

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

September 10, 2024

5:00pm CLOSED Session

6:00pm Regular Session

Meeting Location:

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

Zoom for the public:

Link: <https://us02web.zoom.us/j/86452156396>

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

Webinar ID: 864 5215 6396

Board Members:

Area 1: Patty Hall (Clerk) – phall@spjUSD.org

Area 2: Rhynie Hollitz – rhollitz@spjUSD.org

Area 3: Christina Potter (Vice President) – cpotter@spjUSD.org

Area 4: Kelly Champion (President) – kchampion@spjUSD.org

Area 5: Richard Jaquez – rjaquez@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(s) or designee in writing.

Any student or parent/guardian who wishes to have directory information or personal information, as defined in Education Code 49061 and/or 49073.2, be excluded from the minutes should contact the Superintendent(s) 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.sierracountyschools.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 will move into Closed Session to discuss the following item(s):

1. Government Code 54956.9
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)
Number of potential cases: one (1)
2. Government Code 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 105 Beckwith St, Loyalton CA 96118
Sierra COE Negotiator: James Berardi, Superintendent
Party with whom Sierra COE is Negotiating: City of Loyalton
Under Negotiation: Price and Terms of Payment

F. RETURN TO OPEN SESSION and ADJOURN FOR BREAK

G. 6:00PM – RECONVENE

H. FLAG SALUTE

I. REPORT OUT FROM CLOSED SESSION

J. INFORMATION ITEMS

1. Superintendent Reports

COUNTY—SCOE

a. SCOE Personnel Items:

1. Resignation for Amber Baca-Sainsbury, Instructional Aide, Downieville Schools, .5833 FTE (3.5hours/day), effective August 13, 2024

DISTRICT—SPJUSD

- b. Opening of School Activities
- c. Bear Fire Response Efforts
- d. Girl's Softball Field – community meeting rescheduled for September 11th
- e. Facility Priorities List for the 2024-2025 School Year**
- f. Roof project for Downieville School
- g. California Agricultural Teachers' Induction Program MOU with Davis Joint Unified School District, Contract No. 2025-008D**

2. Business Report

- a. RFQ CALSHAPE**
- b. Addition of 1.0 FTE Teacher at Loyalton High School
- c. Account Object Summary-Balance from 07/01/2024 to 08/31/2024
 1. SCOE**
 2. SPJUSD**
- d. Most recent Inter-District Attendance Agreements approved**
- e. First Day Enrollments for the 2024-2025 School Year**

3. Staff Reports

- a. SCOE
- b. SPJUSD
 1. FFA Calendar for the 2024-2025 School Year**

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.

K. CONSENT CALENDAR

1. Approval of minutes for the Regular Joint Meeting held August 13, 2024**
2. Approval of Board Report-Checks Dated 08/01/2024 through 08/31/2024
 - a. SCOE**
 - b. SPJUSD**
3. Biennial Review of the Conflict of Interest Code – no changes
 - a. SCOE**
 - b. SPJUSD**
4. Authorization for Out of State Travel request to Indianapolis, IN, for National FFA Convention—Caroline Griffin, former Loyalton High School FFA Coordinator**

5. Approval of the 2024-2025 SPJUSD Certificated Substitute List**
6. Approval of the following SPJUSD personnel items:
 - a. Assignment of Joshua Wilkinson, Maintenance, Loyalton, 1.0 FTE, effective August 14, 2024
 - b. Assignment of Sarah Torricelli, 2024-2025 Teacher-In-Charge, Loyalton High School
 - c. Resignation for Amber Baca-Sainsbury, Classroom Specialist, Downieville Schools, .50 FTE (3 hours/day), effective August 13, 2024
 - d. Authorization to fill Classroom Specialist, Downieville Schools, .50 FTE (3 hours/day)
 - e. Approval to add Teacher, Loyalton High School, 1.0 FTE
 - f. Authorization to fill Teacher, Loyalton High School, 1.0 FTE

L. ACTION ITEMS

1. New Business

COUNTY—SCOE

- a. Adoption of Resolution 25-003C, Adopting the Gann Limit**
- b. Appointment of members of the SCOE Student Attendance Review Board as follows:
 1. James Berardi, County Superintendent (Chairperson)
 2. J. Lon Cooper, Sierra County Public Defender
 3. Sandra Groven, Sierra County District Attorney
 4. Chuck Henson, Sierra County Chief Probation Officer (alternate: Sofia Gonzalez, Scott Quade)
 5. Christopher Fellini, Sierra County Behavioral Health
 6. Sheri Roen, Parent Representative
 7. Jamie Shiltz, Sierra County Social Services (alternate: Kristal Evans, Sarah McMahon)
 8. Kimberly Askew, Sierra County Foster Youth Services and McKinney-Vento Liaison
 9. Mike Fisher, Sierra County Sheriff

(Ed Code 48321 (a) (4) The school district representatives on the county school attendance review board shall be nominated by the governing boards of school districts and shall be appointed by the county superintendent of schools. All other persons and group representatives shall be appointed by the county board of education.)

DISTRICT—SPJUSD

- c. Adoption of Resolution 25-003D, Adopting the Gann Limit**
- d. Nomination of SPJUSD representatives for the SCOE Student Attendance Review Board as follows:
 1. James Berardi, Downieville School Administrator
 2. Caroline Griffin, Loyalton High School & Sierra Pass Administrator
 3. Staci Armstrong, Loyalton Elementary School Administrator
 4. Kristie Jacobsen, Secretary

(Ed Code 48321 (a) (4) The school district representatives on the county school attendance review board shall be nominated by the governing boards of school districts and shall be appointed by the county superintendent of schools. All other persons and group representatives shall be appointed by the county board of education.)
- e. Approval of Assignment(s) to Teach Core Subjects out of Credential Authorization for the 2024-2025 school year**

BOARD POLICIES AND 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.”

