.25
00016458	12/13/2022	KELLI GROCK	01-5810	COUNSELING SERVICES		2,257.20
00016459	12/13/2022	INTERMOUNTAIN DISPOSAL, INC.	11-5500	GARBAGE SERVICE		87.41
00016460	12/13/2022	JOSTENS	11-4300	DIPLOMAS & COVERS		212.08
00016461	12/13/2022	DONITA KING	01-5810	COUNSELING SERVICES		2,006.40
00016462	12/13/2022	LAUREN JONES BEHAVIORAL CONSULTANT	01-5200	BEHAVIORAL CONSULTANT	1,750.00	
			01-5810	BEHAVIORAL CONSULTANT	5,646.24	7,396.24
00016463	12/13/2022	LES SCHAWB	01-4350	VEHICLE SERVICE	37.45	
			01-5600	VEHICLE SERVICE	37.46	74.91
00016464	12/13/2022	LIBERTY UTILITIES CPEC	01-5500	ELECTRICAL SERVICE	795.32	
			11-5500	ELECTRICAL SERVICE	244.09	1,039.41
00016465	12/13/2022	BARBARA MCKURTIS	01-5810	HEARING SCREENING		1,880.00
00016466	12/13/2022	OFFICE DEPOT	01-4300	CLASS SUPPLIES		93.44
00016467	12/13/2022	SAVVAS LEARNING COMPANY LLC	11-4100	TEXTBOOKS		4,909.43
00016468	12/13/2022	PLUMAS-SIERRA TELECOMMUNICATIONS	11-5600	BROADBAND SERVICE		109.00
00016469	12/13/2022	PRESENCELEARNING, INC.	01-5810	PRESENCE LEARNING		6,361.01
00016470	12/13/2022	PRINTWORKS	01-4300	TUPE SHIRTS/SHORTS		2,277.73
00016471	12/13/2022	RAY MORGAN COMPANY	11-5600	COPIER/MAINTENANCE		63.69
00016472	12/13/2022	REACHLOCAL, INC	11-5810	ADULT ED WEBSITE		89.00
00016473	12/13/2022	RESOLVE TECHNOLOGY GROUP, INC.	01-5810	TECHNOLOGY ASSISTANCE		3,562.50
00016474	12/13/2022	SELPA ADMINISTRATORS C/O HUMBOLDT - DEL NORTE SELPA	01-5300	SELPA DUES		1,660.00
00016475	12/13/2022	SIERRA VALLEY HOME CENTER	01-4300	SHOP SUPPLIES		488.48
00016476	12/13/2022	SOTER TECHNOLOGIES, LLC	01-4400	VAPE DETECTION SYSTEM	1,752.42	

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 12/01/2022 through 12/31/2022

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
				Unpaid Sales Tax	115.42-	1,637.00
00016477	12/13/2022	STAPLES, INC.	01-4300	CLASSROOM SUPPLIES		125.47
00016478	12/13/2022	TRI COUNTY SCHOOLS INSURANCE GROUP	01-9535	HEALTH INSURANCE	2,354.00	
			76-9576	HEALTH INSURANCE	23,963.50	26,317.50
00016479	12/13/2022	U.S. BANK VOYAGER	01-4300	FUEL EXPENSE	223.70	
			01-5200	FUEL EXPENSE	64.16	
			01-5899	FUEL EXPENSE	44.31	332.17
00016480	12/22/2022	RONALD M. MARTIN MARTIN SECURITY SYSTEMS	01-5810	ANNUAL ALARM FEE		600.00
Total Number of Checks					33	70,256.96

Fund Summary

Fund	Description	Check Count	Expensed Amount
01	County School Service Fund	25	40,459.78
11	ADULT EDUCATION	10	5,949.10
76	Payroll Clearing	1	23,963.50
Total Number of Checks		33	70,372.38
Less Unpaid Sales Tax Liability			115.42
Net (Check Amount)			70,256.96

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 12/01/2022 through 12/31/2022

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00085775	12/13/2022	AIRGAS, USA, LLC	01-5600	TANK RENTAL LHS/DVL		555.80
00085776	12/13/2022	PLAYPOWER LT FARMINGTON	01-5600	REPAIR PLAYGROUND EQUIPMENT		2,448.14
00085777	12/13/2022	AMAZON CAPITAL SERVICES	01-4300	Books	35.34	
				Certificates	103.79	
				Chargers	202.50	
			01-4301	ART PROJECT SUPPLIES	147.46	
			01-4302	office supplies	775.66	
			01-4320	MAINT SUPPLIES	42.68	
			01-4330	nurse supplies	16.92	
				office supplies	175.74	
			01-4350	MAINT SUPPLIES	32.16	
			01-4400	Mechatronics Supplies	128.79	1,661.04
00085778	12/13/2022	AMERIGAS	01-5540	PROPANE	20,385.18	
			01-5899	PROPANE	2,085.19	22,470.37
00085779	12/13/2022	AT&T	01-5890	PHONE SERVICES	49.47	
			01-5899	PHONE SERVICES	23.75	
			01-5910	PHONE SERVICES	479.74	552.96
00085780	12/13/2022	B.T. MANCINI CO., INC	01-6200	BLEACHER PROJECT		5,644.00
00085781	12/13/2022	BLUE NOTE B'S HORN SHOP	01-4400	MUSIC PROGRAM SUPPLIES		49,675.14
00085782	12/13/2022	BRADY INDUSTRIES	01-4320	ICE MELT		241.17
00085783	12/13/2022	PAMELA BRANDON	01-5600	TECH COTTAGE RENTAL		100.00
00085784	12/13/2022	CALIFORNIA ASSOC. FFA ANGIE MILES, FINANCIAL SERVICE	01-4300	Packets		500.00
00085785	12/13/2022	CITY OF LOYALTON	01-5530	WATER AND SEWER - LOYALTON SITES	4,049.23	
			01-5899	WATER AND SEWER - LOYALTON SITES	242.51	4,291.74
00085786	12/13/2022	CKA	01-5200	REGISTRATION		1,040.00
00085787	12/13/2022	CPR1	01-5890	ANNUAL RENEWAL		693.00
00085788	12/13/2022	DEMCO, INC.	01-4305	LIBRARY SUPPLIES		209.38
00085789	12/13/2022	DOWNIEVILLE PUBLIC UTILITY DIS	01-5530	Water		370.39
00085790	12/13/2022	EDUCATOR RESOURCES, INC	01-5200	REGISTRATION		599.00
00085791	12/13/2022	EDUPORIUM	01-4300	microbit	668.92	
				Unpaid Sales Tax	45.22-	623.70
00085792	12/13/2022	EDWARDS, STEVENS AND TUCKER, LLP	01-5810	LEGAL FEES		678.50
00085793	12/13/2022	FEATHER RIVER OFFICIALS ASSN.	01-5800	Football Officials		1,310.00
00085794	12/13/2022	KATHERINE GENASCI	01-4301	Clay		80.00
00085795	12/13/2022	CAROLINE GRIFFIN	01-5200	CONFERENCE REIMBURSEMENT		294.83
00085796	12/13/2022	JANET HAMILTON	01-5600	TECH COTTAGE RENTAL		100.00

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ESCAPE ONLINE

Checks Dated 12/01/2022 through 12/31/2022

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00085797	12/13/2022	HMR ARCHITECTS	01-6200	BLEACHER PROJECT		8,608.93
00085798	12/13/2022	HUNT & SONS, INC.	01-5590	HEATING OIL		3,701.78
00085799	12/13/2022	HYATT REGENCY-SANTA CLARA	01-5200	HOTEL ACCOMODATIONS		694.04
00085800	12/13/2022	K 12 MANAGEMENT DBA FUELED	01-5890	ONLINE/ISP COURSES		869.00
00085801	12/13/2022	LES SCHWAB TIRE CENTER	01-4350	Vehicle Maintenance		179.08
00085802	12/13/2022	LIBERTY UTILITIES	01-5510	ELECTRIC - LOYALTON SITES	8,423.40	
			01-5899	ELECTRIC - LOYALTON SITES	398.19	8,821.59
00085803	12/13/2022	LOYALTON BOOSTER CLUB	01-4305	FUEL REIMBURSEMENT		469.40
00085804	12/13/2022	MODEL DAIRY, LLC	13-4700	DAIRY PRODUCTS		841.08
00085805	12/13/2022	MOSYLE CORPORATION	01-4300	IPAD SOFTWARE	82.50	
			01-9510	IPAD SOFTWARE	275.00	357.50
00085806	12/13/2022	NATIONAL FFA ORGANIZATION	01-5200	National Convention		592.00
00085807	12/13/2022	BCM ONE	01-5899	PHONE SERVICES	26.82	
			01-5910	PHONE SERVICES	402.27	429.09
00085808	12/13/2022	NORTHAM DISTRIBUTING, INC.	13-4340	CAFE FOOD/SUPPLIES	89.39	
			13-4700	CAFE FOOD/SUPPLIES	3,272.01	3,361.40
00085809	12/13/2022	NORTHERN CALIFORNIA SOCCER OFFICIALS ASSOCIATION	01-5800	Soccer Officals		926.72
00085810	12/13/2022	ODP BUSINESS SOLUTIONS LLC	01-4302	COPY PAPER	151.19	
			01-4330	Office Supplies	131.43	282.62
00085811	12/13/2022	PACIFIC GAS & ELECTRIC COMPANY	01-5510	Electricity		3,412.08
00085812	12/13/2022	PLAZA TIRE & AUTO SERVICE	01-4350	Vehicle maintenance		153.67
00085813	12/13/2022	RAY MORGAN COMPANY	01-5600	COPIER MAINT.	332.88	
			01-5899	COPIER MAINT.	63.15	396.03
00085814	12/13/2022	STERICYCLE, INC	01-5890	SHREDDING	917.28	
			01-5899	SHREDDING	305.76	1,223.04
00085815	12/13/2022	SIERRA BOOSTER	01-5300	ADVERTISEMENTS/LEGAL/PUBLIC NOTICES	22.00	
			01-5890	ADVERTISEMENTS/LEGAL/PUBLIC NOTICES	57.20	79.20
00085816	12/13/2022	SIERRA COUNTY HEALTH DEPARTMENT	01-5510	ELECTRICAL SERVICES FOR TECH COTTAGE		289.50
00085817	12/13/2022	SIERRA COUNTY CLERK-RECORDER	01-5812	ELECTION COSTS		813.14
00085818	12/13/2022	INTERMOUNTAIN DISPOSAL, INC.	01-5520	GARBAGE SERVICE		108.11
00085819	12/13/2022	SIERRA HARDWARE	01-4320	Misc Maintenance supplies		84.33
00085820	12/13/2022	SIERRA VALLEY HOME CENTER	01-4320	MAINT. SUPPLIES	395.36	
				MAINT/CUSTODIAL SUPPLIES	188.25	583.61
00085821	12/13/2022	STAPLES ADVANTAGE	01-4300	CLASSROOM/WASC SUPPLIES	60.47	

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 12/01/2022 through 12/31/2022

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00085821	12/13/2022	STAPLES ADVANTAGE	01-4330	CLASSROOM/WASC SUPPLIES	63.69	124.16
00085822	12/13/2022	DEPARTMENT OF JUSTICE ACCOUNTING OFFICE	01-5890	EMPLOYMENT FINGERPRINTING		224.00
00085823	12/13/2022	CDE, CASHIER'S OFFICE	13-4700	COMMODITIES	3,447.09	
			13-8221	COMMODITIES	3,324.24-	122.85
00085824	12/13/2022	SUPER CIRCUITS	01-4400	VIDEO CAMERAS	2,572.22	
				Unpaid Sales Tax	173.88-	2,398.34
00085825	12/13/2022	SYSCO SACRAMENTO	13-4340	CAFETERIA - FOOD AND SUPPLIES	218.58	
			13-4700	CAFETERIA - FOOD AND SUPPLIES	1,737.86	1,956.44
00085826	12/13/2022	TRI COUNTY SCHOOLS INS. GR.	01-9535	HEALTH INSURANCE	7,620.24	
			76-9576	HEALTH INSURANCE	77,351.10	84,971.34
00085827	12/13/2022	VERIZON WIRELESS	01-5899	CELL PHONE SERVICE	152.83	
			01-5900	CELL PHONE SERVICE	753.24	
			01-5910	CELL PHONE SERVICE	151.71	1,057.78
00085828	12/13/2022	U.S. BANK VOYAGER	01-4305	FIELD TRIP FUEL	28.16	
				FUEL FOR ATHLETIC TRIPS	428.77	
			01-4351	BUS FUEL	3,102.33	
				Fuel for Maintenance	132.53	
			01-5200	FUEL FOR FFA	277.51	3,969.30
Total Number of Checks					54	226,240.31

Fund Summary

Fund	Description	Check Count	Expensed Amount
01	General Fund	50	142,826.54
13	Cafeteria Fund	4	6,281.77
76	Warrant/Pass Though (payroll)	1	77,351.10
Total Number of Checks		54	226,459.41
Less Unpaid Sales Tax Liability			219.10
Net (Check Amount)			226,240.31

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-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

PO Box 955, 109 Beckwith Rd
Loyalton CA 96118
Office: 530-993-1660
Fax: 530-993-0828

Quarterly Report on Williams Uniform Complaints
[Education Code § 35186]

To: James Berardi
District Superintendent

Person completing this form: Kristie Jacobsen
Administrative Assistant to the Superintendent

2022-2023 School Year


Quarterly Report Submission Date: October 2022 (Jul-Aug-Sep)
 January 2023 (Oct-Nov-Dec)
 April 2023 (Jan-Feb-Mar)
 July 2023 (Apr-May-Jun)

Date for information to be reported publicly at a governing board meeting: January 10, 2023

Please check the box that applies:

- No complaints were filed with any school in the District during the quarter indicated above.
- Complaints were filed with schools in the District during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0	0	0
Teacher Vacancy or Misassignments	0	0	0
Facilities Conditions	0	0	0
TOTALS	0	0	0



Signature of District Superintendent

1/4/2023
Date

PESTICIDE USE REPORTING FOR SCHOOL AND CHILD DAY CARE CENTER EMPLOYEES

APPLICATION YEAR	SCHOOL DESIGNEE (IPM COORDINATOR)	DISTRICT / CENTER NAME			LICENSE / CERTIFICATE NUMBER (OPTIONAL)		
2022	James Berardi	Sierra-Plumas Joint USD					
REPORT PREPARED BY:		E-MAIL ADDRESS		CITY	PHONE NUMBER		
Shawn Maple/Kristie Jacobsen		jberardi@spjUSD.org		Downieville	530-993-1660		
School CDS #/Child Day Care Facility # OR Name & Address AND Specify if School or Child Day Care Facility	County Code	Date & Time Application Completed	Location (# from list on back)	Manufacturer & Name of Product Applied	EPA REG. Number on Label or CA Reg. Number for adjuvants (include alpha code, if listed)	Amount of Pesticide Product Used (check or write in unit from label)	Pest Control Code (from list on back)
DES <input checked="" type="checkbox"/> School <input type="checkbox"/> Day Care		N/A	No Application			<input type="text"/> (vol.) <input type="checkbox"/> OZ <input type="checkbox"/> ML <input type="checkbox"/> PT (wt.) <input type="checkbox"/> GR <input type="checkbox"/> OZ <input type="checkbox"/> LB	
<input type="checkbox"/> School <input type="checkbox"/> Day Care						<input type="text"/> (vol.) <input type="checkbox"/> OZ <input type="checkbox"/> ML <input type="checkbox"/> PT (wt.) <input type="checkbox"/> GR <input type="checkbox"/> OZ <input type="checkbox"/> LB	
<input type="checkbox"/> School <input type="checkbox"/> Day Care						<input type="text"/> (vol.) <input type="checkbox"/> OZ <input type="checkbox"/> ML <input type="checkbox"/> PT (wt.) <input type="checkbox"/> GR <input type="checkbox"/> OZ <input type="checkbox"/> LB	
<input type="checkbox"/> School <input type="checkbox"/> Day Care						<input type="text"/> (vol.) <input type="checkbox"/> OZ <input type="checkbox"/> ML <input type="checkbox"/> PT (wt.) <input type="checkbox"/> GR <input type="checkbox"/> OZ <input type="checkbox"/> LB	
<input type="checkbox"/> School <input type="checkbox"/> Day Care						<input type="text"/> (vol.) <input type="checkbox"/> OZ <input type="checkbox"/> ML <input type="checkbox"/> PT (wt.) <input type="checkbox"/> GR <input type="checkbox"/> OZ <input type="checkbox"/> LB	

Use this form ONLY to report pesticide applications made by schoolsite employees, staff, and volunteers at schools and child care centers. DO NOT report pesticide use by pest management professionals contracted to apply pesticides at schoolsites. They will report their own use. Report must be submitted no later than January 30th of the year following the year of use to:
School Pesticide Use Reporting, Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015

INSTRUCTIONS:

1. Each line is an individual pesticide application. Report only one schoolsite, date/time, and pesticide per line. Multiple pages will be needed if you need to report more than 5 pesticide applications.
2. A name and address is required for each schoolsite. A cover sheet with all schoolsite names/addresses can be included with your report to prevent repetitive writing/typing.
3. Applicators: If you are mixing a concentrate with a liquid, report the amount of concentrate applied. For products that don't require dilution, report the amount of finished product applied.

