

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

April 04, 2023

5:00pm CLOSED Session

6:00pm Regular Session

**Meeting Location:**

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

**Zoom for the public:**

*Link: <https://us02web.zoom.us/j/84378312428>*

*Phone dial-in: 669-900-9128 (Press \*6 to unmute)*

*Webinar ID: 843 7831 2428*

**Board Members:**

*Area 1: Patty Hall – [phall@spjUSD.org](mailto:phall@spjUSD.org)*

*Area 2: Annie Tipton (Vice President) – [atipton@spjUSD.org](mailto:atipton@spjUSD.org)*

*Area 3: Christina Potter – [cpotter@spjUSD.org](mailto:cpotter@spjUSD.org)*

*Area 4: Kelly Champion (President) – [kchampion@spjUSD.org](mailto:kchampion@spjUSD.org)*

*Area 5: Dorie Gayner (Clerk) – [dgayner@spjUSD.org](mailto:dgayner@spjUSD.org)*

*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. PUBLIC COMMENT FOR CLOSED SESSION

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

E. 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:

Superintendent

Sierra-Plumas Teachers' Association

Classified Employees

Confidential Employees

Administrative Employees

- F. RETURN TO OPEN SESSION and ADJOURN FOR BREAK
- G. 6:00PM – RECONVENE
- H. FLAG SALUTE
- I. REPORT OUT FROM CLOSED SESSION
- J. MHSSA GRANT PRESENTATION – SIERRA COUNTY BEHAVIORAL HEALTH  
(Mental Health Student Services Act)
- K. INFORMATION ITEMS
  - 1. Superintendent’s Report
    - a. Bus update
    - b. Technology update
    - c. Food update
    - d. Substitute pay
    - e. Safety Plan
    - f. County Personnel Items:
      - 1. Resignation for Michael Muyanja, Technology Specialist, 1.0 FTE, effective April 04, 2023
  - 2. Business Report
    - a. Account Object Summary-Balance from 07/01/2022 to 03/31/2023
      - 1. SCOE\*\*
      - 2. SPJUSD\*\*
    - b. Seventh 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 Special Joint Meeting held March 09, 2023\*\*
  - 2. Approval of minutes for the Regular Joint Meeting held March 14, 2023\*\*
  - 3. Approval of Board Report-Checks Dated 03/01/2023 through 03/31/2023
    - a. SCOE\*\*
    - b. SPJUSD\*\*
  - 4. Approval of Quarterly Report on Williams Uniform Complaints for the quarter ending 03/31/2023
    - a. SCOE\*\*
    - b. SPJUSD\*\*

M. ACTION ITEMS

1. Old Business
  - a. Approval of the Superintendent Contract for July 01, 2023-June 30, 2025, Contract 2023-010D\*
2. New Business
  - a. SPJUSD Personnel Items:
    1. Appointment of James Berardi, Teaching Principal, Downieville Schools, 1.0 FTE, effective July 1, 2023-June 30, 2024 (1 year)
    2. Acceptance of Resignation for James Berardi, District Superintendent, .85 FTE, effective June 30, 2023
    3. Authorization to fill District Superintendent, 1.0 FTE
    4. Approval to open Superintendent search and authorization to hire a search firm
    5. Acceptance of Retirement for Richard Jaquez contingent on receiving the Golden Hand Shake, Plant Maintenance Worker, Loyalton Elementary School and District Office, 1.0 FTE, effective July 5, 2023
    6. Authorization to fill Plant Maintenance Worker/Bus Driver, Loyalton Elementary School and District Office, 1.0 FTE
  - b. Approval of the 2023-2024 Extra Duty Assignments and Stipends to be filled\*\*
  - c. Approval of the California Department of Education Form J-13A for the 2022-2023 Request for Allowance of Attendance Due to Emergency Conditions
    1. SCOE\*\*
    2. SPJUSD\*\*
  - d. Approval of the 2023-2024 School Calendars\*\*
  - e. Approval to purchase oven and dishwasher for Loyalton Elementary School, not to exceed \$35,000
  - f. Approval of bid for Phone, Paging and Bell Systems for Loyalton Elementary School and Downieville School\*\*

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."

- a. 0450—Comprehensive Safety Plan
  1. Board Policy, *revisions\*\**
  2. Administrative Regulation, *revisions\*\**
- g. 3555—Nutrition Program Compliance
  1. Board Policy, *revisions\*\**
  2. Exhibit, *revisions\*\**
- h. 4030—Nondiscrimination in Employment
  1. Board Policy, *revisions\*\**
- i. 4218—Dismissal/Suspension/Disciplinary Action
  1. Board Policy, *revisions\*\**
  2. Administrative Regulation, *revisions\*\**

- j. 5131.7—Weapons and Dangerous Instruments
  - 1. Board Policy, *revisions*\*\*
  - 2. Administrative Regulation, *revisions*\*\*
- k. 5142—Safety
  - 1. Board Policy, *revisions*\*\*
  - 2. Administrative Regulation, *revisions*\*\*
- l. 6115—Ceremonies and Observances
  - 1. Administrative Regulation, *revisions*\*\*
- m. 6177—Summer Learning Programs
  - 1. Board Policy, *revisions*\*\*
- n. 9270—Conflict of Interest
  - 1. Board Bylaw, *revisions*\*\*
- o. 9320—Meetings and Notices
  - 1. Board Bylaw, *revisions*\*\*

N. ADVANCED PLANNING

- 1. The next Regular Joint Board Meeting will be held on May 09, 2023, at Sierra County Office of Education, Room 4, 109 Beckwith Rd, Loyalton CA 96118 at 6:00pm. If needed, Closed Session may be held before the Regular session beginning at 5:00pm. Zoom videoconferencing will 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](mailto: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](mailto:ngriesert@spjUSD.org)  
 Office: 530-993-1660 x0

Email [schoolinfo@spjUSD.org](mailto:schoolinfo@spjUSD.org) to be added to the agenda email list.

Balances through June						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 01 - Gen Fund</b>						
1100	Teachers Salaries	374,473.00	453,973.00	91,214.07	200,963.56	161,795.37
1115	Certificated Extra Duty	1,000.00	1,000.00		1,536.12	536.12-
1120	Certificated Substitutes	10,416.00	10,416.00		3,320.00	7,096.00
1200	Certificated Pupil Support Ser	37,716.00	38,716.00	8,554.02	27,311.63	2,850.35
1300	Certificated Supervisor Admini	216,098.00	220,098.00	53,149.38	159,448.14	7,500.48
1310	Teacher in Charge	10,000.00	10,000.00			10,000.00
	<b>Total for Object 1000</b>	<b>649,703.00</b>	<b>734,203.00</b>	<b>152,917.47</b>	<b>392,579.45</b>	<b>188,706.08</b>
2100	Instructional Aides' Salaries	168,282.00	185,032.00	50,933.46	101,187.35	32,911.19
2115	Classified Extra Duty	1,000.00	1,000.00		264.47	735.53
2120	Classified Substitutes	7,500.00	7,500.00		1,881.62	5,618.38
2200	Classified Support Salaries	86,325.00	97,725.00	17,048.86	36,065.34	44,610.80
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	36,521.85	109,395.00	25,065.15
2400	Clerical Technical Office Staf	218,422.00	236,922.00	50,115.32	165,723.56	21,083.12
2900	Other Classified Salaries	20,520.00	20,520.00		2,234.25	18,285.75
	<b>Total for Object 2000</b>	<b>678,031.00</b>	<b>724,681.00</b>	<b>154,619.49</b>	<b>416,751.59</b>	<b>153,309.92</b>
3101	STRS Certificated Positions	189,095.00	205,235.00	29,207.25	71,877.22	104,150.53
3102	STRS Classified Positions	1,719.00	1,719.00		191.00	1,528.00
3201	PERS Certificated Positions				35.52	35.52-
3202	PERS Classified Positions	163,936.00	175,772.00	35,438.24	104,424.19	35,909.57
3301	OASDI Certificated Positions	4,081.00	4,081.00		60.76	4,020.24
3302	OASDI Classified Positions	41,647.00	44,540.00	9,443.97	25,677.28	9,418.75
3311	Medicare Certificated Position	9,371.00	10,598.00	2,137.71	5,721.71	2,738.58
3312	Medicare Classified Positions	9,742.00	10,420.00	2,208.65	6,019.64	2,191.71
3401	Health & Welfare Benefits Cert	103,992.00	121,528.00	30,748.95	68,401.40	22,377.65
3402	Health & Welfare Benefits Clas	111,030.00	155,412.00	41,272.79	107,158.57	6,980.64
3501	SUI Certificated	3,327.00	3,750.00	764.58	2,080.57	904.85
3502	SUI Classified	3,392.00	3,626.00	773.13	2,104.44	748.43
3601	Workers' Compensation Certific	23,090.00	26,548.00	5,951.25	15,928.80	4,667.95
3602	Workers' Compensation Classifi	24,012.00	25,896.00	6,148.60	16,757.88	2,989.52
3901	Golden Handshake	15,689.00	15,689.00		15,688.50	.50
	<b>Total for Object 3000</b>	<b>704,123.00</b>	<b>804,814.00</b>	<b>164,095.12</b>	<b>442,127.48</b>	<b>198,591.40</b>
4100	Approved Textbooks Core Curric	1,300.00	6,081.00			6,081.00
4300	Materials and Supplies	44,714.00	61,625.00	3,022.65	35,199.64	23,402.71

Balances through June						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 01 - Gen Fund (continued)</b>						
4320	Custodial Grounds Supplies	1,250.00	1,478.00			1,478.00
4330	Office Supplies	1,750.00	1,750.00	69.99	696.14	983.87
4350	Vehicle Upkeep	3,500.00	3,500.00	871.62	253.35	2,375.03
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
<b>Total for Object 4000</b>		<b>70,661.00</b>	<b>94,890.00</b>	<b>3,964.26</b>	<b>37,901.55</b>	<b>53,024.19</b>
5100	Subagreements for Services	40,000.00	40,000.00			40,000.00
5200	Travel and Conference	15,948.00	35,087.00	3,657.63	19,515.58	11,913.79
5300	Dues and Membership	19,847.00	32,847.00	481.83	27,236.76	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	103.11	14,910.61	513.72-
5600	Rentals, Leases, Repairs, Nonc	3,000.00	3,000.00	168.18	966.53	1,865.29
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	100.00	130.00	770.00
5808	Other Services & Fees	1,500.00	1,500.00	915.28	584.72	.00
5810	Contracted Services	462,653.00	695,097.00	174,807.12	301,286.92	219,002.96
5899	SPJUSD to Reimburse			1,139.48	2,158.24	3,297.72-
5900	Communications	12,500.00	17,000.00	4,765.22	8,533.87	3,700.91
<b>Total for Object 5000</b>		<b>604,448.00</b>	<b>890,446.00</b>	<b>188,630.35</b>	<b>402,288.33</b>	<b>299,527.32</b>
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
<b>Total for Object 6000</b>		<b>45,855.00</b>	<b>123,790.00</b>	<b>.00</b>	<b>.00</b>	<b>123,790.00</b>
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
<b>Total for Object 7000</b>		<b>49,428.00</b>	<b>49,428.00</b>	<b>.00</b>	<b>.00</b>	<b>49,428.00</b>
<b>Total for Fund 01 and Expense accounts</b>		<b>2,802,249.00</b>	<b>3,422,252.00</b>	<b>664,226.69</b>	<b>1,691,648.40</b>	<b>1,066,376.91</b>
<b>Fund 11 - ADULT ED</b>						
1100	Teachers Salaries	4,500.00	88,802.00		23,356.13	65,445.87
1300	Certificated Supervisor Admini	110,566.00	110,566.00	27,641.52	82,924.56	.08-
<b>Total for Object 1000</b>		<b>115,066.00</b>	<b>199,368.00</b>	<b>27,641.52</b>	<b>106,280.69</b>	<b>65,445.79</b>
2100	Instructional Aides' Salaries	2,000.00	20,000.00			20,000.00
2200	Classified Support Salaries	3,415.00				.00

Balances through June						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 11 - ADULT ED (continued)</b>						
2400	Clerical Technical Office Staf	27,394.00	31,947.00	9,319.44	23,061.35	433.79-
	<b>Total for Object 2000</b>	<b>32,809.00</b>	<b>51,947.00</b>	<b>9,319.44</b>	<b>23,061.35</b>	<b>19,566.21</b>
3101	STRS Certificated Positions	27,178.00	43,279.00	5,279.52	16,394.91	21,604.57
3202	PERS Classified Positions	8,173.00	13,113.00	1,859.67	5,850.70	5,402.63
3301	OASDI Certificated Positions				1,267.50	1,267.50-
3302	OASDI Classified Positions	2,035.00	3,221.00	531.94	1,316.60	1,372.46
3311	Medicare Certificated Position	1,668.00	2,891.00	396.45	1,528.01	966.54
3312	Medicare Classified Positions	475.00	753.00	124.40	307.90	320.70
3401	Health & Welfare Benefits Cert	13,019.00	13,019.00	3,254.70	9,764.10	.20
3402	Health & Welfare Benefits Clas	17,536.00	17,536.00	4,384.14	10,229.66	2,922.20
3501	SUI Certificated	576.00	997.00	138.21	531.41	327.38
3502	SUI Classified	164.00	260.00	46.60	115.31	98.09
3601	Workers' Compensation Certific	4,111.00	7,536.00	1,103.67	4,253.84	2,178.49
3602	Workers' Compensation Classifi	1,172.00	2,023.00	346.34	857.21	819.45
	<b>Total for Object 3000</b>	<b>76,107.00</b>	<b>104,628.00</b>	<b>17,465.64</b>	<b>52,417.15</b>	<b>34,745.21</b>
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	4,506.36	1,301.17	6,277.47
4320	Custodial Grounds Supplies	1,000.00	2,500.00	53.71	1,168.47	1,277.82
4330	Office Supplies	2,500.00	2,000.00	263.47	106.70	1,629.83
4350	Vehicle Upkeep	2,000.00	2,000.00		1,222.33	777.67
4400	Noncapitalized Equipment	5,000.00	22,556.00	10,386.33	5,542.22-	17,711.89
	<b>Total for Object 4000</b>	<b>26,467.00</b>	<b>51,141.00</b>	<b>15,209.87</b>	<b>6,672.86</b>	<b>29,258.27</b>
5200	Travel and Conference	6,500.00	6,500.00	740.46	539.49-	6,299.03
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	2,031.36	4,266.33	1,297.69-
5600	Rentals, Leases, Repairs, Nonc	2,600.00	2,679.00	975.08	128.10-	1,832.02
5801	Legal Services	1,000.00	1,000.00			1,000.00
5805	Personnel Expense	100.00	100.00	51.00	2.00-	51.00
5808	Other Services & Fees	1,000.00	1,000.00			1,000.00
5810	Contracted Services	21,500.00	15,497.00		21,321.93	5,824.93-
5900	Communications	1,600.00	2,000.00	7.72	1,779.08	213.20
	<b>Total for Object 5000</b>	<b>41,000.00</b>	<b>36,276.00</b>	<b>3,805.62</b>	<b>27,827.75</b>	<b>4,642.63</b>
6200	Building and Improvement of Bu	34,054.00	212,087.00	103,207.59	19,272.67-	128,152.08
6400	Equipment	5,000.00				.00

Balances through June						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 11 - ADULT ED (continued)</b>						
	<b>Total for Object 6000</b>	<b>39,054.00</b>	<b>212,087.00</b>	<b>103,207.59</b>	<b>19,272.67-</b>	<b>128,152.08</b>
7619	Other Authorized Interfund Tra	6,722.00	6,615.00			6,615.00
	<b>Total for Fund 11 and Expense accounts</b>	<b>337,225.00</b>	<b>662,062.00</b>	<b>176,649.68</b>	<b>196,987.13</b>	<b>288,425.19</b>
<b>Fund 16 - FOREST RES</b>						
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
	<b>Total for Fund 16, Expense accounts and Object 7000</b>	<b>308,000.00</b>	<b>308,000.00</b>	<b>.00</b>	<b>.00</b>	<b>308,000.00</b>
	<b>Total for Org 001 - Sierra County Office of Education</b>	<b>3,447,474.00</b>	<b>4,392,314.00</b>	<b>840,876.37</b>	<b>1,888,635.53</b>	<b>1,662,802.10</b>



Balances through June						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 01 - General FD</b>						
1100	Teachers Salaries	2,121,520.00	2,587,123.00	596,074.38	1,450,570.47	540,478.15
1115	Extra Duty Hourly	2,000.00	73,217.00		7,581.05	65,635.95
1120	Certificated Substitutes	37,000.00	40,277.00		40,340.00	63.00-
1300	Certificated Superv/Admin Sala	246,305.00	286,305.00	61,576.05	184,728.15	40,000.80
1310	Teacher In Charge/Head Teacher	14,000.00	14,000.00	3,000.00	7,000.00	4,000.00
	<b>Total for Object 1000</b>	<b>2,420,825.00</b>	<b>3,000,922.00</b>	<b>660,650.43</b>	<b>1,690,219.67</b>	<b>650,051.90</b>
2100	Instructional Aides Salaries	260,790.00	260,966.00	82,130.33	160,039.35	18,796.32
2115	Inst. Aide Extra Duty	1,000.00	28,000.00		1,889.98	26,110.02
2120	Instructional Aides Substitute	3,500.00	3,500.00		1,145.16	2,354.84
2200	Classified Support Salaries	409,531.00	391,363.00	94,106.19	271,270.06	25,986.75
2201	Bus Driver	62,442.00	62,755.00	15,287.29	34,513.08	12,954.63
2215	Classified Extra Duty	7,500.00	7,500.00		2,307.77	5,192.23
2220	Classified Support Substitute	25,000.00	25,000.00		19,784.69	5,215.31
2300	Classified Sup/Admin Salaries	2,700.00	77,700.00	728.30	1,710.00	75,261.70
2400	Clerical & Office Salaries	166,820.00	207,585.00	62,017.60	138,360.69	7,206.71
2420	Clerical & Office Sub Salaries	5,000.00	5,000.00		2,845.27	2,154.73
2900	Other Classified Salaries	4,513.00	4,513.00		1,906.50	2,606.50
	<b>Total for Object 2000</b>	<b>948,796.00</b>	<b>1,073,882.00</b>	<b>254,269.71</b>	<b>635,772.55</b>	<b>183,839.74</b>
3101	State Teachers Retirement Syst	658,067.00	755,389.00	122,345.42	298,152.29	334,891.29
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		274.00	726.00
3202	Public Employees Retirement Sy	239,492.00	265,420.00	47,769.49	131,686.92	85,963.59
3311	OASDI-Certificated Positions	1,878.00	2,748.00		1,238.60	1,509.40
3312	OASDI-Classified Positions	57,766.00	64,945.00	15,359.45	38,888.97	10,696.58
3321	Medicare-Certificated Position	33,649.00	41,683.00	8,940.00	23,274.25	9,468.75
3322	Medicare-Classified Positions	13,523.00	15,191.00	3,592.14	9,095.02	2,503.84
3401	Health & Welfare -Certificated	453,215.00	653,869.00	136,212.00	332,844.93	184,812.07
3402	Health & Welfare-Classified Po	159,027.00	221,427.00	58,067.13	151,279.21	12,080.66
3501	State Unemployment Insurance-C	12,371.00	15,092.00	3,303.22	8,961.11	2,827.67
3502	State Unemployment Insurance-	4,743.00	5,363.00	1,271.43	3,221.92	869.65
3601	Workers' Compensation Insuranc	74,912.00	102,887.00	22,444.84	57,840.50	22,601.66
3602	Workers' Compensation Insuranc	29,260.00	37,247.00	8,809.32	22,304.74	6,132.94
3901	Other Benefits, Certificated P	52,610.00	52,610.00	8,768.28	43,841.34	.38
	<b>Total for Object 3000</b>	<b>1,801,080.00</b>	<b>2,244,438.00</b>	<b>436,882.72</b>	<b>1,122,903.80</b>	<b>684,651.48</b>
4100	Textbooks	26,605.00	267,506.00		235,679.40	31,826.60

Balances through June						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 01 - General FD (continued)</b>						
4300	Class Mat'l and Supplies	54,724.00	72,557.00	4,477.03	42,366.66	25,713.31
4301	Class Consumable Mat'l	6,000.00	6,000.00	856.69	4,303.60	839.71
4302	Class Paper/Toner	9,000.00	9,000.00	1,772.19	8,960.02	1,732.21-
4305	Other Student M&S	28,500.00	29,500.00	3,360.66	10,149.74	15,989.60
4320	Custodial Grounds Supplies	30,000.00	79,582.00	7,847.27	31,542.37	40,192.36
4330	Office Supplies	19,500.00	19,500.00	1,813.89	9,700.79	7,985.32
4350	Vehicle Maint. M&S	18,000.00	19,000.00	5,370.12	4,951.35	8,678.53
4351	Vehicle FUEL	20,500.00	20,500.00	7,178.97	20,783.71	7,462.68-
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	13,614.68	104,167.53	47,217.79
	<b>Total for Object 4000</b>	<b>279,231.00</b>	<b>744,848.00</b>	<b>46,291.50</b>	<b>472,605.17</b>	<b>225,951.33</b>
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	2,000.61	20,531.31	144,424.08
5300	Dues & Membership	10,000.00	10,128.00	547.50	8,513.50	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	61,957.85	91,004.84	37.31
5520	Garbage	7,000.00	7,000.00	1,988.75	4,878.57	132.68
5530	Water	60,000.00	60,000.00	22,566.43	37,433.57	.00
5540	Propane	132,000.00	132,000.00	6,174.55	129,886.07	4,060.62-
5590	Miscellaneous Utilities	15,000.00	15,000.00	4,646.63	10,353.37	.00
5600	Rentals, Leases & Repairs	83,500.00	83,500.00	51,100.63	20,300.48	12,098.89
5800	Services & Operating Expense		25,000.00	1,995.50	6,865.10	16,139.40
5810	Legal Expenses	20,000.00	113,698.00	2,809.50	7,667.20	103,221.30
5812	Board Election Expense	2,000.00	2,000.00		2,464.99	464.99-
5840	Audit Expense	14,523.00	14,523.00	8,875.17	7,261.50	1,613.67-
5860	Solid Waste Tax	10,000.00	12,500.00		11,820.20	679.80
5890	Contracts/Servic	613,910.00	987,229.00	221,944.69	529,118.46	236,165.85
5899	SCOE Interagency Reimburse			9,239.92	3,737.49	12,977.41-
5900	Communications	3,500.00	28,500.00	3,840.96	22,575.53	2,083.51
5910	Telephone-Monthly Service	12,275.00	15,775.00	7,246.44	9,866.54	1,337.98-
	<b>Total for Object 5000</b>	<b>1,504,285.00</b>	<b>2,221,809.00</b>	<b>580,935.13</b>	<b>1,132,130.31</b>	<b>508,743.56</b>
6200	Building & Improvements		90,000.00	124,851.07	3,300.00	38,151.07-
6400	Equipment	25,000.00	40,000.00	9,021.87	27,111.09	3,867.04
6500	Equipment Replacement	55,000.00	80,000.00		15,352.16	64,647.84
	<b>Total for Object 6000</b>	<b>80,000.00</b>	<b>210,000.00</b>	<b>133,872.94</b>	<b>45,763.25</b>	<b>30,363.81</b>

Balances through June						Fiscal Year 2022/23
Object	Description	Adopted Budget	Revised Budget	Encumbered	Expenditure	Account Balance
<b>Fund 01 - General FD (continued)</b>						
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
	<b>Total for Object 7000</b>	<b>205,104.00</b>	<b>220,163.00</b>	<b>104,450.00</b>	<b>.00</b>	<b>115,713.00</b>
	<b>Total for Fund 01 and Expense accounts</b>	<b>7,239,321.00</b>	<b>9,716,062.00</b>	<b>2,217,352.43</b>	<b>5,099,394.75</b>	<b>2,399,314.82</b>
<b>Fund 13 - Cafeteria</b>						
2200	Classified Support Salaries	92,270.00	103,918.00	30,017.02	66,683.45	7,217.53
2215	Classified Extra Duty	1,500.00	1,500.00		982.21	517.79
2220	Classified Support Substitute	1,500.00	1,500.00		768.99	731.01
	<b>Total for Object 2000</b>	<b>95,270.00</b>	<b>106,918.00</b>	<b>30,017.02</b>	<b>68,434.65</b>	<b>8,466.33</b>
3202	Public Employees Retirement Sy	22,055.00	23,954.00	5,597.22	15,486.93	2,869.85
3312	OASDI-Classified Positions	5,716.00	6,312.00	1,803.81	4,109.39	398.80
3322	Medicare-Classified Positions	1,337.00	1,476.00	421.85	961.02	93.13
3402	Health & Welfare-Classified Po	17,537.00	17,537.00	5,260.98	12,275.62	.40
3502	State Unemployment Insurance-	476.00	525.00	150.09	342.17	32.74
3602	Workers' Compensation Insuranc	2,893.00	3,621.00	1,034.57	2,356.93	229.50
	<b>Total for Object 3000</b>	<b>50,014.00</b>	<b>53,425.00</b>	<b>14,268.52</b>	<b>35,532.06</b>	<b>3,624.42</b>
4340	Food Service	7,500.00	7,500.00	3,757.19	3,273.38	469.43
4400	Non-Capital Equipment (Up to \$	4,900.00	4,900.00			4,900.00
4700	Food	55,000.00	69,341.00	14,579.98	51,378.96	3,382.06
	<b>Total for Object 4000</b>	<b>67,400.00</b>	<b>81,741.00</b>	<b>18,337.17</b>	<b>54,652.34</b>	<b>8,751.49</b>
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
	<b>Total for Object 5000</b>	<b>9,470.00</b>	<b>9,470.00</b>	<b>900.00</b>	<b>2,693.63</b>	<b>5,876.37</b>
	<b>Total for Fund 13 and Expense accounts</b>	<b>222,154.00</b>	<b>251,554.00</b>	<b>63,522.71</b>	<b>161,312.68</b>	<b>26,718.61</b>
<b>Fund 40 - Dist Build</b>						
6200	Building & Improvements		113,093.00	13,231.92	54,219.53	45,641.55
	<b>Total for Fund 40, Expense accounts and Object 6000</b>	<b>.00</b>	<b>113,093.00</b>	<b>13,231.92</b>	<b>54,219.53</b>	<b>45,641.55</b>
<b>Fund 73 - Bechen</b>						
5800	Services & Operating Expense	15,000.00	15,000.00		13,000.00	2,000.00

Balances through June						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	13,000.00	2,000.00
	Total for Org 006 - Sierra-Plumas Joint Unified School District	<u>7,476,475.00</u>	<u>10,095,709.00</u>	<u>2,294,107.06</u>	<u>5,327,926.96</u>	<u>2,473,674.98</u>

## ENROLLMENT BY SCHOOL MONTH - 2022-2023

**\*\*As of 03/20/2023**

	Downieville Elementary	Loyalton Elementary	Downieville Jr High	Loyalton Jr High	Downieville Sr High	Loyalton Sr High	Sierra Pass Continuation	Long-Term ISP/SDC	TOTAL
<b>Ending 2021-2022</b>	27	184	8	63	14	93	7	included in site #	396
<b>1st Day 2022-2023</b>	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
<b>September</b>	1	25	191	8	62	12	100	6	included in site #	404
08/24/22-09/16/22										
<b>October</b>	2	25	191	8	63	12	100	6	included in site #	405
09/19/22-10/14/22										
<b>November</b>	3	25	191	8	62	11	100	6	included in site #	403
10/17/22-11/10/22										
<b>December</b>	4	25	191	8	62	11	99	7	included in site #	403
11/14/22-12/09/22										
<b>January</b>	5	23	191	8	61	11	98	8	included in site #	400
12/12/22-01/20/23										
<b>February</b>	6	23	193	9	61	11	96	9	included in site #	402
01/23/23-02/17/23										
<b>March</b>	7	23	191	9	61	11	95	10	included in site #	400
02/21/22-03/17/23										
<b>April</b>	8								included in site #	0
03/20/23-04/14/23										
<b>May</b>	9								included in site #	0
04/17/23-05/12/23										
<b>June</b>	10								included in site #	0
05/15/23-06/09/23										

2021-2022	SPJUSD	SCOPE	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	2
LHS	5

2019-2020	SPJUSD	SCOPE	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 Joint *SPECIAL* Meeting of the  
Sierra County Board of Education  
and the  
Sierra-Plumas Joint Unified School District Governing Board**

March 09, 2023

5:00pm CLOSED Session

6:00pm Open Session

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

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A. CALL TO ORDER

*President KELLY CHAMPION called the meeting to order at 5:04pm.*

B. ROLL CALL

PRESENT:     *Area 2: Annie Tipton (Vice President)*  
                  *Area 3: Christina Potter*  
                  *Area 4: Kelly Champion (President)*  
                  *Area 5: Dorie Gayner (Clerk)*

ABSENT:     *Area 1: Patty Hall*

C. APPROVAL OF AGENDA

*POTTER/GAYNER*  
*4/0*

D. PUBLIC COMMENT FOR CLOSED SESSION

*None*

E. CLOSED SESSION

The Board of Trustees, Superintendent, James Berardi, and Director of Business Services, Nona Griesert, moved into Closed Session *at 5:05 pm* 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  
  Sierra-Plumas Teachers' Association  
  Classified Employees  
  Confidential Employees  
  Administrative Employees

2. Government Code 54957

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

F. RETURN TO OPEN SESSION *and adjourn for break at 6:20pm*

G. RECONVENE *at 6:27pm*

H. FLAG SALUTE

I. REPORT OUT FROM CLOSED SESSION

*TIPTON: We just reviewed Superintendent Contract materials and got information regarding the New Business agenda items a and b.*

J. PUBLIC COMMENT (*Opened at 6:30pm. Closed at 6:46pm.*)

*Special Meeting Agenda Items only, please.*

*Comments regarding the Resolutions for Reduction and Elimination of Particular Kinds of Service from the following:*

*Katrina Bosworth*

*Laurie Petterson*

*Reid Mason*

*Sarah Toricelli*

*Amanda Serrao*

*Andrea Ceresola*

*Amy Mason*

*Megan Meschery*

K. ACTION ITEMS

1. New Business

- a. Adoption of Resolution No. 23-005D, Reduction and Elimination of Particular Kinds of Service for 2023-2024, SPJUSD Certificated Employees

ROLL CALL VOTE

- b. Adoption of Resolution No. 23-006D, Reduction and Elimination of Particular Kinds of Service for 2023-2024, SPJUSD Classified Employees

ROLL CALL VOTE

*GAYNER motioned to delay approval of items a and b until we can further understand the budget and maybe find some extra funds.*

*Second by POTTER.*

*4/0*

- c. Approval of 2022-2023 Superintendent Evaluation Tool

*TIPTON/GAYNER*

*4/0*

L. FOLLOW-UP ON BOARD TRAINING WORKSHOP – Values and Vision Statement

*Postponed to a later date.*

M. ADVANCED PLANNING

1. The next Regular Joint Board Meeting will be held on March 14, 2023, at Sierra County Office of Education, Room 4, 109 Beckwith Rd, Loyalton CA 96118 at 6:00pm. If needed, Closed Session may be held before the Regular session beginning at 5:00pm. Zoom videoconferencing will be available for the public.