Batch from August 13th – Second Reading

- f. 2121—Superintendent's Contract^^
- g. 5113—Absences and Excuses^^
- h. 5126—Awards for Achievement^^
- i. 5144—Discipline^^
- j. 5145.6—Parent/Guardian Notifications**
- k. 6000—Concepts and Roles^^ – recommend DELETE
- l. 6115—Ceremonies and Observances^^
- m. 6141.2—Recognition of Religious Beliefs and Customs^^
- n. 6164.2—Guidance/Counseling Services^^
- o. 6175—Migrant Education Program^^
- p. 6177—Summer Learning Programs^^
- q. 7214—General Obligation Bonds^^

New for September 10th – First Reading

- r. 0410—Nondiscrimination in District Programs and Activities**
- s. 1312.3—Uniform Complaint Procedures**
- t. 4030—Nondiscrimination in Employment**
- u. 4033—Lactation Accommodation**
- v. 4119.11~4219.11~4319.11—Sex Discrimination and Sex-Based Harassment**
- w. 5145.3—Nondiscrimination/Harassment**
- x. 5145.7—Sex Discrimination and Sex-Based Harassment**
- y. 5146—Married/Pregnant/Parenting Students**

M. ADVANCED PLANNING

1. The next Regular Joint Board Meeting will be held on October 08, 2024, 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

N. ADJOURN



James Berardi,
County Superintendent



Sean Snider,
District Superintendent

** enclosed

* handout

^^ prior meeting handout

James Berardi, County Superintendent – jberardi@spjUSD.org

Sean Snider, District Superintendent – ssnider@spjUSD.org

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

Randy Jones, Director of Business Services/CBO – rjones@spjUSD.org

Office: 530-993-1660 x0

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

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

P.O. Box 955
109 Beckwith Road
Loyalton, California 96118

Sean Snider
Superintendent

Phone: (530) 993-1660
FAX: (530) 993-0828
Email: ssnider@spjUSD.org

Facilities Priorities by School Site 2024-25 School Year

District Projects

- Replace 3 ramps on portable classrooms / offices
- Continue research to obtain new portable classrooms or additional space for possible grades 6-8 realignment in Loyalton and wellness center.

Loyalton Elementary School

- Continue working with FEMA and CalOES on a new roof
- Begin research to replace all windows
- Carpet: 3 classrooms (summer 2025)
- Heating and Air unit in the kitchen
- Buzz in / buzz out single point entry system
- Paint some exterior and some interior walls
- Purchase generator and install wiring hookups on electrical panel for emergencies

Loyalton High School

- Continue working with FEMA and CalOES on roof repairs
- Begin research to replace all windows
- Buzz in / buzz out single point entry system
- Complete satellite cafeteria project and begin serving food
- Carpet: 3 classrooms (summer 2025)
- Get architectural plans completed and begin construction of a Girls' Softball Field
- Purchase generator and install wiring hookups on electrical panel for emergencies

Downieville School

- Replace roof on main building
- Gutters on back over exit doors
- New vent system in the shop
- Carpet: 3 classrooms (summer 2025)
- CalSHAPE plumbing and HVAC upgrades
- Purchase generator and install wiring hookups on electrical panel for emergencies

Sierra Pass Continuation School

- Ramp- top coat / sealant or replace



2024-2025 MEMORANDUM OF UNDERSTANDING

for the
**California Agricultural Teachers'
 Induction Program**
 between
Davis Joint Unified School District
 and



Sierra-Plumas Joint Unified School District (Participating District or LEA)

School District/LEA Name Here

General

This Memorandum of Understanding (MOU) is entered into between the Davis Joint Unified School District (DJUSD) – Local Educational Agency (LEA) for the California Agricultural Teachers' Induction Program (CATIP) – and the participating district or LEA listed above (referred to as "District" in this MOU) to participate in the California Agricultural Teachers' Induction Program. The effective date of this MOU is September 1, 2024 – June 30, 2025. The terms of this agreement shall remain in force unless mutually amended.

Purpose

The purpose of this Memorandum of Understanding is to establish a formal working relationship between the parties of agreement and to set forth the operative conditions that govern this partnership. The assumption of continued partnership for the **2024-2025** school year is made unless the District notifies the CATIP in writing on or **prior to January 31, 2025. Our Induction Program is designed to provide a two-year, individualized, job-embedded system of mentoring, support and professional learning that begins in the teacher's first year of teaching.**

Responsibilities – General

A) CATIP agrees to:

- 1) Provide support for direct program administration to conduct the accredited induction program per guidelines set forth by the Commission on Teacher Credentialing (CTC) and California Department of Education (CDE);
- 2) Provide office space, equipment, and meeting space for program activities;
- 3) Facilitate a process for equitable distribution of services to Teacher Candidates and Mentors in all participating districts and schools;
- 4) Convene a Teacher Induction Program Advisory Committee, establish regular meetings, and provide data on program requirements and clear credentialing;
- 5) Establish and maintain accurate program records and reports;
- 6) Maintain State of California approval and accreditation as an Induction Program and Credentialing Agency;
- 7) Advise Teacher Candidates about their involvement in the Induction Program and provide formative feedback about candidates' progress toward completion of the program;
- 8) Recommend for the California Clear Credential and process all credential applications for eligible Teacher Candidates;
- 9) Arrange for and monitor University of California, Davis Extension continuing education units for Teacher Candidates and 1st and 2nd year Mentors;
- 10) Provide the California Agricultural Teachers' Induction Program Assessment System materials to Teacher Candidates and Mentors (e.g. individualized learning plans, weekly conversation logs, curriculum, etc.);
- 11) Provide training in the California Agricultural Teachers' Induction Program coursework, including the Teaching Performance Expectations (TPE), California Standards for the Teaching Profession (CSTP), student academic and CTE content standards, Agriculture and Natural Resources Model Pathway Standards, and Induction Standards to Teacher Candidates and Mentors;
- 12) Provide relevant and research-based mentoring skills training to Mentors;
- 13) Provide induction program information to site administrators/district coordinator;
- 14) Select, monitor, and supervise professional development facilitators in accordance with Induction Program Standards;
- 15) Provide materials, facilitation, and presentation support for professional development facilitators;
- 16) Develop and establish contracts with outside vendors for professional services as needed Teacher Candidates/Mentors professional development and support;
- 17) Provide the Advisory Board, district superintendents and site administrators with information, clarify roles and responsibilities, and provide verification and accountability specific to the teacher credential process;

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2024-2025 MEMORANDUM OF UNDERSTANDING

- 18) Communicate with and advise District Human Resources departments, credential analysts, and school personnel regarding Induction, hiring implications, and procedures for compliance;
- 19) Establish and maintain an accountability system for all participants;
- 20) Collaborate with the Capital Region Induction Network Team, the Induction Consortium (Bay Area), and state-wide agricultural education stakeholders regarding the Induction Program;
- 21) Collaborate with Cluster Region One and California Commission on Teacher Credentialing for appropriate support and training and ensure participation at Cluster and Statewide program meetings; and
- 22) Supply reports and other information to the California Commission on Teacher Credentialing (CTC) and the California State Department of Education (CDE) as requested on all matters related to program requirements and activities.