PEST CONTROL CODES:

Code 10 - Structural Pest Control includes pest control work performed within or on buildings or other structures

Code 30 - Landscape Maintenance Pest Control... includes pest control work performed on landscape plantings around buildings

Code 80 - Vertebrate Pest Control includes pest control work performed by public agencies or work under the supervision of the State or county agricultural commissioner

LOCATION CODES:

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2 Athletic Field	6 Classroom	10 Landscape (outdoor)	14 Playground	18 Multiple Locations
3 Auditorium	7 Gymnasium	11 Library	15 Pool	19 Other (Please indicate)
4 Bldg, Exterior	8 Hardscape (parking lot, sidewalk, etc.)	12 Locker Room	16 Restroom	_____

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Reasons for application (required for Healthy Schools Act recordkeeping).

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PESTICIDE USE REPORTING FOR SCHOOL AND CHILD DAY CARE CENTER EMPLOYEES

APPLICATION YEAR	SCHOOL DESIGNEE (IPM COORDINATOR)	DISTRICT / CENTER NAME			LICENSE / CERTIFICATE NUMBER (OPTIONAL)			
2022	James Berardi	Sierra-Plumas Joint USD						
REPORT PREPARED BY:		E-MAIL ADDRESS			CITY	PHONE NUMBER		
Shawn Maple/Kristie Jacobsen		jberardi@spjUSD.org			Downieville	530-993-1660		
School CDS #/Child Day Care Facility # OR Name & Address AND Specify if School or Child Day Care Facility	County Code	Date & Time Application Completed	Location (# from list on back)	Manufacturer & Name of Product Applied	EPA REG. Number on Label or CA Reg. Number for adjuvants (include alpha code, if listed)	Amount of Pesticide Product Used (check or write in unit from label)	Pest Control Code (from list on back)	
DHS <input checked="" type="checkbox"/> School <input type="checkbox"/> Day Care		N/A	No Application			<input type="text"/> (vol.) <input type="checkbox"/> OZ <input type="checkbox"/> ML <input type="checkbox"/> PT (wt.) <input type="checkbox"/> GR <input type="checkbox"/> OZ <input type="checkbox"/> LB		
<input type="checkbox"/> School <input type="checkbox"/> Day Care						<input type="text"/> (vol.) <input type="checkbox"/> OZ <input type="checkbox"/> ML <input type="checkbox"/> PT (wt.) <input type="checkbox"/> GR <input type="checkbox"/> OZ <input type="checkbox"/> LB		
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School Pesticide Use Reporting, Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015

INSTRUCTIONS:

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School District Integrated Pest Management Plan – 2023

When completed, this template meets the Healthy Schools Act requirement for an integrated pest management (IPM) plan. An IPM plan is required if a school district uses pesticides¹.

Contacts

School District Name	Address	
Sierra-Plumas Joint Unified School District	109 Beckwith Rd PO Box 955 Loyalton CA 96118	
District IPM Coordinator	IPM Coordinator's Phone Number	Email
James Berardi (Superintendent)	530-993-1660 x110	jberardi@spjUSD.org
Kristie Jacobsen (Admin Assist)	530-993-1660 x100	kjacobson@spjUSD.org

IPM statement

It is the goal of Sierra-Plumas Joint Unified School District to implement IPM by focusing on long-term prevention or suppression of pests through accurate pest identification, by frequent monitoring for pest presence, by applying appropriate action levels, and by making the habitat less conducive to pests using sanitation and mechanical and physical controls. Pesticides that are effective will be used in a manner that minimizes risks to people, property, and the environment, and only after other options have been shown ineffective.

Our pest management objectives are to: *(Example: Focus on long-term pest prevention)*

To use the least toxic and most effective methods possible for long term pest prevention while maintaining a healthy school environment.

IPM team

In addition to the IPM Coordinator, other individuals who are involved in purchasing, making IPM decisions, applying pesticides, and complying with the Healthy Schools Act requirements, include:

Name and/or Title	Role in IPM program
Superintendent	Pest management decision making
Maintenance Team, All School Sites	Pest management decision making, purchasing pesticides and management tools, pesticide application
Custodians	Antimicrobials decision making, purchasing antimicrobials and management tools and application

Pest management contracting

Pest management services are contracted to a licensed pest control business.

Pest Control Business name(s): TERMINIX

Prior to entering into a contract, the school district has confirmed that the pest control business understands the training requirement and other requirements of the Healthy Schools Act.

Pest identification, monitoring and inspection

Pest Identification is done by: maintenance staff and pest control business

(Example: College/University staff, Pest Control Business, etc.)

Monitoring and inspecting for pests and conditions that lead to pest problems are done regularly by maintenance and other staff and results are communicated to the IPM Coordinator. Kitchen staff observe traps daily and report any pests to maintenance staff. Our school sites are small and therefore enable staff to keep an eye on their areas and communicate to maintenance staff. This is an ongoing practice.

Pests and non-chemical management practices

This school district has identified the following pests and routinely uses the following non-chemical practices to prevent pests from reaching the action level:

Pest	Remove food	Fix leaks	Seal cracks	Install barriers	Physical removal	Traps	Manage irrigation	Other
Large Rodents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Yellow Jackets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Chemical pest management practices

If non-chemical methods are ineffective, the school district will consider pesticides only after careful monitoring indicates that they are needed according to pre-established action levels and will use pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property and the environment.

This school district expects the following pesticides (pesticide products and active ingredients) to be applied during the year. (This list includes pesticides that will be applied by school district staff or licensed pest control businesses.):

Ortho Weed B Gon	Mecoprop-p Dimethylamine salt 0.22% 2,4-Dimethylamine salt 0.12% Dicamba, Dimethylamine Salt 0.05%
RAID (Johnson Wax Buggy Whip)	Eugenol 0.5% 2-Phenethyl propionate
RAID Wasp & Hornet (Terminix)	Tetramethrin .20% Permethrin .20%
Gopher Getter Type 1	Strychnine Alkaloid .5%
Tarro Ant Killer Spray	Pyrethrins 0.1%, Piperonyl butoxide 0.5% Permethrin 0.20%, Petroleum distillate >5.0% Tetramethrin .20%
Sweeney's Poison Peanuts	Zinc Phosphide 2%

Healthy Schools Act

This school district complies with the notification, posting, recordkeeping, and all other requirements of the Healthy Schools Act. (Education Code Sections 17608 - 17613, 48980.3; Food & Agricultural Code Sections 13180 - 13188)

Training

Every year school district employees who make pesticide applications receive the following training prior to pesticide use:

- Pesticide specific safety training (Title 3 California Code of Regulations 6724)
- School IPM training course approved by the Department of Pesticide Regulation (Education Code Section 16714; Food & Agricultural Code Section 13186.5).

Submittal of pesticide use reports

Reports of all pesticides applied by school district staff during the calendar year, except pesticides exempt¹ from HSA recordkeeping, are submitted to the Department of Pesticide Regulation at least annually, by January 30 of the following year, using the form provided at www.cdpr.ca.gov/schoolipm. (Education Code Section 16711)

Notification

This school district has made this IPM plan publicly available by the following methods (check at least one):

This IPM plan can be found online at the following web address: www.sierracountyofficeofeducation.org
(http://www.sierracountyofficeofeducation.org/upload/?show=/DISTRICT_WIDE_PLANS/PEST_MANAGEMENT_PLAN/)

This IPM plan is sent out to all parents, guardians and staff annually.

Review

This IPM plan will be reviewed (and revised, if needed) at least annually to ensure that the information provided is still true and correct.

Date of next review: January 2024

I acknowledge that I have reviewed this school district's IPM Plan and it is true and correct.

Signature: _____

Date: _____

¹ These pesticides are exempt from all Healthy Schools Act requirements, except the training requirement: 1) products used in self-contained baits or traps, 2) gels or pastes used as crack and crevice treatments, 3) antimicrobials, and 4) pesticides exempt from U.S. EPA registration. (Education Code Section 17610.5)

Board Policy Manual
Sierra County/Sierra-Plumas Joint Unified School District

Board Bylaws**Bylaw 9320: Meetings And Notices**

Meetings of the Governing Board 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.

A Board meeting exists whenever a majority of Board members gather 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 within the subject matter jurisdiction of the Board or district. (Government Code 54952.2)

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, 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)

However, an employee or district official may engage in separate conversations or communications 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)

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

The Sierra County Board of Education and the Sierra-Plumas Joint Unified School District Governing Board shall hold one regular joint meeting each month starting in January 2023. The regular joint meetings shall be held at 6:00pm on the second Tuesday of each month with the exception of June, July (as needed) and December. Meetings will be held at Sierra County Office of Education or Downieville Schools, alternating each month.

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 web site. (Government Code 54954.2)

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 at the time the materials are distributed to all or a majority of the Board. (Government Code 54957.5)

Special Meetings

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

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 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 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. (Education Code 35144; Government Code 54956)

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

Emergency Meetings

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

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

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board
2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity 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

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 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

The Board may adjourn/continue any regular or special meeting to a later time and 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 place and shall give notice in the same manner required for special meetings. (Government Code 54955)

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

Study Sessions, Retreats, Public Forums, and Discussion Meetings

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

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

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

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. 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)

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 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 in which Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

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

During the teleconference, at least a quorum of the members of the Board shall participate from locations within district boundaries. (Government Code 54953)
Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

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

Teleconferencing During a Proclaimed State of Emergency

The Board may conduct Board meetings by teleconference without posting agendas at all teleconference locations, identifying teleconference locations in meeting notices and agendas, allowing public access to each teleconference location, providing an opportunity for members of the public to address the Board directly at each teleconference location, and ensuring that at least a quorum of the Board participate from locations within district boundaries, during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)

1. State or local officials have imposed or recommended measures to promote social distancing
2. For the purpose of determining, by majority vote, whether as the result of the emergency meeting in person would present imminent risks to the health or safety of attendees
3. When it has been determined, by majority vote as described in Item #2 above, that as a result of the emergency meeting in person would present imminent risks to the health or safety of attendees

To conduct a teleconference meeting for these purposes the following requirements shall be satisfied: (Government Code 54953)

1. The notice and agenda shall be given and posted as otherwise required by the Brown Act
2. The notice and agenda of the meeting shall specify the means by which members of the public may access the meeting and offer public comments, including via a call-in or internet-based service option

Members of the public may be required to register to log in to a meeting when making public comments through an internet web site or other online platform that is operated by a third-party and not under the control of the Board.

3. Members of the public shall be allowed to access the meeting, and the agenda shall provide an opportunity for members of the public to address the Board directly pursuant to Government Code 54954.3
4. Members of the public shall not be required to submit public comments in advance of a Board meeting and shall be provided an opportunity to address the Board and offer comments in real time
5. Public comment periods shall not be closed until the timed public comment period, if such is offered by the Board, has elapsed or, if not timed, until a reasonable amount of time per agenda item has been allowed
6. If during a Board meeting a disruption occurs which prevents the district from broadcasting the meeting to members of the public or for members of the public to offer public comments, the Board shall take no further action on any agenda item until public access via the call-in or internet-based service option to the meeting is restored

The district may, in its discretion, provide a physical location from which the public may attend or comment. (Government Code 54953)

The Board may continue to conduct meetings by teleconference, as specified above for teleconferencing during proclaimed states of emergency, by a majority vote finding within 30 days after teleconferencing for the first time, and every 30 days thereafter, that either: (Government Code 54953)

1. The state of emergency continues to directly impact the ability of the Board to meet safely in person
2. State or local officials continue to impose or recommend measures to promote social distancing

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
Bylaw adopted: November 13, 2007
revised: January 13, 2009
revised: December 13, 2011
revised: February 14, 2012
revised: October 8, 2013
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revised: January 17, 2017
revised: January 12, 2021
revised: March 08, 2022
revised: December 13, 2022

CSBA POLICY GUIDE SHEET – January 10, 2023

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 3250 - Transportation Fees

Policy updated to reflect **NEW LAW (AB 181, 2022)** which exempts a student classified as unduplicated from paying a fee for transportation. The policy is also updated to include an optional waiver of transportation fees for any group of district students, at the recommendation of the Superintendent. Also, the provision regarding privacy moved from AR to BP.

Administrative Regulation 3250 - Transportation Fees

Regulation updated to add that bus passes shall be sold electronically, if available, and removed language related to income eligibility that is no longer relevant. Moved provision regarding privacy to the Board Policy and deleted it from Administrative Regulation.

Administrative Regulation 3260 - Fees and Charges

Regulation updated to reflect **NEW LAW (AB 181, 2022)** which prohibits charging the parent of an unduplicated student a fee for transportation, removed policy related to the sale or lease of personal computers or internet appliances because of the increased use of technology in the modern classroom, changed terminology from "homemaking" to "family and consumer sciences," and reflect **NEW LAW (AB 130, 2021)** which requires a district to provide a free breakfast and lunch daily to any student who requests a meal.

Board Policy 3460 - Financial Reports and Accountability

Policy updated to reflect the predictors of fiscal distress as identified by FCMAT in its 2019 "Indicators of Risk or Potential Insolvency." Updated policy also revised to reflect the law more clearly with respect to studies, reports, evaluations, and audits, that the County Superintendent of Schools is required or authorized to consider when reviewing a district's budget.

Administrative Regulation 3460 - Financial Reports and Accountability

Regulation updated to add a new section - "Lease Accounting," to reflect GASB Statement 87 which, starting June 15, 2021, changed the rules for the financial reporting of governmental entities' leases, including the rules for the recognition, measurement, and disclosure of such leases in financial statements.

Board Policy 3515 - Campus Security **NEW******

Policy updated to include that the district regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure and the monitoring and response to suspicious and/or threatening digital media content. Policy also updated to reflect **NEW LAW (SB 906, 2022)** which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement. Additionally, policy also updated to include that anyone who receives or learns of a health or safety threat related to school or a school activity is encouraged to report the threat to a school or district administrator, and that school site council's be included with other stakeholders when identifying appropriate locations for the placement of surveillance cameras.