N. ADJOURN

*CHAMPION adjourned the meeting at 7:01pm.*

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Dorie Gayner, Clerk

---

James Berardi, Superintendent

**SIERRA COUNTY BOARD OF EDUCATION  
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT GOVERNING BOARD  
Closed Session Reporting Form**

DATE: March 09, 2023

CLOSED SESSION BEGAN AT: 5:05 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
- \_\_\_\_\_
- \_\_\_\_\_

→ Stepped out for 30min.

**I. SESSION TOPIC(S):**

**Item #1—Government Code 54957.6**  
CONFERENCE WITH LABOR NEGOTIATORS  
Agency Negotiator for the Board: James Berardi, Superintendent  
Employee Organizations:  
Unrepresented Employees: Superintendent  
Sierra-Plumas Teachers' Association  
Classified Employees  
Confidential Employees  
Administrative Employees

**RESULT:**

DIRECTION WAS GIVEN TO SUPERINTENDENT

THE CLOSED SESSION WAS FOR PURPOSES OF DISCUSSION ONLY. NO ACTION WAS TAKEN.

A ROLL CALL VOTE WAS TAKEN:  
HALL \_\_\_\_\_ TIPTON \_\_\_\_\_ POTTER \_\_\_\_\_ CHAMPION \_\_\_\_\_ GAYNER \_\_\_\_\_

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**Item #2—Government Code 54957.6**  
PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

**RESULT:**

DIRECTION WAS GIVEN TO SUPERINTENDENT

THE CLOSED SESSION WAS FOR PURPOSES OF DISCUSSION ONLY. NO ACTION WAS TAKEN.

A ROLL CALL VOTE WAS TAKEN:  
HALL \_\_\_\_\_ TIPTON \_\_\_\_\_ POTTER \_\_\_\_\_ CHAMPION \_\_\_\_\_ GAYNER \_\_\_\_\_

**II. MOTION TO ADJOURN CLOSED SESSION AT 6:20 P.M. AND RETURN TO OPEN SESSION**

BY: Dorie Gayner (NAME)      SECONDED: Annie Tipton (NAME)

MOTION  PASSED /  FAILED

PRESIDED BY: Kelly Champion Kelly Champion, PRESIDENT      RECORDED BY: Dorie Gayner Dorie Gayner, CLERK



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

March 14, 2023

5:00pm CLOSED Session

6:00pm Regular Session

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

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**A. CALL TO ORDER**

*President KELLY CHAMPION called the meeting to order at 5:00pm.*

**B. ROLL CALL**

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

**ABSENT:**     *None*

**C. APPROVAL OF AGENDA**

*POTTER/TIPTON  
5/0*

**D. PUBLIC COMMENT FOR CLOSED SESSION**

*None*

**E. CLOSED SESSION**

The Board of Trustees, Superintendent James Berardi and Director of Business Services Nona Griesert moved into Closed Session at 5:01pm 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  
  Sierra-Plumas Teachers' Association  
  Classified Employees  
  Confidential Employees  
  Administrative Employees

**F. RETURN TO OPEN SESSION at 6:10pm and ADJOURN FOR BREAK**

**G. 6:13pm – RECONVENE**

**H. FLAG SALUTE**

**I. REPORT OUT FROM CLOSED SESSION**

*TIPTON: Continuing to prepare for negotiations and discussing the Superintendent Contract.*

J. 2021-2022 AUDIT PRESENTATION – CWDL CPAs

1. Acceptance of the 2021-2022 Audited Actuals
  - a. SCOE
  - b. SPJUSD

*No findings. Both clean audits. Recognized/Accepted by the Board.*

K. INFORMATION/DISCUSSION ITEMS

1. Superintendent's Report

a. School closures

*BERARDI: Will apply for J-13A Waiver with the State due to the excessive days of closures. With the declared State of Emergency with the February storms we don't anticipate having to extend the school year, but we will submit the waiver application as soon as possible to see where we stand before the end of the school year.*

b. Phone and Technology update

*BERARDI: Working closely with Gary Habeeb for recommendations on integrated systems for the district so we don't end up with different systems at each school that don't integrate as needed. (i.e. phones, intercoms, bell systems, cameras, etc.). Hoping to have some bids to review for an intercom/bell system in April.*

c. Bus update

*BERARDI: Hoping to pick up a bus from Truckee tomorrow which could possibly be up and running by Monday, but we'll see with all the steps it takes to get it ready for the road in our district. We are currently waiting for parts on two of the diesel buses. Continuing to work to resolve issues with the electric buses. In the long-run we'll potentially try to get rid of the electric buses; possibly start a lawsuit against company for poor performing buses.*

d. Technology update

*See Phone and Technology update above.*

e. Placement options for the Wellness Center

*BERARDI: There are concerns with the intended site blocking walkways, the track, the soccer field, etc. Someone from the company with the portable will be coming out to check the area intended for the Wellness Center soon to determine the foundation needs and the space needed for optimal placement. It will either go on the other side of the fire lane behind the portables closest to the track, or it will go where the maintenance shed currently sits.*

2. Business Report

- a. Letter from the California Department of Education confirming positive certification for the 2022-2023 First Interim Reports
- b. Account Object Summary-Balance from 07/01/2022 to 02/28/2023
  1. SCOE
  2. SPJUSD
- c. Sixth Month SPJUSD Enrollments for the 2022-2023 School Year

3. Staff Reports

a. SCOE

*SELPA—BETHKE: Held our first Community Advisory Committee meeting last month. Anyone can attend, but the topics are related to Special Ed and 504 plans. A representative from Plumas Rural Services came and discussed Special Ed advocacy and services offered to parents with students with IEPs and 504s in the area.*

*ADULT ED—JACKSON: WASC self-study submitted last week. Virtual visit coming up in April. Parking lot work will be done as soon as the weather will allow. Go-Teach program doing exceptionally well for preschool teachers. Enloe Health Alliance invited us to become a member of the EMS Coalition. Adult Education conference coming up in April in Oakland.*

b. SPJUSD

*LES—CERESOLA: GCPC Site Council meeting rescheduled for March 20<sup>th</sup> because of snow day. Last week we held the Second Trimester award assembly. Garden started up again this week. Each class that participated in the February Reading Challenge made 4,000 minutes or more. Music and dance classes are doing great. April 6<sup>th</sup> is the Science Night, Art Show and Nacho Feed 5-7pm.*

*LHS—MESCHERY: Had a phenomenal middle school dance last month. Field trips for juniors and seniors to places to explore career options, and Drum Corp went to Nevada Day Percussion. Thank you to Musica Sierra and Sierra Schools Foundation for making the music program happen. WASC prep starting in the next month or two. FFA off to State Conference in Los Angeles. Division 7 champions for the boys varsity basketball team. Ski & Snowboard team had state championship last week at NorthStar – one of the skiers ranked 8<sup>th</sup> in the State; one snowboarder won 33<sup>rd</sup>. Spring sports trying to start, but delayed due to current weather.*

*DES & DHS—BERARDI: Out of school for ten days due to weather and power outage. More water damage seen with recent rain. WASC wrapping up with final visit March 20-22.*

4. SPTA Report

*PRESIDENT—PETTERSON: SPTA was pleased with the outcome of the March 9<sup>th</sup> Special Meeting. Thank you for looking out for the best interest of our students. Looking forward to negotiations on March 30<sup>th</sup>. Held a meeting last week and talked about nominations for the upcoming year. Looks like the SPTA Board will probably remain the same with myself, Miranda Prakash, April Burns and Staci Armstrong.*

5. Committee/Board Member Reports

*GAYNER:*

*Technology—BERARDI covered a lot in his report. I'm hoping that this will start to move along now, and we have something to vote on.*

*Facilities—There are huge items that need to be fixed. I hope that we are able to start chipping away at it.*

*POTTER: Participated in Donkey Basketball last night. I really hope that is an annual event. It was a great time.*

*CHAMPION:*

*Facilities—BERARDI, GAYNER and I did a walk-through at each site and came up with a list. There are a lot of high-dollar items that need to be addressed soon. Would like to see a grant writer found soon. Attended the LHS Site Council meeting and found that we need to address the food issues.*

*TIPTON:*

*Transportation—Buses were pretty well covered.*

*Negotiations—Rescheduled to meet March 30<sup>th</sup>.*

6. Public Comment (*Opened at 7:51pm. Closed at 7:59pm*)

*Victoria Fisher—Thank you for saving our teachers. That was a really tough Special Meeting. It was devastating to think of losing any teachers.*

*Pam Pasquetti—I appreciate that you are working on getting another bus, but we've never had this issue before with routes being shut down. The All-Call gave us some helpful information to know what was going on. Why did we have to wait so long to figure out that we needed another bus knowing all the issues we were having with the electric buses?*

*Libby Ryan—Hearing a lot of parents complaining about school doors not being open until 8:00am?*

*CERESOLA—That is at LES. We do not have supervision for students until 8:00am.*

L. CONSENT CALENDAR

1. Approval of minutes for the Regular Joint Meeting held February 14, 2023
2. Approval of minutes for the Special Joint Meeting held February 17, 2023
3. Approval of Board Report-Checks Dated 02/01/2023 through 02/28/2023
  - a. SCOE
  - b. SPJUSD
4. Authorization for the Superintendent to enter into three-year Student Teaching Agreement with Western Governors University, Contract 2023-009D
5. Approval of the following SPJUSD Personnel Items:
  - a. Assignment of Sarah Torricelli, 2022-2023 SPJUSD Physical Fitness Coordinator, Districtwide
  - b. Acceptance of Resignation for Augustine Corcoran, 2022-2023 Baseball Coach, Loyalton High School
  - c. Assignment of Eric Petterson, 2022-2023 Baseball Coach, Loyalton High School

*TIPTON/HALL*

*5/0*

M. ACTION ITEMS

1. New Business
  - a. Adoption of 2022-2023 Second Interim Actuals and Criteria and Standards Reports as of January 31, 2023
    1. SCOE
    2. SPJUSD

*TIPTON/HALL*

*5/0*

- b. Approval of the 2022-2023 and 2023-2024 Transportation Plan  
--For funding purposes, the Governing Board shall adopt a transportation plan by April 1, 2023, and update the plan by April 1<sup>st</sup> each year thereafter.

*CHAMPION/POTTER*

*5/0*

- c. Approval of the Superintendent Contract for July 1, 2023-June 30, 2025, Contract 2023-010D

*Handout not available. Item tabled.*

- d. Approval of the updated job description for SPJUSD Site Technology Coordinator

*CHAMPION/GAYNER*

*5/0*

- e. Loyalton High School Site Council report on Parent/Guardian Survey  
*Presented by Eveline Larrucea and Victoria Fisher, Secretary and President of LHS Site Council*

*\*\*Handout included with the minutes*

*--HALL left at 8:33pm*

*GAYNER/TIPTON*

*4/0*

N. ADVANCED PLANNING

- 1. The next Regular Joint Board Meeting will be held on April ~~11~~04, 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 will be available for the public.

- 2. Suggested Agenda Items

*None*

O. ADJOURN

*CHAMPION adjourned the meeting at 8:49pm.*

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Dorie Gayner, Clerk

---

James Berardi, Superintendent

**SIERRA COUNTY BOARD OF EDUCATION  
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT GOVERNING BOARD  
Closed Session Reporting Form**

DATE: March 14, 2023

CLOSED SESSION BEGAN AT: 5:03 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
- \_\_\_\_\_
- \_\_\_\_\_

**I. SESSION TOPIC(S):**

**Item #1—Government Code 54957.6**  
CONFERENCE WITH LABOR NEGOTIATORS  
Agency Negotiator for the Board: James Berardi, Superintendent  
Employee Organizations:  
Unrepresented Employees: Superintendent  
Sierra-Plumas Teachers' Association  
Classified Employees  
Confidential Employees  
Administrative Employees

**RESULT:**

DIRECTION WAS GIVEN TO SUPERINTENDENT

THE CLOSED SESSION WAS FOR PURPOSES OF DISCUSSION ONLY. NO ACTION WAS TAKEN.

A ROLL CALL VOTE WAS TAKEN:  
HALL \_\_\_\_\_ TIPTON \_\_\_\_\_ POTTER \_\_\_\_\_ CHAMPION \_\_\_\_\_ GAYNER \_\_\_\_\_

---

**II. MOTION TO ADJOURN CLOSED SESSION AT 6:10 P.M. AND RETURN TO OPEN SESSION**

BY: Annie Tipton (NAME)      SECONDED: Patty Hall (NAME)

MOTION  PASSED /  FAILED

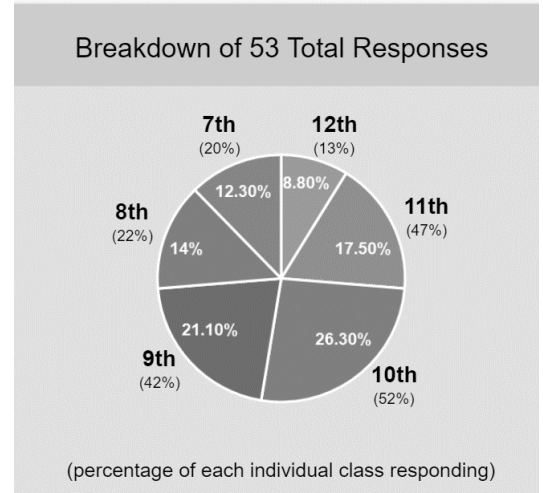
PRESIDED BY: Kelly Champion  
Kelly Champion, PRESIDENT

RECORDED BY: Dorie Gayner  
Dorie Gayner, CLERK

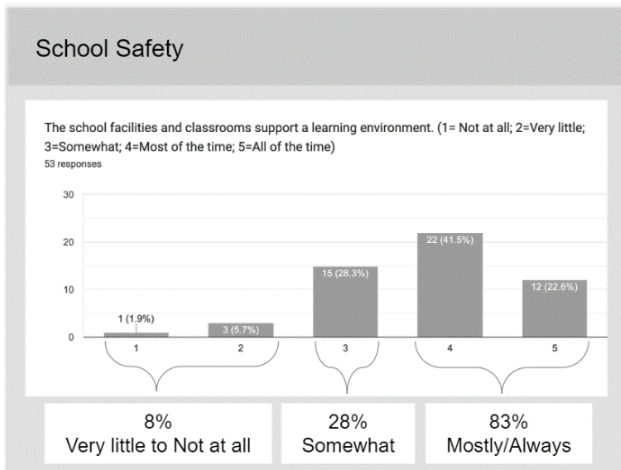
# Overview of Loyalton High School Parent/ Guardian Survey Results

Data collected Winter 2022-23

The LHS Site Council provided an optional, anonymous survey to the parents of students at LHS. The Council wanted to obtain information on how parents felt about the school. They wanted to learn about successes, concerns, and where improvements could be made. The Council hopes that this information can be used to support and improve the school, and be used to guide where money and energy is spent in the future. The survey asked questions in four broad categories: safety, connection, academics, and social/emotional health. Here is a brief summary of the results.



## Safety



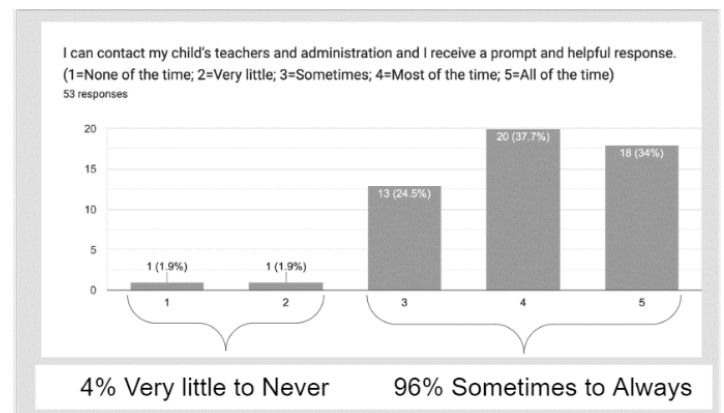
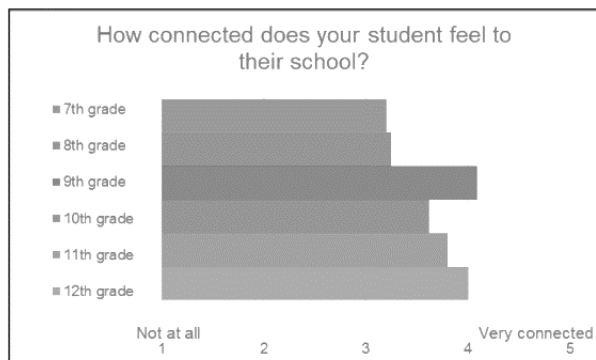
Frequent comments regarding safety:

- School building is very old and outdated.
- Community is safe.
- Students generally feel safe at school.
- The school is wide open with many unlocked entrances.
- There is no PA out to the portables.
- School needs new windows.

## Connectedness

Frequent comments regarding connectedness:

- Sports and activities keep kids connected.
- MS students are less connected than HS students.

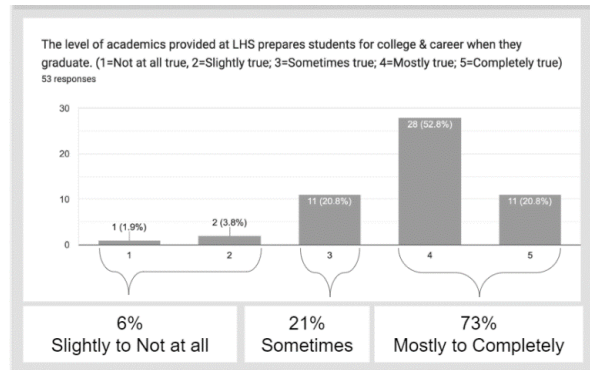


- Community revolves around sports, but not all students play sports.
- Not much time during the work week to volunteer.
- Parents are able to find and access school information.

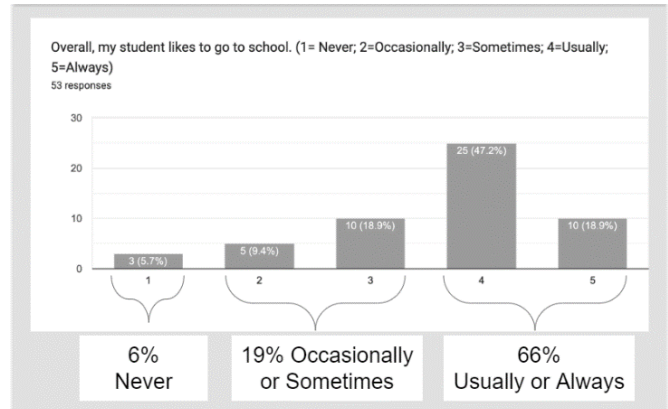
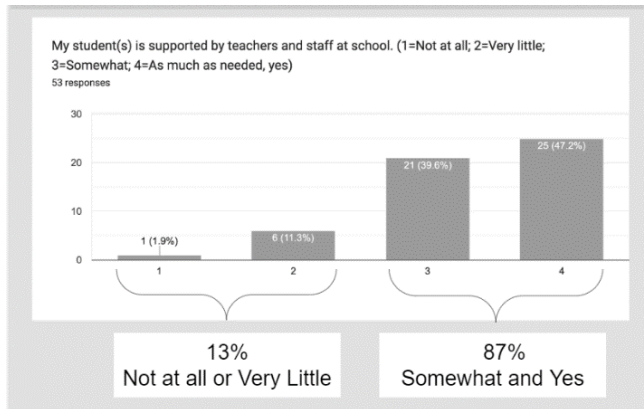
## Academics

Frequent comments regarding academics:

- This is a small school so options are necessarily limited.
- Level of instruction varies with different teachers.
- Principal is supportive of learning and of all students.
- Teachers care about students and their learning.



## Social-Emotional health



## Most frequently mentioned strengths:

- We have a small and caring community.
- There is a lot of individual attention from teachers and admin. They really know their students.
- Parents are happy about online and college class offerings.
- There is a strong Ag program.
- Parents feel like positive changes are occurring. The school is heading in the right direction.

## Most frequently mentioned concerns:

- School lunches and breakfasts are a major issue. Need access to food at LHS. Amount of food for older students is inadequate.
- Transportation. Need a better, more reliable bus system. Also transport to/from field trips, sports, etc.
- Facilities need a substantial upgrade.
- Separate the Middle School from the High School. Middle School needs more attention.

## School Plan for Student Achievement – Goals

- Goal 1:** College & Career Readiness: Loyalton High School will increase the percentage of students who meet or exceed the college and career readiness standards.
- Goal 2:** Middle School Social Connectivity: Increase the 7th and 8th grade students' social and emotional connectivity to LHS.
- Goal 3:** Math/ELA/CAST Assessments: The three-year average of students who meet or exceed the state standards will be at or above the three-year state average.
- Goal 4:** AP Scores: LHS will increase AP passing rates to meet or exceed state average for all those who take AP exams.
- Goal 5:** Middle & High School Nutrition: LHS Middle and High School students will have increased access to nutritious and fulfilling breakfasts and lunches during their school day so they have the nutrition to focus on learning.