B) The District agrees to:

- 1) Appoint a liaison who serves as the programmatic contact in the district, who normally oversees all activities within the district related to induction services and assumes the responsibilities of communicating with the California Agricultural Teachers' Induction Program (including notifying CATIP when a candidate leaves before the end of the school year, providing follow-up on Mentors and Candidates not meeting requirements, etc):

Sean Snider

Name of District Coordinator

530-993-1660 ext. 110

Phone

ssnider@spjUSD.org

Coordinator's Email Address

P.O. Box 955 Loyalton, CA 96118

Mailing Address

- 2) Establish a point of contact in District Accounts Payable for invoicing communication:

Adrienne Garza

Name

530-993-1660 ext. 150

Phone

aball@spjUSD.org

Email Address

P.O. Box 955 Loyalton, CA 96118

Mailing Address

- 3) Establish a Purchase Order for invoicing coordination:

\$2,250

PO #

PO Amount (\$2,550/Candidate/Year)

(If candidate will be paying for the program themselves indicate that here)

- 4) Confirm candidate availability for program participation according to criteria established by the Commission on Teacher Credentialing and the California Agricultural Teachers' Induction Program.
- 5) Separate CATIP formative assessment information from district employment evaluations.
- 6) Provide an update about participation with CATIP to the district's governing board during the tenure of this MOU.
- 7) Participate in CATIP evaluation.
- 8) Superintendent or designee coordinator/administrator maintains an informal position on the Teacher Induction Advisory Board for program networking, implementation, compliance, and program evaluation;
- 9) The Administrative member of the Advisory Board or District coordinator/ administrator may bring concerns or suggestions for change to the Advisory Board for discussion by submitting proposals no later than two weeks prior to the next Advisory Board meeting for inclusion on the agenda;
- 10) Advisory Board Representative and/or District Coordinator disseminate program information to site and district administrators, clarify roles and responsibilities of all program participants, and communicates program information to participants;
- 11) Upon hire, advise eligible Teachers about their responsibilities for Induction, enroll eligible candidates, and gather candidate credentialing information as needed by the Induction office. All teacher candidates who are teaching on a preliminary credential should be evaluated for eligibility. CTE Teachers are eligible to complete credential requirements, including

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California Agricultural Teachers' Induction Program (CATIP)

2024-2025 MEMORANDUM OF UNDERSTANDING

application for preliminary credential with prerequisites met. Teachers who have intern credentials may also be eligible if they have recently completed the intern program and have been granted a preliminary credential;

- 12) Ensure that Human Resources personnel and credential analysts are appropriately trained in protocols of advice and assistance to Induction Candidates;
- 13) Provide appropriate credential and advisement information to the CATIP office;
- 14) Select Mentors according CATIP Standards Qualifications¹;
- 15) Approve a Mentor to each Teacher Candidate according to CATIP Policies and in a timely way, within 30 days of program enrollment, that allows the pair to begin working together when teaching begins and not less than an average of 1 hour per week;
- 16) Conduct early site and/or district-based program information orientations that include information designated on the California Agricultural Teachers' Induction Program "Administrator Meeting" form;
- 17) Ensure that all staff administrators with Mentor(s) and/or Teacher Candidate(s) on staff complete the Program's annual survey regarding the Induction Program;
- 18) Establish working conditions for Teacher Candidates aligned with CATIP Standards;
- 19) Ensure that Teacher Candidates have core curriculum materials and appropriate content frameworks;
- 20) Encourage that all Teacher Candidates have course assignments with English Language Learners sufficient to allow completion of the English Language requirements of the Clear Credential and accordance with CATIP policies and accreditation;
- 21) Provide Teacher retention data to Induction Program upon request;
- 22) Provide Mentor release time for observation of the Teacher Candidates as required by the Induction activities (2 observations required each year);
- 23) Provide Teacher Candidates release time for observation of colleagues, reflection, and professional development activities tied to their Individual Learning Plan (ILP) as required by the Induction activities (2 observations required each year);
- 24) In the event of need, provide Mentor release time for Mentor training as required by the Induction program (for the Mentor's first and second years);
- 25) Develop and maintain a budget that allocates amounts sufficient to meet the costs of implementing its program responsibilities;
- 26) Process payment for authorized contracted services; and
- 27) Provide projection estimates of participating Teachers for the 2024-2025 school year to California Agricultural Teachers' Induction Program by **May 15, 2025** for continuing participants and in a timely manner, **June 30, 2025** onward, for new participants.

Responsibilities – Fiscal

- A) CATIP, in its association with YSCTC and DJUSD (accrediting agency with certification capacity as LEA), agrees to the overall fiscal responsibility for the funding of the administration of the program, including:
- 1) Invoice the District through the Accounts Payable contact (named in 'Responsibilities-General B.2') for each credential candidate per billing method selected below:
 - ☒ Billing will occur in September for \$2,550 per academic year with a **Net 30-day**.
 - ☐ Billing will occur in September for the amount of \$1,275 and January in the amount of \$1,275 to total \$2,550 per academic year with a **Net 30-day** return on each billing.
 - ☐ Candidate Self-Pay: Billing will occur monthly, beginning September through February with a **Net 30-day** return. 6-installments in the amount of \$425, to total \$2,550 per academic year.
 - ☐ District and Candidate will split costs in the following manner (to total \$2,550):
 - District agrees to be responsible for the following amount:
 - Candidate Teacher agrees to be responsible for the following amount:
 - 2) Assume overall fiscal responsibility for the administration of Induction funds and documentation required by the CDE and CCTC;
 - 3) Develop and maintain a balanced budget that reflects program priorities and implementation of the approved induction plan;
 - 4) Abide by the Teacher Expenditure Guidelines;
 - 5) Provide a stipend payment for each program Facilitator in accordance with CATIP Consortium and Facilitator memorandum of understanding.