Administrative Regulation 3515 - Campus Security **NEW******

Regulation updated to reflect **NEW LAW (AB 1352, 2021)** which authorizes districts to request the Military Department, in consultation with the California Cybersecurity Integration Center (Cal-CSIC), to

perform an independent security assessment of the district or an individual district school, **NEW LAW (AB 2355, 2022)** which requires districts that experience a cyberattack, which impacts more than 500 students or personnel, to report the cyberattack to Cal-CSIC, and **NEW LAW (SB 906, 2022)** which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement. Regulation also updated to provide that monitoring suspicious and/or threatening digital media content be part of the campus security plan and included in strategies to detect and intervene with school crime.

Administrative Regulation 3516.2 - Bomb Threats

Regulation updated to reflect **NEW LAW (P.L. 117-159)** which requires the creation of a Federal Clearinghouse on School Safety Evidence-Based Practices to serve as a federal resource to identify and publish online practices and recommendations to improve school safety, and include that the district regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure and the monitoring and response to suspicious and/or threatening digital media content. Regulation also updated to move and amend material regarding staff training, include and align language with information provided by the U.S. Department of Homeland Security, and reflect **NEW LAW (SB 906, 2022)** which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement.

Board Policy 3540 - Transportation

Policy updated to reflect **NEW LAW (AB 181, 2022)** which authorizes a district to provide transportation services by way of a joint powers agreement, a cooperative student transportation program, or a consortium, and which requires, as a condition of apportionment, a district to adopt a transportation plan that describes the transportation services to be provided to certain student groups, as specified, by April 1, 2023 and update the plan annually by April 1.

Board Bylaw 9220 - Governing Board Elections

Bylaw updated to reflect **NEW LAW (AB 2584, 2022)**, by adding a new section - "Recalling a Board Member." Updated Bylaw also revised "Election Process and Procedure" section to reflect **NEW LAW (SB 1061, 2022)** regarding the requirement that any petition for a special election to fill a Board vacancy include the county election official's estimate of the cost of conducting the special election.

Board Bylaw 9223 - Filling Vacancies

Bylaw updated to reflect **NEW LAW (SB 1061, 2022)**, by adding a new note and body paragraph at the end of the "Provisional Appointments" section. Updated Bylaw also reflects **New Attorney-General Opinion** on how a vacancy is to be filled when a district's trustee areas have been revised or election method has changed from "at-large" to "by-trustee area," since the Board member whose term is to be completed was last elected. The Bylaw also updated to rearrange the Items in "Timelines for Filling a Vacancy" and to revise as necessary for clarity.

Board Bylaw 9323 - Meeting Conduct

Bylaw Updated to reflect **NEW LAW (SB 1100, 2022)** which authorizes the Board President to remove an individual for disrupting a Board meeting, establishes a procedure for warning the individual prior to their removal, and defines "disrupting" and "true threat of force."

Business and Noninstructional Operations**Policy 3250: Transportation Fees**

CSBA NOTE: The following policy and regulation are for use only by districts that provide transportation services to students and choose to charge a fee for such services as authorized by law. In addition to charging a fee for home- to-school transportation as authorized by Education Code 39807.5, the Governing Board may approve a fee for transportation of students to a regional occupational center or program pursuant to Education Code 39807.5, transportation for adult students pursuant to Education Code 39801.5, transportation of students to and from their place of summer employment in connection with a summer employment program for youth pursuant to Education Code 39837, and/or transportation for participants in a community recreation program pursuant to Education Code 10913 and 39835. See the accompanying administrative regulation.

Whenever the cost of providing student transportation exceeds funding provided by the state, the ~~Governing Board of Education~~ may charge fees for home-to-school student transportation and other transportation services as expressly authorized by law.

The Superintendent or designee shall annually submit proposed transportation fee schedules for Board approval.

CSBA NOTE: Pursuant to Education Code 39807.5, as amended by AB 181 (Ch. 52, Statutes of 2022), the transportation fee shall be waived for any student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth, as included in the definition of "unduplicated students" in Education Code 42238.02.

The transportation fee shall be waived for any student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth. (Education Code 39807.5)

CSBA NOTE: The following paragraph is optional and may be revised to reflect district practice. At the discretion of the Board, the transportation fee may be waived for other categories of students.

At the recommendation of the Superintendent or designee, the Board may also approve a waiver of a transportation fee for any group of district students.

CSBA NOTE: Pursuant to Education Code 39807.5, eligible students with disabilities must also be exempted from transportation fees. The California Department of Education's (CDE), "Fiscal Management Advisory 20-01, Pupil Fees, Deposits, and Other Charges," interprets Education Code 39807.5 to exempt from the fee only those students with disabilities whose individualized education program requires that transportation be provided. Any district that charges students with disabilities for transportation based on CDE's interpretation should consult CSBA District and County Office of Education Legal Services or district legal counsel.

In addition, no charge shall be made for any transportation of a student with a disability ~~whose individualized education program includes transportation as a related service necessary to receive a free appropriate public education.~~ (Education Code 39807.5)

Students receiving free transportation shall not be identified by the use of special bus passes, tickets, lines, seats, or any other means. They shall in no way be treated differently from other students, nor shall their names be published, posted, or announced in any manner or used for any purpose other than the transportation program.

The Board shall certify to the County Superintendent of Schools that the district has levied fees in accordance with law and that, in the event that excess fees have been charged, the fees have been reduced and excess fee revenue eliminated. (Education Code 39809.5)

Board Policy Manual
Sierra County/Sierra-Plumas Joint Unified School District

Business and Noninstructional Operations

Regulation 3250: Transportation Fees

CSBA NOTE: The following optional administrative regulation should be revised to reflect transportation services provided by the district for which fees will be charged.

Pursuant to 5 CCR 350, students must not be required to pay any fee, deposit, or other charge not specifically authorized by law. Districts should consult CSBA District and County Office of Education Legal Services or district legal counsel before establishing any transportation fee not listed below.

In Hartzell v. Connell, the California Supreme Court ruled that districts may not charge students to participate in extracurricular activities, but did not speak directly to transportation. There is no law which directly permits a district to charge a fee for transportation to and from extracurricular activities. It could be argued that transportation is not an integral part of an extracurricular activity. However, absent any case law, legislation, or regulation authorizing fees for transportation to extracurricular activities or for any other activity not specifically enumerated as permitting fees to be charged, districts desiring to charge such fees should consult legal counsel.

When approved by the Governing Board of Education, the district may charge transportation fees for students traveling to and from school. (Education Code 39807.5)

CSBA NOTE: Pursuant to Education Code 10901, the community recreation programs described in Item #1 below are programs that are sponsored by a nonprofit organization for the benefit of disadvantaged school-age children or students with disabilities in a county with a population of 45,000 or less according to the most recent federal census.

With Board approval, the district may also charge transportation fees for:

1. Participants in a community recreation program offered pursuant to Education Code 10900-10914.5 (Education Code 10913, 39835)

CSBA NOTE: Items #2--4 are for use by districts that maintain high schools.

2. Students traveling between the regular full-time schools ~~they would attend~~ of attendance and ~~the~~ regular full-time occupational classes provided by a regional occupational center or program (~~ROC/P~~) (Education Code 39807.5)
3. Matriculated or enrolled adults traveling to and from school, or adults pursuing other educational purposes (Education Code 39801.5)
4. Students traveling to and from ~~their places~~ a place of employment during ~~the~~ summer in connection with a summer employment program for youth (Education Code 39837)

CSBA NOTE: Although Education Code 39807.5 requires any fee for home-to-school transportation or transportation to and from a regional occupational center or program to be no greater than the statewide average nonsubsidized cost of providing this transportation to a student on a publicly owned or operated transit system, as determined by the Superintendent of Public Instruction, this statewide average cost is no longer being calculated. Instead, districts must ensure that transportation fees, when combined with funding received from the state, do not exceed actual operating costs. Similarly, for the services described in Items #1 and 3-4 above, the district is authorized pursuant to Education Code 10913, 39801.5, and 39837 to establish a reasonable fee covering all or parts of the costs of the services.

The total amount received by the district from the state and parent/guardian fees shall not exceed the actual operating cost of home-to-school transportation during the fiscal year. If excess fees are collected due to errors in estimated costs, fees shall be reduced in succeeding years. (Education Code 10913, 39801.5, 39809.5, 39837)

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

Bus passes and tickets shall be sold ~~at~~ electronically, if available, and at all district schools and at the district office. No money shall be collected on school buses.

~~Exemption from Fees~~

~~Upon enrollment and at the beginning of each school year, parents/guardians shall receive information about income eligibility standards and application procedures for a waiver of the transportation fee. All applications and related records shall be confidential and used only for the purpose of determining a student's eligibility for a fee waiver.~~

~~Students receiving free transportation shall not be identified by the use of special bus passes, tickets, lines, seats, or any other means. They shall in no way be treated differently from other students, nor shall their names be published, posted, or announced in any manner or used for any purpose other than the transportation program.~~

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
Regulation approved: April 10, 2007
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Board Policy Manual
Sierra County/Sierra-Plumas Joint Unified School District

Business and Noninstructional Operations

Regulation 3260: Fees And Charges

CSBA NOTE: Pursuant to 5 CCR 350, districts may charge fees only when specifically authorized by law. The following list specifies fees currently authorized by law and should be revised to reflect the types of fees that have been approved by the Governing Board; see the accompanying Board policy. Other permissible fees may exist and be identified in the future. For further information about fees and charges, see the California Department of Education's (CDE), "Fiscal Management Advisory 20-01, Pupil Fees, Deposits and Other Charges."

Pursuant to Education Code 49011, a district is prohibited from requiring a student to pay fees or charges in order to participate in an educational activity. A complaint alleging the unauthorized charging of student fees should be filed in accordance with the uniform complaint procedures; see the accompanying Board policy and BP/AR 1312.3 - Uniform Complaint Procedures. Districts with questions as to whether a particular fee may be charged should consult CSBA District and County Office of Education Legal Services or district legal counsel.

When approved by the Governing Board of Education, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)
2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

CSBA NOTE: In its, "Fiscal Management Advisory 20-01," CDE interprets Education Code 35330 as permitting the district, at its discretion, to charge fees for any field trip, provided that no student is prevented from participating in a field trip due to a lack of funds.

3. Expenses of students' participation in a field trip or excursion within the state or to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)
4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)
5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

CSBA NOTE: Education Code 17551 permits the district to sell to a student any property of the district which has been fabricated by the student, as provided in Item #6 below. CDE's, "Fiscal Management Advisory 20- 01," clarifies that this cost applies to materials students will take home for their own possession and use, such as wood shop, art, or sewing projects.

6. Reimbursement to the district for the direct cost of materials used by students to fabricate property they will take home for their own possession and use, such as wood shop, art, or sewing projects kept by students (Education Code 17551)

CSBA NOTE: Education Code 39807.5, as amended by AB 181 (Ch. 52, Statutes of 2022), prohibits charging a fee for transportation to the parent/guardian of an unduplicated student as defined in Education Code 42238.02, which includes a student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth.

7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student, ~~the district provides a waiver based on financial need,~~ and an exemption is made for any student with a disability ~~whose individualized education program includes transportation as a related service necessary to receive a,~~ or any student who is eligible for free appropriate public education or reduced-price meals, any student who is an English learner, or any student who is a foster youth. (Education Code 39807.5)

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)

9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

~~10. Sale or lease of personal computers or of Internet appliances that allow a person to connect to or access the district's educational network, provided that the items are sold or leased to parents/guardians at no more than cost and the district provides network access for families who cannot afford it (Education Code 17453.1)~~

10. An adult education or secondary school community service class in civic, vocational, literacy, health, ~~homemaking, family~~ and consumer sciences, technical, and general education, not to exceed the cost of maintaining the class (Education Code 51810-51815)

CSBA NOTE: In its, "Fiscal Management Advisory 20-01," CDE interprets Education Code 32030-32033 as permitting the district to charge fees for safety glasses that a student keeps, if the school provides them free of charge for use in specified courses or activities involving the use of hazardous substances likely to cause injury to the eyes.

11. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

12. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

13. Actual cost of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

CSBA NOTE: Pursuant to the California Universal Meals Program established by Education Code 49501.5, as added by AB 130 (Ch. 44, Statutes of 2021), a district is required to provide a free, nutritionally adequate breakfast and lunch each school day, to any student who requests a meal, without consideration of the student's eligibility for a federally funded free or reduced-price meal. For more information regarding the California Universal Meals Program see BP/AR 3550 - Food Service/Child Nutrition Program, BP/AR 3551 - Food Service Operations/Cafeteria Fund, and BP/AR 3553 - Free and Reduced Price Meals.

14. Food sold at school, subject to the California Universal Meals Program, free and reduced-price meal program eligibility, and other restrictions specified in law (Education Code

38084, 49501.5)

CSBA NOTE: According to CDE's, "Fiscal Management Advisory 20-01," a blanket policy that charges fees for any damage caused to district property would be inconsistent with Education Code 19911 and 48904. Therefore, a district should analyze, on a case-by-case basis, whether property has been willfully damaged.

15. In accordance with law, replacement cost or reimbursement for lost or willfully damaged district books, supplies, or property, or for district property loaned to a student that the student fails to return (Education Code 19910-19911, 48904)
16. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)
17. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects, classes for which high school credit is granted when taken by a person who does not hold a high school diploma, or classes in English and citizenship (Education Code 39801.5, 52612, 60410)
18. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is exempted from fees by law (Education Code ~~8239, 8250, 8263~~8211, 8213, 8252-8254)

CSBA NOTE: Districts are prohibited from charging a fee for summer school programs. However, it is permissible for third parties that offer a summer school program to charge a fee for such program. CDE's, "Fiscal Management Advisory 22-01, Summer School, Third Parties, and Tuition Fees," provides that if a third party that is affiliated with a district charges tuition for a summer program, the district should make an individualized inquiry as to the relationship between the district and the third party to determine whether the educational activities are being offered by the district. In making this determination, districts may consider factors listed in Fiscal Management Advisory 22-01. Districts with questions as to whether a fee may be charged for summer school should consult CSBA District and County Office of Education Legal Services or district legal counsel.

19. Participation in a before-school ~~or~~, after-school, or intersession program that is funded as an After School Education and Safety (ASES) program, 21st Century Community Learning Center (21st CCLC), ~~or~~ 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program, or Expanded Learning Opportunity (ELO) program, provided that fees are waived or reduced for families with students who are eligible for free or reduced-price meals and, in regard to ASES and 21st CCLC programs, fees are not charged if the district knows the student is a homeless or foster youth (Education Code 8422, 8482.6, 46120)

CSBA NOTE: In, "Fiscal Management Advisory 20-01," CDE lists Advanced Placement and International Baccalaureate examination fees as permissible. Some districts choose to reduce the cost of the fees for low-income students through the use of district funds or other funding sources; see BP 6141.4 - International Baccalaureate Program and BP 6141.5 - Advanced Placement.

20. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

Collection of Debt

CSBA NOTE: Education Code 49014 (the Public School Fair Debt Collection Act) establishes requirements for districts to follow when seeking to recover a debt owed by students and/or parents/guardians, including a requirement to provide the parent/guardian with an itemized invoice that references the district's policies relating to debt collection and the rights established pursuant to Education Code 49014 and 49557.5 (unpaid meal fees). It is recommended that districts include references to this administrative regulation and the accompanying Board policy. For additional rights established by Education Code 49014, including prohibitions against directly billing a student or former student or imposing any negative action on a student, see the accompanying Board policy.