Checks Dated 03/01/2023 through 03/31/2023

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00016549	03/10/2023	ACCTING W/CHILD & FAMILY POLICY INSTITUTE OF CA	01-5200	REGISTRATION		475.00
00016550	03/10/2023	ALHAMBRA	11-4330	WATER SERVICE		31.96
00016551	03/10/2023	AMAZON CAPITAL SERVICES	01-4300	FACE SHIELDS	32.16	
				MAILING ENVELOPES	27.75	59.91
00016552	03/10/2023	KIMBERLY ASKEW	01-5200	AIRLINE/PER DIEM		255.96
00016553	03/10/2023	AT&T	11-5900	PHONE		156.81
00016554	03/10/2023	FIRST-CITIZENS BANK & TRUST	01-5900	PHONE SYSTEM/MAINTENANCE		640.92
00016555	03/10/2023	BEACON RESULTS	01-5200	BOARD WORKSHOP	2,000.00	
			01-5899	BOARD WORKSHOP	2,000.00	4,000.00
00016556	03/10/2023	DONALD BERGSTROM	01-5810	SPED BUILDING CLEANING		1,837.50
00016557	03/10/2023	CADENCE TEAM, INC 4010 FOOTHILLS BLVD.	01-5810	CONTENT FILTERING		4,834.50
00016558	03/10/2023	MELANIE CHRISTIAN	01-5810	TRANSPORTATION REIMBURSE		520.65
00016559	03/10/2023	MICAH COHEN, MOT, OTR/L	01-5810	OCCUPATIONAL THERAPY SERVICES		3,097.50
00016560	03/10/2023	CWDL CERTIFIED PUBLIC ACCOUNTANTS	01-5810	AUDIT FEES	8,394.50	
			01-9515	AUDIT FEES	839.45-	7,555.05
00016561	03/10/2023	STATE OF CALIFORNIA DEPARTMENT OF JUSTICE	01-5805	EMPLOYMENT FINGERPRINTING		32.00
00016562	03/10/2023	KELLI GROCK	01-5810	COUNSELING SERVICES		3,093.20
00016563	03/10/2023	HYATT REGENCY ORANGE COUNTY	01-5200	HOTEL ACCOMODATIONS		888.99
00016564	03/10/2023	INTERMOUNTAIN DISPOSAL, INC.	11-5500	GARBAGE SERVICE		32.04
00016565	03/10/2023	DONITA KING	01-5810	COUNSELING SERVICES		2,006.40
00016566	03/10/2023	LASSEN COUNTY OFFICE OF EDUCATION	01-5810	ADAPTIVE PE SERVICES		534.42
00016567	03/10/2023	LAUREN JONES BEHAVIORAL CONSULTANT	01-5810	BEHAVIORAL CONSULTANT		6,193.98
00016568	03/10/2023	LIBERTY UTILITIES CPEC	01-5500	ELECTRICAL SERVICE	1,493.75	
			11-5500	ELECTRICAL SERVICE	484.73	1,978.48
00016569	03/10/2023	NORTHEASTERN JOINT POWERS AUTHORITY	01-5810	2021-22 W/C BALANCE	.31-	
			76-9571	2021-22 W/C BALANCE	4,417.31	4,417.00
00016570	03/10/2023	SAVVAS LEARNING COMPANY LLC	11-4300	EMERGENCY CARE BOOKS		2,104.11
00016571	03/10/2023	PLUMAS-SIERRA TELECOMMUNICATIONS	11-5600	BROADBAND SERVICE		109.00
00016572	03/10/2023	RAY MORGAN COMPANY	11-5600	COPIER/MAINTENANCE		35.13
00016573	03/10/2023	SIERRA VALLEY HOME CENTER	01-4300	SHOP SUPPLIES		906.16
00016574	03/10/2023	TRI COUNTY SCHOOLS INSURANCE GROUP	01-9535	HEALTH INSURANCE	1,661.00	
			76-9576	HEALTH INSURANCE	25,462.50	27,123.50
00016575	03/10/2023	MARTIN SNOW REMOVAL	Reissued			1,800.00 *
		Reissued on 03/15/2023				
00016576	03/10/2023	U.S. BANK VOYAGER	01-4300	FUEL EXPENSE	363.12	
			01-5899	FUEL EXPENSE	158.24	
			11-5200	FUEL EXPENSE	42.61	563.97

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 03/01/2023 through 03/31/2023**

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00016577	03/16/2023	TYLER MARTIN/DBA MARTIN SNOW R EMOVAL	Reissued			1,800.00 *
		Reissued on 03/15/2023				
00016578	03/16/2023	TYLER MARTIN DBA MARTIN SNOW REMOVAL	11-5500	SNOW REMOVAL		1,800.00
<b>Total Number of Checks</b>					<b>30</b>	<b>78,884.14</b>

	Count	Amount
Reissue	2	3,600.00
Net Issue		75,284.14

**Fund Summary**

Fund	Description	Check Count	Expensed Amount
01	County School Service Fund	21	40,607.94
11	ADULT EDUCATION	9	4,796.39
76	Payroll Clearing	2	29,879.81
Total Number of Checks		<b>28</b>	75,284.14
Less Unpaid Sales Tax Liability			.00
<b>Net (Check Amount)</b>			<b>75,284.14</b>

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ESCAPE ONLINE

Checks Dated 03/01/2023 through 03/31/2023

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00085941	03/06/2023	RAY MORGAN COMPANY	01-5600	COPIER MAINT.	1,267.60	
			01-5899	COPIER MAINT.	144.65	1,412.25
00085942	03/10/2023	AIRGAS, USA, LLC	01-5600	TANK RENTAL LHS/DVL		281.80
00085943	03/10/2023	AMAZON CAPITAL SERVICES	01-4300	BOOKS	54.67	
				CLASSROOM SUPPLIES	102.91	
				HOMELESS STUDENT SUPPLIES	109.34	
				Supplies	319.68-	
			01-4302	office supplies	149.06	
				TONER AND DRUM	48.25	
			01-4330	nurse supplies	5.89	
				office supplies	137.62	
			01-4400	PRINTER	1,629.13	1,917.19
00085944	03/10/2023	AMERIGAS	01-5540	PROPANE	34,457.70	
			01-5899	PROPANE	2,244.85	36,702.55
00085945	03/10/2023	ARK DESIGN CONSTRUCTION AND ROOFING INC.	40-6200	ROOF REPAIR		14,750.00
00085946	03/10/2023	AT&T	01-5890	PHONE SERVICES	49.95	
			01-5899	PHONE SERVICES	23.93	
			01-5910	PHONE SERVICES	544.48	618.36
00085947	03/10/2023	PAMELA BRANDON	01-5600	TECH COTTAGE RENTAL		100.00
00085948	03/10/2023	CEV MULTIMEDIA, LTD.	01-4300	ICEV CURRICULUM RENEWAL		1,350.00
00085949	03/10/2023	NORTHERN SECTION, CIF	01-5800	Football/Volleyball official's mileage		1,022.38
00085950	03/10/2023	CITY OF LOYALTON	01-5530	WATER AND SEWER - LOYALTON SITES	4,181.19	
			01-5899	WATER AND SEWER - LOYALTON SITES	250.86	4,432.05
00085951	03/10/2023	COMMERCIAL APPLIANCE SERVICE	01-6500	DISHWASHER INSTALL		4,784.94
00085952	03/10/2023	CRESCENT TOWING & REPAIR	01-5890	BUS TOWING		2,500.00
00085953	03/10/2023	CURRENT ELECTRIC & ALARM, INC.	01-5600	FIRE ALARM PANEL	2,500.00	
			01-5890	FIRE ALARM INSPECTION	1,125.00	
			01-5899	FIRE ALARM INSPECTION	125.00	3,750.00
00085954	03/10/2023	CWDL CERTIFIED PUBLIC ACCOUNTANTS	01-5840	AUDIT FEES	7,261.50	
			01-9515	AUDIT FEES	726.15-	6,535.35
00085955	03/10/2023	DEMCO, INC.	01-4305	Library Supplies		155.85
00085956	03/10/2023	DOWNIEVILLE PUBLIC UTILITY DIS	01-5530	Water		50.00
00085957	03/10/2023	EDLIO, LLC COLLECTIONS	01-5890	WEBSITE		5,538.00
00085958	03/10/2023	STEPHEN FILLO	01-4300	HANDLES		61.79
00085959	03/10/2023	GRAINGER, INC.	01-4320	FAN BLADE	170.06	
				HEATER MOTORS	64.85	234.91
00085960	03/10/2023	JANET HAMILTON	01-5600	TECH COTTAGE RENTAL		100.00

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ESCAPE ONLINE

Checks Dated 03/01/2023 through 03/31/2023

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00085961	03/10/2023	HMR ARCHITECTS	01-6200	BLEACHER PROJECT		1,650.00
00085962	03/10/2023	HUNT & SONS, INC.	01-5590	HEATING OIL		1,626.01
00085963	03/10/2023	INLAND SUPPLY	01-4320	CUSTODIAL SUPPLIES		369.60
00085964	03/10/2023	K 12 MANAGEMENT DBA FUELED	01-5890	ONLINE/ISP COURSES		6,354.00
00085965	03/10/2023	LIBERTY UTILITIES	01-5510	ELECTRIC - LOYALTON SITES	12,430.29	
			01-5899	ELECTRIC - LOYALTON SITES	773.54	13,203.83
00085966	03/10/2023	MCAC (CVPYI)	01-5200	LGBTQ+ TRAINING		1,796.92
00085967	03/10/2023	MODEL DAIRY, LLC	13-4700	DAIRY PRODUCTS		1,121.37
00085968	03/10/2023	MOSYLE CORPORATION	01-4300	IPAD SOFTWARE		363.00
00085969	03/10/2023	MOUNTAIN MESSENGER	01-5890	ADVERTISEMENTS AND PUBLIC HEARINGS		109.88
00085970	03/10/2023	BCM ONE	01-5899	PHONE SERVICES	27.39	
			01-5910	PHONE SERVICES	410.95	438.34
00085971	03/10/2023	NORTHAM DISTRIBUTING, INC.	13-4340	CAFE FOOD/SUPPLIES	119.69	
			13-4700	CAFE FOOD/SUPPLIES	1,364.27	1,483.96
00085972	03/10/2023	ODP BUSINESS SOLUTIONS LLC	01-4302	office supplies	1,671.49	
			01-4330	OFFICE SUPPLIES	11.60	
			01-4400	PRINTER	1,050.73	2,733.82
00085973	03/10/2023	PACIFIC GAS & ELECTRIC COMPANY	01-5510	Electricity		4,668.93
00085974	03/10/2023	AIMEE PAUL-PHEBUS	01-5200	REIMBURSEMENT		463.74
00085975	03/10/2023	RAY MORGAN COMPANY	01-5600	COPIER MAINT.	355.26	
			01-5899	COPIER MAINT.	70.63	425.89
00085976	03/10/2023	SIERRA BOOSTER	01-5890	ADVERTISEMENTS/LEGAL/PUBLIC NOTICES		55.00
00085977	03/10/2023	SIERRA COUNTY PUBLIC WORKS	01-5890	SNOW REMOVAL		1,600.53
00085978	03/10/2023	SIERRA COUNTY HEALTH DEPARTMENT	01-5510	ELECTRICAL SERVICES FOR TECH COTTAGE		289.50
00085979	03/10/2023	INTERMOUNTAIN DISPOSAL, INC.	01-5520	GARBAGE SERVICE	589.61	
			01-5899	GARBAGE SERVICE	11.76	601.37
00085980	03/10/2023	SIERRA HARDWARE	01-4320	Misc Maintenance supplies		169.57
00085981	03/10/2023	SIERRA VALLEY HOME CENTER	01-4300	MISC. AG SUPPLIES	132.93	
			01-4320	MAINT. SUPPLIES	91.36	
				MAINT/CUSTODIAL SUPPLIES	69.57	293.86
00085982	03/10/2023	SLOSSON EDUCATION PUBL INC.	01-4300	kindergarten registration supplies		137.50
00085983	03/10/2023	DEPARTMENT OF JUSTICE ACCOUNTING OFFICE	01-5890	EMPLOYMENT FINGERPRINTING		32.00
00085984	03/10/2023	CDE, CASHIER'S OFFICE	13-4700	COMMODITIES	2,332.65	
			13-8221	COMMODITIES	2,252.70-	79.95
00085985	03/10/2023	SYSCO SACRAMENTO	13-4340	CAFETERIA - FOOD AND SUPPLIES	426.98	

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ESCAPE ONLINE

Checks Dated 03/01/2023 through 03/31/2023

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
00085985	03/10/2023	SYSCO SACRAMENTO	13-4700	CAFETERIA - FOOD AND SUPPLIES	1,422.80	1,849.78
00085986	03/10/2023	JOAN TAYLOR-FILLMAN	01-4350	REIMBURSEMENT		34.62
00085987	03/10/2023	TERMINIX PROCESSING CENTER	01-5890	PEST CONTROL -LES/LHS		165.00
00085988	03/10/2023	TIP INC.,PRINTING & GRAPHIX	01-4330	LHS Envelopes		338.88
00085989	03/10/2023	TRI COUNTY SCHOOLS INS. GR.	01-9535	HEALTH INSURANCE	4,697.48	
			76-9576	HEALTH INSURANCE	76,172.88	80,870.36
00085990	03/10/2023	VERIZON WIRELESS	01-5899	CELL PHONE SERVICE	152.68	
			01-5900	CELL PHONE SERVICE	228.06	
			01-5910	CELL PHONE SERVICE	355.88	736.62
00085991	03/10/2023	U.S. BANK VOYAGER	01-4305	FIELD TRIP FUEL	109.09	
				FUEL FOR ATHLETIC TRIPS	619.98	
			01-4351	BUS FUEL	3,424.01	
				FUEL FOR MAINTENANCE	581.51	
			01-5200	FUEL FOR FFA	710.36	
			01-5899	FUEL	56.85	5,501.80
00085992	03/10/2023	SIERRA-PLUMAS JOINT UNIFIED	01-5890	Reim to ASB Special Projects		5,000.00
<b>Total Number of Checks</b>					<b>52</b>	<b>220,863.05</b>

Fund Summary

Fund	Description	Check Count	Expensed Amount
01	General Fund	47	125,405.11
13	Cafeteria Fund	4	4,535.06
40	Special Reserve for Capital Ou	1	14,750.00
76	Warrant/Pass Though (payroll)	1	76,172.88
Total Number of Checks		<b>52</b>	220,863.05
Less Unpaid Sales Tax Liability			.00
<b>Net (Check Amount)</b>			<b>220,863.05</b>

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

ESCAPE ONLINE

# **SIERRA COUNTY OFFICE OF EDUCATION**

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  
County 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:  
April 04, 2023

Please check the box that applies:

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

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

\_\_\_\_\_  
Signature of County Superintendent

\_\_\_\_\_  
Date

# **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:  
April 04, 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.

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

\_\_\_\_\_  
Signature of District Superintendent

\_\_\_\_\_  
Date

# SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

## 2023-2024 Extra Duty Assignments - Positions To Be Filled

### Athletic Coaches

<u>Coaching Assignments</u>	<u>STIPEND</u>
Athletic Director - Loyalton High/\$2,500 per season x3/\$7,500 cap	\$7,500 cap
Athletic Director – Downieville/\$500 per team or \$2,000 cap	\$2,000 cap
Athletic Director - Loyalton Elementary 6,7,8	\$1,000
Varsity Football, LHS	\$2,000
Assistant Varsity Football, LHS	\$1,500
Varsity Basketball - Boys	\$2,000
J.V. Basketball – Boys	\$2,000
Varsity Basketball - Girls	\$2,000
J.V Basketball – Girls	\$2,000
7 <sup>th</sup> Grade Basketball – Boys	\$500
8 <sup>th</sup> Grade Basketball – Boys	\$500
7 <sup>th</sup> Grade Basketball - Girls	\$500
8 <sup>th</sup> Grade Basketball – Girls	\$500
7 <sup>th</sup> /8 <sup>th</sup> Gr COED Basketball, DVL	\$1,500
Boys Baseball	\$2,000
Girls Softball	\$2,000
Varsity Volleyball - Girls	\$2,000
JV Volleyball – Girls	\$1,500
Track	\$2,000
Tennis	\$1,500
Cheerleading Advisor-per season, max 2 season per year	\$2,000
Golf	\$1,500
Cross Country	\$500
Physical Fitness Coordinator District-wide	\$500
Soccer	\$2,000
Ski Team	\$1,500

All positions subject to approval by the Sierra-Plumas Joint Unified School District Governing Board at the April 2023, regular meeting



# SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

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## CERTIFICATED PERSONNEL

### 2023-2024 Extra Duty Assignments - Positions To Be Filled

The following Extra Duty Assignment temporary positions and stipends are subject to the Sierra-Plumas Joint Unified Governing Board approval on April 4, 2023.

	<u>Stipend</u>
WASC Lead	
Loyalton Mid-term visitation year	\$1,500
Downieville Mid-term visitation year	\$1,500
Site Technology Coordinator	\$1,500
• Loyalton Elementary	
• Loyalton Junior/Senior High 7-12	
• Downieville K-12	
Teacher-In-Charge (per semester)	\$1,000
• Loyalton Junior/Senior High 7-12	
• Loyalton Elementary	
• Downieville TK-12	
Lead Teacher Downieville per month	\$1,000
Response to Intervention Coordinator	
• Loyalton High 7-12	\$1,500
• Downieville K-12	\$1,000
• LES K-6	\$1,500
<i>Advisor Friday Night Live Kids</i>	
• <i>Loyalton Grades K-6</i>	\$2,000
• <i>Downieville Grades K-6</i>	\$1,000
<i>Advisor Friday Night Live</i>	
• <i>Loyalton Grades 9-12</i>	\$2,000
• <i>Downieville Grades 9-12</i>	\$1,000
<i>Advisor Club Live</i>	
• <i>Loyalton Grades 7-8</i>	\$2,000
• <i>Downieville Grades 7-8</i>	\$1,000

Presented to the Governing Board: 4/4,2023

Doc:Personnel/Posting/Extra Duty Posting 2023-2024

CALIFORNIA DEPARTMENT OF EDUCATION  
**REQUEST FOR ALLOWANCE OF ATTENDANCE DUE TO EMERGENCY CONDITIONS**  
 FORM J-13A, REVISED DECEMBER 2017

**SECTION A: REQUEST INFORMATION**

- This form is used to obtain approval of attendance and instructional time credit pursuant to *Education Code (EC)* sections 41422, 46200, 46391, 46392 and *California Code of Regulations (CCR)*, Title 5, Section 428.
- Only schools that report Principal Apportionment average daily attendance (ADA) for the purpose of calculating a K-12 Local Control Funding Formula (LCFF) entitlement should submit this form.
- Refer to the instructions and frequently asked questions at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> for information regarding the completion of this form.

**PART I: LOCAL EDUCATIONAL AGENCY (LEA)**

LEA NAME: <b>SIERRA COUNTY OFFICE OF EDUCATION</b>		COUNTY CODE: <b>46</b>	DISTRICT CODE: <b>10462</b>	CHARTER NUMBER (IF APPLICABLE):
LEA SUPERINTENDENT OR ADMINISTRATOR NAME: <b>James Berardi, Superintendent</b>			FISCAL YEAR: <b>2022-23</b>	
ADDRESS: <b>PO Box 955</b>			COUNTY NAME: <b>Sierra</b>	
CITY: <b>Loyalton</b>		STATE: <b>CA</b>	ZIP CODE: <b>96118</b>	
CONTACT NAME: <b>Kristie Jacobsen</b>	TITLE: <b>Administrative Assistant</b>	PHONE: <b>530-993-1660</b>	E-MAIL: <b>kjacobsen@spjUSD.org</b>	

**PART II: LEA TYPE AND SCHOOL SITE INFORMATION APPLICABLE TO THIS REQUEST** (Choose only one LEA type):

<input type="checkbox"/> <b>SCHOOL DISTRICT</b> Choose one of the following: <input type="checkbox"/> All district school sites <input type="checkbox"/> Select district school sites	<input checked="" type="checkbox"/> <b>COUNTY OFFICE OF EDUCATION (COE)</b> Choose one of the following: <input checked="" type="checkbox"/> All COE school sites <input type="checkbox"/> Select COE school sites	<input type="checkbox"/> <b>CHARTER SCHOOL</b>
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**PART III: CONDITION(S) APPLICABLE TO THIS REQUEST:**

**SCHOOL CLOSURE:** When one or more schools were closed because of conditions described in *EC* Section 41422. LCFF apportionments should be maintained and instructional time credited in Section B for the school(s) without regard to the fact that the school(s) were closed on the dates listed, due to the nature of the emergency. Approval of this request authorizes the LEA to disregard these days in the computation of ADA (per *EC* Section 41422) without applicable penalty and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to *EC* Section 46200, et seq.

There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.

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**MATERIAL DECREASE:** When one or more schools were kept open but experienced a material decrease in attendance pursuant to *EC* Section 46392 and *CCR*, Title 5, Section 428. Material decrease requests that include all school sites within the school district must demonstrate that the school district as a whole experienced a material decrease in attendance. Material decrease requests for one or more but not all sites within the school district must show that each site included in the request experienced a material decrease in attendance pursuant to *EC* Section 46392 and *CCR*, Title 5, Section 428. The request for substitution of estimated days of attendance for actual days of attendance is in accordance with the provisions of *EC* Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of LCFF apportionments for the described school(s) and dates in Section C during which school attendance was materially decreased due to the nature of the emergency.

There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.

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**LOST OR DESTROYED ATTENDANCE RECORDS:** When attendance records have been lost or destroyed as described in *EC* Section 46391. Requesting the use of estimated attendance in lieu of attendance that cannot be verified due to the loss or destruction of attendance records. This request is made pursuant to *EC* Section 46391:

*"Whenever any attendance records of any district have been lost or destroyed, making it impossible for an accurate report on average daily attendance for the district for any fiscal year to be rendered, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the district and the county superintendent of schools, the Superintendent of Public Instruction shall estimate the average daily attendance of such district. The estimated average daily attendance shall be deemed to be the actual average daily attendance for that fiscal year for the making of apportionments to the school district from the State School Fund."*

**SECTION B: SCHOOL CLOSURE**

Not Applicable (Proceed to Section C)

**PART I: NATURE OF EMERGENCY** (Describe in detail.)

Supplemental Page(s) Attached

School closures in Loyalton due to smoke/poor air quality - Sep 13  
 School closures in Loyalton due to snowy road conditions and inclement weather - Nov 08; Dec 01; Jan 10; Feb 24, 27 & 28; Mar 1, 28  
 School closures in Downieville due to snowy road conditions and inclement weather - Feb 24, 27 & 28; Mar 1  
 School closures in Downieville due to power outage and continued icy road conditions - Mar 2, 3, 6, 7, 8

**PART II: SCHOOL INFORMATION** (Use the supplemental Excel form at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> if more than 10 lines are needed for this request. Attach a copy of a school calendar. If the request is for multiple school sites, and the sites have differing school calendars, attach a copy of each different school calendar to the request.)

A	B	C	D	E	F	G	H	I
School Name	School Code	Site Type	Days in School Calendar	Emergency Days Built In	Built In Emergency Days Used	Date(s) of Emergency Closure	Closure Dates Requested	Total Number of Days Requested
Sierra County Special Education at Downieville Elementary	6077267	Traditional	180	3	3	2/24,27,28; 3/1,2,3,6,7,8	2/27,28; 3/2,3,6,7	6
Sierra County Special Education at Downieville Jr/Sr High	6077267	Traditional	180	3	3	2/24,27,28; 3/1,2,3,6,7,8	2/27,28; 3/2,3,6,7	6
Sierra County Special Education at Loyalton Elementary	6077267	Traditional	180	3	3	9/13; 11/8; 12/1; 1/10;	12/1; 1/10; 2/24,27,28;	6
						2/24, 27, 28; 3/1, 28	3/28	
Sierra County Special Education at Loyalton High	6077267	Traditional	180	3	3	9/13; 11/8; 12/1; 1/10;	12/1; 1/10; 2/24,27,28;	6
						2/24, 27, 28; 3/1, 28	3/28	
Sierra County Special Education at Sierra Pass	6077267	Traditional	180	3	3	9/13; 11/8; 12/1; 1/10;	12/1; 1/10; 2/24,27,28;	6
						2/24, 27, 28; 3/1, 28	3/28	

**PART III: CLOSURE HISTORY** (List closure history for all schools in Part II. Refer to the instructions for an example.)

A	B	C	D	E	F
School Name	School Code	Fiscal Year	Closure Dates	Nature	Weather Related Yes/No
Downieville Elem, Downieville Jr/Sr		2021-22	Oct 4, 6, 7; Dec 14	COVID-19, staff shortage; snowy roads & inclement weather	N; Y
Loyalton Elem, Loyalton High, Sierra Pass		2021-22	Oct 6, 7; Dec 14	COVID-19, staff shortage; snowy roads & inclement weather	N; Y
Downieville Elem, Downieville Jr/Sr		2020-21	Nov 23, 24, 25	COVID outbreak (short-staffed)	N
Downieville Elem, Downieville Jr/Sr		2020-21	Oct 26, 27	Power outage & water line break	Y
Loyalton Elem, Loyalton High, Sierra Pass		2020-21	Nov 10	COVID outbreak (all staff on site to prep for distance learning)	N
Loyalton Elem		2020-21	Oct 16	Strep throat outbreak (all staff on site for deep clean)	N
Downieville Elem, Downieville Jr/Sr		2019-20	Mar 16, 17, 18, 19, 20	COVID-19	N
Downieville Elem, Downieville Jr/Sr		2019-20	Oct 9, 10, 11, 24, 28, 29, 30	PG&E Power Shutoff (high winds/fire danger)	Y
Loyalton Elem, Loyalton High, Sierra Pass		2019-20	Mar 16, 17, 18, 19, 20	COVID-19	N
Loyalton Elem, Loyalton High, Sierra Pass		2019-20	Jan 16	Snowy road conditions, inclement weather	Y

**SECTION C: MATERIAL DECREASE**

**Not Applicable (Proceed to Section D)**

**Supplemental Page(s) Attached**

**PART I: NATURE OF EMERGENCY** (Describe in detail.)

**PART II: MATERIAL DECREASE CALCULATION** (Use the supplemental Excel file at <https://www.cde.ca.gov/fg/aa/pa/j13a.asp> if more than 10 lines are needed for this request. Refer to the instructions for information on completing the form including the definition of "normal" attendance.)

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance (October/May)	Dates Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance	Qualifier: 90% or Less (F/C)	Net Increase of Apportionment Days (C-F)
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
Total:		0.00			0		0.00

**PART III: MATERIAL DECREASE CALCULATION FOR CONTINUATION HIGH SCHOOLS** (Provide the attendance in hours. Use the supplemental Excel file at <https://www.cde.ca.gov/fg/aa/pa/j13a.asp> if more than 5 lines are needed for this request. Refer to the instructions for information on completing the form including the definition of "normal" attendance.)

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance Hours	Date Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance Hours	Qualifier: 90% or Less (F/C)	Net Increase of Hours (C-F)
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
Total:		0.00			0.00		0.00

\*Qualifier should be 90% or less except when the governor declares a state of emergency or in the case of a Necessary Small School (NSS) site.

**SECTION D: LOST OR DESTROYED ATTENDANCE RECORDS**

**Not Applicable (Proceed to Section E)**

**PART I: PERIOD OF REQUEST** The entire period covered by the lost or destroyed records commences with \_\_\_\_\_ up to and including \_\_\_\_\_.

**PART II: CIRCUMSTANCES** (Describe below circumstances and extent of records lost or destroyed.)

**PART III: PROPOSAL** (Describe below the proposal to reconstruct attendance records or estimate attendance in the absence of records.)

**SECTION E: AFFIDAVIT**

**PART I: AFFIDAVIT OF SCHOOL DISTRICT, COUNTY OFFICE OF EDUCATION, OR CHARTER SCHOOL GOVERNING BOARD MEMBERS** – All applicable sections below must be completed to process this J-13A request.

We, members constituting a majority of the governing board of Sierra County Office of Education, hereby swear (or affirm) that the foregoing statements are true and are based on official records.

Board Members Names

Board Members Signatures

Patty Hall (1)

Annie Tipton (2)

Christina Potter (3)

Kelly Champion (4)

Dorie Gayner (5)

At least a majority of the members of the governing board shall execute this affidavit.

Subscribed and sworn (or affirmed) before me, this 4th day of April, 2023.

Witness: Nona Griesert Title: CBO of Sierra County, California  
(Name) (Signature)

**PART II: APPROVAL BY SUPERINTENDENT OF CHARTER SCHOOL AUTHORIZER** (Only applicable to charter school requests)

Superintendent (or designee): \_\_\_\_\_ Authorizing LEA Name: \_\_\_\_\_  
(Name) (Signature)

**PART III: AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS**

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

County Superintendent of Schools (or designee): James Berardi  
(Name) (Signature)

Subscribed and sworn (or affirmed) before me, this 4th day of April, 2023.