California Agricultural Teachers' Induction Program (CATIP)

2024-2025 MEMORANDUM OF UNDERSTANDING

B) The District agrees to:

- 1) Approve the designation of a Mentor¹, by CATIP, to each credential candidate (novice teacher) within the first 30 days of the participant's enrollment in the program;
- 2) Coordinate any potential compensation of the identified Mentor¹ at the District's rates and policies. Any remuneration to the mentor will be outside of CATIP's purview, and above the annual program cost named herein;
 - i) Compensation to the mentor is suggested to be \$2,000/candidate/year, but is at the absolute discretion of the District's policies, hiring practices, and collective bargaining obligations.
- 3) Compensate the identified Mentor for each Teacher Candidate according to rates, policies and procedures at the District-level.
- 4) The California Agricultural Teachers' Induction Program must be informed of any changes to this language at least two weeks prior to the start of the Mentor's obligation to their candidate(s);
- 5) Payment for services from the California Agricultural Teachers' Induction Program to be **\$2,550** per Teacher Candidate per year, non-refundable, no proration;
- 6) Process Mentor and other payments in a timely way based upon approved MOUs and other budget documents; and
- 7) Provide Mentors and Teacher Candidates release time for training and observation in accordance with CTC regulations¹ and program (CATIP) guidance.

Program Participation

Insofar as permitted by law, Davis Joint Unified School District (LEA for YSCTC and CATIP) shall assume the defense and hold harmless District and/or any of its officers, agents or employees from any liability, damages, costs, or expenses of any kind whatsoever, including attorneys' fees, which may arise by reason of the sole fault or negligence of Davis Joint Unified School District, its officers, agents or employees, arising out of its performance under the terms of this agreement.

Insofar as permitted by law, the District shall assume the defense and hold harmless the Davis Joint Unified School District and/or any of its officers, agents or employees from any liability, damages, costs, or expenses of any kind whatsoever, including attorneys' fees, which may arise by reason of any harm to person(s) or property received or suffered by reason of the sole fault or negligence of the District, its officers, agents or employees, arising out of their performance under the terms of this agreement.

Compliance with Applicable Laws

This Memorandum of Understanding shall comply with all federal, state and local laws, rules, regulations and ordinances that are now or may in the future become applicable.

Other Conditions

Any and all products developed by California Agricultural Teachers' Induction Program are the exclusive property of the California Agricultural Teachers' Induction Program. Schools, districts, their employees, staff and subcontractors shall not have the right to disseminate, market, or otherwise use the products without the written permission of the California Agricultural Teachers' Induction Program.

¹ The District approves Mentors who:

- Possess a valid Professional Clear Teaching Credential and a minimum of 5 years of verified effective teaching experience in the context and content area of the candidate's teaching assignment (i.e. similar teaching assignment, grade level, type of school, etc.);
- Have been identified by CATIP, attend professional development organized by CATIP, and are agricultural educators in good standing with CATIP;
- Have a demonstrated commitment to professional learning and collaboration;
- Have the time, ability, willingness, and flexibility to meet candidates' needs for support; and
- Will act as an ambassador of the California Agricultural Teachers' Induction Program.

California Agricultural Teachers' Induction Program (CATIP)

2024-2025 MEMORANDUM OF UNDERSTANDING

Signing Process:

1. The School District gains approval and completes appropriate signatures through district processes and policies;
2. The School District Returns signed MOU to CATIP office via email (Jessica Cardoso - jcardoso@yscenter) OR regular postal service (DJUSD, c/o Jessica Cardoso YSCTC, 526 B Street, Davis, CA 95616); OR uploaded to this Google Folder
 - a. This shall be completed by September 1st for candidates enrolling in the program by September 1st, and by February 1st for those candidates enrolling mid-year.
3. CATIP will place MOU on DJUSD Board of Education Agenda for consent and signature;
4. CATIP will return a fully executed copy of this document to the School District for its records.

The parties signed below, as the signatory representatives for their associated organizations, affirm their commitment to the stipulations outlined in pages 1 through 4 above.



Signature

Sean Snider

Printed Name

Superintendent

Title

ssnider@spjUSD.org

Email

Sierra-Plumas Joint Unified School District

Organization

Signature

Russell Barrington

Printed Name

Director of Fiscal Services

Title

Date

Davis Joint Unified School District

Organization

Sierra-Plumas Joint Unified School District

Business Dept
PO Box 955
Loyalton, CA 96118-0955
(530) 993-1660 x150 **FAX** (530) 993-0828

PURCHASE ORDER
2025-0085
NO: D25-00181
DATE 08/22/2024

SHIP TO:
LOYALTON HIGH SCHOOL
700 4TH STREET
P.O. BOX 37
LOYALTON, CA 96118-0037

IMPORTANT INSTRUCTIONS TO VENDOR

1. Itemized INVOICES in Duplicate.
2. Enclose PACKING LIST with ALL shipments.
3. No deviation in PRICE or SUBSTITUTION in kind permitted.
4. All deliveries F.O.B. Destination unless otherwise specified. If freight is to be charged, prepay, and add to invoice.
5. THE LAW REQUIRES MATERIAL SAFETY DATA SHEETS FOR PRODUCTS ON THIS ORDER. PLEASE ENCLOSE WITH INVOICE.
6. Purchase order number must appear on packing slip.

ORDERED FROM:

DAVIS JOINT UNIFIED
SCHOOL DISTRICT
526 B STREET
DAVIS, CA 95616

FAX:

Vendor Telephone

| ORDER LOCATION | | | VENDOR # | REQUISITIONER | REQUISITION # |
|----------------------------|--------|------------------|---|---------------|-------------------|
| 060 - LOYALTON HIGH SCHOOL | | | 001010/1 | SEAN SNIDER | VR25-00198 |
| DATE REQUIRED | F.O.B. | TERMS OF PAYMENT | SHIP VIA | BUYER | RPQ # |
| ITEM | QTY | UNIT | DESCRIPTION | | EXTENSION |
| 1 | 1 | EACH | CA AGRICULTURAL TEACHERS' INDUCTION PROGRAM MOU | | \$2,250.00 |
| | | | Order Sub-Total | | \$2,250.00 |
| | | | Sales Tax | | .00 |
| | | | Shipping | | .00 |
| | | | Adjustment | | .00 |
| | | | Order Total | | \$2,250.00 |
| ACCOUNT DISTRIBUTION | | | AMOUNT | | |
| | | | 01-6266-0-1110-1000-5200-060-463-115 | | \$2,250.00 |

Acct

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

NOTICE INVITING BIDS

NOTICE IS HEREBY GIVEN that the Sierra-Plumas Joint Unified School District of Sierra County, California, acting by and through its Governing Board, hereinafter referred to as the “**Owner**” will receive at the stated location, up to but not later than the stated time, sealed bids for the award of the following contract (the “Contract”), including all appurtenant work, for the named project as follows:

CalSHAPE and Energy Efficiency Projects
Bid Package No. CalSHAPE24-01A

This is a District managed project with a single contractor.