Before pursuing payment of any debt that has accumulated from unpaid permissible fees, the Superintendent or designee shall provide an itemized invoice for any amount owed by the parent/guardian on behalf of a student or former student. The invoice shall reference district policies related to debt collection and the rights established pursuant to Education Code 49014 and 49557.5. For each payment received, the district shall provide a receipt to the parent/guardian. (Education Code 49014)

The Superintendent or designee shall not sell debt owed by a parent/guardian of a student or former student. (Education Code 49014)

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
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Business and Noninstructional Operations
Policy 3460: Financial Reports And Accountability

CSBA NOTE: The following policy is optional and should be revised to reflect district practice.

The ~~Board of Education~~Governing Board is committed to ensuring public accountability and the fiscal health of the district ~~and providing public accountability.~~ The Board shall adopt sound fiscal management policies and practices, oversee the district's financial condition, and ~~ensure that the~~ continually evaluate whether the district's budget and financial systems~~operations~~ support the district's goals for student achievement.

CSBA NOTE: The following optional paragraph sets the Governing Board's expectation that the district's financial reports will adhere to generally accepted financial and accounting standards. The Governmental Accounting Standards Board (GASB) is a nonprofit agency that establishes financial and accounting standards for state and local government agencies, including school districts. By using the California Department of Education's (CDE) standardized account code structure (SACS) software to develop financial reports, the district will be assured of complying with generally accepted accounting principles prescribed by GASB and meeting other state and federal reporting guidelines.

The Superintendent or designee shall ~~provide the Board with financial reports throughout the year in accordance with law and as otherwise requested by the Board.~~

~~The Superintendent or designee shall~~ ensure that ~~all~~district financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education (CDE). ~~The Superintendent or designee shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.~~

~~When required by law or the Board, the Superintendent or designee shall submit to the Board reports of the district's financial status, including, but not limited to, any report specified in this Board policy or accompanying administrative regulation. When submission of any such report to a local, state, and/or federal agency requires prior Board approval, the Superintendent or designee shall provide the report to the Board in sufficient time to enable the Board to carefully review the report without breaking any applicable submission deadline.~~

CSBA NOTE: The Fiscal Crisis and Management Assistance Team (FCMAT) is an independent entity created to help districts avert fiscal insolvency and to provide districts with fiscal management assistance. In August 2019, FCMAT revised the 15 identified predictors of fiscal distress common in districts needing state intervention. According to FCMAT's "Indicators of Risk or Potential Insolvency," the indicators of risk or potential insolvency include, but are not limited to, conditions related to unreliable budget development, insufficient budget monitoring or updates, inadequate cash management, mismanaged collective bargaining agreements, increasing and/or unplanned contributions and transfers, continuing deficit spending, mismanaged employee benefits, and inattention to enrollment and attendance reporting.

In reviewing the district's budget (see AR 3100 - Budget), the County Superintendent of Schools is required by Education Code 42127 and 42127.6 to consider any studies, reports, evaluations, or audits of the district that contain evidence of fiscal distress based on the standards and criteria specified in Education Code 33127 or a finding that the district is in moderate or high risk of intervention based on the most common FCMAT indicators of a district needing intervention. In the event of any such evidence or finding, or if the district is showing fiscal distress under state criteria and standards for budgets or interim reports, as specified in 5 CCR 15440-15451 and 15453-15464, the County Superintendent is required to investigate whether the district may be unable to meet the current year's or two subsequent fiscal years' financial obligations.

The Board shall regularly ~~communicate~~assess the district's financial position and communicate the results to the public, and shall use financial reports to determine ~~what~~the actions and budget amendments, if any, that are needed to ensure the district's financial stability.

If district conditions predict fiscal distress or indicate that the district might not be able to meet its fiscal obligations, the Board and Superintendent or designee shall ~~act quickly~~take action to ~~identify~~and resolve these conditions without delay. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to ~~advise~~provide the district ~~on~~with needed advice or fiscal ~~matters~~management or training.

CSBA NOTE: When a district is fiscally insolvent and is considering applying to the state for an emergency apportionment that exceeds 200 percent of the recommended reserve for that district, Education Code 41326 requires the Board to first discuss the need for that apportionment at a regular or special meeting. At that meeting, the Board must receive testimony from parents/guardians, exclusive representatives of employees, and other community members. Any district that receives such an apportionment is subject to the conditions set forth in Education Code 41326, including assumption of all the Board's legal rights, duties, and powers by a state-appointed administrator.

Unaudited Actual Receipts and Expenditures

On or before September 15, the Board shall approve and file with the County Superintendent a statement of the district's unaudited actual receipts and expenditures for the preceding fiscal year. The Superintendent or designee shall prepare this statement using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42100)

Gann Appropriations Limit Resolution

On or before September 15, the Board shall, at a regular or special meeting, adopt a resolution identifying, pursuant to Government Code 7900-7914, the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)

Interim Reports/Certification of Ability to Meet Fiscal Obligations

CSBA NOTE: Education Code 42130 requires that the district issue two interim reports, as described below, based on the criteria and standards adopted by the State Board of Education (SBE) pursuant to Education Code 33127. These criteria and standards are delineated in 5 CCR 15453-15464. See the accompanying administrative regulation for further information about the contents of the interim reports.

Each fiscal year, the Superintendent or designee shall submit two interim reports to the Board. The first report shall cover the district's financial and budgetary status for the period ending October 31 and the second report shall cover the period ending January 31. These reports and supporting data shall be made available by the district for public review. (Education Code 42130)

Within 45 days after the close of the period reported, the Board shall approve the interim report and, on the basis of the interim report and any additional financial information known by the Board, shall certify in writing whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years. The certification shall be classified as one of the following: (Education Code 42130, 42131)

1. "Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years
2. "Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years

3. "Negative certification" indicating that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year

CSBA NOTE: Education Code 42130 and 42131 require that the interim report and certification be submitted to the County Superintendent in a format or on forms prescribed by the Superintendent of Public Instruction (SPI). CDE requires that these be reported using the SACS software. Pursuant to Education Code 42131, upon receiving the certification, the County Superintendent is required to send any qualified or negative certification, along with the interim report, to the State Controller and the SPI.

The Superintendent or designee shall submit a copy of each interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code 42130, 42131)

CSBA NOTE: Education Code 42131 gives the County Superintendent 75 days after the close of the reporting period to downgrade the district's positive certification to qualified or negative or a qualified certification to negative. Districts may appeal the County Superintendent's determination to the SPI, who will then determine the certification to be given to the district.

If the district's certification is subsequently changed by the County Superintendent from a positive to a qualified or negative certification, or from a qualified to a negative certification, the Board may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

CSBA NOTE: Whenever the district receives a qualified or negative certification, Education Code 42131 requires the County Superintendent, within 75 days after the close of the reporting period, to submit comments on the certification to the State Controller and the SPI and report any remedial action proposed or taken under the authority granted by Education Code 42127.6. Pursuant to Education Code 42127.6, the County Superintendent is required to take one or more of the following actions: (1) assign a fiscal expert to advise the district on the financial problems; (2) conduct a study of the district's financial and budgetary conditions including, but not limited to, a

review of internal controls; (3) direct the district to submit a financial projection of all fund and cash balances as of June 30 of the current year and subsequent fiscal years; (4) require the district to encumber all contracts and other obligations, prepare appropriate cash flow analyses and monthly or quarterly budget revisions, and appropriately record all receivables and payables; (5) direct the district to submit a proposal for addressing the fiscal conditions that caused the negative or qualified certification; (6) withhold Board stipend and Superintendent compensation if requested financial information is not provided; and/or (7) assign FCMAT to review and provide recommendations to improve the district's teacher hiring process, teacher retention rate, extent of teacher misassignment, and provision of highly qualified teachers. Education Code 42131 also authorizes the State Controller to conduct an audit or review of the financial condition of any district having a negative or qualified certification.

Pursuant to Education Code 42652, a district that receives a qualified or negative certification also may lose the County Superintendent's or SPI's approval to draw warrants on the county treasury. Furthermore, pursuant to Education Code 42133, a district that receives a qualified or negative certification must have the County Superintendent's approval before issuing any certificates of participation, tax anticipation notes, revenue bonds, or other non-voter-approved debt (see the section "Non-Voter-Approved Debt Report" in the accompanying administrative regulation).

Whenever a district with a qualified or negative certification is negotiating a collective bargaining agreement, it must allow the County Superintendent 10 working days to review and comment on the proposed collective bargaining agreement pursuant to Government Code 3540.2; see BP 4143/4243 - Negotiations/Consultation.

Whenever the district receives a qualified or negative certification from the Board or the County Superintendent, the Superintendent or designee shall cooperate in the implementation of any remedial actions taken or prescribed by the County Superintendent. (Education Code 42131)

CSBA NOTE: Whenever the district's second interim report is accompanied by a qualified or negative certification, the district must submit another financial statement by June 1 as described below; this report is sometimes referred to as the "third interim report."

If the second interim report is accompanied by a qualified or negative certification, the Board shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement as of April 30 ("third interim report") that projects the district's fund and cash balances through June 30. (Education Code 42131)

CSBA NOTE: Education Code 42637 authorizes the County Superintendent, upon concluding at any time during the fiscal year, that the district's budget does not comply with criteria and standards adopted by the SBE, to conduct a comprehensive review of the district's financial and budgetary conditions and to report the findings to the Board at a public meeting. According to FCMAT's Fiscal Oversight Guide, the County Superintendent must exercise this authority when the district receives a negative certification and is authorized to do so when the district receives a qualified certification. After receiving the report, the Board is required to respond to the recommendations within 15 days.

If at any time during the fiscal year, the County Superintendent concludes that the district's budget does not comply with the standards and criteria for financial stability and conducts a comprehensive review of the district's financial and budgetary conditions, the Board shall review any report of the County Superintendent's findings and recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of the Board's proposed actions on the recommendation. (Education Code 42637)

Audit Report

CSBA NOTE: Pursuant to Education Code 41020, the Board must, no later than May 1 of each year, arrange for an audit of all the district's funds. However, if the Board has not provided for an audit by April 1, the County Superintendent must do so at the district's cost. Thus, the paragraph below reflects the April 1 deadline.

Pursuant to Education Code 41020, any district contract for auditing services must be approved by the County Superintendent if the district has a disapproved budget, has received a negative certification on any budget or interim report during the current fiscal year or either of the two preceding fiscal years, or has otherwise been determined by the County Superintendent to have a lack of going concern.

By April 1 of each year, the Board shall provide for an annual audit of the district's books and accounts. (Education Code 41020)

CSBA NOTE: Education Code 41020 requires the Board to select an auditor from a directory of certified public accountants and public accountants deemed by the State Controller as qualified to conduct audits of local education agencies. The State Controller is required to publish this directory by December 31 of each year.

In addition, Education Code 41020.5 prohibits the Board from employing any accountant identified by the State Controller as ineligible based on failure of past audits to comply with provisions of the K-12 annual audit guide. The State Controller will annually notify districts of ineligible accountants by March 1.

To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code 41020, 41020.5)

CSBA NOTE: Education Code 41020 requires that districts rotate auditors as specified below. However, the district may request that the Education Audit Appeals Panel waive this requirement if no otherwise eligible auditor is available to perform the audit.

Except when, as determined by the Education Audits Appeal Panel, no otherwise eligible auditor is available, a public accounting firm whose lead or coordinating audit partner having primary responsibility for the audit or whose audit partner responsible for reviewing the audit has performed audit services for the district in each of the six previous fiscal years shall not be selected to perform a district audit. (Education Code 41020)

CSBA NOTE: Education Code 41020.3 requires the Board to review the audit report at an open meeting by January 31 of each year. However, Education Code 41020 requires that the audit report be filed with the County Superintendent, CDE, and State Controller no later than December 15. Thus, it is recommended that the Board conduct its review of the audit prior to December 15 whenever possible.

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, the CDE, and the State Controller. (Education Code 41020)

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

The Board shall have an opportunity at the meeting to ask questions of the auditor and request further information about the audit findings.

Audit Committee

CSBA NOTE: The following optional section may be revised to reflect district practice. Although it is the responsibility of district staff to prepare financial statements and the responsibility of the independent auditor to assure that the information in the statements is reliable and fairly presented, establishment of an audit committee provides an additional mechanism to ensure fiscal responsibility, as well as providing an opportunity for community participation. Committees established by Board action are subject to the Brown Act; see BP/AR 1220 - Citizen Advisory Committees and BB 9130 - Board Committees.

The Board may ~~establish~~appoint an audit committee composed of staff knowledgeable ~~in~~about fiscal matters, other staff, and representatives of the community.-

The committee shall serve in an advisory capacity ~~to the Board~~ and ~~shall~~may:

1. ~~1.~~ Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5
2. ~~2.~~ Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit
3. ~~3.~~ Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses
4. ~~4.~~ Participate with the independent auditor ~~in~~ presenting the audit report to the Board
5. ~~5.~~ Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting
- 4.6. ~~6.~~ Provide input on the effectiveness of the independent auditor
- 2.7. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems

Fiscal Policy Team

~~The Board may establish a fiscal policy team to periodically review the district's fiscal policies and procedures and advise the Board regarding long range fiscal management plans. The fiscal policy team may be assigned to examine the fiscal and economic information needs of the district, the impact of budget allocations on district priorities, the financial health of the district, or other duties specified by the Board. The team shall work with the district's budget and audit committees and appropriate staff in carrying out its functions.~~

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
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Board Policy Manual
Sierra County/Sierra-Plumas Joint Unified School District

Business and Noninstructional Operations
Regulation 3460: Financial Reports And Accountability

Interim Reports

CSBA NOTE: Education Code 42130 requires that the district issue two interim reports; see the accompanying Board policy for information about the use of these reports to certify whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years.

Each interim ~~fiscal~~ report developed pursuant to Education Code 42130 shall include an assessment of the district budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding fiscal year. (Education Code 42130, 42131)

CSBA NOTE: Interim reports must be based on the criteria and standards adopted by the State Board of Education (SBE) pursuant to Education Code 33127. These criteria and standards are specified in 5 CCR 15453-15464 and address the areas listed below.

~~The interim~~ Interim reports shall be based on State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected local control funding formula (LCFF) revenue, salaries and benefits, other revenues and expenditures, and facilities maintenance. For purposes of assessing projections of LCFF revenue, the first interim report shall be compared to the adopted district budget, and the second interim report shall be compared to the projections in the first interim report. (Education Code 42130; 5 CCR 15453-15464)

~~The~~ An interim report shall also provide supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, contingent revenues, contributions (i.e., projected contributions from unrestricted general fund resources to restricted general fund resources, projected transfers to or from the general fund to cover operating deficits in the general fund or any other fund, and capital project cost overruns that may impact the general fund budget), long-term commitments, unfunded liabilities, temporary interfund borrowings, the status of labor agreements, and the status of other funds. (Education Code 42130; 5 CCR 15453, 15464)

Audit Report

CSBA NOTE: Pursuant to Education Code 41020, each year the district is required to arrange for an independent audit of all the district's funds. The audit must be approved by the Governing Board and submitted to the County Superintendent of Schools, California Department of Education (CDE), and State Controller within specified timelines. See the accompanying Board policy.

The Superintendent or designee shall establish a timetable for the completion and review of the annual audit within the deadlines established by law.

CSBA NOTE: The following paragraph is optional. Governmental Accounting Standards Board (GASB) Statement 34 contains requirements for the contents of the district's annual audited financial reports.

The Superintendent or designee shall provide the necessary financial records and cooperate with the independent auditor selected by the Governing Board of Education to ensure that the audit report contains all information required by law and the Governmental Accounting Standards Board (GASB).