Witness: Nona Griesert Title: CBO of Sierra County, California  
(Name) (Signature)

COE contact/individual responsible for completing this section:

Name: Kristie Jacobsen Title: Administrative Assistant Phone: 530-993-1660 E-mail: kjacobsen@spjUSD.org

CALIFORNIA DEPARTMENT OF EDUCATION  
**REQUEST FOR ALLOWANCE OF ATTENDANCE DUE TO EMERGENCY CONDITIONS**  
 FORM J-13A, REVISED DECEMBER 2017

**SECTION A: REQUEST INFORMATION**

- This form is used to obtain approval of attendance and instructional time credit pursuant to *Education Code (EC)* sections 41422, 46200, 46391, 46392 and *California Code of Regulations (CCR)*, Title 5, Section 428.
- Only schools that report Principal Apportionment average daily attendance (ADA) for the purpose of calculating a K-12 Local Control Funding Formula (LCFF) entitlement should submit this form.
- Refer to the instructions and frequently asked questions at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> for information regarding the completion of this form.

**PART I: LOCAL EDUCATIONAL AGENCY (LEA)**

LEA NAME: <b>SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT</b>		COUNTY CODE: <b>46</b>	DISTRICT CODE: <b>70177</b>	CHARTER NUMBER (IF APPLICABLE):
LEA SUPERINTENDENT OR ADMINISTRATOR NAME: <b>James Berardi, Superintendent</b>			FISCAL YEAR: <b>2022-23</b>	
ADDRESS: <b>PO Box 955</b>			COUNTY NAME: <b>Sierra</b>	
CITY: <b>Loyalton</b>		STATE: <b>CA</b>	ZIP CODE: <b>96118</b>	
CONTACT NAME: <b>Kristie Jacobsen</b>	TITLE: <b>Administrative Assistant</b>	PHONE: <b>530-993-1660</b>	E-MAIL: <b>kjacobsen@spjUSD.org</b>	

**PART II: LEA TYPE AND SCHOOL SITE INFORMATION APPLICABLE TO THIS REQUEST** (Choose only one LEA type):

<input checked="" type="checkbox"/> <b>SCHOOL DISTRICT</b> Choose one of the following: <input checked="" type="checkbox"/> All district school sites <input type="checkbox"/> Select district school sites	<input type="checkbox"/> <b>COUNTY OFFICE OF EDUCATION (COE)</b> Choose one of the following: <input type="checkbox"/> All COE school sites <input type="checkbox"/> Select COE school sites	<input type="checkbox"/> <b>CHARTER SCHOOL</b>
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**PART III: CONDITION(S) APPLICABLE TO THIS REQUEST:**

**SCHOOL CLOSURE:** When one or more schools were closed because of conditions described in *EC* Section 41422. LCFF apportionments should be maintained and instructional time credited in Section B for the school(s) without regard to the fact that the school(s) were closed on the dates listed, due to the nature of the emergency. Approval of this request authorizes the LEA to disregard these days in the computation of ADA (per *EC* Section 41422) without applicable penalty and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to *EC* Section 46200, et seq.

There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.

---

**MATERIAL DECREASE:** When one or more schools were kept open but experienced a material decrease in attendance pursuant to *EC* Section 46392 and *CCR*, Title 5, Section 428. Material decrease requests that include all school sites within the school district must demonstrate that the school district as a whole experienced a material decrease in attendance. Material decrease requests for one or more but not all sites within the school district must show that each site included in the request experienced a material decrease in attendance pursuant to *EC* Section 46392 and *CCR*, Title 5, Section 428. The request for substitution of estimated days of attendance for actual days of attendance is in accordance with the provisions of *EC* Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of LCFF apportionments for the described school(s) and dates in Section C during which school attendance was materially decreased due to the nature of the emergency.

There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.

---

**LOST OR DESTROYED ATTENDANCE RECORDS:** When attendance records have been lost or destroyed as described in *EC* Section 46391. Requesting the use of estimated attendance in lieu of attendance that cannot be verified due to the loss or destruction of attendance records. This request is made pursuant to *EC* Section 46391:

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**SECTION B: SCHOOL CLOSURE**

Not Applicable (Proceed to Section C)

**PART I: NATURE OF EMERGENCY** (Describe in detail.)

Supplemental Page(s) Attached

School closures in Loyalton due to smoke/poor air quality - Sep 13  
 School closures in Loyalton due to snowy road conditions and inclement weather - Nov 08; Dec 01; Jan 10; Feb 24, 27 & 28; Mar 1, 28  
 School closures in Downieville due to snowy road conditions and inclement weather - Feb 24, 27 & 28; Mar 1  
 School closures in Downieville due to power outage and continued icy road conditions - Mar 2, 3, 6, 7, 8

**PART II: SCHOOL INFORMATION** (Use the supplemental Excel form at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> if more than 10 lines are needed for this request. Attach a copy of a school calendar. If the request is for multiple school sites, and the sites have differing school calendars, attach a copy of each different school calendar to the request.)

A	B	C	D	E	F	G	H	I
School Name	School Code	Site Type	Days in School Calendar	Emergency Days Built In	Built In Emergency Days Used	Date(s) of Emergency Closure	Closure Dates Requested	Total Number of Days Requested
Downieville Elementary	6050611	Traditional	180	3	3	2/24,27,28; 3/1,2,3,6,7,8	2/27,28; 3/2,3,6,7	6
Downieville Jr/Sr High	4632303	Traditional	180	3	3	2/24,27,28; 3/1,2,3,6,7,8	2/27,28; 3/2,3,6,7	6
Loyalton Elementary	6050629	Traditional	180	3	3	9/13; 11/8; 12/1; 1/10;	12/1; 1/10; 2/24,27,28;	6
						2/24, 27, 28; 3/1, 28	3/28	
Loyalton High	4634259	Traditional	180	3	3	9/13; 11/8; 12/1; 1/10;	12/1; 1/10; 2/24,27,28;	6
						2/24, 27, 28; 3/1, 28	3/28	
Sierra Pass	4630034	Traditional	180	3	3	9/13; 11/8; 12/1; 1/10;	12/1; 1/10; 2/24,27,28;	6
						2/24, 27, 28; 3/1, 28	3/28	

**PART III: CLOSURE HISTORY** (List closure history for all schools in Part II. Refer to the instructions for an example.)

A	B	C	D	E	F
School Name	School Code	Fiscal Year	Closure Dates	Nature	Weather Related Yes/No
Downieville Elem, Downieville Jr/Sr		2021-22	Oct 4, 6, 7; Dec 14	COVID-19, staff shortage; snowy roads & inclement weather	N; Y
Loyalton Elem, Loyalton High, Sierra Pass		2021-22	Oct 6, 7; Dec 14	COVID-19, staff shortage; snowy roads & inclement weather	N; Y
Downieville Elem, Downieville Jr/Sr		2020-21	Nov 23, 24, 25	COVID outbreak (short-staffed)	N
Downieville Elem, Downieville Jr/Sr		2020-21	Oct 26, 27	Power outage & water line break	Y
Loyalton Elem, Loyalton High, Sierra Pass		2020-21	Nov 10	COVID outbreak (all staff on site to prep for distance learning)	N
Loyalton Elem		2020-21	Oct 16	Strep throat outbreak (all staff on site for deep clean)	N
Downieville Elem, Downieville Jr/Sr		2019-20	Mar 16, 17, 18, 19, 20	COVID-19	N
Downieville Elem, Downieville Jr/Sr		2019-20	Oct 9, 10, 11, 24, 28, 29, 30	PG&E Power Shutoff (high winds/fire danger)	Y
Loyalton Elem, Loyalton High, Sierra Pass		2019-20	Mar 16, 17, 18, 19, 20	COVID-19	N
Loyalton Elem, Loyalton High, Sierra Pass		2019-20	Jan 16	Snowy road conditions, inclement weather	Y



**SECTION C: MATERIAL DECREASE**

**Not Applicable (Proceed to Section D)**

**Supplemental Page(s) Attached**

**PART I: NATURE OF EMERGENCY** (Describe in detail.)

**PART II: MATERIAL DECREASE CALCULATION** (Use the supplemental Excel file at <https://www.cde.ca.gov/fg/aa/pa/j13a.asp> if more than 10 lines are needed for this request. Refer to the instructions for information on completing the form including the definition of "normal" attendance.)

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance (October/May)	Dates Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance	Qualifier: 90% or Less (F/C)	Net Increase of Apportionment Days (C-F)
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
<b>Total:</b>		0.00			0		0.00

**PART III: MATERIAL DECREASE CALCULATION FOR CONTINUATION HIGH SCHOOLS** (Provide the attendance in hours. Use the supplemental Excel file at <https://www.cde.ca.gov/fg/aa/pa/j13a.asp> if more than 5 lines are needed for this request. Refer to the instructions for information on completing the form including the definition of "normal" attendance.)

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance Hours	Date Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance Hours	Qualifier: 90% or Less (F/C)	Net Increase of Hours (C-F)
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
<b>Total:</b>		0.00			0.00		0.00

\*Qualifier should be 90% or less except when the governor declares a state of emergency or in the case of a Necessary Small School (NSS) site.

**SECTION D: LOST OR DESTROYED ATTENDANCE RECORDS**

**Not Applicable (Proceed to Section E)**

**PART I: PERIOD OF REQUEST** The entire period covered by the lost or destroyed records commences with \_\_\_\_\_ up to and including \_\_\_\_\_.

**PART II: CIRCUMSTANCES** (Describe below circumstances and extent of records lost or destroyed.)

**PART III: PROPOSAL** (Describe below the proposal to reconstruct attendance records or estimate attendance in the absence of records.)

**SECTION E: AFFIDAVIT**

**PART I: AFFIDAVIT OF SCHOOL DISTRICT, COUNTY OFFICE OF EDUCATION, OR CHARTER SCHOOL GOVERNING BOARD MEMBERS** – All applicable sections below must be completed to process this J-13A request.

We, members constituting a majority of the governing board of Sierra-Plumas Joint USD, hereby swear (or affirm) that the foregoing statements are true and are based on official records.

Board Members Names

Board Members Signatures

Patty Hall (1)

Annie Tipton (2)

Christina Potter (3)

Kelly Champion (4)

Dorie Gayner (5)

At least a majority of the members of the governing board shall execute this affidavit.

Subscribed and sworn (or affirmed) before me, this 4th day of April, 2023.

Witness: Nona Griesert Title: CBO of Sierra County, California  
(Name) (Signature)

**PART II: APPROVAL BY SUPERINTENDENT OF CHARTER SCHOOL AUTHORIZER** (Only applicable to charter school requests)

Superintendent (or designee): \_\_\_\_\_ Authorizing LEA Name: \_\_\_\_\_  
(Name) (Signature)

**PART III: AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS**

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

County Superintendent of Schools (or designee): James Berardi  
(Name) (Signature)

Subscribed and sworn (or affirmed) before me, this 4th day of April, 2023.

Witness: Nona Griesert Title: CBO of Sierra County, California  
(Name) (Signature)

COE contact/individual responsible for completing this section:

Name: Kristie Jacobsen Title: Administrative Assistant Phone: 530-993-1660 E-mail: kjacobsen@spjUSD.org

**SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT  
2023 – 2024 Proposed Downieville School Calendar**

Month	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Special Days	Teacher Days	School Days
AUG	13	14	15	16	17	18	19		9	
	20	21	22	23*	24	25	26	22-23 Staff Development   23 First Day Of School		
	27	28	29	30*	31					
SEP						1	2		20	17
	3	4	5	6*	7	8	9	4 Labor Day Holiday		
	10	11	12	13*	14	15	16	15 End of 1 <sup>st</sup> Month		
	17	18	19	20*	21	22	23			
OCT	24	25	26	27*	28	29	30		22	20
	1	2	3	4*	5	6	7			
	8	9	10	11*	12	13	14	13 End of 2 <sup>nd</sup> Month		
	15	16	17	18*	19	20	21			
	22	23	24	25	26	27	28	25-27 Min. Days   27 End of 1 <sup>st</sup> Quarter		
NOV	29	30	31						19	19
				1*	2	3	4			
	5	6	7	8*	9	10	11	9 End of 3 <sup>rd</sup> Month   10 Veteran's Day Holiday		
	12	13	14	15	16	17	18			
	19	20	21	22	23	24	25	22 Min. Day   23-24 Thanksgiving Holiday		
DEC	26	27	28	29*	30				16	18
						1	2			
	3	4	5	6*	7	8	9	8 End of 4 <sup>th</sup> Month		
	10	11	12	13*	14	15	16			
	17	18	19	20*	21	22	23	22 Min. Day		
JAN	24	25	26	27	28	29	30	25-5 Winter Break	17	19
	31	1	2	3	4	5	6			
	7	8	9	10*	11	12	13			
	14	15	16	17*	18	19	20	15 MLK Holiday   19 End of 5 <sup>th</sup> Month/1 <sup>st</sup> Semester		
	21	22	23	24*	25	26	27			
FEB	28	29	30	31*					19	19
						1	2			
	4	5	6	7*	8	9	10			
	11	12	13	14*	15	16	17	12 Lincoln's Birthday Holiday   16 End of 6 <sup>th</sup> Month		
	18	19	20	21*	22	23	24	19 President's Day Holiday		
MAR	25	26	27	28*	29				19	18
						1	2	1 End of 2 <sup>nd</sup> Trimester		
	3	4	5	6*	7	8	9			
	10	11	12	13*	14	15	16	11 Makeup Day #3   15 End of 7 <sup>th</sup> Month		
	17	18	19	20*	21	22	23			
APR	24	25	26	27*	28	29	30	28 End of 3 <sup>rd</sup> Quarter   29 Makeup Day #4	16	19
	31	1	2	3	4	5	6	1-5 Spring Break		
	7	8	9	10*	11	12	13			
	14	15	16	17*	18	19	20	19 End of 8 <sup>th</sup> Month		
	21	22	23	24*	25	26	27			
MAY	28	29	30					29 Makeup Day #2	20	18
				1*	2	3	4			
	5	6	7	8*	9	10	11			
	12	13	14	15*	16	17	18	13 Makeup Day #1   17 End of 9 <sup>th</sup> Month		
	19	20	21	22*	23	24	25	24 Makeup Day #5		
JUN	26	27	28	29*	30	31	1	27 Memorial Day Holiday	5	13
	2	3	4	5*	6	7	8	7 Last Day of School (Min. Day)		
	9	10	11	12*	13	14	15			
<b>Total Required Days</b>									<b>182</b>	<b>180</b>

\*Wednesdays = Early Release @ 1:35 pm

**SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT  
2023 – 2024 Proposed Loyalton School Calendar**

Month	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Special Days	Teacher Days	School Days
AUG	13	14	15	16	17	18	19		9	
	20	21	22	23*	24	25	26	22-23 Staff Development   23 First Day Of School		
	27	28	29	30*	31					
SEP						1	2		20	17
	3	4	5	6*	7	8	9	4 Labor Day Holiday		
	10	11	12	13*	14	15	16	15 End of 1 <sup>st</sup> Month		
	17	18	19	20*	21	22	23			
	24	25	26	27*	28	29	30			
OCT	1	2	3	4*	5	6	7		22	20
	8	9	10	11*	12	13	14	13 End of 2 <sup>nd</sup> Month		
	15	16	17	18*	19	20	21			
	22	23	24	25*	26	27	28	27 End of 1 <sup>st</sup> Quarter		
	29	30	31							
NOV				1*	2	3	4		19	19
	5	6	7	8*	9	10	11	9 End of 3 <sup>rd</sup> Month   10 Veteran's Day Holiday		
	12	13	14	15	16	17	18	15-17 Min. Days – End of 1 <sup>st</sup> Trimester		
	19	20	21	22	23	24	25	22 Min. Day   23-24 Thanksgiving Holiday		
	26	27	28	29*	30					
DEC						1	2		16	18
	3	4	5	6*	7	8	9	8 End of 4 <sup>th</sup> Month		
	10	11	12	13*	14	15	16			
	17	18	19	20*	21	22	23	22 Min. Day		
	24	25	26	27	28	29	30	25-5 Winter Break		
JAN	31	1	2	3	4	5	6		17	19
	7	8	9	10*	11	12	13			
	14	15	16	17*	18	19	20	15 MLK Holiday   19 End of 5 <sup>th</sup> Month/1 <sup>st</sup> Semester		
	21	22	23	24*	25	26	27			
	28	29	30	31*						
FEB					1	2	3		19	19
	4	5	6	7*	8	9	10			
	11	12	13	14*	15	16	17	12 Lincoln's Birthday Holiday   16 End of 6 <sup>th</sup> Month		
	18	19	20	21*	22	23	24	19 President's Day Holiday		
	25	26	27	28*	29					
MAR						1	2	1 End of 2 <sup>nd</sup> Trimester	19	18
	3	4	5	6*	7	8	9			
	10	11	12	13*	14	15	16	11 Makeup Day #3   15 End of 7 <sup>th</sup> Month		
	17	18	19	20*	21	22	23			
	24	25	26	27*	28	29	30	28 End of 3 <sup>rd</sup> Quarter   29 Makeup Day #4		
APR	31	1	2	3	4	5	6	1-5 Spring Break	16	19
	7	8	9	10*	11	12	13			
	14	15	16	17*	18	19	20	19 End of 8 <sup>th</sup> Month		
	21	22	23	24*	25	26	27			
	28	29	30					29 Makeup Day #2		
MAY				1*	2	3	4		20	18
	5	6	7	8*	9	10	11			
	12	13	14	15*	16	17	18	13 Makeup Day #1   17 End of 9 <sup>th</sup> Month		
	19	20	21	22*	23	24	25	24 Makeup Day #5		
	26	27	28	29*	30	31	1	27 Memorial Day Holiday		
JUN	2	3	4	5*	6	7	8	7 Last Day of School (Min. Day)	5	13
	9	10	11	12*	13	14	15			
<b>Total Required Days</b>									<b>182</b>	<b>180</b>

\*Wednesdays = Early Release (LES @ 1:30 pm, LHS @ 1:35 pm)

	Avaya System Refresh	TeamOne	Crexendo	Go To Connect	Quality Sound Rauland	Valcomm
Admin Phone Count	20	20	20	20	0	0
Staff Phone Count	60	60	60	60	0	0
System Location	On-Prem	On-Prem	Internet Based	Internet Based	On-Prem	On-Prem
Contract/Ownership	Contract	Ownership	Contract	Contract	Ownership	Ownership
Duration of Lease/Commitment	5 Years	Ownership	2 - 5 year options	1 year	Ownership	Ownership
Equipment Supplied	Phones, PBX, Licensing	Paging, Phones, ABX, Licensing	Phones	Phones	Paging, Speakers, Bells	Paging, Speakers, Bells
Support Costs	Included	\$1880/yr.	Included	Included	none described	none described
Initial Outlay	0	\$49,000.00	0	0	44000/Site	Approx 35000/site
Monthly Cost	\$857.00	\$0.00	\$1,465.00	\$1,417.00	\$0.00	\$0.00
Annual Cost	\$10,285.00	\$1,880.00	\$16,704.00	\$17,004.00	\$0.00	\$0.00
Phone Cost/month	\$10.85	included	\$17.40	\$17.94	\$0.00	\$0.00
Additional Charges	SIP Line w ATT approx.\$600/month	SIP Line w ATT approx.\$600/month	none described	none described	none described	none described
Annual Add Monthly Cost	7200 (includes SIP)	9080 (includes SIP)	0	0	0	0
Five Year Cost	\$87,425.00	\$80,900.00	\$83,500.00	\$85,020.00	44,000.00	35,000.00
Lease or Ownership	System is fixed cost for 5 year lease.	Ownership of system should last up to 8 years.	If a 5 year contract, 5 year cost = \$56,460.00	Longer contract agreements could reduce annual costs	Ownership of system should last up to 15 years.	Ownership of system should last up to 15
Handset Costs	Phones are part of lease	Phones are owned	Phones are rented.	Phones are rented.	none described	none described
Paging system	None described	Integrated paging and bell system. Has multiple zones	Some Paging and Intercom Capabilities	none described	Advanced Paging and bell system	Advanced Paging and bell system
Internet based only	NO - Similar to current system, requires SIP line at extra cost, noted above	NO - Similar to current system, requires SIP line at extra cost, noted above	Fully internet based phones. Portable and plugged into any WIRED network connection (home or office). Note length of lease commitment affects monthly cost. Does not include Admin phones (extra charges).	Fully internet based phones. Portable and plugged into any WIRED network connection (home or office). <b>First 3 months free.</b>	No	No

Land lines or Cellular back up	System can use basic landlines for backup.	System can use basic landlines or cellular network for backup	System can use basic landlines for backup/Also has internet based auto attendant	System can use basic landlines for backup/Also has internet based auto attendant	No	No
Dedicated SIP line needed	Required	Required	None	None	No	No
Auto attendant	Built in	Built in	Also has internet based auto attendant	Also has internet based auto attendant	No	No
E911	None described	E911 with notification when 911 is called	E911 with notification when 911 is called	none described	No	No
Wireless phone sets and conference systems	Cordless phones, conference phones, headsets and other accessories also available	Cordless phones, conference phones, headsets and other accessories also available	Cordless phones, conference phones, headsets and other accessories also available	Cordless phones, conference phones, headsets and other accessories also available	No	No
Warranty	System covered while under contract period.	Full warranty on main system excluding handsets and classroom speakers (2 year)	LIFETIME WARRANTY on Crexendo desk phones for the duration of the agreement	System covered while under contract period.	One year	One year
Other Features		Integrates with Google calendar for bells schedules. Has multiple zones for paging and bells.	Options include Video Conferencing & Collaboration and e-fax service		Integrates with SIP basd phone system	Integrates with SIP basd phone system
Uptime	100% subject to power and phone line connection	100% subject to power and phone line connection	100% subject to power and phone line connection 100% Uptime Guarantee with service delivered from Geo-Redundant Tier 5 and Tier 4 Data Centers (based on power and internet connectivity	100% subject to power and phone line connection	100% subject to power	100% subject to power

## CSBA POLICY GUIDE SHEET – April 04, 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 0450 - Comprehensive Safety Plan**

Policy updated to clarify language related to approval of the tactical response plan and add material regarding the district's requirement to provide data to the California Department of Education pertaining to lockdown or multi-option response drills conducted at district schools.

### **Administrative Regulation 0450 - Comprehensive Safety Plan**

Regulation updated to reflect **NEW LAW (SB 906, 2022)** which requires, starting with the 2023-24 school year, districts to include in the annual notification to parents/guardians information related to the safe storage of firearms, and for 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 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 and **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. Additionally, regulation updated to include in the optional list of comprehensive safety plan components (1) strategies aimed at preventing potential incidents involving crime and violence on school campuses, (2) provision of safety materials and emergency communications in language(s) understandable to parents/guardians, (3) procedures for the early identification and threat assessment of, and appropriate response to, suspicious and/or threatening digital media content, (4) district policy and/or plan related to pandemics, (5) communication with parents/guardians regarding unification plans and necessity of cooperating with first responders, and (6) continuity of operations procedures to ensure that the district's essential functions are not disrupted during an emergency, to the extent possible.

### **Board Policy 3555 - Nutrition Program Compliance**

Policy updated to clarify that prohibited discrimination includes alleged discrimination on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, or disability. Policy also updated to reflect United States Department of Agriculture CRD memorandum 01-2022, "Application of *Bostock v. Clayton County* to Program Discrimination Complaint Processing," which clarifies that prohibited sex discrimination includes discrimination on the basis of gender identity and sexual orientation. Policy also updated to include that complaints against a program operator that is not an educational agency shall be filed with or referred to the California Department of Education.

### **Exhibit(1) 3555 - Nutrition Program Compliance**

Exhibit updated to reflect current language of the United States Department of Agriculture Nondiscrimination Statement.

### **Board Policy 4030 - Nondiscrimination in Employment**

Policy updated to reflect **NEW LAW (SB 523, 2022)** which adds reproductive health decisionmaking as a form of prohibited discrimination, and prohibits an employer from requiring an applicant or employee to disclose information relating to an employee's reproductive health decisionmaking.

### **Board Policy 4218 - Dismissal/Suspension/Disciplinary Action**

Policy updated to reflect **NEW LAW (AB 2413, 2022)** which prohibits a district from suspending, demoting, or dismissing a permanent classified employee who timely requests a hearing pending the outcome of that hearing.



**Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action**

Regulation updated to clarify that a classified employee against whom a recommendation for disciplinary action has been issued may remain on active duty or may be placed on paid leave pending a hearing on the charges. Regulation also updated to reflect **NEW LAW (AB 2413, 2022)** which prohibits a district from suspending without pay, suspending or demoting with a reduction in pay, or dismissing a permanent classified employee who timely requests a hearing unless it is found by a preponderance of the evidence at the time discipline was imposed that the employee (1) engaged in criminal misconduct, (2) engaged in misconduct that presents a risk of harm to students, staff, or property, or (3) committed habitual violations of the district's policies or regulations. Additionally, regulation updated to provide that a district may cease paying an employee if a decision has not been rendered within 30 days of the date the hearing was requested.

**Board Policy 5131.7 - Weapons and Dangerous Instruments**

Policy updated to (1) expand the concept of district provided transportation, (2) 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, (3) move language regarding student suspension and expulsion in order to keep related content together, and (4) add language regarding staff training to align with staff responsibilities to report potential homicidal acts. Regulation also updated to add headings for the Options regarding tear gas or tear gas weapons, and to emphasize that for districts that allow students to bring tear gas or tear gas weapons to school, the student needs to either be accompanied by, or have the written consent, of a parent/guardian.

**Administrative Regulation 5131.7 - Weapons and Dangerous Instruments**

Regulation updated to expand the list of prohibited weapons and dangerous instruments to include additional items that are listed in law.

**Board Policy 5142 - Safety**

Policy 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.

**Administrative Regulation 5142 - Safety**

Regulation 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, and add language regarding staff responsibilities and training to align with requirement to report potential homicidal acts. Regulation also updated to add language 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, reflect **NEW LAW (AB 2028, 2022)** which authorizes the Board of an elementary, intermediate, junior high, or high school to assist local law enforcement, nonprofit associations or organizations such as the Girls Scouts, Boys Scouts, and parent-teacher associations, and public agencies that provide safety instruction related to using electric, motorized, or nonmotorized bicycles and scooters, to provide such safety instruction to district students, and **NEW LAW (AB 1946, 2022)** which requires the Department of the California Highway Patrol to develop, and post on its web site, by September 1, 2023, statewide safety and training programs based on evidence-based practices for users of electric bicycles, including general riding safety, emergency maneuver skills, rules of the road, and laws pertaining to electric bicycles.

**Administrative Regulation 6115 - Ceremonies and Observances**

Regulation updated to reflect **NEW LAW (AB 1655, 2022)** which adds June 19, "Juneteenth National Independence Day," to the list of holidays on which public schools must be closed and **NEW LAW (AB 1801, 2022)** that adds Genocide Remembrance Day to the list of days districts are authorized to close. Regulation also updated to clarify language regarding days on which schools are required to be closed based on appointment by the Governor or President, and to encourage districts to observe a moment of silence on September 11<sup>th</sup> Remembrance Day, as authorized by law.

**Board Policy 6177 - Summer Learning Programs**

Policy updated to clarify that summer learning programs are part of the Expanded Learning Opportunities (ELO) Program and to reflect the requirements of the ELO programs to offer access to specified students, as provided in **NEW LAW (AB 181 and 185, 2022)**. Policy also updated to reference **NEW GUIDANCE** from the California Department of Education which clarifies that districts are prohibited from charging fees for summer school.