Bids shall be presented on a bid form included in the bid package and delivered to:

Sierra-Plumas Joint Unified School District
Attention: Randy Jones, Business Manager
109 Beckwith Street
PO Box 955
Loyalton, CA 96118

The Owner will receive bids up to but no later than Wednesday, September 18, 2024, 2 pm. All bids will be promptly opened in public at the above address. Each bid must conform and be responsive to the Contract Documents. No bid may be withdrawn for ninety (90) days.

Each bid shall be in accordance with the plans, specifications, and other Contract Documents prepared by the Sierra-Plumas Joint Unified School District.

Project Guidelines: Licensed Contractors and subcontractors may obtain the Project Guidelines from the District website at:
https://www.sierracountyschools.org/apps/pages/index.jsp?uREC_ID=4394927&type=d.

Contractor License Classification: In accordance with the provisions of California Public Contract Code §3300, the District requires that Bidders possess the following classification(s) of California Contractors License at the time that the Bid Proposals are opened: **Class B, General Contractor with Asbestos and Lead Certification or Sub-Contractor with Asbestos and Lead Certification performing the Work or C-33 Painting Contractor with Asbestos and Lead Certification or Sub-Contractor with Asbestos and Lead Certification performing the Work.** Any Bidder not so duly and properly licensed shall be subject to all penalties imposed by law.

Each Bidder shall be a licensed contractor pursuant to the business and Professions Code §7059(b) and shall possess a current C33 contractor’s license. At the time this contract is

awarded, each bidder and bidder's subcontractor shall possess a current contractor's license of the appropriate class pursuant to Public Contract Code §3300. The successful bidder and bidder's subcontractors must maintain the license throughout the duration of this contract.

Bid Deposit/Bid Bond: Each Bidder must submit with each bid a cashier's check payable to the Sierra-Plumas Joint Unified School District or a bid bond in the form set forth in the Contract Documents in an amount not less than ten percent (10%) of the maximum amount of the bid as a guarantee that the bidder will enter into the proposed contract if the Contract is awarded to such bidder. If the bidder fails to enter into said contract, such security will be forfeited.

Basis of Award: The Owner intends to award an implementation agreement for energy conservation services under the provisions of California Government Code sections 4217.10-4217.18 which requires that program savings pay for the cost of improvements. The Owner, at its sole discretion, may select the awarded respondent(s) for subsequent phases of work under the CalSHAPE program and/or additional energy efficiency projects. The Owner, at its sole discretion, also reserves the right to reject any or all bidders.

Prevailing Wages: The successful Bidder and each of its subcontractors of any tier must pay not less than the general prevailing rates of per-diem wages in the locality in which the Work is to be performed for each craft or type of worker needed to execute the Contract ("Prevailing Wages"). The Prevailing Wages applicable to the Project are posted at the Project Site. The Compliance Monitoring Unit of the Department of Industrial Relations will enforce the Prevailing Wage requirements.

Payment and Performance Bonds: Within ten (10) days prior to the execution of the Contract, the successful bidder will be required to post a payment and a performance bond in the form set forth in the Contract Documents. All bonds must be executed by an admitted surety licensed to do business in the State of California. The surety-underwriting limit must be equal to or greater than the amount of the bid.

Pursuant to California Public Contract Code §22300, the Contract will contain provisions permitting the successful bidder to substitute eligible securities for any monies withheld by the Owner to ensure performance under the Contract. Contractor will bear all cost related to the substitution of securities.

Insurance: The awarded bidder will be required to provide the required insurance stated in the General Conditions with an insurer with an A.M. Best rating no less than an A-.

Owner's Rights: The Owner reserves the right to reject any and all bids, to waive any irregularities in any bid.