CSBA NOTE: Pursuant to Education Code 41020, the audit must include an audit of income and expenditures for all district funds, as provided below. Additionally, Education Code 41020 requires that the audit include a determination of whether funds were expended in accordance with the district's local control and accountability plan (LCAP). Pursuant to Education Code 52061, the annual update to the LCAP must list expenditures for specific actions to be taken to achieve the goals in the LCAP, including expenditures for services to English learners, foster youth, and students eligible for free and reduced-price meals. See BP/AR 0460 - Local Control and Accountability Plan for requirements pertaining to the LCAP.

~~The audit shall include an audit of income and expenditures by source of funds for all funds of the district~~The district audit shall include all income and expenditures by source of funds, including the student body and cafeteria funds and accounts, state and federal grant funds, and any other funds under the district's control or jurisdiction~~of the district~~, as well as an audit of student attendance procedures. The audit shall also include a determination of whether LCFF funds were expended in accordance with the district's local control and accountability plan or an approved annual update of the plan. (Education Code 41020)

CSBA NOTE: The following optional paragraph is for use by districts that elect to participate in the school district of choice program (Education Code 48300-48316); see BP/AR 5117 - Interdistrict Attendance. Pursuant to Education Code 48301, any district that elects to participate in the school district of choice program must ensure that its annual financial audit includes a review of the district's compliance with program requirements to establish a random, unbiased process for student admittance and to provide appropriate and factually accurate parent/guardian communications.

If the district participates in the school district of choice program to accept interdistrict transfers, the Superintendent or designee shall notify the auditor, prior to the commencement of the audit, that the audit must include a review of the district's compliance with specified program requirements. (Education Code 48301)

CSBA NOTE: Pursuant to Education Code 41344 and 41344.1, the district may appeal to the Education Audit Appeals Panel (EAAP) when an audit finding requires the district to repay an apportionment or pay a penalty. If the EAAP finds that there has been substantial compliance with the law, it may waive or reduce repayments or order other remedial measures to induce future compliance.

If an audit finding results in the district being required to repay an apportionment or pay a penalty, the district may appeal the finding to the Education Audit Appeals Panel by making an informal summary appeal within 30 days of receiving the final audit report or initiating a formal appeal within 60 days of receiving the report. (Education Code 41344, 41344.1)

While a public accounting firm is performing the audit of the district, it shall not provide any nonauditing, management, or other consulting services for the district except as provided in Government Auditing Standards, Amendment #3, published by the U.S. Government Accountability Office. (Education Code 41020)

Report on Expenditures of State Facilities Funds

CSBA NOTE: Pursuant to Education Code 41024, districts that receive state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30) must annually report a detailed list of all expenditures of state funds, including interest, and of the district's matching funds for completed projects. Education Code 41024 requires that an audit of completed facilities projects be submitted within one year of project completion.

Education Code 41024 requires the auditor to file the audit of state facilities funds with the State Controller within 60 days of completion of the audit. The State Controller, within 60 days of

the receipt of the certified audit and after determining that the audit conforms with reporting standards in the audit guide, is then required to provide a copy of the audit to CDE and the Office of Public School Construction (OPSC), and to notify OPSC of any audit findings required pursuant to Education Code 41024 and of any amounts or adjustments identified on the basis of district's failure to expend the funds in accordance with the School Facilities Act or any accompanying grant agreement signed by district. The district may appeal any finding in accordance with the timelines and process specified in Education Code 41344. However, certain adjustments specified in Education Code 41024 (b)(1)(C)-(G) are not appealable to the Education Audit Appeals Panel.

When the district participates in the school facilities program pursuant to Education Code 17070.10-17079.30, the Superintendent or designee shall annually report a detailed list of all expenditures of state facilities funds, including interest, and of the district's matching funds for completed projects until all such funds are expended. The report shall identify expenditures on a project-by-project basis, reflect completed projects that were reimbursed within that fiscal year, and clearly indicate the list of projects that have been completed. (Education Code 41024; 2 CCR 1859.104)

Audits of facilities projects shall be concluded within one year of project completion, and shall be included as part of the district's audit for the fiscal year in which the project is reported as completed. A project shall be deemed completed when any of the following conditions is met: (Education Code 41024; 2 CCR 1859.104)

1. When the notice of completion for the project has been filed, all outstanding invoices, claims, and change orders have been satisfied, and the facility is currently in use by the district
2. Three years from the date of the final fund release for an elementary school project
3. Four years from the date of the final fund release for a middle or high school project

Fund Balance

CSBA NOTE: The following optional section reflects GASB Statement 54, which addresses the manner in which fund balances in the general fund must be reported in external financial reports. Pursuant to GASB 54, the Board has sole authority to specify purposes of committed funds (Item #3 below) and also must express, or delegate the authority to express, intended purposes of resources resulting in the assigned fund balance (Item #4 below); see BP 3100 - Budget.

In accordance with GASB Statement 54, external financial reports shall report fund balances in the general fund within the following classifications based on the relative strength of constraints placed on the purposes for which resources can be used:

1. Nonspendable fund balance, including amounts that are not expected to be converted to cash, such as resources that are not in a spendable form or are legally or contractually required to be maintained intact
2. Restricted fund balance, including amounts constrained to specific purposes by their providers or by law
3. Committed fund balance, including amounts constrained to specific purposes by the Board
4. Assigned fund balance, including amounts which the Board or its designee intends to use for a specific purpose

5. Unassigned fund balance, including amounts that are available for any purpose

Negative Balance Report

CSBA NOTE: When applicable, Education Code 42127.5 requires districts to report the reasons for a negative unrestricted fund balance or negative cash balance. "Unrestricted funds" are any funds that are not constrained by law to be spent on specific purposes and which therefore may be spent as the Board deems appropriate. Such funds may be reported in the committed fund balance, assigned fund balance, or unassigned fund balance as provided in Items #3-5 in the section "Fund Balance" above.

Whenever the district reports a negative unrestricted fund balance or a negative cash balance in its annual budget or annual audit report, it shall include in the budget a statement that identifies the reasons for the negative unrestricted fund balance or negative cash balance and the steps that have been taken to ensure that the negative balance will not occur at the end of the current fiscal year. (Education Code 42127.5)

Lease Accounting

CSBA NOTE: To increase the usefulness of government financial statements, the Governmental Accounting Standards Board has issued GASB Statement 87, which defines a lease as a "contract that conveys control of the right to use another entity's nonfinancial asset as specified in the contract for a period of time in an exchange or exchange-like transaction," and changes the rules related to the recognition, measurement, and related disclosures of leases involving governmental entities. Examples of "nonfinancial assets" include buildings, land, vehicles, and equipment. GASB 87 provisions became effective for the reporting periods beginning after June 15, 2021.

Any lease agreement involving the district, whether as lessor or lessee, shall be classified as a short-term lease, a contract that transfers ownership, or a lease other than short-term lease and contract that transfers ownership. District financial statement disclosures and schedules related to any lease shall comply with the standards specified in GASB 87.

Non-Voter-Approved Debt Report

CSBA NOTE: The following section addresses notices regarding the issuance of revenue bonds, certificates of participation, and other non-voter-approved debts. Pursuant to Education Code 17150 and 17150.1, the County Superintendent and county auditor may, within 15 days of receiving these notices from the district, comment publicly to the Board regarding the capability of the district to repay the debt obligation.

Pursuant to Education Code 42133, a district that has a qualified or negative certification in any fiscal year cannot issue non-voter-approved debt in that fiscal year or in the next fiscal year unless the County Superintendent determines that the district's repayment of the debt is probable.

Upon approval by the Board to proceed with the issuance of revenue bonds or any agreement for financing school construction pursuant to Education Code 17170-17199.5, the Superintendent or designee shall notify the County Superintendent of Schools and the county auditor. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with related repayment schedules and evidence of the district's ability to repay the obligation. (Education Code 17150)

When the Board is considering the issuance of certificates of participation and other debt instruments that are secured by real property and do not require the approval of the voters of the district, the Superintendent or designee shall provide notice to the County Superintendent and county auditor no later than 30 days before the Board's approval to proceed with issuance. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with

information necessary to assess the anticipated effect of the debt issuance, including related repayment schedules, evidence of the district's ability to repay the obligation, and the issuance costs. (Education Code 17150.1)

Other Postemployment Benefits Report

CSBA NOTE: The following section reflects GASB Statement 75, which contains reporting requirements pertaining to "other postemployment benefits" (OPEBs) (i.e., medical, dental, vision, hearing, life insurance, long-term care, long-term disability, and other nonpension benefits for retired employees). Under GASB 75, districts that do not provide OPEB through a trust are required to report the total unfunded liability (i.e., OPEBs that are not prefunded), as calculated in the most recent actuary report, in the district's financial statements. The decision of whether to prefund the benefits, and by how much, is at the Board's discretion; see BP 3100 - Budget.

The SBE's criteria and standards for budget adoption (5 CCR 15440-15451) require districts to estimate unfunded OPEBs as well as the unfunded portion of any self-insured benefits program. Changes to the unfunded liabilities are disclosed at interim reporting periods pursuant to 5 CCR 15453 and 15464. These reports are included in the state's standardized account code structure software used to develop budget and interim reports.

CSBA's OPEB Solutions Program provides access to qualified actuaries and consultants and a GASB 75-compliant trust to prefund future obligations. See CSBA's web site for further information.

The following optional section may be revised to reflect district practice and should be deleted by districts that do not provide OPEBs.

In accordance with GASB Statement 75, the district's financial statements shall report the expense of nonpension other postemployment benefits (OPEBs) on an accrual basis over retirees' active working lifetime, as determined by a qualified actuary procured by the Superintendent or designee. To the extent that these OPEBs are not prefunded, the district shall report a liability on its financial statements.

The Superintendent or designee shall annually present the estimated accrued but unfunded cost of OPEBs and the actuarial report upon which those costs are based at a ~~public~~ public open meeting of the Board. (Education Code 42140)

CSBA NOTE: Pursuant to GASB 75, the district must arrange for an actuary to update the valuation of its OPEB obligations every two years. However, GASB 75 includes an option for the use of a specified alternative method in lieu of an actuarial valuation for purposes of determining the total OPEB liability for benefits provided through an OPEB plan with fewer than 100 members. Such districts may modify the following paragraph to reflect district practice.

The district's financial obligation for OPEBs shall be reevaluated every two years in accordance with GASB 75.

Workers' Compensation Claims Report

CSBA NOTE: The following optional section is for use by districts that are self-insured for workers' compensation claims, either individually or as part of a joint powers agency. See BP 3100 - Budget for provisions related to funding the estimated accrued cost of workers' compensation claims.

The Superintendent or designee shall annually provide the Board, at a public meeting, information and related actuarial reports showing the estimated accrued but unfunded cost of workers' compensation claims. The estimate of costs shall be based on an actuarial report completed at least every three years by a qualified actuary. (Education Code 42141)

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

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Board Policy Manual
Sierra County/Sierra-Plumas Joint Unified School District

Business and Noninstructional Operations

Policy 3515: Campus Security *NEW*****

CSBA NOTE: The following optional policy should be modified to reflect district practice.

The Governing Board is committed to providing a school environment that promotes the safety of students, staff, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

The Superintendent or designee shall develop campus security procedures, which may be included in the district's comprehensive safety plan and/or site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

Additionally, the Superintendent or designee shall regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

Reporting Threats

CSBA NOTE: Education Code 49393, as added by SB 906 (Ch. 144, Statutes of 2022), requires the reporting of potential homicidal acts related to school or a school activity, as described below.

Any certificated or classified employee, or other school official, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, shall immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. (Education Code 49390, 49393)

Threat or perceived threat means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

Additionally, anyone who receives or learns of a health or safety threat related to school or a school activity is encouraged to report the threat to a school or district administrator.

Surveillance Systems

CSBA NOTE: The following optional section is for use by districts that have authorized the use of surveillance systems. Generally, the use of cameras (i.e., a "search" within the meaning of the Fourth Amendment) must be reasonable and the cameras must not be used in areas where there is a "reasonable expectation of privacy" (New Jersey v. T.L.O.). To protect reasonable expectations of privacy, cameras should not be located in areas such as bathrooms, locker rooms, or private offices. In addition, Education Code 51512 prohibits the use of a recording device in a classroom without the prior consent of the teacher and principal. Examples of locations where cameras may generally be used include hallways, stairwells, parking lots, and cafeterias. For language about the use of cameras on school buses, see AR 5131.1 - Bus Conduct.

Penal Code 632 prohibits the recording of conversations unless the parties to the conversation may reasonably expect that the communication may be overheard or recorded. Thus, if the district's equipment has audio capability, it should be disabled so that sounds are not recorded.

In consultation with the district's school site council, safety planning committee, other relevant stakeholders, and staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.

CSBA NOTE: According to the National Institute of Justice publication, "The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies," signage is an important component of a successful surveillance system and can serve as a deterrent. The Institute recommends that the signs state that the system may or may not be actively monitored. Such language is intended to deter potential perpetrators while also not building an expectation among potential victims that a person is watching events live and will be able to provide immediate assistance.

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous and targeted locations around school buildings and grounds. These signs shall state that the facility uses video surveillance equipment for security purposes and that the equipment may or may not be actively monitored at any time. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur and that the recordings may be used in disciplinary proceedings and/or referred to local law enforcement, as appropriate.

CSBA NOTE: Pursuant to 20 USC 1232(g) (Family Educational Rights and Privacy Act), 34 CFR 99.3, and Education Code 49061, any recording or image that is directly related to a student and is maintained by the district or a person acting for the district is considered a "student record" and thus is subject to those laws regarding access, disclosure, and retention. See BP/AR 5125 - Student Records. Also see the, "U.S. Department of Education's FAQs on Photos and Videos under FERPA," located on its web site.

In addition, a recording or image of a staff member that may be used in a personnel action is subject to the laws regarding personnel records, including an employee's right to comment on derogatory information placed in a personnel file. See AR 4112.6/4212.6/4312.6 - Personnel Files.

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
Policy adopted: January 10, 2023

Board Policy Manual
Sierra County/Sierra-Plumas Joint Unified School District

Business and Noninstructional Operations

Regulation 3515: Campus Security *NEW*****

CSBA NOTE: The following optional administrative regulation may be used as a component of a comprehensive safety plan and should be modified to reflect district practice. See BP/AR 0450 - Comprehensive Safety Plan

Additionally, 6 USC 665k, as added by the Luke and Alex School Safety Act of 2022 (P.L. 117-159), requires the creation of a Federal Clearinghouse on School Safety Evidence-Based Practices to serve as a federal resource to identify and publish online evidence-based practices and recommendations to improve school safety.

The Superintendent or designee shall develop a campus security plan which contributes to a positive school climate, fosters social and emotional learning and student well-being, and includes strategies to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity

These strategies include a risk management analysis of each campus' security system, lighting system, and fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

2. Secure buildings and interior spaces from outsiders and discourage trespassing

These strategies may include installing locks, requiring visitor registration, providing staff and student identification tags, and patrolling places used for congregating and loitering.

CSBA NOTE: Government Code 11549.3, as amended by AB 1352 (Ch. 593, Statutes of 2021), authorizes districts, at district expense, to request the Military Department, in consultation with the California Cybersecurity Integration Center, to perform an independent security assessment of the district or individual district school. Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' web site.

Pursuant to Education Code 35266, as added by AB 2355 (Ch. 498, Statutes of 2022), districts that experience a cyberattack, as defined, which impacts more than 500 students or personnel, are required to report such cyberattack to the California Cybersecurity Integration Center.

3. Secure the district's network infrastructure and web applications from cyberattacks

These strategies may include performing an independent security assessment of the district's network infrastructure and selected web applications.

4. Discourage vandalism and graffiti

These strategies may include plans to immediately cover graffiti and implement campus beautification.