**Board Bylaw 9270 - Conflict of Interest**

Bylaw updated to reflect **NEW LAW (SB 1439, 2022)** which makes applicable to elected district officers the prohibition against accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, and from participating in making, or in any way attempting to use the official position to influence the Board's decision when a district officer received a contribution of more than \$250 from a party or participant in the preceding 12 months, as specified. Bylaw also updated to clarify, for a Board member who manages public investments, that when an item on the consent calendar is one in which the Board member has a financial interest, the Board member is required to either make a motion to remove the item from the consent calendar or abstain from voting on the consent calendar.

**Board Bylaw 9320 - Meetings and Notices**

Bylaw updated to reflect **NEW LAW (AB 2449, 2022)** which (1) requires Boards to maintain and implement a procedure for receiving and resolving requests for reasonable accommodation for individuals with disabilities, to resolve any doubt in favor of accessibility, and to give notice of the procedure for receiving and resolving requests for accommodation in each instance in which notice of the time of a meeting is otherwise given or the agenda is otherwise posted, and (2) adds procedures for "Teleconferencing During a Personal Emergency" and "Teleconferencing for 'Just Cause'". Bylaw also updated to reflect **NEW LAW (AB 2647, 2022)** which provides a procedure for complying with the Brown Act when distributing materials to the Board less than 72 hours before a regular meeting and outside of regular business hours. Additionally, bylaw updated to reference the expiration of the California COVID-19 State of Emergency on February 28, 2023 and to clarify that a Board may utilize "Teleconferencing During a Proclaimed State of Emergency," if all terms are met pursuant to Government Code 54953, until January 1, 2024.



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

**Philosophy, Goals, Objectives and Comprehensive Plans**

**Policy 0450: Comprehensive Safety Plan**

CSBA NOTE: Pursuant to Education Code 32280-32289.5, districts are responsible for ensuring that a comprehensive safety plan with specified components is in place for each district school. As required by Education Code 32282 and 32288, the California Department of Education (CDE) has posted on its web site a compliance checklist for developing comprehensive safety plans and best practices for reviewing and approving the plans. Comprehensive safety plans are reviewed through the annual audits required by Education Code 41020 to ensure that they are updated and approved by March 1 of each year.

The Governing Board~~The Board of Education~~ recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

CSBA NOTE: Pursuant to Education Code 32281 and 32286, each school is required to adopt a comprehensive safety plan (Option 1 below). However, districts with an average daily attendance (ADA) of 2,500 or less are authorized by Education Code 32281 to develop a districtwide safety plan in lieu of developing school plans; thus, those districts may select either Option 1 or 2 to reflect district practice. Any district may choose to develop both district and school plans.

The Superintendent or designee shall oversee the development of a districtwide comprehensive safety plan that is applicable to each school site. (Education Code 32281)

CSBA NOTE: The following two paragraphs apply to all districts. Education Code 32286 requires that the school site council review and update the comprehensive safety plan by March 1 of each year. In districts with ADA of 2,500 or less that choose to develop a districtwide plan in accordance with Option 2 above, the Superintendent or designee may conduct the annual review.

Pursuant to Education Code 32288, the updated plan(s) must be submitted to the district for approval. The Governing Board may choose to delegate to the Superintendent or designee the responsibility to review and approve the updated plans, but the Board remains responsible for ensuring compliance with the law.

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

CSBA NOTE: Education Code 32288 requires that districts notify CDE if a school has not complied with the safety plan requirements. In the event that the Superintendent of Public Instruction determines that there has been a willful failure by a district to make any report required by Education Code 32280-32289, Education Code 32287 provides that the district may be fined up to \$2,000.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education (CDE) of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

## Tactical Response Plan

CSBA NOTE: The following section is optional. Pursuant to Education Code 32281, the Board may, after consulting with law enforcement officials, elect to have the district, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury.

Notwithstanding the process described above, any portion of a comprehensive safety plan that addresses tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to ~~be taken to~~ safeguard students and staff, secure ~~the~~ affected school premises, and apprehend ~~the~~ criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with representative(s) of employee bargaining unit(s), if they choose to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials and approve the tactical response plan, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

~~Acess to~~ Safety Plan(s) Access and Reporting

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

CSBA NOTE: The following paragraph is optional. Pursuant to Education Code 32281, the Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents.

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

CSBA NOTE: Pursuant to Education Code 32289.5, the district is required to provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools, as specified.

The Superintendent or designee shall also provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools in accordance with Education Code 32289.5. (Education Code 32289.5)

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**

**Philosophy, Goals, Objectives and Comprehensive Plans**

**Regulation 0450: Comprehensive Safety Plan**

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

Pursuant to Education Code 234.5, the California Department of Education (CDE) has posted on its web site a list of statewide resources for youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying, and youth affected by gangs, gun violence, and psychological trauma caused by violence at home, at school, and in the community.

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.

Development and Review of Comprehensive School Safety Plan

CSBA NOTE: The following section reflects requirements for the development of site-level comprehensive safety plans pursuant to Education Code 32280-32289 and is for use by districts that selected Option 1 in the accompanying Board policy. Districts with an average daily attendance of 2,500 or less that selected Option 2 in the accompanying Board policy (i.e., that have developed a districtwide comprehensive safety plan applicable to all school sites in lieu of individual site plans, as authorized by Education Code 32281) should omit this section.

The school site council shall consult with local law enforcement, the local fire department, and other first responders in the writing and development of the comprehensive school safety plan. When practical, the school site council shall also consult with other school site councils and safety planning committees. (Education Code 32281, 32282)

The school site council may delegate the responsibility for developing a comprehensive safety plan to a school safety planning committee composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization

CSBA NOTE: Item #5 below may be modified to specify other groups or individuals who will be represented on the committee. For example, the committee might include representatives of social service agencies, other city or county agencies, health care and emergency service providers, community-based organizations, and/or students.

5. Other members, if desired

Before adopting the comprehensive safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent/guardian organization at the school, including the parent teacher association and parent teacher clubs
4. A representative of each teacher organization at the school
5. A representative of the school's student body government
6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. Representatives of local religious organizations
2. Local civic leaders
3. Local business organizations

#### Content of the Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. (Education Code 32282)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. In assessing the current status of school crime as required by Education Code 32282, districts may contract with a consultant, work with local law enforcement, develop their own local assessment, and/or use available instruments such as the, "California Healthy Kids Survey," or the Centers for Disease Control and Prevention's, "Youth Risk Behavior Survey."

The assessment may include, but not be limited to, reports of crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

CSBA NOTE: Education Code 32282 requires that the following components be included in the districtwide and/or school site safety plan. The district may expand this list to require other components at its discretion.

The plan shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164-11174.3
2. Routine and emergency disaster procedures including, but not limited to:
  - a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

CSBA NOTE: Education Code 32282 requires districts to incorporate earthquake emergency procedures into the comprehensive safety plan, as specified in Items #2b and #2c below. See BP/AR 3516 - Emergencies and Disaster Preparedness Plan and AR 3516.3 - Earthquake Emergency Procedure System for further details about required components of these procedures.

- b. An earthquake emergency procedure system in accordance with Education Code 32282
  - c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations
  4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

CSBA NOTE: Education Code 234.1 requires the Board to adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and requires school personnel who witness such acts to take immediate steps to intervene when safe to do so; see BP 0410 - Nondiscrimination in District Programs and Activities and BP 5145.3 - Nondiscrimination/Harassment. In addition, the district's complaint process must include a timeline for investigating and resolving complaints and an appeals process; see BP/AR 1312.3 - Uniform Complaint Procedures.

5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4
6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"
7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school
8. A safe and orderly school environment conducive to learning
9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5

CSBA NOTE: Pursuant to Education Code 32282, schools are required to include in their comprehensive safety plans procedures for conducting tactical responses to criminal incidents, as specified in Item #10. Such procedures must be based on the specific needs and context of each school and community.

Pursuant to Education Code 32281, the Governing Board may elect to have district administrators, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury; see the accompanying Board policy.

10. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions



CSBA NOTE: The following components are optional and should be revised to reflect district practice.

Among the strategies for providing a safe environment, the comprehensive safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

CSBA NOTE: Education Code 32261 and 32282 encourage, but do not require, all comprehensive safety plans to include policies and procedures aimed at the prevention of bullying, as defined in Education Code 48900(r).

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

CSBA NOTE: Education Code 32261 encourages, but does not require, comprehensive safety plans to include Item #3, below.

3. Strategies aimed at preventing potential incidents involving crime and violence on school campuses, including vandalism, drug and alcohol abuse, gang membership and violence, hate crimes, bullying, including bullying committed personally or by means of an electronic act, teen relationship violence, and discrimination and harassment, including sexual harassment

- ~~3.4.~~ Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education and literacy, character/values education, social and emotional learning, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

- ~~4.5.~~ Parent/guardian involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

CSBA NOTE: When providing parents/guardians with school safety materials and emergency communications, CSBA encourages districts to do so in language(s) understandable to parents/guardians, as appropriate for the school site.

6. Provision of safety materials and emergency communications in language(s) understandable to parents/guardians

CSBA NOTE: Education Code 49392, as added by SB 906 (Ch. 144, Statutes of 2022), requires districts, starting with the 2023-24 school year, to include in the annual notification to parents/guardians pursuant to Education Code 48980 information related to the safe storage of firearms, as specified.

7. Annual notification to parents/guardians related to the safe storage of firearms

- ~~5.8.~~ Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

- ~~4.9.~~ Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

- ~~6.10.~~ District policy ~~related to prohibiting the~~ possession of firearms and ammunition on school grounds

7.11. Measures to prevent or minimize the influence of gangs on campus

CSBA NOTE: Education Code 32281 authorizes the principal, upon receiving verification from law enforcement, to notify parents/guardians and employees in writing that a violent crime has occurred on the school site. A "violent crime" is any act for which a student could be expelled and which meets the definition listed in Education Code 67381, including willful homicide, forcible rape, robbery, and aggravated assault, as defined in the, "Federal Bureau of Investigation's Uniform Crime Reporting Handbook." Education Code 32281 encourages that the notice be sent no later than the second workday after receiving verification from law enforcement.

20 USC 7912 requires that all students attending a "persistently dangerous" school be provided notice of the designation and an option to transfer to a different school within the district. See BP/AR 5116.1 - Intradistrict Open Enrollment.

8.12. Procedures for receiving verification from law enforcement when a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

13. Procedures for the early identification and threat assessment of, and appropriate response to, suspicious and/or threatening digital media content

9.14. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

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.

15. Independent security assessment of the school's network infrastructure and selected web applications to identify vulnerabilities and provide recommendations to improve cybersecurity

CSBA NOTE: Education Code 32282.1 does not require, but encourages, that comprehensive safety plans include the strategies described in Item #16 below, to the extent the district uses the listed professionals. CDE's, "The Comprehensive School Safety Plan: Recommended Components," available on its web site, includes athletic coaches in the list of professionals and specifies that community intervention professionals include those who speak languages other than English.

40.16. Guidelines for the roles and responsibilities of mental health professionals, athletic coaches, community intervention professionals, school counselors, school resource officers, and police officers on school campuses. Guidelines may include, but are not limited to, the following:

- a. Strategies to create and maintain a positive school climate, promote school safety, and

increase student achievement

- b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support
- c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity

44.17. Strategies for suicide prevention and intervention

CSBA NOTE: Policies and/or plans for maintaining a safe school environment during a pandemic, as described in Item #18 below, may be included in the district's comprehensive safety plan. Such policies may include BP 0470 - COVID-19 Mitigation Plan, BP 3516.5 - Emergency Schedules, BP 4113.5 - Working Remotely, BP 4119.41 - Employees with Infectious Disease, BP/AR 5141.22 - Infectious Diseases, and BP/AR 6158 - Independent Study.

18. District policy and/or plan related to pandemics

CSBA NOTE: Penal Code 626.8 provides that a person may be guilty of a misdemeanor for infringing with or disrupting a school activity, remaining on campus after having been asked to leave, reentering within seven days of being asked to leave, establishing a continued pattern of unauthorized entry, or willfully or knowingly creating a disruption with the intent to threaten the immediate physical safety of a student in preschool or grades K-8 who is arriving at, attending, or leaving school; see BP/AR 3515.2 - Disruptions.

42.19. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

43.20. Crisis prevention and intervention strategies, which may include the following:

- a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate
- b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)
- c. Assignment of staff members responsible for each identified task and procedure
- d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
- e. Coordination of communication to schools, Governing Board ~~of Education~~ members, parents/guardians, and the media

f. Communication with parents/guardians of reunification plans and the necessity of cooperating with first responders

f.g. Development of a method for the reporting of violent incidents

~~g.h.~~ Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

~~14. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan~~

CSBA NOTE: Education Code 49390 and 49393, as added by SB 906, require certificated and classified employees of the district, or other school officials such as 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.

~~21. Training on assessment and reporting of potential threats, violence prevention, and intervention techniques. Such training shall include preparation to implement the elements of the safety plan~~

CSBA NOTE: Pursuant to Education Code 32284, the comprehensive safety plan may, at the discretion of the Board, include procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school. No state funds may be used for this purpose.

~~15.22.~~ Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants

~~2.23.~~ Continuity of operations procedures to ensure that the district's essential functions are not disrupted during an emergency, to the extent possible

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**Business and Noninstructional Operations****Policy 3555: Nutrition Program Compliance**

CSBA NOTE: The following policy is required for any district whose child nutrition programs (i.e., National School Lunch Program, School Breakfast Program, Special Milk Program, and/or other child nutrition program) receive state or federal funding. During the California Department of Education's (CDE) Administrative Review of the district's child nutrition programs, CDE will review whether the district has a written procedure that complies with requirements pertaining to civil rights and nondiscrimination.

Various state and federal laws prohibit discrimination in district programs and activities on the basis of actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. See BP 0410 - Nondiscrimination in District Programs and Activities.

CDE's, "Civil Rights and Complaint Procedures, U.S. Department of Agriculture Child Nutrition Programs," and the U.S. Department of Agriculture's (USDA), "FNS Instruction 113-1, Civil Rights Compliance and Enforcement - Nutrition Programs and Activities," provide guidance to districts on how best to comply with federal law.

The Governing Board of Education recognizes the district's responsibility to comply with state and federal nondiscrimination laws as they apply to the district's nutrition programs. The district shall not deny any individual the benefits or service of any nutrition program or discriminate on any basis prohibited by law.

Compliance Coordinator

CSBA NOTE: According to CDE's, "Civil Rights and Complaint Procedures, U.S. Department of Agriculture Child Nutrition Programs," districts are required to appoint a coordinator to be responsible for ensuring district compliance with law governing child nutrition programs. The following paragraph may be revised to reflect district practice.

The Board shall designate a compliance coordinator for nutrition programs, who may also be the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures, to ensure compliance with the laws governing the district's nutrition programs.

CSBA NOTE: Items #1-10 below reflect the duties of the coordinator as provided in CDE's, "Civil Rights and Complaint Procedures, U.S. Department of Agriculture Child Nutrition Programs."

The responsibilities of the compliance coordinator include, but are not limited to:

1. Providing the name of the compliance coordinator, ~~and~~ the Section 504 coordinator, and Title IX coordinator, if different from the compliance coordinator, to the California Department of Education (CDE) and other interested parties
2. Annually providing mandatory civil rights training to all frontline staff who interact with program applicants or participants and to those who supervise frontline staff

The subject matter of such training shall include, but not be limited to, collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution, and customer service.

3. Establishing admission and enrollment procedures that do not restrict enrollment of students on the basis of race, ethnicity, national origin, or disability, including preventing staff from incorrectly

denying applications and ensuring that such persons have equal access to all programs

4. Sending a public release announcing the availability of the child nutrition programs and/or changes in the programs to public media and to community and grassroots organizations that interact directly with eligible or potentially eligible participants
5. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notifications" below
6. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency
7. Ensuring that every part of a facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities
8. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet
9. Implementing procedures to process and resolve civil rights ~~(complaints, including alleged discrimination)~~ complaints on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, or disability, and program-related complaints, including maintaining a complaint log, working with the appropriate person to resolve any complaint, and referring the complainant to the appropriate state or federal agency when necessary

CSBA NOTE: Districts receiving federal financial assistance are required to request racial/ethnic data of all program applicants and participants for purposes of determining whether the program reaches potential eligible persons, identifying areas where additional outreach is needed, selecting locations for compliance reviews, and completing required reports. According to "FNS Instruction 113-1," using the applicant's self-identification or self-reporting is the preferred method of obtaining racial and ethnic data.

When requesting such information, districts should be careful to not request any information in regard to the immigration status of students or their family members and, if such information is inadvertently received, to not disclose it to immigration enforcement authorities without parental consent, a court order, or judicial subpoena. See AR 5145.13 - Response to Immigration Enforcement.

10. Developing a method, which preferably uses self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants

## Notifications

The compliance coordinator shall ensure that the U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster, or a substitute poster approved by ~~the~~ USDA's Food and Nutrition Service, is displayed in areas visible to the district's nutrition program participants, such as food service areas and school offices.

CSBA NOTE: "FNS Instruction 113-1" requires districts to notify nutrition program applicants, participants, and potentially eligible persons of program availability, rights, and responsibilities and to advise them at each service delivery site (e.g., the school) regarding the procedure for filing a complaint. Such notice may be distributed through student and parent/guardian handbooks or other method of parent/guardian notifications.

The compliance coordinator shall notify the public, all program applicants, participants, and potentially eligible persons of their rights and responsibilities and steps necessary to participate in the nutrition programs, including program requirements and program availability. Applicants, participants, and the public also shall be advised of their right to file a complaint, how to file a complaint, the complaint procedures, and that a complaint may be filed anonymously or by a third party.

CSBA NOTE: As part of its instructions to all recipients of federal funds, USDA requires that all forms of communication available to the public regarding program availability also contain information about that recipient's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the recipient. USDA provides specific language for the notification and prohibits its modification in any way. The required language is available on USDA's web site and in the accompanying exhibit.

In addition, the compliance coordinator shall ensure that all forms of communication available to the public regarding program availability shall contain, in a prominent location, at the most current version of the nondiscrimination statement provided by USDA about the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the district.

Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude items such as cups, buttons, magnets, menus, and pens that identify the program when the size or configuration makes it impractical. The nondiscrimination statement need not be included on every page of program information on the district's or school's web site, but the statement or a link to the statement shall be included on the home page of the program information.

A short version of the nondiscrimination statement, as provided by USDA, may be used on pamphlets, brochures, and flyers in the same print size as the rest of the text.

#### Complaints of Discrimination

CSBA NOTE: 5 CCR 15582 requires allegations of discrimination based on race, color, national origin, sex, age, or disability to be referred to USDA. Pursuant to USDA's CRD memorandum 01-2022, "Application of Bostock v. Clayton County to Program Discrimination Complaint Processing," prohibited sex discrimination includes discrimination on the basis of gender identity and sexual orientation. Complaints of discrimination on any other basis are addressed through the district's UCP; see BP/AR 1312.3 - Uniform Complaint Procedures.

For information about compliance complaints, see the section below on "Complaints Regarding Noncompliance with Program Requirements."

A complaint alleging discrimination in the district's nutrition program(s) on the basis of race, color, national origin, sex, sexual orientation, gender identity, age, or disability shall, within 180 days of the alleged discriminatory act, be filed or referred to USDA at: any of the following: (5 CCR 15582)

Mail: U.S. Department of Agriculture,-

Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW,-  
Washington, D.C. 20250-9410,-

Phone: (866) 632-9992, (800) 877-8339 (Federal Relay Service - English, deaf, hard of hearing, or speech disabilities), (800) 845-6136 (Federal Relay Service - Spanish), ~~fax (202) 690-7442, or email program.intake.usda.gov~~

Fax: (833) 256-1665 or (202) 690-7442

Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

Complaints of discrimination on any other basis shall be investigated by the district using the process identified in AR 1312.3 - Uniform Complaint Procedures.

#### Complaints Regarding Noncompliance with Program Requirements

CSBA NOTE: 5 CCR 15580-15584 require complaints regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses to be referred to CDE. During the investigation, the complainant will have the opportunity to present information or evidence to support the allegations, and the district will have the opportunity to respond to the complaint. The district may also be subject to an on-site investigation, which may be unannounced. CDE's written decision will be issued within 90 days of receipt of the complaint. Complaints regarding noncompliance with other nutrition program requirements are addressed locally as described below.



Any complaint alleging that the district has not complied with program requirements pertaining to meal counting and claiming, reimbursable meals, eligibility of a child or adult, use of cafeteria funds and allowable expenses in relation to any child nutrition program specified in Education Code 49550-49564.5 shall be filed with or referred to CDE. -(Education Code 49556; 5 CCR 15584)

Complaints against a program operator that is not an educational agency shall be filed with or referred to CDE. (5 CCR 15584)

Complaints of noncompliance with any other nutrition program requirements shall be submitted to and investigated by the district using the following procedures.

Complaints may be filed by a student or the student's parent/guardian duly authorized representative by phone, email, or letter. The complaint shall be submitted within one year from the date of the alleged violation and shall include the following: -(5 CCR 15581)

1. A statement that the district has violated a law or regulation relating to its child nutrition program
2. The facts on which the statement is based
3. The name of the district or the school against which the allegations are made
4. The complainant's contact information
5. The name of the student if alleging violations regarding a specific student

CSBA NOTE: Pursuant to 5 CCR 15583, districts are required to investigate and issue a written report within the 60-day timeline provided by 5 CCR 4631, and the complainant may appeal the district's report to CDE within the 30-day timeframe provided by 5 CCR 4632.

The district shall investigate and prepare a written report pursuant to 5 CCR 4631. -(5 CCR 15583)

Unless extended by written agreement with the complainant, the district's compliance coordinator shall investigate the complaint and prepare a written report to be sent to the complainant within 30 calendar days of the district's receipt of the complaint. If the complainant is dissatisfied with the compliance coordinator's decision, the complainant may, within five business days, file the complaint in writing with the Board.

The Board shall consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered pursuant to 5 CCR 4631. -When required by law, the matter shall be considered in closed session. The Board may decide not to consider the complaint, in which case the coordinator's decision shall be final.

If the Board considers the complaint, the Board's decision shall be sent to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. -(5 CCR 4631)

If the complainant is not satisfied with the findings in the district's report, the complainant may appeal the decision to CDE by filing a written appeal within 30 days of receiving the decision. -(5 CCR 4632)

SIERRA COUNTY OFFICE OF EDUCATION  
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Board Policy Manual  
Sierra County/Sierra-Plumas Joint Unified School District

**Business and Noninstructional Operations**  
**Policy 3555: Nutrition Program Compliance**

# Sierra County/Sierra-Plumas Joint USD

## Exhibit

### Business and Noninstructional Operations

E 3555

#### NUTRITION PROGRAM COMPLIANCE

##### NONDISCRIMINATION STATEMENT FOR NUTRITION PROGRAMS

CSBA NOTE: As part of its instructions to all recipients of federal funds for child nutrition programs, the U.S. Department of Agriculture (USDA) requires that all forms of communication available to the public regarding program availability also contain information about that recipient's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the recipient. The following exhibit presents specific language provided by USDA for the notification, which must not be modified in any way.

The following statement shall be included, in a prominent location, on all forms available to the public regarding the availability of the district's child nutrition programs:

"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, ~~the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are~~ this institution is prohibited from discriminating ~~based on the basis of~~ race, color, national origin, sex, ~~(including gender identity and sexual orientation)~~, disability, age, or reprisal or retaliation for prior civil rights activity ~~in any program or activity conducted or funded by USDA.~~

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication ~~for to obtain~~ program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the ~~Agency (State responsible state or local) where they applied for benefits. Individuals who are deaf, hard of hearing, agency that administers the program or have speech disabilities may~~ USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. ~~Additionally, program information may be made available in languages other than English.~~

To file a program ~~complaint of~~ discrimination, complaint, a Complainant should complete ~~the~~ Form AD-3027, USDA Program Discrimination Complaint Form, ~~(AD-3027) found~~ which can be obtained online at: ~~https://www.aseer.usda.gov/filing-program-discrimination-complaint-usda-customer, and~~ at://www.usda.gov/sites/default/files/documents/ad-3027.pdf, from any USDA office, by calling (866) 632-9992, or write ~~by~~ writing a letter addressed to the ~~USDA and provide in the.~~ The letter all ~~must~~ contain the complainant's name, address, telephone number, and a written description ~~of the information requested in~~

~~the form. To request a copy of alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the complaint form, call (866) 632-9992. Submit your name and date of an alleged civil rights violation.~~  
The completed AD-3027 form or letter must be submitted to USDA by:

- (1) mail:  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or
- (2) fax: (833) 256-1665 or (202) 690-7442; or
- (3) ~~email: [program.intake@usda.gov](mailto:program.intake@usda.gov)~~ email: [Program.Intake@usda.gov](mailto:Program.Intake@usda.gov)

This institution is an equal opportunity provider."

On pamphlets, brochures, and flyers, in the same print size as the rest of the text, the district may print a short version of the nondiscrimination statement, as follows:

"This institution is an equal opportunity provider."

SIERRA COUNTY OFFICE OF EDUCATION  
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT  
Exhibit version: September 8, 2020  
revised: ??, 2023

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

**Personnel****Policy 4030: Nondiscrimination In Employment**

CSBA NOTE: The following Board policy and accompanying administrative regulation are mandated pursuant to 2 CCR 11023. The California Fair Employment and Housing Act (FEHA) (Government Code 12900-12996) prohibits districts and district employees from harassing or discriminating against employees and job applicants on the basis of actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, reproductive health decisionmaking, physical or mental disability, medical condition, genetic information, veteran or military status, sex, sexual orientation, gender, gender identity, or gender expression. Pursuant to Government Code 12940, these protections apply to employees, job applicants, persons who serve in an unpaid internship or other limited-duration program to gain unpaid work experience, volunteers, and independent contractors.

Additionally, protections are available under various provisions of federal law, including Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7), Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), the Americans with Disabilities Act (42 USC 12101- 12213), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Genetic Information Nondiscrimination Act (42 USC 2000ff-2000ff-11).

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

The Governing Board is determined to provide a safe, positive environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contracted with the district to provide services, as applicable.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran or military status, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics.

CSBA NOTE: Government Code 12940, as amended by SB 523 (Ch. 630, Statutes of 2022), includes reproductive health decisionmaking as a characteristic for which employment discrimination is prohibited. Pursuant to Government Code 12926(y) "reproductive health decisionmaking" includes a person's decision to use or access a particular drug, device, product, or medical service for reproductive health.

Employers are also prohibited from discrimination against employees or job applicants on the basis of reproductive health decisionmaking, defined as a person's decision to use or access a particular drug, device, product, or medical service for reproductive health. (Government Code 12926, 12940)

CSBA NOTE: 2 CCR 11028 prohibits inquiry into an employee's immigration status or discrimination on the basis of such status, unless the district provides clear and convincing evidence that it is required to do so in order to comply with federal immigration law. Districts should consult CSBA's District and County Office of Education Legal Services or district legal counsel as necessary.

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that the district is required to do so in order to comply with federal immigration law. -(2 CCR 11028)

CSBA NOTE: The following items illustrate unlawful discriminatory practices as specified in Government Code 12940. Labor Code 1197.5 prohibits the payment of different wage rates to employees for similar work based on sex, race, or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation under the bona fide factor exception.