| Balances through August | | | | | | Fiscal Year 2024/25 |
|------------------------------|--------------------------------|-------------------|-------------------|-------------------|------------------|---------------------|
| Object | Description | Adopted Budget | Revised Budget | Encumbered | Expenditure | Account Balance |
| Fund 01 - Gen Fund | | | | | | |
| 1100 | Teachers Salaries | 445,349.00 | 445,349.00 | 425,351.71 | 13,138.70 | 6,858.59 |
| 1115 | Certificated Extra Duty | 500.00 | 500.00 | | 1,545.00 | 1,045.00- |
| 1120 | Certificated Substitutes | 8,621.00 | 8,621.00 | | | 8,621.00 |
| 1200 | Certificated Pupil Support Ser | 26,175.00 | 26,175.00 | 21,812.70 | 4,362.54 | .24- |
| 1300 | Certificated Supervisor Admini | 227,244.00 | 227,244.00 | 192,225.80 | 38,445.16 | 3,426.96- |
| Total for Object 1000 | | 707,889.00 | 707,889.00 | 639,390.21 | 57,491.40 | 11,007.39 |
| 2100 | Instructional Aides' Salaries | 188,908.00 | 188,908.00 | 180,796.01 | 5,574.55 | 2,537.44 |
| 2200 | Classified Support Salaries | 46,604.00 | 46,604.00 | 42,512.38 | 4,091.99 | .37- |
| 2201 | BUS DRIVER | 79,292.00 | 79,292.00 | 80,259.00 | 1,188.77 | 2,155.77- |
| 2220 | Classified Substitute Salaries | 2,000.00 | 2,000.00 | | | 2,000.00 |
| 2300 | Classified Supervisors' Admini | 148,879.00 | 148,879.00 | 129,713.70 | 17,625.88 | 1,539.42 |
| 2400 | Clerical Technical Office Staf | 247,939.00 | 247,939.00 | 211,736.70 | 40,858.07 | 4,655.77- |
| 2900 | Other Classified Salaries | 14,933.00 | 14,933.00 | | | 14,933.00 |
| Total for Object 2000 | | 728,555.00 | 728,555.00 | 645,017.79 | 69,339.26 | 14,197.95 |
| 3101 | STRS Certificated Positions | 193,472.00 | 193,472.00 | 115,581.80 | 10,899.19 | 66,991.01 |
| 3102 | STRS Classified Positions | 2,292.00 | 2,292.00 | | | 2,292.00 |
| 3202 | PERS Classified Positions | 184,742.00 | 184,742.00 | 159,988.50 | 20,123.01 | 4,630.49 |
| 3302 | OASDI Classified Positions | 45,521.00 | 45,521.00 | 38,179.79 | 4,120.64 | 3,220.57 |
| 3311 | Medicare Certificated Position | 9,981.00 | 9,981.00 | 8,778.14 | 802.87 | 399.99 |
| 3312 | Medicare Classified Positions | 10,658.00 | 10,658.00 | 8,931.41 | 964.58 | 762.01 |
| 3401 | Health & Welfare Benefits Cert | 119,871.00 | 119,871.00 | 117,597.20 | 5,496.56 | 3,222.76- |
| 3402 | Health & Welfare Benefits Clas | 158,351.00 | 158,351.00 | 156,308.00 | 16,208.03 | 14,165.03- |
| 3501 | SUI Certificated | 354.00 | 354.00 | 319.81 | 28.76 | 5.43 |
| 3502 | SUI Classified | 377.00 | 377.00 | 322.53 | 34.58 | 19.89 |
| 3601 | Workers' Compensation Certific | 27,359.00 | 27,359.00 | 22,534.18 | 2,061.05 | 2,763.77 |
| 3602 | Workers' Compensation Classifi | 29,254.00 | 29,254.00 | 22,928.56 | 2,476.18 | 3,849.26 |
| Total for Object 3000 | | 782,232.00 | 782,232.00 | 651,469.92 | 63,215.45 | 67,546.63 |
| 4100 | Approved Textbooks Core Curric | 9,021.00 | 9,021.00 | | | 9,021.00 |
| 4300 | Materials and Supplies | 123,314.00 | 123,314.00 | 10,143.51 | | 113,170.49 |
| 4320 | Custodial Grounds Supplies | 1,250.00 | 1,250.00 | | | 1,250.00 |
| 4330 | Office Supplies | 1,750.00 | 1,750.00 | 480.00 | | 1,270.00 |
| 4350 | Vehicle Upkeep | 5,000.00 | 5,000.00 | 2,663.94 | | 2,336.06 |
| 4400 | Noncapitalized Equipment | 30,734.00 | 30,734.00 | | | 30,734.00 |
| Total for Object 4000 | | 171,069.00 | 171,069.00 | 13,287.45 | .00 | 157,781.55 |
| 5100 | Subagreements for Services | 40,000.00 | 40,000.00 | | | 40,000.00 |

Balances through August

Fiscal Year 2024/25

| Object | Description | Adopted Budget | Revised Budget | Encumbered | Expenditure | Account Balance |
|---|--------------------------------|---------------------|---------------------|---------------------|-------------------|---------------------|
| Fund 01 - Gen Fund (continued) | | | | | | |
| 5200 | Travel and Conference | 23,117.00 | 23,117.00 | 6,258.16 | 33.84 | 16,825.00 |
| 5300 | Dues and Membership | 36,068.00 | 36,068.00 | 5,386.40 | 20,525.28 | 10,156.32 |
| 5400 | Insurance | 25,000.00 | 25,000.00 | | | 25,000.00 |
| 5500 | Operation Housekeeping Service | 16,400.00 | 16,400.00 | 11,820.11 | 179.89 | 4,400.00 |
| 5600 | Rentals, Leases, Repairs, Nonc | 2,500.00 | 2,500.00 | 244.73 | 48.26 | 2,207.01 |
| 5801 | Legal Services | 17,671.00 | 17,671.00 | 5,000.00 | | 12,671.00 |
| 5805 | Personnel Expense | 1,000.00 | 1,000.00 | | | 1,000.00 |
| 5808 | Other Services & Fees | 1,500.00 | 1,500.00 | 1,302.97 | 197.03 | .00 |
| 5810 | Contracted Services | 842,016.00 | 842,016.00 | 117,853.75 | 43,854.05 | 680,308.20 |
| 5899 | SPJUSD to Reimburse | 150,000.00 | 150,000.00 | 7,298.28 | 23,524.66 | 119,177.06 |
| 5900 | Communications | 15,600.00 | 15,600.00 | | | 15,600.00 |
| Total for Object 5000 | | 1,170,872.00 | 1,170,872.00 | 155,164.40 | 88,363.01 | 927,344.59 |
| 6200 | Building and Improvement of Bu | 25,000.00 | 25,000.00 | | | 25,000.00 |
| 6400 | Equipment | 20,000.00 | 20,000.00 | | | 20,000.00 |
| 6500 | Equipment Replacement | 15,000.00 | 15,000.00 | | | 15,000.00 |
| Total for Object 6000 | | 60,000.00 | 60,000.00 | .00 | .00 | 60,000.00 |
| 7310 | Direct Support/Indirect Costs | | | | | .00 |
| 7350 | Transfers of Indirect | 23,653.00- | 23,653.00- | | | 23,653.00- |
| Total for Object 7000 | | 23,653.00- | 23,653.00- | .00 | .00 | 23,653.00- |
| Total for Fund 01 and Expense accounts | | 3,596,964.00 | 3,596,964.00 | 2,104,329.77 | 278,409.12 | 1,214,225.11 |