5. Control access to keys and other school inventory

6. Detect and intervene with school crime

These strategies may include creating a school watch program, increasing adult presence and supervision, establishing an anonymous crime reporting system, monitoring suspicious and/or threatening digital media content, analyzing school crime incidents, and collaborating with local law enforcement agencies, including providing for law enforcement presence.

CSBA NOTE: Education Code 49390 and 49393, as added by SB 906 (Ch. 144, Statutes of 2022), require certificated and classified employees of the district, or other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, to immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. "Threat or perceived threat" means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual. Additionally, all staff shall be made aware of their responsibilities regarding the immediate reporting of potential homicidal acts to law enforcement, and receive training in the assessment and reporting of such threats.

All staff shall receive training in building and grounds security procedures and emergency response.

Locks

All state-funded new construction and modernization projects shall include locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside. Student restrooms and doors that lock from the outside at all times are not required to have locks that can be locked from the inside. (Education Code 17075.50, 17583; 24 CCR 1010.2, 1010.2.8.2)

Keys

CSBA NOTE: The following optional section should be modified to reflect district practice.

The principal or designee shall be responsible for all keys used in a school. Keys shall be issued only to authorized employees who regularly need a key in order to carry out job responsibilities.

The principal or designee shall create a key control system with a record of each key assigned and room(s) or building(s) which the key opens.

Keys shall never be loaned to students, parents/guardians, or volunteers, nor shall the master key ever be loaned.

CSBA NOTE: Pursuant to Penal Code 469, a person who knowingly possesses, makes, duplicates, uses, or attempts to use, make, or duplicate a key without authorization may be guilty of a misdemeanor.

Any person issued a key shall be responsible for its safekeeping. The duplication of school keys is prohibited. If a key is lost, the person responsible shall immediately report the loss to the principal or designee and shall pay for a replacement key.

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
Regulation approved: January 10, 2023

Business and Noninstructional Operations**Regulation 3516.2: Bomb Threats**

CSBA NOTE: The following optional administrative regulation may be revised to reflect district practice.

6 USC 665k, as added by the Luke and Alex School Safety Act of 2022 (P.L. 117-159), requires the creation of a Federal Clearinghouse on School Safety Evidence-Based Practices to serve as a federal resource to identify and publish online evidence-based practices and recommendations to improve school safety.

To maintain a safe and secure environment for district students and staff, the Superintendent or designee shall ensure that the district's emergency and disaster preparedness plan, ~~Safe Schools Plan~~ and/or each school's comprehensive safety plan includes procedures for ~~dealing with~~ managing bomb threats. ~~He/she also~~ Additionally, the Superintendent or designee shall provide training regularly ~~review current guidance regarding the cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to site administrators, safety personnel, and staff members who customarily handle mail, telephone calls, or email~~ the protection of the district's infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

Receiving Threats

CSBA NOTE: The U.S. Department of Homeland Security's (DHS) web site provides a, "Bomb Threat Checklist," that can assist in preparing and reacting appropriately to a bomb threat.

Any staff member receiving a ~~telephoned~~ bomb threat by telephone shall try to keep the caller on the line for as long as possible in order to gather information about the location and timing of the bomb and the person(s) responsible. To the extent possible, the staff member should also take note of the caller's gender, age, any distinctive features of voice or speech, and any background noises such as music, traffic, machinery, or voices. The staff member should not hang up, even if the caller does, and copy the number and/or letters on the telephone's display, if available.

If the bomb threat is received through ~~the regular~~ mail system or in writing, the staff member who receives it should handle the letter, note, or package as minimally as possible. If the threat is received through electronic means, such as email ~~or~~, text messaging, or social media, the staff member should not delete the message.

Response Procedure

CSBA NOTE: The following optional section includes recommendations from DHS', "Bomb Threat Guidance," and may be deleted if such a procedure is already provided in the district's emergency and disaster preparedness plan; see BP/AR 3516 - Emergencies and Disaster Preparedness Plan.

Education Code 49390 and 49393, as added by SB 906 (Ch. 144, Statutes of 2022), require certificated and classified employees of the district, or other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, to immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. "Threat or perceived threat" means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' web site.

The following procedure shall be followed when a bomb threat is received:

1. ~~1.~~ Any employee or other school official who receives a bomb threat shall immediately call 911 and report the threat or perceived threat to law enforcement. The employee shall also report the threat to the Superintendent or designee.-

If the threat is in writing, the employee shall rewrite the threat exactly as is on another sheet of paper, including the date, time and location the document was found, any conditions surrounding the discovery or delivery of the document, and the full names of any other employees who saw the threat. The employee shall secure the document and not alter it in any way. If the document is small and/or removable, the employee shall place it in a bag or envelope.

If the threat is electronic, the employee shall leave the message in an envelope and take open, and print, photograph, or copy the message and subject line, and note of where the date and by whom it was found time of the message.

- ~~1.2.~~ ~~2.~~ Any student or employee who sees a suspicious package shall promptly should not touch, tamper with, or move the item, and shall immediately notify law enforcement and the Superintendent or designee.

~~2.3.~~

- ~~3.~~ ~~3.~~ The Superintendent or designee shall immediately use fire drill signals contact law enforcement if not yet done, assess the situation, ensure the area is secured, and initiate standard evacuation procedures as specified in the emergency plan.

4. The Superintendent or designee shall turn off any two-way radio equipment which is located in a threatened building.

Law enforcement and/or fire department staff shall conduct the bomb search. No school staff, students, parents/guardians, or others on campus shall search for or handle any explosive or incendiary device.

No one shall reenter the threatened building(s) until the Superintendent or designee declares that reentry is safe based on law enforcement and/or fire department clearance.

To the extent possible, the Superintendent or designee shall maintain communications with staff, parents/guardians, the Governing Board of Education, other governmental agencies, and the media during the period of the incident.

Following the incident, the Superintendent or designee shall provide crisis counseling for students and/or staff as needed.

Any employee or student found to have made a bomb threat shall be subject to disciplinary procedures and/or criminal prosecution.

Staff Training

The Superintendent or designee shall provide training regarding the assessment and reporting of potential threats and procedures for managing bomb threats to district and site administrators, safety personnel, teachers, and other staff members, as appropriate.

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

Regulation approved: April 10, 2007

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Board Policy Manual
Sierra County/Sierra-Plumas Joint Unified School District

Business and Noninstructional Operations
Policy 3540: Transportation

CSBA NOTE: Pursuant to Education Code 39800, the Governing Board may provide transportation for students to and from school whenever such transportation is advisable and good reasons exist to provide these services. The following optional policy is for use by districts that choose to provide transportation services through their own transportation system, contracting out, or other methods, and should be revised to reflect district practice.

~~The Board of Education~~ The Governing Board desires to provide for the safe and efficient transportation of students to and from school as necessary to ensure student access to the educational program, promote regular attendance, and reduce tardiness. In determining the extent to which the district will provide transportation services, the Board shall weigh student and community needs against the cost of providing such services.

CSBA NOTE: AB 181 (Ch. 52, Statutes of 2022) provides funding for zero-emission school buses and related infrastructure, such as charging or fueling stations, equipment, site design, and construction, with priority for such funding given to districts serving a high percentage of unduplicated students, districts operating the oldest internal combustion buses, small and rural districts, and those purchasing zero-emission buses with bidirectional charging. More information will become available through the State Air Resources Board and the Energy Commission.

A district is authorized to provide transportation services in an economical and efficient way, as long as the arrangement complies with law. For example, Education Code 39800.1, as added by AB 181, permits partnering with a municipally-owned transit system, in order to provide transportation services to middle and high school students.

The Superintendent or designee shall recommend to the Board economical, environmentally sustainable, and appropriate means of providing transportation services. The district's transportation services may be provided by means of a joint powers agreement, a cooperative student transportation program, or a consortium, as permitted by law.

No student shall be required to be transported for any reason without the written permission of the student's parent/guardian, except in emergency situations involving illness or injury to the student pursuant to Education Code 35350 or the evacuation of students as necessary for their safety.

Transportation Plan

CSBA NOTE: The following section may be revised to reflect district practice. Education Code 39800.1, as added by AB 181, requires, as a condition of apportionment, a district to adopt a transportation plan in consultation with classified staff, teachers, school administrators, and other stakeholders by April 1, 2023, and to update the plan annually, by April 1. The plan is required to include descriptions of the transportation services to be provided to certain student groups as specified below.

The Superintendent or designee shall develop a transportation plan in consultation with

classified staff, teachers, school administrators, regional local transit authorities, local air pollution control districts and air quality management districts, parents/guardians, students, and other stakeholders. (Education Code 39800.1)

The transportation plan shall be presented to and adopted by the Board at an open meeting, with the opportunity for in-person and remote public comment, and shall be updated annually by April 1. (Education Code 39800.1)

The transportation plan shall include descriptions of the following: (Education Code 39800.1)

1. The transportation services offered to students
2. How transportation services will be prioritized for low-income students, students in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive
3. The transportation services accessible to students with disabilities and homeless children and youth, as defined pursuant to the federal McKinney-Vento Homeless Assistance Act (42 USC 11301)
4. How unduplicated students, as defined in Education Code 42238.02, will be able to access available home-to- school transportation at no cost

Transportation Contracts

CSBA NOTE: The following paragraph may be revised to reflect district practice. Pursuant to Education Code 39800 and 39802, the district may use one or more means to provide transportation, as indicated below. For example, the district may use school buses for its regular home-to-school program and contract with private parties to provide transportation for field trips.

The Board may purchase, rent, or lease vehicles; contract with a common carrier or municipally owned transit system; contract with responsible private parties including the parent/guardian of the student being transported; and/or contract with the County Superintendent of Schools. (Education Code 35330, 39800, 39801)

In contracting for transportation services, the district shall comply with all applicable laws related to bids and contracts. (Education Code 39802-39803)

Expenses and Fees

CSBA NOTE: The following paragraph is optional. If a district that has been providing transportation decides instead to have alternative transportation provided through an outside company or volunteers, this action may constitute "contracting out" and be subject to negotiation pursuant to the Educational Employment Relations Act (Government Code 3540-3549.3).

In lieu of providing transportation in whole or in part, the district may pay the student's parents/guardians either their actual and necessary expenses in transporting the student or the cost of the student's food and lodging at a place convenient to the school. In either case, the amount of the payment shall not exceed the cost that would be incurred by the district to provide for the transportation of the student to and from school. (Education Code 39806-39807)

CSBA NOTE: The following optional paragraph is for use by districts that choose to require parents/guardians of transported students to pay a portion of the cost of transportation as authorized by Education Code 39807.5.

Pursuant to Education Code 39807.5, as amended by AB 181, the district must waive the fee for a student with a disability and an unduplicated student, as defined in Education Code 42238.02, which includes a student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth. See BP/AR 3250 - Transportation Fees.

The Board may charge a transportation fee to parents/guardians of transported students in accordance with Education Code 39807.5 and BP/AR 3250 - Transportation Fees.

Safety and Monitoring

~~No student shall be required to be transported for any reason without the written permission of the student's parent/guardian, except in emergency situations involving illness or injury to the student pursuant to Education Code 35350 or the evacuation of students as necessary for their safety.~~

The Superintendent or designee shall develop procedures to promote safety for students traveling on school buses.

CSBA NOTE: The following optional paragraph is for use by districts that maintain their own transportation system and may be revised to reflect district practice. Pursuant to Penal Code 637.7, the district is authorized, as the registered owner of the school bus, to use electronic tracking systems to determine the location or movement of the vehicle. It is recommended that school bus drivers be notified when a bus is so equipped.

In addition to using a global positioning system (GPS) to locate a bus in an emergency or to track delays, the district may choose to authorize parents/guardians to access the location data so that they may determine when their child has been picked up or dropped off at a bus stop.

The district may install a global positioning system (GPS) on school buses and/or student activity buses in order to enhance student safety and provide real-time location data to district and school administrators, and parents/guardians.

CSBA NOTE: The following optional paragraph is for use by districts that maintain their own transportation system.

The Superintendent or designee shall ensure the qualifications of bus drivers and related staff employed by the district, provide for the maintenance and operation of district-owned school buses and other equipment, and ensure adequate facilities for equipment storage and maintenance.

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
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Board Policy Manual
Sierra County/Sierra-Plumas Joint Unified School District

Board Bylaws**Bylaw 9220: Governing Board Elections**

CSBA NOTE: The following bylaw is optional. The filling of elective offices involves serious issues of constitutional and statutory concerns. Any district with questions related to local elections should consult CSBA District and County Office of Education Legal Services or district legal counsel.

Board Member Qualifications

CSBA NOTE: Education Code 35107 and Elections Code 20 detail eligibility for Governing Board membership as specified below. In 81 Ops.Cal.Atty.Gen. 98 (1998), the Attorney General opined that the residency requirement in Education Code 35107 is a continuing requirement for holding the office during the entire term of the Board member.

A person who is not registered to vote is ineligible to hold public office. Elections Code 2201 lists the causes for cancelling an individual's voter registration and making that person ineligible to hold public office, including, but not limited to, legally established mental incompetency, proof that the person is presently imprisoned or on parole for conviction of a felony, or official notification that the voter is registered to vote in another country or state.

Any person is eligible to be a member of the Governing Board of Education, without further qualifications, if he/she/the person is 18 years of age or older, a citizen of California, a resident of the school district or, if applicable, the trustee area, a registered voter, and not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or elected as a Board member except when he/she/the person has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)

CSBA NOTE: Pursuant to Education Code 35107, a district employee elected to serve on the district Board must resign from the employment before being sworn into office as a Board member.

Pursuant to Education Code 1006, employees of a school district are eligible to run for the county board of education seat as long as their school district employer is not within the jurisdiction of the county board.

A district employee elected to the Board shall resign his/her/from district employment before being sworn in or shall have his/her/the employment automatically terminated upon being sworn into office. (Education Code 35107)

CSBA NOTE: The following paragraph is optional. See CSBA's web site for information about school board service that may be shared with candidates.

The Board encourages all candidates to become knowledgeable about the role of board members. The Superintendent or designee shall provide all candidates with information that will enable them to understand the responsibilities and expectations of being a Board member, including information regarding available workshops, seminars, and/or training. The Superintendent or designee shall provide all candidates with the county election official's contact information and general information about school programs, district operations, and Board responsibilities.

Recalling a Board Member

CSBA NOTE: The following section is optional. Government Code 1770 lists events that may create a vacancy in an elective office, including removal from office, while Elections Code 11000 provides for recall as the means for effecting such removal of a Board member. Pursuant to Elections Code 11006, recall proceedings may be initiated by the service, filing, and publication or posting of a notice of intention to circulate a recall petition by proponents who must be registered voters of the board member's electoral jurisdiction. Elections Code 11020, as amended by AB 2584 (Ch. 792, Statutes of

2022), specifies the number of proponents that must be listed on the notice, depending on the number of registered voters in the electoral jurisdiction involved.

A Board member may be recalled as permitted by Elections Code 11000. Proponents of a recall are required to serve, file, and publish or post a notice of intention to circulate the recall petition and to comply with other applicable law and formalities and county elections official directives. The petition, pursuant to Elections Code 11041, is required to be in the format provided by the Secretary of State and to include an estimate of the cost of conducting the special election, as determined by the county elections official, in consultation with the district.

CSBA NOTE: Pursuant to Elections Code 11242, as amended by AB 2584 (Ch. 792, Statutes of 2022), after the

Board orders an election, the recall election must be held within the period specified in the following paragraph, unless an extension beyond the specified period is necessary in order to consolidate the recall election with a regularly scheduled election.