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Hiring, compensation, terms, conditions, and other privileges of employment

CSBA NOTE: When disciplining an employee, the district must ensure that all the surrounding facts and circumstances are considered and analyzed within the parameters of any applicable constitutional or legal framework. In Kennedy v. Bremerton School District, the U.S. Supreme Court held that the district violated the employee's protected free exercise and free speech rights when the district did not rehire the employee, a coach, for refusing to follow the district's direction to refrain from kneeling and praying at the 50-yard line immediately after each football game. The district's direction was based on a concern that the employee's prayer violated the district's religious practices policy and could subject the district to an Establishment Clause violation. Notwithstanding that the prayer occurred at a school event and in the presence of students, the court reasoned that the timing and circumstances indicated that the coach's prayers were offered as a private citizen rather than as a district employee. The Court held that since the prayer occurred during a break, a period when employees would ordinarily be free to engage in personal activities such as speaking with friends, checking email, calling for restaurant reservations, etc., the district's concerns about a possible Establishment Clause violation did not justify restricting the employee's free exercise and free speech rights to offer a private, personal prayer. Employee discipline, especially with respect to suspension and dismissal, involves complex legal considerations and districts are advised to consult CSBA's District and County Office of Education Legal Services or district legal counsel, accordingly.

2. Taking of adverse employment actions such as termination or denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities or that has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment

CSBA NOTE: Item #4 below lists some, but not all, specific practices prohibited under Government Code 12940 or 2 CCR 11006-11086 in relation to certain protected categories. For example, because "sex" as defined in Government Code 12926 includes pregnancy, childbirth, breastfeeding, or related medical conditions, any of these conditions may be the basis for an employee's sex discrimination claim. As the specific prohibitions are too numerous to list in policy, it is recommended that CSBA's District and County Office of Education Legal Services or district legal counsel be consulted when questions arise as to any specific claim.

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
  - a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status
  - b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement
  - c. Requiring medical or psychological examination of a job applicant or making an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity
  - d. Failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee

CSBA NOTE: Government 12940, as amended by SB 523, makes it unlawful for an employer to require disclosure of information relating to an applicant's or employee's reproductive health decisionmaking.

- e. Requiring an applicant or employee to disclose information relating to the employee's reproductive health decisionmaking

CSBA NOTE: Retaliation against complainants or other participants in the grievance procedures is prohibited by Government Code 12940 and 34 CFR 110.34. In addition to the general prohibition against retaliation, Government Code 12940 provides that an employee who requests accommodation for a physical or mental disability or religious belief is protected from retaliation as specified below. CSBA recommends that this protection be extended to all protected characteristics, as provided below.

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, reports an incident, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. -(Government Code 12940; 2 CCR 11028)

CSBA NOTE: Pursuant to Government Code 12964.5, the district is prohibited from requiring an employee, in exchange for a raise or bonus or as a condition of employment or continued employment, to sign a nondisparagement agreement or similar document that would deny the employee the right to disclose information about unlawful acts in the workplace or requiring an employee to release the right to file a claim or civil action against the district.

Pursuant to Government Code 12964.5, the above prohibition applies not only to claims or complaints of sexual harassment or sexual assault, but to those involving harassment or discrimination based on any protected characteristic and to other unlawful employment practices under FEHA.

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign a release of the employee's claim or right to file a claim against the district or a nondisparagement agreement or other document that has the purpose or effect of preventing the employee from disclosing information about harassment, discrimination, or other unlawful acts in the workplace, including any conduct that the employee has reasonable cause to believe is unlawful.- (Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

CSBA NOTE: Pursuant to 2 CCR 11019, in certain instances, an employee's (especially a supervisor's) knowledge or notice of prohibited conduct of another employee or individual may subject the district to liability. Therefore, it is recommended that the district require its employees with knowledge of harassment or discrimination to report the incident to the appropriate district authorities. In addition, Government Code 12940 provides that a district may be responsible for harassment of employees by nonemployees when the district knows or should have known of the conduct and failed to take immediate and corrective action, taking into consideration the extent of the district's control and other legal responsibility that the district may have with respect to the conduct of those nonemployees. See also BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

See the accompanying administrative regulation for requirements related to the identification of the employee who will be responsible for compliance with nondiscrimination laws.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

CSBA NOTE: Government Code 12940 and 2 CCR 11023 require districts to take all reasonable steps to prevent prohibited discrimination and harassment, including, but not limited to, dissemination of the district's policy on the prevention of harassment, discrimination, and retaliation. Government Code 12950 and 2 CCR 11049 require districts to post, in prominent and accessible locations on district premises, posters developed by the California Civil Rights Department (CRD), formerly the Department of Fair Employment and Housing (DFEH), which are available on CRD's web site. In addition, Executive Order 11246 requires contractors and subcontractors who hold a single federal contract or subcontract in excess of \$10,000 or who hold contracts or subcontracts with the federal government in any 12-month period that have a total value of more than \$10,000 to display the U.S. Equal Employment Opportunity Commission "Know Your Rights: Workplace Discrimination is Illegal" poster in conspicuous places available to employees and applicants for employment and representatives of each labor union with which the covered contractor or subcontractor has a collective bargaining agreement. For further information on prevention strategies, see the accompanying administrative regulation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other prohibited conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

CSBA NOTE: Government Code 12946 makes it an unlawful employment practice for a district to fail to maintain certain records and files for employees, applicants, and terminated employees, as provided in the following paragraph.

The district shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken.- However, when the district is notified that a complaint has been filed with the California Civil Rights Department of Fair Employment and Housing, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the complaint has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated. (Government Code 12946)

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**

**Personnel****Policy 4218: Dismissal/Suspension/Disciplinary Action**

CSBA NOTE: The following policy is for use by districts that have not incorporated the merit system for classified employees pursuant to Education Code 45240-45320. For procedures applicable to districts that have incorporated the merit system, see BP/AR 4218.1 - Dismissal/Suspension/Disciplinary Action (Merit System).

The following policy is subject to collective bargaining and may be deleted or revised by any district whose collective bargaining agreement covers classified employee dismissal, suspension, and other disciplinary action. To the extent that this policy is inconsistent with provisions of the collective bargaining agreement, the collective bargaining agreement would prevail.

The Governing Board expects all employees to perform their jobs satisfactorily and to exhibit professional and appropriate conduct. A classified employee may be disciplined for unprofessional conduct or unsatisfactory performance in accordance with law or any applicable collective bargaining agreement, Board policy, or administrative regulation.

CSBA NOTE: When disciplining an employee, the district must ensure that all the surrounding facts and circumstances are considered and analyzed within the parameters of any applicable constitutional or legal framework. In Kennedy v. Bremerton School District, the U.S. Supreme Court held that the district violated the employee's protected free exercise and free speech rights when the district did not rehire the employee, a coach, for refusing to follow the district's direction to refrain from kneeling and praying at the 50-yard line immediately after each football game. The district's direction was based on a concern that the employee's prayer violated the district's religious practices policy and could subject the district to an Establishment Clause violation.

Notwithstanding that the prayer occurred at a school event and in the presence of students, the court reasoned that the timing and circumstances indicated that the coach's prayers were offered as a private citizen rather than as a district employee. According to the Court, since the prayer, a religious activity, occurred during a period when employees would ordinarily be free to engage in personal secular activities such as speaking with friends, checking email, calling for restaurant reservations, etc., the district's concerns about a possible Establishment Clause violation did not justify restricting the employee's free exercise and free speech rights to engage in a personal religious activity such as offering a prayer. Employee discipline, especially with respect to suspension and dismissal, involves complex legal considerations and districts are advised to consult CSBA's District and County Office of Education Legal Services or district legal counsel, accordingly.

Disciplinary actions shall be based on the particular facts and circumstances involved and the severity of the employee's conduct or performance. An employee's private exercise of personal beliefs and activities, including religious, political, cultural, social, or other beliefs or activities, or lack thereof, shall not be grounds for disciplinary action against the employee, provided that the beliefs or activities do not involve coercion of students or any other violation of law, Board policy, or administrative regulation.

In addition, an employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for acting to protect a student engaged in exercising any free speech or press right authorized by, or for refusing to infringe upon a student's conduct protected pursuant to, Education Code 48907 or 48950.

Disciplinary actions may include, but are not limited to, verbal and written warnings, involuntary reassignment, demotion, suspension without pay, reduction of pay step in class, compulsory leave, and dismissal.

The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.



A probationary classified employee may be dismissed without cause at any time prior to the expiration of the probationary period.

CSBA NOTE: Education Code 45113 mandates districts not incorporating the merit system to prescribe, by written rule or regulation, causes and procedures for disciplinary action against permanent classified employees. Also see the accompanying administrative regulation.

Permanent classified employees shall be subject to disciplinary action only for cause as specified in the accompanying administrative regulation. (Education Code 45113)

#### Procedures for Serious Disciplinary Proceedings

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

In Skelly v. State Personnel Board, the California Supreme Court held that permanent public employees have a right to certain due process protections prior to any punitive disciplinary action, such as termination, suspension, or demotion. These procedural rights include notice of the proposed materials upon which the action is based and the right to respond, either orally or in writing, to the individual recommending that discipline be imposed. These procedural rights are designed to protect an employee who may be wrongfully disciplined, without necessitating a full evidentiary hearing before the Governing Board. Therefore, CSBA recommends that the Superintendent or designee appoint a Skelly officer to evaluate whether there are reasonable grounds for believing that the employee engaged in the alleged misconduct and whether the proposed discipline is justified.

The Superintendent or designee shall develop disciplinary procedures for use when dismissal, suspension, demotion, involuntary reassignment, or other serious disciplinary action is contemplated against an employee. The procedures for such discipline shall include an opportunity for an employee for whom any such disciplinary action is recommended to meet with, or respond in writing to, a designated district official ("Skelly officer") who will determine whether the recommended discipline should proceed further or be modified or withdrawn.

CSBA NOTE: Pursuant to Education Code 45113 and 45116, a permanent classified employee must be given notice of any disciplinary action against the employee, including a time period during which the employee may request a Board hearing on the charges. See the section "Initiation and Notification of Charges" in the accompanying administrative regulation.

Pursuant to Education Code 45113, the Board may delegate its authority to determine whether sufficient cause exists for disciplinary action against classified employees, excluding peace officers as defined in Penal Code 830.32, to an impartial third-party hearing officer. Hearings conducted by the Board or a hearing officer are not subject to the procedures used by the Office of Administrative Hearings pursuant to Government Code 11500-11529.

Districts that refer all serious disciplinary matters to a third-party hearing officer rather than holding Board hearings should revise the remainder of this section accordingly.

Education Code 45113 requires the Board to delegate its authority to an administrative law judge in cases involving allegations of egregious misconduct with a minor. Egregious misconduct is defined as immoral conduct leading to an allegation of a sex offense pursuant to Education Code 44010, a controlled substance offense pursuant to Education Code 44011, or child abuse or neglect pursuant to Penal Code 11165.2-11165.6.

After meeting with the employee or considering the employee's written response, if the Skelly officer determines that the recommended discipline should proceed, the Superintendent or designee shall send the employee a notice of the recommended disciplinary action, a statement of charges, and the results of the Skelly hearing-review process. The notice shall include a statement advising the employee of the right to request a Board hearing on the matter.

If the employee fails to request a hearing within the time specified in the notice, the employee is deemed to have waived the right to do so, and the Board may order the recommended disciplinary action into effect immediately.

If a timely request is submitted, a hearing shall be conducted by the Board. (Education Code 45113, 45312)

CSBA NOTE: Subject to the exception described below, Education Code 45113, as amended by AB 2413 (Ch. 913, Statutes of 2022), prohibits a district from suspending without pay, suspending or demoting with a reduction in pay, or dismissing a permanent classified employee who timely requests a hearing pending discipline, unless excepted by law. To the extent Education Code 45113, as amended by AB 2413, conflicts with any collective bargaining agreement the district entered into before January 1, 2023, the new requirements described above would not apply until the expiration or renewal of the agreement. See the section "Employment Status Pending a Disciplinary Hearing" in the accompanying administrative regulation.

A classified employee who timely requests a hearing may only be suspended, demoted, or dismissed pending the outcome of the hearing in accordance with Education Code 45113, and as specified in the accompanying administrative regulation.

The hearing shall be held at the earliest convenient date, taking into consideration the established schedule of the Board and the availability of legal counsel and witnesses. The employee shall be notified of the time and place of the hearing.

The hearing shall be held in closed session, unless the employee requests that the matter be heard in an open session meeting. (Government Code 54957)

The employee shall be entitled to appear personally, produce evidence, and be represented by legal counsel.

The Board may use the services of its legal counsel in ruling upon procedural questions, objections to evidence, and issues of law. The Board may review and consider the records of any prior personnel action proceedings against the employee in which a disciplinary action was ultimately sustained, and any records contained in the employee's personnel files and introduced into evidence at the hearing. The Board shall not be bound by rules of evidence used in California courts. Informality in any such hearing shall not invalidate any order or decision made by the Board.

At any time before a matter is submitted to the Board for decision, the Superintendent or designee may, with the consent of the Board, serve on the employee and file with the Board an amended or supplemental recommendation of disciplinary action. If the amended or supplemental recommendation includes new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare a defense. Any new causes or allegations shall be deemed controverted and any objections to the amended or supplemental causes or allegations may be made orally at the hearing and shall be noted on the record.

Following the hearing or, if the employee has not requested a hearing, after reviewing the Superintendent or designee's recommendation for disciplinary action, the Board shall affirm, modify, or reject the recommended disciplinary action. The decision of the Board shall be in writing and shall contain findings of fact and the disciplinary action approved, if any. The decision of the Board shall be final.

Within 10 working days of the Board's final decision, a copy of the decision shall be delivered to the employee and/or designated representative personally or by registered mail.

Except for an allegation of egregious misconduct in which a minor is involved, the Board may delegate the authority to determine whether sufficient cause exists for disciplinary action to an impartial third-party hearing officer. When a matter is heard by a third-party hearing officer, the Board shall review the determination and adopt or reject the recommended decision. (Education Code 45113)

CSBA NOTE: Pursuant to Education Code 44990, an administrative law judge in a suspension or dismissal hearing is required to preserve the integrity of the truth-finding function by balancing the right of a classified employee against the need to protect a minor witness.

When any matter involves an allegation of egregious misconduct as defined in Education Code 44932 and involves a witness who is a minor, the matter shall be referred to an administrative law judge to determine whether sufficient cause exists for disciplinary action against the employee. In such cases, the ruling of the administrative law judge shall be binding on the district and the employee. (Education Code 45113)

SIERRA COUNTY OFFICE OF EDUCATION  
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT  
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**Personnel****Regulation 4218: Dismissal/Suspension/Disciplinary Action**

## Causes for Disciplinary Action

CSBA NOTE: The following section should be revised to reflect district practice. Education Code 45113 mandates districts not incorporating the merit system to prescribe, by rule or regulation, causes for disciplinary action against permanent classified employees. Pursuant to Education Code 45101, such employees may be disciplined only for cause as so prescribed.

A permanent classified employee may be subject to suspension, demotion, involuntary reassignment, or dismissal for one or more of the following causes:

CSBA NOTE: Pursuant to Education Code 45122.1, 45123, and 45124, districts must not continue to employ anyone who has been convicted of a specified sex offense, controlled substance offense, or violent or serious offense as defined, except for employees who have been rehabilitated or had their conviction reversed or the charges dismissed. Also see AR 4112.5/4212.5/4312.5 - Criminal Record Check.

1. Immoral conduct, including, but not limited to, egregious misconduct that is the basis for a sex offense as defined in Education Code 44010, a controlled substance offense as defined in Education Code 44011, or child abuse and neglect as described in Penal Code 11165.2-11165.6
2. Conduct that constitutes a violent or serious felony as defined in Penal Code 667.5(c) or ~~41971192.7~~(c)
3. Unlawful discrimination, including harassment, against any student or other employee
4. Violation of or refusal to obey state or federal law or regulation, Board policy, or district or school procedure
5. Falsification of any information supplied to the district, including, but not limited to, information supplied on application forms, employment records, or any other school district records
6. Unsatisfactory performance
7. Unprofessional conduct
8. Dishonesty
9. Neglect of duty or absence without leave
10. Insubordination
11. Use of alcohol or a controlled substance while on duty or in such close time proximity thereto as to affect the employee's performance
12. Destruction or misuse of district property
13. Failure to fulfill any ongoing condition of employment including, but not limited to, maintenance of any license, certificate, or other similar requirement specified in the employee's class specification or otherwise necessary for the employee to perform the duties of the position

CSBA NOTE: Pursuant to the federal Americans with Disabilities Act (42 USC 12101-12213) and the state's Fair Employment and Housing Act (Government Code 12900-12996), the district has a duty to reasonably accommodate qualified employees with known disabilities, except when such accommodation would cause an undue hardship to the district. This accommodation is not required for individuals who are not otherwise qualified for the job.

14. A physical or mental condition which precludes the employee from the proper performance of duties and responsibilities as determined by competent medical authority, except as otherwise provided by a contract or by law
15. Retaliation against any person who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to an actual or suspected violation of state or federal law occurring on or directly related to the job
16. Violation of Education Code 45303 or Government Code 1028 prohibiting the advocacy or teaching of communism
17. Any other misconduct which is of such nature that it causes discredit or injury to the district or the employee's position

No disciplinary action shall be taken for any cause which arose before the employee became permanent, nor for any cause which arose more than two years before the date of the filing of the notice of cause unless this cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee would have disclosed the facts to the district. (Education Code 45113)

#### Initiation and Notification of Charges

CSBA NOTE: Pursuant to Skelly v. State Personnel Board, permanent public employees are entitled to due process before any punitive disciplinary action, such as termination, suspension, or demotion, may be taken against such employees. These procedural rights include provision of notice of the materials upon which the proposed action is based and the right to respond, either orally or in writing, to a district official ("Skelly officer") who is designated to decide whether the recommended discipline should be imposed.

The Superintendent or designee shall provide notice to the employee of a recommendation for discipline, which includes the charges and materials upon which the recommendation is based. The notification shall identify an impartial district official ("Skelly officer") with whom the employee may meet at a specified time and place or to whom the employee may provide a written response to the recommendation of discipline. After meeting with the employee or considering any response from the employee, the Skelly officer shall recommend to the Superintendent or designee whether to proceed with the recommendation for discipline.

CSBA NOTE: Education Code 45113 mandates districts to adopt disciplinary procedures which contain provisions for giving classified employees a written notice of specific charges, the employee's right to a hearing on those charges, the time within which the hearing may be requested, and a card or paper to complete to request a hearing.

The Superintendent or designee shall file any final recommendation for a disciplinary action in writing with the Governing Board. A copy of the recommendation shall be served upon the employee either personally or by registered or certified mail, return receipt requested, at the employee's last known address.

The notice shall, in ordinary and concise language, inform the employee of the specific charge(s) or cause(s) for the disciplinary action, the specific acts and omissions upon which the action is based, and, if applicable, the district rule or regulation that the employee has allegedly violated. In addition, the notice shall include the employee's right to a hearing on those charges, the time within which the hearing may be requested which shall be not less than five days after service of the notice to the employee, and a card or paper which the employee may sign and file to deny the charges and request a hearing. (Education Code 45113, 45116)

## Request for Board Hearing

CSBA NOTE: As provided in the section "Initiation and Notification of Charges" above, Education Code 45113 requires that the notice of disciplinary action include the time within which a hearing may be requested, which cannot be less than five days after service of the notice to the employee. In California School Employees Association v. Livingston Union School District, the appeals court ruled that the district failed to provide due process to an employee when it denied the employee the opportunity to request a hearing based on the employee's failure to respond within five days after service of the notice. The district's policy had established the date of "service of the notice" as the date of mailing, but the employee was a 10-month employee who was out of town when the notice was delivered. The court held that the notice was not "reasonably calculated" to provide an opportunity to timely request a hearing. Thus, it is recommended that districts use the date of the employee's receipt of the notice as the date upon which the five-day response period begins. For further information on the evidentiary hearing conducted by the Board or a hearing officer, see the accompanying Board policy.

Within the time specified in the notice of the recommendation of disciplinary action, the employee may request a hearing on the charges by signing and filing the card or paper included with the notice. (Education Code 45113)

Any other written document signed and appropriately filed within the specified time limit by the employee shall constitute a sufficient notice of the request for a hearing. The request shall be delivered to the office of the Superintendent or designee during normal work hours of that office. If mailed to the office of the Superintendent or designee, it must be received or postmarked no later than the time limit specified by the district. In cases where an order of suspension without pay has been issued in conjunction with a recommendation of dismissal, any request for a hearing on the dismissal shall also constitute a request to hear the suspension order, and the necessity of the suspension order shall be an issue in the hearing.

Employment Status Pending a Disciplinary Hearing

CSBA NOTE: Education Code 45113, as amended by AB 2413 (Ch. 913, Statutes of 2022), prohibits a district from suspending without pay, suspending or demoting with a reduction in pay, or dismissing a permanent classified employee who timely requests a hearing pending discipline, unless excepted by law as reflected below. To the extent Education Code 45113, as amended by AB 2413, conflicts with any collective bargaining agreement the district entered into before January 1, 2023, the new requirements described above would not apply until the expiration or renewal of the agreement.

A classified employee against whom a recommendation ~~offor~~ disciplinary action has been issued ~~shall~~may remain on active duty ~~status~~or may be placed on paid leave pending ~~anya~~ hearing on the charges, ~~unless the Superintendent or designee determines. The employee shall not be suspended without pay, suspended or demoted with a reduction in pay, or dismissed pending the outcome of a timely requested hearing, except as specified below.~~ (Education Code 45113)

However, the disciplinary action may be imposed prior to the decision if the Board, or an impartial third-party hearing officer provided pursuant to a collective bargaining agreement, finds by a preponderance of the evidence that ~~the employee's continuance in active duty would present an unreasonable~~at the time discipline was imposed, the employee (1) engaged in criminal misconduct, (2) engaged in misconduct that presents a risk of harm to students, staff, or property. ~~The Superintendent or designee may, in writing, order the employee immediately suspended from duty without pay and, or (3) committed habitual violations of the district's policies or regulations. Such finding(s) must be made at the conclusion of the Skelly review process.~~ (Education Code 45113)

In such cases where the disciplinary action is imposed prior to the decision, the employee shall ~~state the reasons that the suspension is deemed necessary. The suspension order~~be given written notice of the disciplinary action and the findings made at the conclusion of the Skelly review process. Such written notice shall be served upon the employee ~~either personally or by registered or certified mail, return receipt requested, immediately after issuance.~~

In addition, the district may cease paying the employee if a decision has not been rendered by an impartial third-party hearing officer, pursuant to a collective bargaining agreement, or the Board within 30 days of the date the hearing was requested. (Education Code 45113)

## Compulsory Leave of Absence

CSBA NOTE: State law requires that classified employees in merit system districts and certificated employees be immediately placed on compulsory leave of absence when the district has been informed that charges have been filed on a mandatory leave of absence offense specified in Education Code 44940, and gives districts discretion to place such employees on leave for other specified offenses. Existing law does not provide for application to classified employees in nonmerit system districts regarding compulsory leave of absence.

Upon being informed by law enforcement that a classified employee has been charged with a "mandatory leave of absence offense," the Superintendent or designee shall immediately place the employee on a leave of absence. A mandatory leave of absence offense includes:

1. Any sex offense as defined in Education Code 44010
2. Violation or attempted violation of Penal Code 187, prohibiting murder or attempted murder
3. Any offense involving the unlawful sale, use, or exchange to minors of controlled substances as listed in Health and Safety Code 11054, 11055, and 11056

The Superintendent or designee may place on an immediate compulsory leave of absence a classified employee who is charged with an "optional leave of absence offense," defined as a controlled substance offense specified in Education Code 44011 and Health and Safety Code 11357-11361, 11363, 11364, and 11370.1 except as it relates to marijuana, mescaline, peyote, or tetrahydrocannabinols.

An employee's compulsory leave for a mandatory or optional leave of absence offense may extend for not more than 10 days after the entry of judgment in the criminal proceedings. However, the compulsory leave may be extended if the Board gives notice, within 10 days after the entry of judgment in the proceedings, that the employee will be dismissed within 30 days from the date of service of the notice unless the employee demands a hearing on the dismissal.

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

**Students****Policy 5131.7: Weapons And Dangerous Instruments**

The ~~Governing Board of Education~~ recognizes that students and staff have the right to a safe and secure campus free from physical and psychological harm and desires to protect them from the dangers presented by firearms and other weapons.

## Possession of Weapons

The Board prohibits any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school grounds ~~or buses, when using district provided transportation~~, at school-related or school-sponsored activities away from school, or while going to or coming from school.

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. While the law is specific to district staff, the concept also applies to students and anyone else in the school community.

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.

If a student is in possession of a prohibited weapon, imitation firearm, or dangerous instrument which creates a threat or perceived threat of a homicidal act, any employee or other school official who is alerted to or observes such threat shall immediately report the threat to law enforcement.

Under the power granted to the Board to protect the safety of students, staff, and others on district property and to maintain order and discipline in the schools, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds.

~~A student possessing and/or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board policy, and administrative regulations.~~

CSBA NOTE: Pursuant to 20 USC 7961, any district receiving federal funds under the Elementary and Secondary Education Act is mandated to have a policy requiring that any student who brings a firearm to school be referred to the criminal justice or juvenile delinquency system. This mandate reinforces Education Code 48902, which requires the principal or designee to notify law enforcement authorities of violations of Education Code 48900(c) and (d) and Penal Code 245, 626.9, and 626.10. In addition, Education Code 48902 requires the principal or designee to notify law enforcement authorities when a student possesses a firearm or explosive or sells or furnishes a firearm at school. For more information see AR 5144.1 - Suspension and Expulsion/Due Process.



The principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other prohibited weapon or dangerous instrument without permission, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon. (Education Code 48902; Penal Code 245, 626.9, 626.10; 20 USC ~~7154~~7961)

CSBA NOTE: Education Code 48915 and 20 USC 7961 require the mandatory expulsion of a student who has possessed a firearm, brandished a knife, or committed any other acts listed in Education Code 48915(c). See AR 5144.1 - Suspension and Expulsion/Due Process for grounds for suspension and expulsion and expulsion procedures.

Unless a student has obtained prior written permission as specified below, a student possessing or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board policy, and administrative regulations.

All staff shall be made aware of their responsibilities regarding the reporting of potential homicidal acts to law enforcement, and receive training in the assessment and reporting of such threats.

#### Advance Permission for Possession of a Weapon for Educational Purposes

CSBA NOTE: 20 USC 7961 allows possession of a firearm on school grounds for educational purposes when (1) the firearm is lawfully stored in a locked vehicle or (2) the principal authorizes possession for approved activities and the district has adopted appropriate safeguards to ensure student safety. Penal Code 626.10, consistent with 20 USC 7961, authorizes students to possess certain weapons with written permission of certificated or classified staff when necessary for a school-sponsored activity or class.

The following optional section is for use by districts that wish to allow such possession of firearms and other weapons and should be modified to reflect specific safeguards and timelines adopted by the district.

The parent/guardian of a student who desires to possess a firearm, imitation firearm, or other prohibited weapon on school grounds for an educational purpose shall submit a written request to the principal, at least five school days in advance of the planned possession, ~~submit a written request to the principal~~ which explains the planned use of the weapon and the duration. ~~The student shall also submit, together with~~ a written explanation from the staff person responsible for the school-sponsored activity or class.