Fund 11 - ADULT ED

| | | | | | | |
|------------------------------|--------------------------------|-------------------|-------------------|------------------|------------------|------------------|
| 1100 | Teachers Salaries | 58,800.00 | 58,800.00 | | 2,768.77 | 56,031.23 |
| 1300 | Certificated Supervisor Admini | 114,534.00 | 114,534.00 | 95,445.00 | 19,089.00 | .00 |
| Total for Object 1000 | | 173,334.00 | 173,334.00 | 95,445.00 | 21,857.77 | 56,031.23 |
| 2100 | Instructional Aides' Salaries | 1,000.00 | 1,000.00 | | | 1,000.00 |
| 2200 | Classified Support Salaries | 3,572.00 | 3,572.00 | | | 3,572.00 |
| 2400 | Clerical Technical Office Staf | 50,158.00 | 50,158.00 | 28,238.64 | 1,875.45 | 20,043.91 |
| Total for Object 2000 | | 54,730.00 | 54,730.00 | 28,238.64 | 1,875.45 | 24,615.91 |
| 3101 | STRS Certificated Positions | 38,307.00 | 38,307.00 | 18,230.00 | 4,174.84 | 15,902.16 |
| 3202 | PERS Classified Positions | 14,892.00 | 14,892.00 | 7,638.55 | 507.31 | 6,746.14 |
| 3302 | OASDI Classified Positions | 2,907.00 | 2,907.00 | 1,364.92 | 77.69 | 1,464.39 |
| 3311 | Medicare Certificated Position | 2,516.00 | 2,516.00 | 1,384.00 | 316.94 | 815.06 |
| 3312 | Medicare Classified Positions | 743.00 | 743.00 | 319.23 | 18.17 | 405.60 |
| 3401 | Health & Welfare Benefits Cert | 15,443.00 | 15,443.00 | 12,869.00 | 2,573.80 | .20 |

Selection Filtered by User Permissions, (Org = 1, Online/Offline = N, Fiscal Year = 2025, Period = 2, Unposted JEs? = N, Assets and Liabilities? = N, Restricted Accts? = Y, Object = 1-7, SACS Fund? = N, Fund Page Break? = N, Obj Lvl = 4, Obj Digits = 1, Page Break? = N)

| Balances through August | | | | | | Fiscal Year 2024/25 |
|--|--------------------------------|---------------------|---------------------|---------------------|-------------------|---------------------|
| Object | Description | Adopted Budget | Revised Budget | Encumbered | Expenditure | Account Balance |
| Fund 11 - ADULT ED (continued) | | | | | | |
| 3402 | Health & Welfare Benefits Clas | 17,537.00 | 17,537.00 | 15,942.30 | 1,594.23 | .47 |
| 3501 | SUI Certificated | 87.00 | 87.00 | 47.70 | 10.93 | 28.37 |
| 3502 | SUI Classified | 28.00 | 28.00 | 14.12 | .94 | 12.94 |
| 3601 | Workers' Compensation Certific | 6,879.00 | 6,879.00 | 3,552.70 | 813.61 | 2,512.69 |
| 3602 | Workers' Compensation Classifi | 1,902.00 | 1,902.00 | 819.45 | 46.64 | 1,035.91 |
| Total for Object 3000 | | 101,241.00 | 101,241.00 | 62,181.97 | 10,135.10 | 28,923.93 |
| 4300 | Materials and Supplies | 41,189.00 | 41,189.00 | 371.89 | 705.94 | 40,111.17 |
| 4330 | Office Supplies | 238.00 | 238.00 | 470.54 | 29.46 | 262.00- |
| 4350 | Vehicle Upkeep | 708.00 | 708.00 | | | 708.00 |
| 4400 | Noncapitalized Equipment | 7,354.00 | 7,354.00 | | | 7,354.00 |
| Total for Object 4000 | | 49,489.00 | 49,489.00 | 842.43 | 735.40 | 47,911.17 |
| 5200 | Travel and Conference | 1,648.00 | 1,648.00 | 155.43 | | 1,492.57 |
| 5300 | Dues and Membership | 708.00 | 708.00 | 1,400.00 | | 692.00- |
| 5500 | Operation Housekeeping Service | 6,707.00 | 6,707.00 | 6,933.33 | 266.67 | 493.00- |
| 5600 | Rentals, Leases, Repairs, Nonc | 1,178.00 | 1,178.00 | 1,100.00 | | 78.00 |
| 5801 | Legal Services | 238.00 | 238.00 | | | 238.00 |
| 5805 | Personnel Expense | 50.00 | 50.00 | | | 50.00 |
| 5810 | Contracted Services | 18,885.00 | 18,885.00 | 11,847.67 | 6,831.33 | 206.00 |
| 5900 | Communications | 1,648.00 | 1,648.00 | 2,683.25 | 272.75 | 1,308.00- |
| Total for Object 5000 | | 31,062.00 | 31,062.00 | 24,119.68 | 7,370.75 | 428.43- |
| 6200 | Building and Improvement of Bu | 64,106.00 | 64,106.00 | 4,000.00 | | 60,106.00 |
| 7350 | Transfers of Indirect | 23,653.00 | 23,653.00 | | | 23,653.00 |
| Total for Fund 11 and Expense accounts | | 497,615.00 | 497,615.00 | 214,827.72 | 41,974.47 | 240,812.81 |
| Fund 16 - FOREST RES | | | | | | |
| 7211 | Transfers of Pass-through Rev | 100,000.00 | 100,000.00 | | | 100,000.00 |
| 7619 | Other Authorized Interfund Tra | 46,000.00 | 46,000.00 | | | 46,000.00 |
| Total for Fund 16, Expense accounts and Object 7000 | | 146,000.00 | 146,000.00 | .00 | .00 | 146,000.00 |
| Total for Org 001 - Sierra County Office of Education | | 4,240,579.00 | 4,240,579.00 | 2,319,157.49 | 320,383.59 | 1,601,037.92 |