Within 14 days after the meeting at which the Board receives a certificate of sufficiency of signatures on a recall petition from the county elections official, the Board shall order an election to be held to determine whether the Board member named in the petition shall be recalled. The election shall be held not less than 88, nor more than 125, days after the date that the Board orders the election. However, the election may be conducted within 180 days after the issuance of the Board's order to consolidate the election with a regularly scheduled election.

Recall elections shall be conducted in accordance with Elections Code 11381-11386.

Consolidation of Elections

CSBA NOTE: The following optional section is for districts that currently hold their Board elections at a time that is not concurrent with municipal or statewide elections.

Education Code 5000 and Elections Code 1302 require the regular election of Board members to be held on the first Tuesday after the first Monday in November of each odd-numbered year. However, in accordance with Elections Code 1302 and 10404.5, districts are authorized to request consolidation of their Board elections with the local municipal or state primary or general election by adopting a Board resolution and submitting it to the County Board of Supervisors for approval. Within 30 days following approval by the County Board of Supervisors, the elections official will notify all registered voters in the district of the change of election date.

To reduce costs associated with conducting elections, the Board may consolidate Board elections with the local municipal or statewide primary or general election in accordance with Elections Code 1302.

CSBA NOTE: Pursuant to Elections Code 14051-14052, districts are required to hold elections concurrent with statewide elections if holding nonconcurrent elections has previously resulted in a "significant decrease" in voter turnout. Pursuant to Elections Code 14051, a significant decrease has occurred when voter turnout for a regularly scheduled election held on a nonconcurrent date is at least 25 percent less than the average local turnout for the previous four statewide general elections. For further analysis, see CSBA's, "Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections."

Districts consolidating their elections due to low voter turnout should follow the procedures specified in Elections Code 1302, including the adoption of a Board resolution.

In addition, if a regularly scheduled Board election held other than on a statewide election date results in a decrease in local voter turnout of 25 percent or more compared to the average local turnout for the previous four statewide general elections, the Board shall take action to consolidate Board elections with statewide elections. ~~The district shall move its election to the next state statewide election date, unless the Board has adopted a plan by January 1, 2018 to consolidate Board elections not later than the November 8, 2022 statewide general election.~~ (Elections Code 14051, 14052)

In order to consolidate elections based on either circumstance described above, the Board shall adopt a resolution and submit it to the County Board of Supervisors for approval not later than 240 days prior

to the date of the currently scheduled district election. (Elections Code 10404.5)

Whenever a regularly scheduled Board election is changed due to consolidation of elections, the terms of office of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

Elections Process and Procedures

CSBA NOTE: Any district that selects Option 2 or 3 should ensure that its decision is consistent with Elections Code 14025-14032 (the California Voting Rights Act (CVRA)), which prohibits the use of the "at-large" voting method for elections within jurisdictions with a history of "racially polarized voting" (i.e., difference between voters of a protected class and voters in the rest of the jurisdiction in the choice of candidates preferred).

OPTION 1: (Election by trustee area)

The district is divided into trustee areas and each trustee area shall be represented by a Board member who resides in and is elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.

Prior to March 1 following the year in which the results of each decennial federal census are released, the Board shall adjust the boundaries of the district's trustee areas based on population figures as validated by the Population Research Unit of the Department of Finance. (Education Code 5019.5)

OPTION 1 ENDS HERE

CSBA NOTE: Any district that selects Option 2 or 3 should ensure that its decision is consistent with Elections Code 14025-14032 (the California Voting Rights Act (CVRA)) which prohibits the use of the "at-large" voting method for elections within jurisdictions with a history of "racially polarized voting" (i.e., difference between voters of a protected class and voters in the rest of the jurisdiction in the choice of candidates preferred).

OPTION 2: (Election using "at-large" voting method)

Board members may reside anywhere within the district's boundaries and shall be elected by all voters in the district.

OPTION 2 ENDS HERE

CSBA NOTE: The extent, if any, to which a district using the "from trustee area/hybrid" method (Option 3) is required to balance its trustee areas by population is unclear; see Dusch v. Davis.

OPTION 3: (Election from trustee area/hybrid method)

Each Board member shall reside within the trustee area that the Board member represents but shall be elected by all voters in the district.

OPTIONS 3 ENDS HERE

CSBA NOTE: The following paragraph is for districts using Option 2 or 3 and may be revised to reflect district practice. Such districts should periodically monitor the demographics within their geographical boundaries to ensure that no violation of the CVRA occurs. Any district found in violation of the CVRA could be held liable for attorneys' fees and legal costs. Elections Code 10010 requires that a prospective plaintiff send written notice to the district prior to filing a complaint alleging that the method of election violates the CVRA so that the district will have the chance to cure any potential violations before the commencement of litigation. Even if the district cures the alleged violations, it may be required to pay reasonable costs incurred in supporting the written notice.

To ensure ongoing compliance with the California Voting Rights Acts, the Board may review the district's Board election method to determine whether any modification is necessary due to changes in the district's population or any of its racial, color, or language minority group composition. The review shall be based on the Superintendent or designee's report to the Board after the release of each decennial federal census.

CSBA NOTE: Converting from an "at-large" (Option 2) to a "by trustee area" (Option 1) voting method involves complex issues of law regarding matters such as the redrawing of maps, required approvals, and transition dates. Elections Code 10010 requires the Board to hold hearings before and after drawing maps of the proposed district boundaries to allow for public input. If Board members will be elected at different times for staggered terms of office, hearings held after publishing the draft map(s) are required to include an opportunity for public input regarding the proposed sequence of elections.

When the district's election method is to be changed, the Board shall hold public hearings in accordance with Elections Code 10100 before adopting a resolution at an open meeting specifying the change(s), and shall, in accordance with Education Code 5019, obtain approval from the county committee on school district organization having jurisdiction over the district.

CSBA NOTE: The remainder of this section is for all districts. The Attorney General opined in 105 Ops.Cal.Atty.Gen. 182 (2022) that when the boundaries of a district's trustee areas are adjusted or the district changes from "at-large elections" to "by-trustee area elections," and a vacancy then arises in a seat held by a Board member whose term of office began prior to the change in boundaries or election method, the vacancy should be filled using the boundaries or election method by which the incumbent Board member was elected. Any district that has already adopted a "by- trustee" election method should revise the following paragraph accordingly.

The election method or trustee-area boundaries in effect at the beginning of a Board member's term shall be used when any vacancy that occurs during that term is to be filled, even if, during the term, the district has adopted "by- trustee area" election method or trustee area boundaries have been adjusted.

CSBA NOTE: Pursuant to Education Code 5091, as amended by SB 1061 (Ch. 831, Statutes of 2022), any petition for a special election must contain the county elections official's estimate of the cost of conducting the special election, expressed on a per-student basis.

Any petition for a special election ordered pursuant to Education Code 5091 shall contain the county election official's estimate of the cost of conducting the special election, expressed on a per-student basis. (Education Code 5091)

Campaign Conduct

CSBA NOTE: Education Code 35177 has long authorized boards, by resolution, to limit campaign expenditures and/or contributions for candidates in board elections. However, in June 2006, the U.S. Supreme Court held in Randall v. Sorrell that limits on campaign expenditures are unconstitutional and violate a candidate's right to free speech. The court did hold that limits on contributions to candidates could be constitutional if such limits are not overly restrictive, allow candidates to compete in the race, and do not operate to protect incumbents. However, because Education Code 35177 provides no mechanism for the district to enforce any contribution limits set by the Board, such limits would be completely voluntary, and other candidates and/or the Board would have no recourse in the event of noncompliance by a candidate. It is strongly recommended that, before adopting voluntary contribution limits under the authority granted in Education Code 35177, the Board consult CSBA District and County Office of Education Legal Services or district legal counsel, in order to ensure that the district's limits satisfy legal restrictions.

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign donations, funding, and expenditures.

CSBA NOTE: The following paragraph is optional. Government Code 85300 generally prohibits the expenditure of public funds for the purpose of seeking elective office. However, Government Code 85300 permits a candidate to expend or accept public funds for the purpose of seeking elective office if the Board establishes a dedicated fund for that purpose, provided that both (1) the public funds are available to all qualified, voluntarily participating candidates for the same office without regard to incumbency or political party preference, and (2) the Board has established criteria for determining a candidate's qualifications. For school board elections, candidate qualifications are specified in state law (see section "Board Member Qualifications" above), and districts should not establish additional qualification requirements.

A Board member shall not expend, and a candidate shall not accept, any public money for the purpose of seeking elective office. However, the district may establish a dedicated fund for those seeking election to the Board, provided that the funds are available to all candidates who are qualified pursuant to Education Code 35107 without regard to incumbency or political preference. (Government Code 85300)

CSBA NOTE: Pursuant to Elections Code 20440, county election officials are required to present each candidate running for public office with a voluntary Code of Fair Campaign Practices for the candidate to sign. The pledge states the candidate's intent to conduct the campaign openly and fairly and provides that the candidate may not use or permit negative prejudice based on another candidate's race, religion, physical or mental disability, sex, gender, gender identity, gender expression, sexual orientation, or any other prohibited category of discrimination listed in Government Code 12940. Although neither the district nor opposing candidates have authority to enforce the pledge if it is violated, a candidate's signature is a matter of public record. The following optional paragraph expresses the Board's desire that candidates for Board membership sign and abide by the terms of the pledge.

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

Statement of Qualifications

On the 125th day prior to the day fixed for the general district election, the Board secretary or ~~his/her~~ designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term
2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

CSBA NOTE: Pursuant to Elections Code 13307, the candidate statement is limited to 200 words (Option 1 below), unless the Board has authorized an increase to a 400-word maximum (Option 2 below).

OPTION 1: (200 Words Limit)

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

OPTION 1 ENDS HERE

OPTION 2: (400 Words Limit)

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 400 words. (Elections Code 13307)

OPTION 2 ENDS HERE

CSBA NOTE: The following optional paragraph is for use by any district that authorizes electronic distribution of candidate statements in addition to or instead of the mailed voter's pamphlet. Pursuant to Elections Code 13307, a voter may receive by mail a voter's pamphlet that contains candidate statements or, when authorized by the elections official, may opt to obtain the voter's pamphlet and related materials electronically (i.e., from the elections official's web site or via email). If a candidate chooses to submit a statement for electronic distribution only, it will not appear in the mailed voter's pamphlet.

When electronic distribution is authorized by the elections official, districts may choose, pursuant to Elections Code 13307, whether to permit Board candidates to prepare a statement for electronic distribution. The following paragraph may be revised to reflect district practice.

When the elections official allows for the electronic distribution of candidate statements, a candidate for the Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution.

CSBA NOTE: Prior to the beginning of the nominating period, Elections Code 13307 requires the Board to determine whether to have the district assume the costs of producing candidate statements or to charge candidates for the costs, regardless of whether the statements are for hard copy or electronic distribution. In 85 Ops.Cal.Atty.Gen. 49 (2002), the Attorney General opined that Elections Code 13307, which authorizes the district to pay for the distribution of candidate statements for nonpartisan elective offices, does not conflict with Education Code 7054, which prohibits the use of district resources for campaign purposes. According to the Attorney General, distributing campaign statements cannot be considered campaigning for any particular candidate in a partisan manner so as to conflict with the Education Code prohibition.

Option 1 below is for districts that assume the costs associated with producing candidate statements, and Option 2 is for districts that charge candidates for the costs. The following options may be revised to reflect the method of distribution (i.e., electronic and/or hard copy) used by the district.

OPTION 1: (Candidate Statement Paid by District)

The district shall pay the cost of printing, handling, translating, mailing, and/or electronically distributing candidate statements filed pursuant to Elections Code 13307.

OPTION 1 ENDS HERE

OPTION 2: (Candidate Statement Paid by Candidate)

The district shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the hard copy and/or electronic voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

OPTION 2 ENDS HERE

Tie Votes in Board Member Elections

CSBA NOTE: Education Code 5016 requires the Board to decide, before conducting any election, whether a potential tie will be resolved by lot or by a runoff election. Option 1 provides for the use of lots to determine the winner in case of a tie in every election, Option 2 provides for a runoff election in every election, and Option 3 is for use by districts that will make this determination prior to each election.

Education Code 5016 requires the County Superintendent of Schools to provide certification of a tie vote in an election to the district Board.

OPTION 1: (Tie Decided by Lot)

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. (Education Code 5016)

OPTION 1 ENDS HERE

OPTION 2: (Tie Decided by Runoff Election)

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall schedule a runoff election in accordance with law. (Education Code 5016)

OPTION 2 ENDS HERE

OPTION 3: (Tie Decided Based on Board Determination Prior to Each Election)

Before each election, the Board shall decide whether to resolve a potential tie by lot or by a runoff election. If the Board has decided to resolve a tie by lot, the Board shall, immediately after the election, notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. If the Board has decided to resolve a tie with a runoff election, the Board shall schedule the runoff election in accordance with law. (Education Code 5016)

OPTION 3 ENDS HERE

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
Bylaw adopted: April 10, 2007
revised: January 13, 2009
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Board Policy Manual
Sierra County/Sierra-Plumas Joint Unified School District

Board Bylaws**Bylaw 9223: Filling Vacancies****Events Causing a Vacancy**

A vacancy on the Governing Board of Education may ~~occur for~~ arise from any of the following events:

1. The death of an incumbent- (Government Code 1770)
2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his/herthe office for the remainder of his/herthe term- (Government Code 1770)
3. A Board member's resignation- (Government Code 1770)
 1. A vacancy resulting from resignation occurs when the written resignation is filed with the County Superintendent of Schools having jurisdiction over the district, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become operative on that date.- A Board member may not defer thean effective date of his/her resignation for more than 60 days after he/she filethe date the resignation is filed with the County Superintendent. Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable.- (Education Code 5090, 5091)
4. A Board member's removal from office, including by recall- (Elections Code ~~1138411000~~; Government Code 1770)
5. A Board member's ceasing to be a resident of the district- (Government Code 1770)

CSBA NOTE: The following paragraph is for use by districts that have established trustee areas. In 105 Ops.Cal.Atty.Gen 182 (2022), the Attorney General has opined that when the boundaries of a district's trustee areas are adjusted or the district changes from "at-large elections" to "by-trustee area elections," and a vacancy ~~on the Board also occurs when~~ then arises in a seat held by a Board member whose term of office began prior to the change in boundaries or election method, the vacancy should be filled using the boundaries or election method by which the incumbent Board member was elected. See BB 9220 - Governing Board Elections.

- 3.6. A Board member ceases to inhabit the trustee area ~~which he/she represents~~represented on the Board- (58 Ops.Cal.Atty.Gen. 888 (1975))
- 4.7. A Board member's absence from the state for more than 60 days, except in the following situations:- (Government Code 1064, 1770)

- a. Upon district business with the approval of the Board
-
- ~~b.~~ b. -With the consent of the Board for an additional period not to exceed a total absence of 90 days
- ~~b.c.~~ b.c. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board.
- ~~d.~~ d. For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve ~~in~~ his/her ~~during the~~ absence.- If two or more members of the Board are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities.- The term of an interim member appointed in these circumstances shall not extend beyond the return of the absent Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

- ~~5.8.~~ 5.8. A Board member's ceasing to discharge the duties of his/her ~~the~~ office for the period of three consecutive months, except when prevented by illness or when absent from the state with the permission required by law- (Government Code 1770)

CSBA NOTE: Board members forfeit office and, in some cases, are disqualified from holding public office upon conviction of designated crimes as specified in the Constitution and various other state laws. Examples of crimes that result in forfeiture of office include, but are not limited to, convictions for felonies, offenses that involve a violation of official duties, bribery, selling appointments, intoxication in the discharge of official duties, misuse of public funds, conflict of interest violations, and a false claim of receipt of any military decoration or medal.