The principal may grant permission for such possession when ~~he/she determines that it is determined that possession of a firearm, imitation firearm, or other prohibited weapon on school grounds~~ is necessary for a school-sponsored activity or class or as part of the educational program. Factors that shall be considered include, but are not limited to, the planned use of the weapon, the duration and location of the planned use, whether an audience is expected, and any perceived adverse effects to the safety and well-being of students or staff. If the principal grants such permission, ~~he/she shall provide~~ the student and staff person shall be provided with a written explanation regarding any limitations and the permissible duration of the student's possession. ~~Any firearm shall remain unloaded until ammunition is required for the determined education purpose.~~

When the principal or designee grants permission, ~~he/she shall take~~ all necessary precautions shall be taken to ensure the safety of all persons on school grounds and the safe keeping of the weapon, including, but not limited to, inspecting a firearm to verify that no live ammunition is present. Any permitted weapon ~~allowed~~ shall be stored in a locked vehicle ~~and/or~~ in an appropriate, locked container before and after its authorized use.

~~A~~Any student granted permission to possess a weapon may be suspended and/or expelled if ~~he/she possesses or uses~~ the weapon is possessed or used inappropriately.

#### Possession of Pepper Spray

To prevent potential misuse that may harm students or staff, students are prohibited from carrying tear gas or tear gas weapons such as pepper spray on campus or at school activities.

#### Reporting of Dangerous Objects

CSBA NOTE: The following section should be modified to reflect district practice. Pursuant to Education Code 49330, an "injurious object" is an object capable of inflicting substantial bodily damage not necessary for the academic purpose of the student and those objects listed in specified sections of the Penal Code; see the accompanying administrative regulation. These weapons include, but are not limited to, firearms, knives, metal knuckles, and explosives.

The Board encourages students to promptly report the presence of weapons, injurious objects, or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

The Superintendent or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds, such as tip hotlines, electronic transmissions, or other methods that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The Superintendent or designee ~~also~~ shall also inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

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

**Students****Regulation 5131.7: Weapons And Dangerous Instruments**

Prohibited weapons and dangerous instruments include, but are not limited to: (Education Code 48915, 49330; Penal Code 626.10, 16100-~~47350~~17360, 30310)

1. Firearms: pistols, revolvers, shotguns, rifles, machineguns, "zip guns," "stun guns," tasers, cane guns, camouflaging firearms, and any other device from which is expelled through a barrel and capable of propelling a projectile by the force of an explosion or other form of combustion
2. Ammunition or reloaded ammunition
3. Knives, razor blades, and box cutters: any dirks, daggers (or concealed dirks or daggers), cane swords, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than 23-1/2 inches, folding knives with a blade that locks into place, switchblade knives, and razors with an unguarded blade
4. Explosive and/or incendiary devices: pipe bombs, time bombs, rockets or rocket propelled projectile launchers, cap guns, bullets containing or carrying an explosive agent, containers of inflammable fluids, and other hazardous devices or concealed explosive substances
5. Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure, or spring action, or any spot marker gun
6. Any other dangerous device, instrument, or weapon, including those defined in Penal Code 4202016000-34370, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon
7. Any imitation firearm, defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm

CSBA NOTE: The remainder of this administrative regulation is optional and provides a process for an employee to use when taking possession of a weapon or dangerous instrument from a student. Pursuant to Education Code 49334, a school employee who initially notifies a law enforcement agency about any person possessing an unauthorized weapon or dangerous instrument on campus may not be subject to any civil or administrative proceeding, including any disciplinary action, for doing so, notwithstanding any district policy or regulation to the contrary. The employee must follow any other requirements of district policy or regulation upon notifying the law enforcement agency. See BP 4158/4258/4358 - Employee Security for language regarding employee reports of adults possessing injurious objects.

Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the district. (Education Code 49331, 49332)

In determining whether to take possession of the weapon or dangerous instrument, the employee shall use ~~his/her~~the employee's own judgment as to the dangerousness of the situation and, based upon this analysis, shall take one of the following actions:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action

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, and as reflected in the accompanying board policy.

3. Immediately notify the local law enforcement agency and the principal

When informing the principal about the possession of a weapon or dangerous instrument, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of the possession.

The principal shall report any possession of a weapon or dangerous instrument to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.

The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated or, upon the request of the student's parent/guardian, until the parent/guardian appears and personally takes possession. (Education Code 49331, 49332)

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

**Students****Policy 5142: Safety**

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

Under the California Tort Claims Act (Government Code 810-996.6), a district may be held liable for personal injuries caused by dangerous conditions on school property and for its employees' failure to use reasonable care to prevent foreseeable injuries resulting from school activities. The court in Dailey v. Los Angeles Unified School District held that, within the scope of their employment, school staff must exercise the degree of care "which a person of ordinary prudence, charged with (comparable) duties, would exercise under the same circumstances." In J.H. v. Los Angeles Unified School District, the court held that the district had a duty to use ordinary care in supervising the after-school program.

With regard to athletic activities, the court in Kahn v. East Side Union High School District held that schools have no legal duty to eliminate risks inherent in the activity itself because students are deemed to assume those risks by participating in the activity. However, schools do have a duty to exercise due care not to increase the risks over and above those inherent in the sport.

The ~~Governing Board of Education~~ recognizes the importance of providing a safe school environment that is conducive to learning and promotes student safety and well-being.- Appropriate measures shall be implemented to minimize the risk of harm to students, including, but not limited to, protocols for maintaining safe conditions on school grounds, promoting safe use of school facilities and equipment, and guiding student participation in educational programs and school-sponsored activities.

CSBA NOTE: 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.

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.

School staff shall be responsible for the proper supervision of students at all times when students are subject to district rules, including, but not limited to, during school hours, school-sponsored activities, before and after-school programs, morning drop-off and afternoon pick-up, and while students are using district provided transportation.

The Superintendent or designee shall ensure that students receive appropriate instruction on topics related to safety and emergency procedures, as well as injury and disease prevention.

#### Crossing Guards/Student Safety Patrol

CSBA NOTE: The following section is optional. School crossing guards may be employed by the Governing Board pursuant to Education Code 45450-45451 and by cities and counties pursuant to Vehicle Code 42200 and 42201. Education Code 49300 authorizes the Board to establish a student safety patrol at any district school for the purpose of assisting students in safely crossing streets. See the accompanying administrative regulation for requirements pertaining to safety patrols.

To assist students in safely crossing streets adjacent to or near school sites, the Board may employ

crossing guards and/or establish a student safety patrol at any district school. The Superintendent or designee shall periodically examine traffic patterns within school attendance areas in order to identify locations where crossing assistance may be needed.

Student Identification Cards and Safety Information

CSBA NOTE: The following section is for use by districts that serve students in grades 7-12.

Education Code 215.5 requires districts that issue student identification cards to have printed on either side of the card the telephone number of the National Suicide Prevention Lifeline (1-800-273-8255) and the National Domestic Violence Hotline (1-800-799-7233), and allows to have printed on the card the Crisis Text Line (texting HOME to 741741) and/or a local suicide prevention hotline telephone number.

If, as of January 1, 2020, the district has a supply of unissued student identification cards that do not comply with the above requirements, the cards may be issued until the supply is depleted.

Student identification cards of students in grades 7-12 shall have printed on them safety information, including the following: (Education Code 215.5)

1. The National Suicide Prevention Lifeline telephone number and, at the district's discretion, the Crisis Text Line and/or a local suicide prevention hotline telephone number
2. The National Domestic Violence Hotline

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

**Students****Regulation 5142: Safety**

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

At each school, the principal or designee shall establish emergency procedures, rules for student conduct, and rules for the safe and appropriate use of school facilities, equipment, and materials, consistent with law, Board policy, and administrative regulation. The rules shall be communicated to students, distributed to parents/guardians, and readily available at the school at all times.

## Release of Students

CSBA NOTE: The following optional section may be revised to reflect district practice. For release of students during an emergency, see AR 3516 - Emergencies and Disaster Preparedness Plan.

Students shall be released during the school day only to the custody of an adult who is one of the following:

1. The student's custodial parent/guardian
2. An adult authorized on the student's emergency card as an individual to whom the student may be released when the custodial parent/guardian cannot be reached, provided the principal or designee verifies the adult's identity
3. An authorized law enforcement officer acting in accordance with law
4. An adult taking the student to emergency medical care at the request of the principal or designee

## Supervision of Students

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

Pursuant to 5 CCR 5570, teachers are required to be present at their rooms and admit students not less than 30 minutes before school starts unless otherwise provided by rule of the Governing Board. The district's collective bargaining agreement may include supervision of students. The following paragraph may be revised to maintain consistency with the district's collective bargaining agreement and/or district practice.

Teachers shall be present at their respective rooms and shall open them to admit students not less than 30 minutes before the time that school starts. -(5 CCR 5570)

Every teacher shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds, and during recess. -(Education Code 44807)

The principal or designee shall require all individuals supervising students to remain alert for unauthorized persons and dangerous conditions, and promptly report any unusual incidents to the principal or designee and file a written report as appropriate.



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.

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.

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.

In arranging for appropriate supervision on playgrounds, the principal or designee shall:

1. Clearly identify supervision zones and require all playground supervisors to remain at a location from which they can observe their entire zone of supervision and be observed by students in the supervision zone
2. Consider the size of the playground area, the number of areas that are obstructed from open view, and the age of the students to determine the ratio of playground supervisors to students

At any school where playground supervision is not otherwise provided, the principal or designee shall provide for certificated employees to supervise the conduct and safety, and direct the play, of students who are on school grounds before and after school and during recess and other intermissions. -(5 CCR 5552)

The Superintendent or designee shall ensure that teachers, teacher aides, playground supervisors, yard aides, and volunteers who supervise students receive training in safety practices and in supervisory techniques that will help prevent problems and resolve conflicts among students. ~~Such~~Additionally, all staff and other school officials shall be made aware of their responsibilities regarding the reporting of potential homicidal acts to law enforcement, and receive training in the assessment and reporting of such threats. The training shall be documented and kept on file.

#### Student Safety Patrols

CSBA NOTE: The following section is optional.

A school safety patrol shall be composed of students of the school selected by the principal or designee and shall be allowed to serve only with written consent of the students and their parents/guardians. Patrol members shall be at least 10 years old and at least in the fifth grade. -(Education Code 49302; 5 CCR 571)

School safety patrols shall be used only at those locations where the nature of traffic will permit their safe operation. The locations where school safety patrols are used should be determined jointly with the local law enforcement agency. -(5 CCR 572)

Patrol members shall be under the supervision and control of the principal or designee and shall receive training in proper procedures, including, but not limited to, the operations specified in 5 CCR 573-574. -Whenever on duty, patrol members shall wear the standard uniform required by 5 CCR 576.

## Playground Safety

CSBA NOTE: Health and Safety Code 115725 defines "playground" to include fall zones, surface materials, access ramps, and all areas within and including the designated enclosure and barriers.

Any new playground or any replacement of equipment or modification of components inside an existing playground shall conform to standards set forth by the American Society for Testing and Materials and the guidelines set forth by the U.S. Consumer Product Safety Commission. The Superintendent or designee shall have a playground safety inspector certified by the National Playground Safety Institute conduct an initial inspection to aid compliance with applicable safety standards. (Health and Safety Code 115725)

## Activities with Safety Risks

CSBA NOTE: The following optional section lists activities that might be prohibited by the district because of high risk to student safety and should be revised to reflect district practice.

Pursuant to Government Code 831.7, public entities, including districts, are not liable to participants in a hazardous recreational activity, those who assist participants, or spectators for any damage to person or property arising out of the hazardous recreational activity when the person knew or reasonably should have known that the hazardous recreational activity created a substantial risk of injury and was voluntarily in the place of risk or having the ability to leave but failed to do so. Government Code 831.7 defines a "hazardous recreational activity" as a recreational activity conducted on school grounds that creates a substantial risk of injury, as distinguished from a minor, trivial, or insignificant risk of injury. The list below includes, but is not limited to, some of the hazardous recreational activities listed in Government Code 831.7. Prior to authorizing such activities, it is recommended that districts consult with their insurance carrier or joint powers authority or, for those who self-insure, with CSBA District and County Offices of Education Legal Services or district legal counsel. See BP/AR 3530 - Risk Management/Insurance.

Due to concerns about the risk to student safety, the principal or designee shall not permit the following activities on campus or during school-sponsored events unless the activity is properly supervised, students wear protective gear as appropriate, and each participant has insurance coverage:

1. Trampolining
2. Scuba diving
3. Skateboarding or use of scooters
4. In-line or roller skating or use of skate shoes
5. Sailing, boating, or water skiing
6. Cross-country or downhill skiing
7. Motorcycling
8. Target shooting
9. Horseback riding
10. Rodeo
11. Archery
12. Mountain bicycling
13. Rock climbing
14. Rocketeering
15. Surfing
16. Body Contact Sports
- 16.17. Other activities determined by the principal to have a high risk to student safety

CSBA NOTE: The following paragraph is optional. Vehicle Code 21201 establishes requirements for bicycles on roadways in regard to brakes, handlebars, size, and illumination when operated during darkness. Districts may want to provide such information to students and parents/guardians.

To enable the district to provide students safety instruction related to using electric, motorized, or nonmotorized bicycles and scooters, Education Code 51860, as amended by AB 2028 (Ch. 116, Statutes of 2022), authorizes the Board to assist local law enforcement, nonprofit associations or organizations specified in Education Code 38134, such as the Girls Scouts, Boys Scouts, and parent-teacher associations, and public agencies that provide such safety instruction, in providing safety instruction to district students.

Additionally, Streets and Highways Code 894, as added by AB 1946 (Ch. 147, Statutes of 2022), requires the Department of the California Highway Patrol to develop and post on its web site, by September 1, 2023, statewide safety and training programs for users of electric bicycles, including, but not limited to, general electric bicycle riding safety, emergency maneuver skills, rules of the road, and laws pertaining to electric bicycles.

As needed, the Superintendent or designee may periodically provide training or instruction to students on the safe use of electric, motorized or nonmotorized bicycles, scooters, skateboards, and roller skates, upon a street, bikeway, or . Any student who rides any other public such bicycle path or trail, scooter, skateboard, or roller skates at school shall wear a properly fitted and fastened bicycle helmet.

#### Events In or Around a Swimming Pool

CSBA NOTE: The following section is optional. Any district that chooses to sponsor or host an on-campus event that is not part of an interscholastic athletic program in or around a swimming pool is required to comply with the following paragraph, pursuant to Education Code 35179.6, as amended by SB 722 (Ch. 679, Statutes of 2021).

When any on-campus event that is not part of an interscholastic athletic program is sponsored or hosted by the district and is to be held in or around a swimming pool, at least one adult with a valid certification of cardiopulmonary resuscitation training shall be present throughout the duration of the event.- (Education Code 35179.6)

#### Laboratory Safety

CSBA NOTE: The following optional section reflects the Legislature's intent as stated in Education Code 49341, and the California Department of Education's Science Safety Handbook for Public Schools.

The principal of each school offering laboratory work shall develop procedures for laboratory safety and designate a trained certificated employee to ~~implement and~~ regularly review ~~-, update, and implement~~ these procedures.

Students in a laboratory shall be under the supervision of a certificated employee. -Students shall be taught laboratory safety, and safety guidelines and procedures shall be posted in science classrooms. Students shall receive continual reminders about general and specific hazards.

Hazardous materials shall be properly used, stored, and disposed of in accordance with law and the district's chemical hygiene plan.

Bloodborne pathogens shall be handled in accordance with the district's exposure control plan.

The district's emergency plan, emergency contact numbers, and first aid supplies shall be readily

accessible.

Parents/guardians shall be made aware of the kinds of laboratory activities that will be conducted during the school year.

#### Hearing Protection

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

The Superintendent or designee shall monitor students' exposure to excessive noise in classrooms and provide protection as necessary. The Superintendent or designee may also provide hearing conservation education to teach students ways to protect their hearing.

#### Eye Safety Devices

CSBA NOTE: Education Code 32031 addresses circumstances under which eye protection devices must be used.

The Superintendent or designee shall provide schools with eye safety devices for use whenever students, teachers, or visitors are engaged in or observing an activity or using hazardous substances likely to cause injury to the eyes. Eye safety devices may be sold to students for an amount not to exceed the actual cost to the district. -(Education Code 32030, 32031, 32033)

#### Protection Against Insect Bites

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

To help protect students against insect bites or stings that may spread disease or cause allergic reactions, students shall be allowed to apply insect repellent provided by their parents/guardians, when engaging in outdoor activities.- Any application of insect repellent shall occur under the supervision of school personnel, and in accordance with the manufacturer's directions.

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SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT  
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**Board Policy Manual**  
**Sierra County/Sierra-Plumas Joint Unified School District**

**Instruction****Regulation 6115: Ceremonies and Observances**

## Holidays

CSBA NOTE: The following list may be expanded to reflect district practice. Education Code 37220 specifies holidays on which public schools must be closed and allows the Governing Board to designate any other day as a holiday. See the accompanying Board policy. Education Code 37220, as amended by AB 1655 (Ch. 753, Statutes of 2022), incorporates June 19, "Juneteenth National Independence Day," to this list by way of presidential appointment. In addition, Education Code 37220 provides that the Board, by adoption of a resolution, may revise the date upon which district schools close in observance of any of these holidays except Veterans Day, which must be celebrated on its actual date.

Education Code 37220.5 and 37220.7, as amended by AB 1801 (Ch. 761, Statutes of 2022), authorize the closing of school on March 31 in observance of Cesar Chavez Day, on April 24 in observance of Genocide Remembrance Day, and/or on the fourth Friday in September for Native American Day, provided that the Board agrees to do so in a memorandum of understanding reached with employee bargaining units pursuant to Government Code 3540- 3549.3. If the district has such an agreement, the holiday(s) should be added to the following list.

District schools shall be closed on the following holidays:- (Education Code 37220)

New Year's Day – January 1

Dr. Martin Luther King, Jr. Day - Third Monday in January or the Monday or Friday of the week in which January 15 occurs

Lincoln Day - The Monday or Friday of the week in which February 12 occurs

Washington Day - Third Monday in February

Memorial Day - Last Monday in May

Juneteenth National Independence Day- June 19

Independence Day - July 4

Labor Day - First Monday in September

Veterans Day - November 11

Thanksgiving Day - The Thursday in November designated by the President

Christmas Day - December 25

CSBA NOTE: Pursuant to Education Code 37220, as amended by AB 1655, districts are not required to close on Columbus Day, the second Monday in October. Governing Boards may designate Columbus Day as a holiday in which schools shall close.

In addition, schools shall be closed on any: (Education Code 37220)

1. Any day designated~~appointed~~ by the Governor ~~or President for~~as a holiday, ~~any or as a~~ special or limited holiday on which the Governor provides that ~~the~~ schools shall close, ~~and any~~

2. Any day appointed by the President as a holiday, including by executive order or by signing into law legislation that creates a nationwide federal holiday
3. Any other day designated as a holiday by the ~~Governing Board of Education~~ and/or negotiated with employee organizations. ~~(Education Code 37220)~~

Holidays which fall on a Sunday shall be observed the following Monday.- Holidays which fall on a Saturday shall be observed the preceding Friday.- If any of the above holidays occurs under federal law on a date different from that indicated above, the ~~Governing Board of Education~~ may close the schools on the date recognized by federal law instead of on the date above.- (Education Code 37220)

#### Commemorative Exercises

CSBA NOTE: The following section lists special days that schools are required by state and/or federal law to observe with suitable commemorative exercises.

In addition to commemorative exercises that are required by law, Education Code 37220.7, as amended by AB 1801, and 51109, as well as various legislative resolutions, have designated other days of special significance on which schools are encouraged, but not required, to conduct appropriate commemorative exercises, including, but not limited to: (1) School Board Recognition Month in January; (2) Ed Roberts Day on January 23; (3) Fred Korematsu Day of Civil Liberties and the Constitution on January 30; (4) Ronald Reagan Day on February 6; (5) Lunar New Year on the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice if an intercalary month intervenes; (6) Week of the School Administrator on the first full week of March; (7) California Agriculture Day on the first day of spring each year; (8) Welcome Home Vietnam Veterans Day on March 30; (9) Cesar Chavez on March 31; (10) California Poppy Day on April 6; (11) Dolores Huerta Day on April 10; (12) John Muir Day on April 21; (13) Genocide Remembrance Day on April 24; (14) Labor History Month in May; (15) the Day of the Teacher on the second Wednesday in May; (16) Harvey Milk Day on May 22; (17) September 11th Remembrance Day on September 11; (18) Native American Day on the fourth Friday in September; (19) Larry Itliong Day on October 25; and (20) Bill of Rights Day on December 15. The California Department of Education's web site includes a calendar of events listing other days for which special recognition is encouraged. The list below may be modified to include any optional days of special significance so designated by the Board.

District schools shall hold exercises in accordance with law to commemorate the following special days:- (Education Code 37220, 37221, 45460)

~~U.S. Constitution and Citizenship Day – On or near September 17~~

Dr. Martin Luther King, Jr. Day – The Friday before the day schools are closed for this holiday

Abraham Lincoln's Birthday - The school day before the day schools are closed for this holiday

Susan B. Anthony Day - February 15

George Washington's Birthday - The Friday preceding the third Monday in February

Black American Day - March 5

Conservation, Bird, and Arbor Day - March 7

Classified Employee Week – Third week in May

U.S. Constitution and Citizenship Day – On or near September 17

Commemorative exercises shall be integrated into the regular educational program to the extent feasible.

## Patriotic Exercises

CSBA NOTE: Education Code 52720 requires all schools to conduct patriotic exercises daily. Pursuant to Education Code 52720 and 52730, this requirement may be satisfied by reciting the Pledge of Allegiance and/or through the instruction described below.

Each school shall conduct patriotic exercises daily, which may include the Pledge of Allegiance to the Flag of the United States and/or instruction that promotes understanding of the concepts of "pledge," "allegiance," "republic," and "indivisible" and understanding of the importance of the pledge as an expression of patriotism, love of country, and pride in the United States.- (Education Code 52720, 52730)

CSBA NOTE: The following paragraph is for use by districts maintaining elementary schools.

At elementary schools, such exercises shall be conducted at the beginning of each school day.- (Education Code 52720)

CSBA NOTE: The following paragraph is for use by districts maintaining secondary schools. Education Code 52720 mandates that the Board adopt regulations pertaining to the conduct of patriotic exercises in secondary schools. The following paragraph should be revised to reflect district practice.

At secondary schools, such exercises shall be conducted during the homeroom period.

CSBA NOTE: In *Newdow v. Rio Linda Union School District*, the Ninth Circuit Court of Appeals upheld a school policy permitting teacher-led recitation of the Pledge of Allegiance pursuant to Education Code 52720 where students were permitted by policy to decline participation for personal reasons. In *West Virginia State Board of Education et al. v. Barnette et al.*, the court held that individuals may not be compelled to salute the flag or to stand during the salute.

A student may choose not to participate in the flag salute or Pledge of Allegiance for personal reasons.

## Display of Flag

The flag of the United States and the flag of California shall be displayed during business hours at the entrance or on the grounds of every district school and on or near the district office. At all times, the national flag shall be placed in the position of first honor. (Government Code 431, 436; 4 USC 6)

When displayed on a building or on a flagstaff in the open, the national flag shall be displayed only from sunrise to sunset unless properly illuminated during the hours of darkness. The flag should not be displayed during inclement weather unless an all-weather flag is used. (4 USC 6)

The national flag shall fly at half-staff on the following occasions: (4 USC 7)

1. For 30 days from the death of the President or a former President
2. For 10 days from the death of the Vice President, the Chief Justice or a retired Chief Justice, or the Speaker of the House of Representatives
3. From the day of death until interment of an Associate Justice of the Supreme Court, a secretary of an executive or military department, former Vice President, or the Governor of a state
4. On the day of death and the following day for a Member of Congress
5. On Memorial Day, until noon only



6. On Peace Officers Memorial Day (May 15), unless it falls on Armed Forces Day
7. Upon a proclamation from the Governor in the event of the death of a present or former official of the state government or a member of the Armed Forces from the state who has died while serving on active duty
8. On other occasions by order of the President and in accordance with presidential instructions or orders

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

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**Instruction****Policy 6177: Summer Learning Programs**

CSBA NOTE: Education Code 46120, as amended by AB 181 (Ch. 52, Statutes of 2022) and AB 185 (Ch. 571, Statutes of 2022), provides for the Expanded Learning Opportunities (ELO) Program, which includes expanded learning opportunities beyond the regular school day, including summer, vacation, and/or intersessional programs for students in grades transitional kindergarten (TK)-6.

Pursuant to Education Code 46120, on non-school days, intersessional programs of specified lengths of time must include in-person before or after school programs as described in BP/AR 5148.2 - Before/After School Programs.

A district may not opt out of an ELO program; however, student participation in an ELO program is optional. For additional requirements about ELO programs see BP/AR 5148.2 - Before/After School Programs.

The following optional policy may be revised to reflect district practice.

The Governing Board recognizes that an extended break from the instructional program may result in significant learning loss, especially among disadvantaged and low-achieving students, and desires to provide opportunities during the summer for students to practice essential skills ~~and~~ make academic progress, and develop social, emotional, and physical needs and interests through hands-on engaging learning experiences.

CSBA NOTE: Education Code 52060-52077, as added by AB 97 (Ch. 47, Statutes of 2013), require districts to develop a local control and accountability plan (LCAP) which includes goals aligned with state and local priorities, specific actions aligned to meet those goals, and a budget aligned to fund those specific actions; see BP/AR 0460 - Local Control and Accountability Plan. The purposes and content of the district's summer programs should be aligned with the priorities and goals as outlined in the LCAP and other applicable district and school plans.

Summer programs offered by the district shall be aligned with the district's local control and accountability plan (LCAP), other applicable district and school plans, and the educational program provided during the school year. When feasible, summer programs shall blend high-quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social and emotional development, and support services that encourage attendance, student engagement in learning, and student wellness.

### Summer School

CSBA NOTE: Summer school programs may be funded through a variety of sources that include, but are not limited to, Title I funding (20 USC 6311-6322), After School Education and Safety Program supplemental funds (Education Code 8482-8484.6), 21st Century Community Learning Center supplemental funds (Education Code 8484.7- 8484.9; 20 USC 7171-7176), and ELO programs (Education Code 46120); see BP/AR 5148.2 - Before/After School Programs.

Pursuant to Education Code 46120, as amended by AB 181 and AB 185, ELO programs must include at least nine hours of in-person expanded learning opportunities per day for at least 30 non-school days, inclusive of extended school year days provided pursuant Education Code 56345.

In addition, Education Code 54444.3 requires agencies receiving Title I Migrant Education funding to conduct summer school for eligible migrant students in grades K-12; see BP/AR 6175 - Migrant Education Program.

Option 1 is for districts that are not required to offer summer school. Option 2 is for districts that are required to offer ELO programs on at least 30 non-school days pursuant to Education Code 46120.

The Superintendent or designee, with Board approval, may establish summer school day and/or evening classes.

The county/district's summer school program may be used to provide supplemental instruction to students needing remediation and/or enrichment in core academic subjects.