- ~~6.9.~~ 6.9. A Board member's conviction of a felony or any offense involving a violation of his/her official duties or conviction of a designated crime resulting in a forfeiture of office- (Government Code 1770, 3000-3003)
- ~~7.10.~~ 7.10. A Board member's refusal or neglect to file his/her ~~the~~ required oath within the time prescribed- (Government Code 1770)
- ~~8.11.~~ 8.11. The decision of a competent tribunal declaring void a Board member's election or appointment- (Government Code 1770)
-
- ~~9.~~ 9. ~~The making of an order vacating a Board member's office or declaring the office vacant when the Board member fails to furnish an additional or supplemental~~

~~bond (Government Code 1770)~~

- ~~10.12.~~ A Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final- (Government Code 1770)

CSBA NOTE: Pursuant to Education Code 5090, a vacancy is declared when there has been a "failure to elect," meaning that the County Registrar of Voters has determined that an election will not be held because either no candidate or an insufficient number of candidates have filed to run for a Board seat(s). Education Code 5328 authorizes the Board to make an appointment in such circumstances.

- ~~11.13.~~ A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a Board seat(s)- (Education Code 5090, 5326, 5328)

Timelines for Filling a Vacancy

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs within four months of the end of a Board member's term, the Board shall take no action.- (Education Code 5093)

CSBA NOTE: Pursuant to Education Code 5091, when a vacancy occurs or when a deferred resignation has been filed four or more months before the end of a Board member's term, the Board shall take action, as specified below. In the event that the Board fails to make a provisional appointment or order an election within 60 days, the County Superintendent of Schools must call an election to fill the vacancy.

- ~~1.2.~~ When a vacancy occurs from six months to 130 days before a regularly scheduled Board election at which the position is not scheduled to be filled, a special election to fill the position shall be consolidated with the regular election.- The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which ~~he/she~~the person was elected to fill.- (Education Code 5093)
3. When a vacancy occurs outside of the statutory time windows identified in Items #1 and #2 above, the Board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either order an election or make a provisional appointment. (Education Code 5091, 5093)

Eligibility

CSBA NOTE: Persons applying or nominated for a Board position must meet the legal qualifications for Board members as detailed in Education Code 35107. Education Code 35107 also provides that a district employee appointed or elected to the Board must resign from district employment before being sworn in or the employment will be automatically terminated upon being sworn into office. See BB 9220 - Governing Board Elections.

In order to be appointed or elected to fill a vacancy on the Board, a person must meet the eligibility requirements specified in Education Code 35107. ~~All potential candidates shall submit to fingerprinting, as needed at their expense to ensure eligibility described in BB 9220 - Governing Board Elections.~~

Provisional Appointments

CSBA NOTE: The following optional paragraph should be modified to reflect district practice. The Board is authorized to make a provisional appointment to fill a vacancy pursuant to Item #3 in the section "Timelines for Filling a Vacancy" above. The law does not specify procedures for making provisional appointments for vacancies caused by reasons other than a failure to elect; however, such procedures must comply with the requirements of the Brown Act (Government Code 54950-54963). Secret ballots are prohibited by Government Code 54953. In addition, only an individual who meets the eligibility requirements specified in Education Code 35107 may be appointed to fill a vacancy.

See CSBA's publication, "Filling a Board Vacancy" for additional information about provisional appointments, including sample questions for interviewing and evaluating candidates.

When authorized by law to make a provisional appointment to fill a vacancy on the Board, the Board shall advertise in the local media to solicit candidate applications or nominations. A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

Within 10 days after the appointment is made, the Board shall post notices of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment.- The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the district. (Education Code 5092)

The notice shall contain: (Education Code 5092)

1. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
2. The full name of the appointee
3. The date of appointment
4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent within 30 days of the provisional appointment, it shall become an effective appointment

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the powers and duties of a Board member upon appointment.- (Education Code 5091)

CSBA NOTE: Pursuant to Education Code 5091, the County Superintendent of Schools is required to terminate a provisional appointment and order a special election if, within 30 days of the appointment, a petition requesting a special election to fill the vacancy is submitted by registered voters. Pursuant to Education Code 5091, as amended by SB 1061 (Ch. 831, Statutes of 2022), any such petition for a special election must contain the county elections official's estimate of the cost of conducting the special election, expressed on a per-student basis. Education Code 5091, as amended, also requires such special election to be conducted not less than 88, nor more than 125, days following the County Superintendent's order of the election, unless the election may be consolidated with a regularly scheduled election which is to take place within 180 days after the issuance of the County Superintendent's order. For the conduct of Board elections, See BB 9220 - Governing Board Elections.

If within 30 days of the Board's appointment, registered voters of the district or, where elections are by trustee areas, of the trustee area submit a petition for special election which the County Superintendent determines to be legally sufficient, the provisional appointment is terminated, and a special election shall be held in accordance with Education Code 5091 to fill the vacancy.

Appointment Due to Failure to Elect

CSBA NOTE: The following procedure applies when an appointment is being made because of a failure to elect pursuant to Education Code 5090, 5326, and 5328 (Item #12 in section entitled "Events Causing a Vacancy" above).

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated (i.e., a failure to elect) and a district election will not be held, the Board shall appoint a qualified person to the office.- This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the district election.- (Education Code 5328)

When an appointment is being made because of a failure to elect, the district shall publish a notice once in a newspaper of general circulation published in the district, or if no such newspaper exists, in a newspaper having general circulation within the district.- This notice shall state that the Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment.- (Education Code 5328.5)

The procedure for selecting and interviewing candidates shall be the same as the procedures for "Provisional Appointments," as specified above.

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

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Board Policy Manual
Sierra County/Sierra-Plumas Joint Unified School District

Board Bylaws**Bylaw 9323: Meeting Conduct**

CSBA NOTE: Education Code 35010 mandates the Governing Board to "prescribe and enforce" rules for its own governance. These rules must not be inconsistent with law or with regulations prescribed by the State Board of Education. The following bylaw provides suggested rules and procedures for meeting conduct and reflects provisions of law as applicable.

Meeting Procedures

All ~~Governing Board of Education~~ meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

CSBA NOTE: The law does not specify that a particular set of procedures must govern Board meetings. Although Robert's Rules of Order can serve as a useful guide, the Board may adopt any procedure that allows for the efficient and consistent conduct of meetings.

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

CSBA NOTE: The following optional paragraph limits the length of Board meetings and should be revised to reflect district practice.

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned ~~at~~by 10:30 p.m. unless extended to a specific time determined by a majority of the Board.- The meeting shall be extended no more than once and ~~, if necessary, may~~ subsequently ~~may~~ be adjourned to a later date.

CSBA NOTE: In Rubin v. City of Burbank, an appellate court held that inclusion of "sectarian prayer" at city council meetings, which communicated a preference for a particular religious faith and advanced one faith over another, was unconstitutional by directing the prayer "in the name of Jesus." The court held that it would be constitutional to require the city to advise those people conducting the prayer of this limitation. This opinion is consistent with an unpublished 9th Circuit federal court opinion which stated that an invocation "in the name of Jesus" was unconstitutional in that it displayed allegiance to a particular faith.

Some general guidelines for invocations can be found in an Attorney General's opinion (76 Ops.Cal.Atty.Gen. 281 (1993)) which stated that a county board of supervisors could open its sessions with an invocation when the invocation is (1) not required by law as a condition to the official proceedings, (2) not part of the deliberative agenda, (3) not offered, supervised, or approved as to content by a public officer, (4) not officially limited to a particular religion, (5) not disparaging of others, and (6) not directed towards proselytizing. However, because this is an unsettled area of law that is subject to frequent litigation, it is strongly recommended that districts consult CSBA District and County Office of Education Legal Services or district legal counsel if they wish to open meetings with an invocation. Note that a different legal analysis applies to student-led or student-initiated prayer; see BP 5127 - Graduation Ceremonies and Activities.

Quorum and Abstentions

The Board shall act by majority vote of all of the membership constituting the Board.- (Education Code 35164)

CSBA NOTE: The Attorney General opined in 61 Ops.Cal.Atty.Gen. 243 (1978) that members of a public body have a duty to vote on issues before them so that the public is represented and receives the services which the public body was created to provide. Issues arise when a motion is tied and one Board member has abstained. The general parliamentary rule is that an abstention is counted as agreeing with the action taken by the majority of those who vote, whether affirmatively or negatively (66 Ops.Cal.Atty.Gen. 336 (1983)). However, a stronger argument could be made that the parliamentary rule is in conflict with Education Code 35164 which requires a majority vote of all of the membership of the Board in order for the Board to act (i.e., a majority of all of the membership of the Board must vote affirmatively in order to approve any action). In 55 Ops.Cal.Atty.Gen. 26 (1972), the Attorney General opined that, when a statutory requirement exists that requires an affirmative action of at least a majority of the members of the Board, the general rule that members not voting were deemed to have agreed with the action taken by the majority of those that voted is not applicable.

The following optional paragraph is consistent with CSBA's opinion that a majority of the Board must vote affirmatively for a motion to carry, but the law is not settled and contrary legal opinions may exist. It is strongly recommended that the district consult with CSBA District and County Office of Education Legal Services or district legal counsel and modify the following paragraph to ensure consistency with district practice.

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them.- When a member abstains, the abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

Public Participation

CSBA NOTE: Pursuant to Government Code 54953.3, members of the public cannot be required to register their names, complete a questionnaire, or provide other information as a condition of attending a Board meeting, except that if the meeting is conducted using remote public participation or with a Board member attending remotely pursuant to Government Code 54953, a member of the public desiring to provide comment through the use of a third party internet website or online platform may be required to register as required by the third party provider. If an attendance list or similar document is posted near the entrance or circulated during the meeting, it must clearly state that signing or completing the document is voluntary.

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction.- So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting-, except that if the meeting is conducted using remote public participation or with a Board member attending remotely pursuant to Government Code 54953, a member of the public desiring to provide comment through the use of a third party internet website or online platform may be required to register as required by the third party provider.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

CSBA NOTE: Education Code 35145.5 mandates the Board to adopt regulations which ensure that the public can address the Board regarding agenda items, as specified below.

District employees have the same right as members of the public to address the Board during a public Board meeting. In 90 Ops.Cal.Atty.Gen. 47 (2007), the Attorney General opined that, under the Ralph M. Brown Act, an administrative district employee cannot be prohibited from attending a Board meeting or from speaking during the public comment period, including comments on an employment-related issue.

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5; Government Code 54954.3)
2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5; Government Code 54954.2)
3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, Board members or staff members may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)
5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

CSBA NOTE: Government Code 54954.3 authorizes reasonable regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. Such reasonable regulations must ensure that the intent of allowing the public an adequate opportunity to speak to the Board is carried out. The following paragraph should be revised to reflect district practice.

In general, individual speakers will be allowed three minutes to address the Board on each agenda or nonagenda item, and the Board will limit the total time for public

input on each item to 20 minutes. However, in exceptional circumstances when necessary to ensure full opportunity for public input, the Board president may, with Board consent, adjust the amount of time allowed for public input and/or the time allotted for each speaker. Any such adjustment shall be done equitably so as to allow a diversity of viewpoints. The president may also ask members of the public with the same viewpoint to select a few individuals to address the Board on behalf of that viewpoint.

In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

6. The Board president may rule on the appropriateness of a topic, subject to the following conditions:
 - a. If a topic would be suitably addressed at a later time, the Board president may indicate the time and place when it should be presented.
 - b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)

CSBA NOTE: The following optional item addresses the issue of specific charges or complaints against district employees in open Board meetings. Although the Board may inform the speaker of appropriate district complaint procedures, it cannot prohibit criticisms of the district and its employees, no matter how harsh. Board members and staff may briefly respond to the concerns raised by the complainant at the meeting.

In *Baca v. Moreno Valley Unified School District*, a federal district court issued a preliminary injunction against the district prohibiting it from enforcing its policy barring criticism of employees at public Board meetings. The court found that the district's policy violated the plaintiff's First Amendment rights by restricting the content of her speech. The court further noted that the district could not legally prevent a person from speaking in open session, even if the speech was clearly defamatory. It is recommended that the Board consult CSBA District and County Office of Education Legal Services or district legal counsel if a question arises regarding public criticism of a district employee.

- c. The Board shall not prohibit public criticism of district employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure.

CSBA NOTE: As provided in item #7 below, Government Code 54957.9 authorizes the Board to remove persons who willfully disrupt or disturb a meeting. Examples of disruptive conduct might include conduct that is extremely loud, disturbing, or creates a health or safety risk. In McMahon v. Albany Unified School District, the court held that a speaker's constitutional rights were not violated when he was removed from a Board meeting after dumping a substantial amount of garbage on the floor of the meeting room. Because the speaker was not removed based on the content of his speech, the court upheld his conviction for a willful disruption of a public meeting. In City of San Jose v. Garbett, the court held that a legislative body may exclude from a meeting a person who has expressed a credible threat of violence that would place reasonable persons in fear for their safety or the safety of

their immediate family and that serves no legitimate purpose.

However, the courts have found that a person's conduct must actually disrupt the meeting in order to warrant ejection. In Norse v. City of Santa Cruz, the court held that the city council improperly ejected a member of the public who gave the council a silent Nazi salute, on the grounds that the action did not interfere with the proceedings of the meeting.

- 4.7. The Board president shall not permit ~~any disturbance or willful interruption~~actual disruption of Board meetings. ~~Persistent~~Actual disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the Board and remove the individual from the meeting.

~~The Board may remove disruptive individuals and~~CSBA NOTE: Government Code 54957.95, as added by SB 1100 (Ch. 171, Statutes of 2022), authorizes the presiding member of the Board or designee to remove an individual for disrupting a Board meeting, and establishes a procedure for warning the individual prior to removal, as specified below. However, no warning is required before removing an individual if their behavior constitutes a use of force or a true threat of force.

Because of the potential impact on the public's access to open meetings, it is recommended that the Board consult CSBA District and County Office of Education Legal Services or district legal counsel if a question arises regarding the procedures for removing a disruptive individual, or if an individual's behavior warrants removal from a meeting.

The Board President or designee may remove an individual for actually disrupting the meeting. Prior to removal, the individual shall be warned that their behavior is disrupting the meeting and that failure to cease the disruptive behavior may result in removal. If, after being warned, the individual does not promptly cease the disruptive behavior, the Board president, or designee, may then remove the individual from the meeting. (Government Code 54957.95)

When an individual's behavior constitutes the use of force or a true threat of force, the individual shall be removed from a Board meeting without a warning. (Government Code 54957.95)

Disrupting means engaging in behavior during a Board meeting that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law, or engaging in behavior that constitutes use of force or a true threat of force. (Government Code 54957.95)

True threat of force means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making

the threat. (Government Code 54957.95)

Additionally, the Board may order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda.- (Government Code 54957.9)

When ~~such~~ disruptive conduct occurs, the Board may decide to recess the meeting to help restore order, or if removing the disruptive individual(s) or clearing the room is infeasible, move the meeting to another location. The Board may direct the Superintendent or designee ~~shall~~to contact local law enforcement as necessary.

Recording by the Public

CSBA NOTE: Government Code 54953.5 provides that any person attending an open meeting may record it with an audio or video recorder or a still or motion picture camera unless the Board makes a reasonable finding that the recording cannot continue without noise, illumination, or obstruction of view which would persistently disrupt the meeting. Government Code 54953.6 requires a similar finding before the Board can prohibit or restrict a broadcast of its meetings.

The following paragraph extends the right to record an open meeting to include recordings made by other devices such as a cell phone.

Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The Superintendent or designee may designate locations from which members of the public may make such recordings without causing a distraction.

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board.- (Government Code 54953.5, 54953.6)

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