CSBA NOTE: The following optional list establishes enrollment priorities for the provision of summer school instruction and may be revised to reflect district practice. Item #1 should be deleted by districts that do not maintain high schools.

As appropriate, priority for enrollment in summer school programs shall be given to county/district students who:

1. Need course credits in order to graduate from high school before the beginning of the next school year
2. Have been retained or are at risk of being retained at their grade level
3. Demonstrate academic deficiencies in core curriculum areas

CSBA NOTE: Optional Item #4 establishes priority for summer school enrollment to at-risk student groups identified in the district's LCAP. Pursuant to Education Code 52060, the LCAP must include annual goals to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and students experiencing homelessness if there are at least 30 students in the subgroup (or at least 15 foster youth or students experiencing homelessness) in the school or district. For schools or districts with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction with approval by the State Board of Education.

4. Are in targeted student groups identified in the district's LCAP as needing increased or improved services to succeed in the educational program

CSBA NOTE: For the 2022-23 school year, districts receiving ELO funds are required to offer access to ELO programs to all unduplicated students in grades TK-6 and to provide access to such programs to at least 50 percent of enrolled unduplicated students.

Commencing with the 2023-24 school year, districts with a prior fiscal year local control funding formula (LCFF) unduplicated pupil percentage (UPP) of at least 75 percent are required to offer access to ELO programs to all classroom-based students in grades TK-6 inclusive, and to ensure that access is provided to any student whose parent/guardian requests placement in an ELO program. Districts with a prior fiscal year LCFF UPP of less than 75 percent are required to offer access to ELO programs to all unduplicated students in grades TK-6, inclusive, and ensure that access is provided to any unduplicated student whose parent/guardian requests placement in an ELO program.

5. Are in grades transitional kindergarten (TK)-6 and are required to be offered or provided access to Expanded Learning Opportunities Programs pursuant to Education Code 46120 and BP/AR 5184.2 - Before/After School Programs

The remaining openings shall be offered to other county/district students on a first-come first-served basis.

Because summer courses cover extensive instructional content in a relatively short time period, students who have more than three excused absences or one unexcused absence may not receive credit for summer session class(es) unless they make-up missed work in accordance with law, Board policy, and administrative regulation.

CSBA NOTE: State funding is not available for transportation to summer school. To accommodate students and parents/guardians who need to provide their own transportation, some districts rotate the sites at which summer sessions are offered, as provided in the following optional paragraph.

Sites for summer school programs may be rotated in an effort to make summer school programs more accessible to all students, regardless of residence or regular attendance area, and to accommodate the maintenance needs of county/district schools.

CSBA NOTE: The following optional paragraph should be revised to reflect indicators for program evaluation that have been agreed upon by the Board and Superintendent, as well as a timeline for reports to the Board.

The Superintendent or designee shall annually report to the Board on summer school enrollment in the current year and previous year for the program as a whole and disaggregated by grade level, school that the students attend during the regular school year, and student population. In addition, ~~he/she~~ the Superintendent or designee may report on the extent to which students successfully achieved the outcomes established for the program.

#### Additional Summer Learning Opportunities

CSBA NOTE: The following optional section may be revised to reflect district practice and may be adapted for use during intercessions other than summer break. For further information about summer learning opportunities, see BP/AR 5148.2 - Before/After School Programs and CSBA's Summer Learning and Wellness Resource Guide.

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's District and County Office of Education Legal Services or district legal counsel. See also BP/AR 3260 - Fees and Charges.

The Superintendent or designee may collaborate with parents/guardians, Sierra County Office of Education, city and county agencies, community organizations, child care providers, and/or other interested persons to develop, implement, and build awareness of organized activities that support summer learning.

Strategies to support summer learning may include, but are not limited to:

1. Providing information to students and parents/guardians about summer reading programs scheduled to be conducted by public libraries or community organizations
2. Collaborating with the local parks and recreation agency and/or community organizations to provide day camps, sports programs, or other opportunities for physical education and activity
3. Collaborating with workforce development agencies, businesses, and community organizations to provide summer job training opportunities that include an academic component
4. Encouraging reading in the home, such as providing lists of recommended reading to students and parents/guardians, establishing a target number of books or pages, and providing prizes for achievement of reading goals
5. Assigning summer vacation homework in core curricular subject(s) for extra credit
6. Conducting occasional, interactive "fun days" during the summer to provide activities related to art, music, science, technology, mathematics, environmental science, multicultural education, debate, or other ~~subjects~~ subject

7. Arranging opportunities for community service

SIERRA COUNTY OFFICE OF EDUCATION  
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**Board Policy Manual**  
**Sierra County/Sierra-Plumas Joint Unified School District**

**Board Bylaw****Bylaw 9270: Conflict Of Interest**

CSBA NOTE: The determination as to whether a conflict of interest exists must be analyzed under two separate sets of statutes: (1) the conflict of interest provisions of the Political Reform Act (PRA) (Government Code 87100- 87505), detailed in the section below entitled "Conflict of Interest under the Political Reform Act," and (2) Government Code 1090-1098, detailed in the section below entitled "Conflict of Interest under Government Code 1090 - Financial Interest in a Contract." Even when a conflict does not exist pursuant to those statutes, a violation might still occur under the common law doctrine against conflict of interest; see the section below entitled "Common Law Doctrine Against Conflict of Interest."

Because the law and definitions are quite complex, it is strongly recommended that districts consult with CSBA's District and County Office of Education Legal Services or district legal counsel, and staff from the Fair Political Practices Commission (FPPC), as soon as a potential conflict is presented.

~~The Board of Education~~The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her/the Board member's, district employee's, or other designated persons financial, family, or other personal interest or consideration.

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her/the Board member's relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her/the Board member's relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

CSBA NOTE: The following paragraph reflects the common law definition of "relative within the third degree."

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

CSBA NOTE: The Governing Board is required to adopt a conflict of interest code in compliance with Government Code 87300-87313. Board members and employees designated in the district's conflict of interest code are required by Government Code 87500 to annually file a Statement of Economic Interest/Form 700 to disclose any assets and income which may be materially affected by official actions. Under the PRA, there are two separate categories of Form 700 disclosure requirements. For the first category pursuant to Government Code 87302, which is applicable to most school districts, the disclosure requirements are determined by the district and set forth in the district's conflict of interest code. The second category, pursuant to Government Code 87200, is only applicable to Board members and designated employees who "manage public investments"; see section below entitled "Additional Requirements for Boards that Manage Public Investments." Those Board members and designated employees, referred to by the FPPC as Government Code 87200/Article 2 filers, must file broader disclosure statements pursuant to the disclosure requirements specified in law and FPPC regulation.

Pursuant to Government Code 87303, the district's conflict of interest code must be approved by the appropriate code reviewing body. For districts located entirely in one county, the code reviewing body is the board of supervisors of the county in which the district is located. The FPPC is the code reviewing body for those school districts located in more than one county.

Pursuant to 2 CCR 18730, the requirements of the Government Code are satisfied if a district adopts a conflict of interest code that incorporates 2 CCR 18730 by reference, along with a list of designated positions and disclosure categories. The accompanying exhibit (E 9270) contains a sample resolution that includes an appendix with designated positions and disclosure categories which, once adopted by the Board, will comprise the terms of the district's conflict of interest code that should be submitted to the code reviewing body.

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

#### Conflict of Interest under the Political Reform Act

CSBA NOTE: The FPPC has adopted an eight-step analysis, detailed in Government Code 87100-87500, 2 CCR 18700-18755, and interpretive opinions, to determine whether a conflict of interest exists under the PRA. When such a conflict exists, the affected district official must disclose the interest and not participate in the decision, as specified below. Because Family Code 297.5 grants a registered domestic partner the same rights, protections, and benefits as a spouse under state law, analysis of a conflict of interest with regards to a Board member's spouse is also applicable to a registered domestic partner.

A district official, including a Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her an official position to influence a governmental decision in which he/she the district official knows or has reason to know that he/she has there is a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her district official, the district official's immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)18707)

A Board member, designated employee, or other person in a designated position district official makes a governmental decision when he/she, acting, within the authority of his/her the office or position, the district official authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before another district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

CSBA NOTE: 2 CCR 18705 permits a Board member who is financially interested in a contract to participate in making a decision on the contract if (1) the Board member discloses the existence of the conflict and describes with particularity the nature of the financial interest in the contract; (2) gives a summary description of the circumstances under which the Board member believes the conflict may arise; and (3) either the Board member, another Board member, or a district employee discloses the legal basis for concluding that no alternative source of decision exists for the district. In general, this rule will permit a district to acquire an essential supply or service. CSBA strongly recommends that CSBA's District and County Office of Education Legal Services or district legal counsel be consulted when situations arise involving the rule of necessity, as strict compliance is required.

However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her However, a district official shall participate in the making of a contract in which the district official has a financial interest if such participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

### Conflict of Interest from Campaign Contributions

CSBA NOTE: Pursuant to Government Code 84308, as amended by SB 1439 (Ch. 848, Statutes of 2022), elected district officers, such as Board members, and "agency heads", which likely include Superintendents, are prohibited from participating in decisions involving parties who have provided campaign contributions of more than \$250 in the prior 12 months to the officer's campaign committee. Such officers are also prohibited from accepting, soliciting, or directing campaign contributions of more than \$250 from a party or participant who has a financial interest in a Board decision, to any campaign committee while the decision is pending and for 12 months after the decision is made. These provisions do not apply to labor contracts, competitively bid contracts, and personal employment contracts.

To avoid improper influence over the Board's decision-making involving the issuance of a license, permit, or other entitlements for use, including a contract, district officers, which includes Board members or agency heads, shall comply with Government Code 84308, including the following: (Government Code 84308)

1. A district officer is prohibited from accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, if the Board member knows or has reason to know that the party or participant has a financial interest in the Board's decision.
2. Any district officer who received a contribution of more than \$250 from a party or participant in the preceding 12 months shall disclose that fact on the record of the proceeding prior to the Board rendering a decision in the proceeding. If the district officer willfully or knowingly received the contribution and knows or has reason to know that the participant has a financial interest in the Board's decision, the district officer shall not make, participate in making, or in any way attempt to use the official position to influence the Board's decision.
3. A district officer who receives a contribution that would otherwise require disqualification as described in Item #2 above may participate in the proceeding if the contribution is returned within 30 days from the time the district officer knows or should have known about the contribution and the proceeding.
4. A district officer who unknowingly accepts, solicits, or directs a contribution of more than \$250 during the 12 months after the date of the Board's final decision on the proceeding may cure the violation by returning the contribution, or the portion exceeding \$250, within 14 days of accepting, soliciting, or directing the contribution, provided the district officer did not knowingly or willfully accept, solicit, or direct the prohibited contribution. The district officer shall maintain records of curing the violation.

The provisions in Government Code 84308 as specified above do not apply to labor contracts, competitively bid contracts, and personal employment contracts. (Government Code 84308)



## Additional Requirements for Boards that Manage Public Investments

CSBA NOTE: The following optional section is for use only by districts in which the Board and/or designated employees are considered to be "officials who manage public investments" and who are required to file a full financial disclosure statement in accordance with Government Code 87200. It should be deleted by all other districts. See the accompanying exhibit for further information.

According to the FPPC, officials who manage public investments are boards or designated employees who manage the investment of district surplus or special reserve funds in permitted securities and investments pursuant to Education Code 41015. Those boards that direct the investment of these funds, formulate or approve policies for the investment of these funds, even if they delegate day-to-day investment decisions to staff, or approve investment transactions involving these funds are considered officials who manage public investments.

The Board does not manage public investments when the district does not have any surplus or special reserve funds to invest and merely deposits all funds it receives (1) in the county treasury pursuant to Education Code 41001- 41002.5 or (2) in a fund where a Tax and Revenue Anticipation Note (TRANS) is issued. Board members and superintendents in these types of situations are not considered to have discretion regarding the investment of the district's money and are therefore not officials who manage public investments.

Any Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18707)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.

Recuse himself/herself from discussing and voting

2. Not discuss or vote on the matter, or otherwise act in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/sheThe Board member may listen to the public discussion and deliberations of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but shall either make a motion to remove the item from the consent calendar or the Board member shall abstain from voting on the consent calendar. In any event, the Board member shall refrain from discussing or voting on the item. However, the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/herthe interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/herthe recusal is because of a conflict of interest pursuant to ~~Gov~~Government Code 87100. He/sheThe Board member shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

## Conflict of Interest under Government Code 1090 - Financial Interest in a Contract

CSBA NOTE: Pursuant to Government Code 1090, if a Board member has a financial interest in a contract, it is an absolute bar for that district to enter into the contract. The Attorney General has opined in 69 Ops.Cal.Atty.Gen. 255 (1986) that, unlike the PRA, the prohibitions in Government Code 1090 cannot be resolved by having the financially interested Board member abstain from participating in the matter. However, there are two categories of exceptions. If a financial interest meets the definition of a "noninterest" as specified in Government Code 1091.5, then the restrictions in Government Code 1090 do not apply and the district can enter into the contract. Secondly, if a Board member's interest is deemed a "remote interest" pursuant Government Code 1091, then the district can enter into the contract as long as certain conditions are satisfied, as specified below.

While the prohibitions in the PRA only apply to designated employees, the prohibitions in Government Code 1090 apply to all district employees and consultants. California appellate courts have ruled in McGee v. Balfour Beatty Construction LLC and Davis v. Fresno Unified School District that Government Code 1090 applies to consultants, including corporate consultants, who fill the roles and positions of officers, employees, and agents of the district. However, the Attorney General has opined in 63 Ops.Cal.Atty.Gen. 868 (1980) that an employee's financial interest would not prohibit the district from entering into a contract as long as the employee has not participated in the making of the contract, such as in discussions and planning, as detailed below.

Government Code 1090 does not define financial interest, but courts have held that, for the purposes of this statute, the definition of "financial interest" is not the same as the definition in the PRA which requires a "material financial effect" in order for a conflict to exist. Because the determination of whether a financial interest exists involves a review of statutes, court decisions, and Attorney General opinions as they apply to the particular facts at issue, the analysis can be complex and CSBA's District and County Office of Education Legal Services or district legal counsel should be consulted as appropriate.

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void. (Government Code 1090)

CSBA NOTE: The district may enter into a contract when a Board member's interest is a "remote interest" as defined in Government Code 1091. Generally, this issue arises when the district wishes to enter into a contract with the Board member's employer. When the conditions specified in Government Code 1091 are satisfied (e.g., Board member is an employee of a nonprofit organization, the employer has at least 10 employees, and the Board member has been employed more than three years), then the district may enter into the contract as long as the affected Board member discloses the remote interest and abstains from the matter.

Board members who willfully fail to disclose a remote interest in a contract may be subject to a fine or imprisonment pursuant to Government Code 1097.

A Board member shall not be considered to be financially interested in a contract in which ~~he/she~~ has there is only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into the contract. (Government Code 1091)

CSBA NOTE: Pursuant to Government Code 1091.5, certain financial interests are defined as "noninterests," meaning a conflict of interest does not exist and the district can enter into the contract. One of the noninterests listed in Government Code 1091.5 is when a Board member's spouse has been employed by the district for at least one year prior to the Board member's election or appointment. If the spouse has not been employed by the district for at least one year prior to the Board member's election or appointment, the exception does not apply and Government Code 1090 prohibits the district from entering into a new contract to hire the spouse. (80 Ops.Cal.Atty.Gen. 320 (1997))

Attorney General opinions and case law have further clarified the application of this noninterest exception when a previously employed spouse changes to a different position during the Board member's term. Generally, these opinions have held that a lateral transfer or change of classification that does not require Board approval (e.g., second year probationary teacher automatically achieving permanent status, step increase) is the same employment not requiring a new contract and thus constitutes a noninterest. (92 Ops.Cal.Atty.Gen. 26 (2009), 87 Ops.Cal.Atty.Gen. 23 (2004)) However, when a new contract is involved (e.g., promotion from classroom teacher to principal, substitute employee becoming a probationary employee), the exception in Government Code 1091.5 does not apply and the action would be prohibited under Government Code 1090 because Board approval of the contract is required. (Thorpe v. Long Beach Community College District, 69 Ops.Cal.Atty.Gen. 255 (1986))

Because this area of law is complex, it is strongly recommended that CSBA's District and County Office of Education Legal Services or district legal counsel be consulted if a Board member's spouse is an employee of the district or when analyzing whether an interest is a noninterest or remote interest.

In addition, a Board member shall not be considered to be financially interested in a contract in which his/herthe interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment of his/hera spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.

#### Common Law Doctrine Against Conflict of Interest

CSBA NOTE: Even when there is not a conflict pursuant to the PRA (Government Code 87100-87505) or Government Code 1090, the Attorney General has found that special situations may still exist under the common law doctrine against conflict of interest which, unlike the statutes, extends to noneconomic interests. In 92 Ops.Cal.Atty.Gen. 19 (2009), the Attorney General opined that a redevelopment board member should abstain from voting on a loan agreement where the recipient of the loan was a corporation owned by the board member's adult son. Although the board member was not financially interested in the contract under the PRA or Government Code 1090, the Attorney General determined that abstention was necessary in order to avoid a conflict between the member's official and personal interests and to avoid the appearance of impropriety.

Districts are encouraged to consult CSBA's District and County Office of Education Legal Services or legal counsel if situations arise that raise the question as to whether such a conflict exists.

A Board member shall abstain from any official action in which his/herthe Board member's private or personal interest may conflict with his/her official duties.

#### Incompatible Offices and Activities

CSBA NOTE: Government Code 1099 and 1126 prohibit Board members and employees from engaging in any employment or activity which is inconsistent, incompatible, in conflict with, or inimical to their duties with the district. Government Code 1126 mandates the district to adopt procedures regarding this prohibition. See BP 4136/4236/4336 - Nonschool Employment for language implementing this mandate relative to employees.

Attorney General opinions have indicated that it would be incompatible for Board members to serve on other elected or appointed boards, councils, or commissions that have interests which may conflict with the interests of the district (105 Ops.Cal.Atty.Gen. 69 (2022), 85 Ops.Cal.Atty.Gen. 60 (2002); 68 Ops.Cal.Atty.Gen. 171 (1985); 65 Ops.Cal.Atty.Gen. 606 (1982)). If a Board member is sworn into an incompatible office, then the Board member's position in the prior office is automatically terminated.

Pursuant to Education Code 35107, an employee of a school district may not be sworn into office as an elected or appointed member of that district's Board unless the Board member resigns as an employee.

If the employee does not resign, the employment automatically terminates when is sworn into office. See BB 9220 - Governing Board Elections.

The determination as to whether an activity or office is incompatible is complex and requires a case-by-case analysis of the particular activities or duties of the office; therefore, it is recommended that CSBA's District and County Office of Education Legal Services or district legal counsel be consulted as appropriate.

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

## Gifts

CSBA NOTE: Pursuant to 2 CCR 18730, the gift limitation is currently \$590. This amount is adjusted in odd- numbered years by the FPPC. Pursuant to Government Code 89503, Board members and candidates are subject to gift limitation for gifts from all sources except when exempted by law or regulation. For those Board members who file a Form 700 based on the disclosure categories specified in the district's conflict of interest code pursuant to Government Code 87302 (see the accompanying exhibit), the gift limit is only applicable as to those individuals and entities that are disclosed on the Form 700.

Several exceptions exist within the Government Code's definitions of gifts, income, interest in real property, and investment; see Government Code 82028, 82030, 82033, and 82034. If questions arise as to such exceptions, the district may seek clarification from the FPPC through email to [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or consult CSBA's District and County Office of Education Legal Services or district legal counsel.

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

CSBA NOTE: Board members and designated employees may, in the circumstances described in Government Code 89506, receive payments, advances, or reimbursements for travel and related lodging and subsistence, which will not be subject to the gift limit set in Government Code 89503.

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation, except when: (Government Code 89506)

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.
2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in ~~items~~Items #1 and 2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

#### Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches
- ~~1.~~ 2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

SIERRA COUNTY OFFICE OF EDUCATION  
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT  
Bylaw adopted: September 14, 2010  
revised: July 12, 2016  
revised: ??, 2023

**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)

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

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

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

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

CSBA NOTE: Government Code 54952.2 specifies that briefings between staff and Board members are permissible in order to answer questions or to provide information, as long as the briefing is not used to communicate the comments or position of any other Board member.

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)

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

Government Code 54953, as amended by AB 2449 (Ch. 285, Statutes of 2022), requires boards to maintain and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the ADA, and to resolve any doubt in favor of accessibility.

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. -Any doubt about a request for accommodation shall be resolved in favor of accessibility. (Government Code 54953, 54953.2, 54954.1, 54954.2)

Notice of the procedure for receiving and resolving requests for accommodation described above shall be given in each instance in which notice of the time of a meeting is otherwise given or the agenda for the meeting is otherwise posted. (Government Code 54953)

#### Regular Meetings

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

The 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.

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

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

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). One or more locations freely accessible to members of the public shall include the following, at minimum:

1. The meeting site listed on the agenda
2. Each school site within the district
3. All possible Post Office locations within the district

CSBA NOTE: Pursuant to Government Code 54957.5, the agenda must list the address where the public can inspect agenda materials that are distributed to Board members less than 72 hours before a regular meeting. Pursuant to Government Code 54957.5, as amended by AB 2647 (Ch. 971, Statutes of 2022), when agenda materials are distributed to all or a majority of the Board less than 72 hours before a regular meeting and outside of regular business hours, the materials may be posted on the district's web site in satisfaction of the Brown Act if specified requirements are met. Districts with questions regarding this exception are encouraged to consult CSBA's District and County Office of Education Legal Services or district legal counsel. Also see BB 9322 - Agenda/Meeting Materials.

In addition, pursuant to the California Public Records Act (Government Code 7920.000 - 7930.170), agenda materials related to an open session of a Board's regular meeting are "public records" and are subject to the inspection of any member of the public. For a list of documents subject to disclosure by the district, see BP/AR 1340 - Access to District Records.

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

#### Special Meetings

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

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members.

However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent, assistant superintendent, or other management employee as described in Government Code 3511.1. -(Government Code 54956)

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

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the district's 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

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

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

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

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

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

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

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

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~~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)

#### Traditional 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)

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. (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

Unless a Board member participates by teleconference pursuant to the provisions described in the sections "Teleconferencing During a Personal Emergency," "Teleconferencing For 'Just Cause'" or "Teleconferencing During a Proclaimed State of Emergency" below, 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 and the public shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including have the right of the public to address the Board directly at each teleconference location.~~ Additional teleconference locations may be provided to the public. (Government Code 54953)

### Teleconferencing During a Personal Emergency

CSBA NOTE: Government Code 54953, as amended by AB 2449, authorizes a Board member, from January 1, 2023 until January 1, 2026, to attend meetings by teleconference due to emergency circumstances, as described below.

Until January 1, 2026, with approval from the majority of the Board, a Board member may be permitted to participate in a meeting remotely when a physical or family medical emergency prevents the Board member from attending in person. The Board member requesting to appear remotely shall notify the Board of the emergency situation as soon as possible, and provide a concise general description of the circumstances relating to the Board member's need to appear remotely. The Board member shall not be required to disclose any disability, medical diagnosis, or personal medical information exempt under existing law. (Government Code 54953)

A Board member may not appear remotely under emergency circumstances for more than 20 percent of the Board's regular meetings or for more than three consecutive months. If the Board meets less than 10 times in a calendar year, a Board member may not appear remotely under emergency circumstances for more than two meetings. (Government Code 54953)

When a Board member is approved to participate remotely due to emergency circumstances, the Board member is not required to participate from a location which is accessible to the public and the location does not need to be identified on the agenda. (Government Code 54953)

If permitted to participate remotely, the Board member shall utilize both audio and visual technology and publicly disclose, before any action is taken, whether any other individuals 18 years or older are present in the remote location with the Board member, and the general nature of the member's relationship with such individuals. (Government Code 54953)

The district shall also provide public access to the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with public comment being allowed via the remote platform as well as in person and the public shall be able to offer comments in real time. The agenda shall include information describing how members of the public can access the platform. (Government Code 54953)

If a disruption prevents broadcasting the meeting to members of the public using the call-in option or internet-based service option, or a disruption that is within the Board's control prevents members of the public from offering public comments using the call-in option or internet-based service option, the Board shall not take action on agenda items until public access to the meeting is restored. (Government Code 54953)

### Teleconferencing for "Just Cause"

CSBA NOTE: Government Code 54953, as amended by AB 2449, authorizes a Board member, from January 1, 2023 until January 1, 2026, to attend meetings by teleconference for just cause, as described below.

A Board member may be permitted to appear remotely, pursuant to the provisions below, for just cause for no more than two meetings per calendar year. A Board member appearing for just cause shall notify the Board at the earliest possible opportunity of the need to participate in the meeting remotely, including at the start of a regular meeting. (Government Code 54953)

Just Cause may exist for any of the following: (Government Code 54953)

1. A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a Board member to participate remotely
2. A contagious illness prevents a Board member from attending in person
3. A Board member has a need related to a physical or mental disability not otherwise reasonably accommodated
4. A Board member is traveling while on official business of the Board or another state or local agency

When a Board member participates remotely for just cause, the Board member is not required to participate from a location which is accessible to the public and the location does not need to be identified on the agenda. (Government Code 54953)

If the Board member participates remotely, the Board member shall utilize both audio and visual technology and publicly disclose, before any action is taken, whether any other individuals 18 years or older are present in the remote location with the Board member, and the general nature of the member's relationship with such individuals. (Government Code 54953)

The district shall also provide public access to the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with public comment being allowed via the remote platform as well as in person and the public shall be able to offer comments in real time. The agenda shall include information describing how members of the public can access the platform. (Government Code 54953)

If a disruption prevents broadcasting the meeting to members of the public using the call-in option or internet-based service option, or a disruption that is within the Board's control prevents members of the public from offering public comments using the call-in option or internet-based service option, the Board shall not take action on agenda items until public access to the meeting is restored. (Government Code 54953)

#### Teleconferencing During a Proclaimed State of Emergency

CSBA NOTE: Pursuant to Government Code 54953, boards are authorized, until January 1, 2024, to conduct board meetings by teleconference as specified below when holding a board meeting during a proclaimed state of emergency pursuant to Government Code 8625-8629 when any of the following circumstance exist: (1) state or local officials have imposed or recommended measures to promote social distancing; (2) to determine whether, as a result of an emergency, meeting in person would present imminent risks to the health or safety of attendees; or (3) when it has been determined, as a result of an emergency, that meeting in person would impose such risks.

California's COVID-19 State of Emergency ended on February 28, 2023. However, a Board may continue to conduct Board meetings by teleconference until January 1, 2024 if there is a proclaimed state of emergency (e.g. a natural disaster) and it meets all of the necessary requirements of Government Code 54953.

While a resolution is not required by law to make findings required by Government Code 54953, CSBA offers sample resolutions available on its web site for (1) recognizing a state of emergency and authorizing teleconferenced meetings and (2) recognizing a state of emergency and re-authorizing teleconferenced meetings. CSBA recommends that if resolutions are not utilized, the motion and findings to authorize or reauthorize emergency teleconferenced meetings are included in the meeting minutes.

Until January 1, 2024, 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 using the call-in option or ~~for~~ internet-based service option, or in the event of a disruption within the district's control that prevents members of the public ~~to offer~~from offering 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  
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