Balances through August

Fiscal Year 2024/25

| Object | Description | Adopted Budget | Revised Budget | Encumbered | Expenditure | Account Balance |
|------------------------------|--------------------------------|---------------------|---------------------|---------------------|-------------------|-------------------|
| Fund 01 - General FD | | | | | | |
| 1100 | Teachers Salaries | 2,222,499.00 | 2,222,499.00 | 1,920,588.47 | 6,309.83 | 295,600.70 |
| 1115 | Extra Duty Hourly | 44,527.00 | 44,527.00 | | 21,724.12 | 22,802.88 |
| 1120 | Certificated Substitutes | 57,288.00 | 57,288.00 | | | 57,288.00 |
| 1300 | Certificated Superv/Admin Sala | 423,435.00 | 423,435.00 | 421,385.10 | 84,277.02 | 82,227.12- |
| 1310 | Teacher In Charge/Head Teacher | 7,500.00 | 7,500.00 | | | 7,500.00 |
| Total for Object 1000 | | 2,755,249.00 | 2,755,249.00 | 2,341,973.57 | 112,310.97 | 300,964.46 |
| 2100 | Instructional Aides Salaries | 281,940.00 | 281,940.00 | 207,987.41 | | 73,952.59 |
| 2115 | Inst. Aide Extra Duty | 115.00 | 115.00 | | | 115.00 |
| 2120 | Instructional Aides Substitute | 1,352.00 | 1,352.00 | | | 1,352.00 |
| 2200 | Classified Support Salaries | 489,924.00 | 489,924.00 | 337,916.78 | 56,162.35 | 95,844.87 |
| 2201 | Bus Driver | 20,804.00 | 20,804.00 | | | 20,804.00 |
| 2215 | Classified Extra Duty | 701.00 | 701.00 | | | 701.00 |
| 2220 | Classified Support Substitute | 9,377.00 | 9,377.00 | | 6,281.35 | 3,095.65 |
| 2300 | Classified Sup/Admin Salaries | 2,700.00 | 2,700.00 | 2,423.60 | 540.00 | 263.60- |
| 2400 | Clerical & Office Salaries | 197,886.00 | 197,886.00 | 175,708.82 | 22,176.12 | 1.06 |
| 2420 | Clerical & Office Sub Salaries | 2,072.00 | 2,072.00 | | | 2,072.00 |
| Total for Object 2000 | | 1,006,871.00 | 1,006,871.00 | 724,036.61 | 85,159.82 | 197,674.57 |
| 3101 | State Teachers Retirement Syst | 738,612.00 | 738,612.00 | 412,418.70 | 21,159.71 | 305,033.59 |
| 3102 | State Teachers Retirement Syst | 10,235.00 | 10,235.00 | | | 10,235.00 |
| 3201 | Public Employees Retirement Sy | 1,000.00 | 1,000.00 | 6,285.00 | | 5,285.00- |
| 3202 | Public Employees Retirement Sy | 219,644.00 | 219,644.00 | 159,427.90 | 20,438.08 | 39,778.02 |
| 3311 | OASDI-Certificated Positions | 2,778.00 | 2,778.00 | 1,525.00 | | 1,253.00 |
| 3312 | OASDI-Classified Positions | 57,023.00 | 57,023.00 | 42,545.82 | 4,874.82 | 9,602.36 |
| 3321 | Medicare-Certificated Position | 36,241.00 | 36,241.00 | 31,017.74 | 1,546.92 | 3,676.34 |
| 3322 | Medicare-Classified Positions | 14,055.00 | 14,055.00 | 9,957.08 | 1,142.70 | 2,955.22 |
| 3401 | Health & Welfare -Certificated | 475,648.00 | 475,648.00 | 452,113.20 | 13,152.42 | 10,382.38 |
| 3402 | Health & Welfare-Classified Po | 232,934.00 | 232,934.00 | 181,277.80 | 27,160.48 | 24,495.72 |
| 3501 | State Unemployment Insurance-C | 1,656.00 | 1,656.00 | 1,171.12 | 56.14 | 428.74 |
| 3502 | State Unemployment Insurance- | 491.00 | 491.00 | 361.84 | 42.28 | 86.88 |
| 3601 | Workers' Compensation Insuranc | 97,303.00 | 97,303.00 | 74,685.03 | 3,640.09 | 18,977.88 |
| 3602 | Workers' Compensation Insuranc | 34,731.00 | 34,731.00 | 23,430.30 | 2,688.88 | 8,611.82 |
| 3901 | Other Benefits, Certificated P | 17,537.00 | 17,537.00 | | | 17,537.00 |
| Total for Object 3000 | | 1,939,888.00 | 1,939,888.00 | 1,396,216.53 | 95,902.52 | 447,768.95 |
| 4100 | Textbooks | 63,953.00 | 63,953.00 | 47,254.79 | 4,376.95 | 12,321.26 |
| 4300 | Class Mat'l and Supplies | 485,404.00 | 485,404.00 | 43,335.61 | 8,097.49 | 433,970.90 |

| Balances through August | | | | | | Fiscal Year 2024/25 |
|----------------------------------|---------------------------------|----------------|----------------|------------|-------------|---------------------|
| Object | Description | Adopted Budget | Revised Budget | Encumbered | Expenditure | Account Balance |
| Fund 01 - General FD (continued) | | | | | | |
| 4302 | Class Paper/Toner | 10,600.00 | 10,600.00 | 3,833.82 | | 6,766.18 |
| 4305 | Other Student M&S | 30,476.00 | 30,476.00 | 11,100.60 | | 19,375.40 |
| 4320 | Custodial Grounds Supplies | 59,160.00 | 59,160.00 | 19,313.87 | 15,370.08 | 24,476.05 |
| 4330 | Office Supplies | 16,552.00 | 16,552.00 | 2,805.98 | 1,010.82 | 12,735.20 |
| 4340 | Food Service | | | 2,715.08 | | 2,715.08- |
| 4350 | Vehicle Maint. M&S | 12,306.00 | 12,306.00 | 9,843.35 | | 2,462.65 |
| 4351 | Vehicle FUEL | 30,973.00 | 30,973.00 | 29,458.14 | 474.86 | 1,040.00 |
| 4399 | M&S Misc -undesignated | 2,500.00 | 2,500.00 | | | 2,500.00 |
| 4400 | Non-Capital Equipment (Up to \$ | 157,673.00 | 157,673.00 | 17,769.74 | 10,634.83 | 129,268.43 |
| Total for Object 4000 | | 869,597.00 | 869,597.00 | 187,430.98 | 39,965.03 | 642,200.99 |
| 5200 | Travel & Conferences | 89,233.00 | 89,233.00 | 59,961.27 | 1,773.23 | 27,498.50 |
| 5300 | Dues & Membership | 24,129.00 | 24,129.00 | 4,743.80 | 4,806.01 | 14,579.19 |
| 5400 | Insurance-Fire, liability, etc | 178,500.00 | 178,500.00 | 43,499.75 | | 135,000.25 |
| 5510 | Power | 201,472.00 | 201,472.00 | 196,878.90 | 3,594.24 | 998.86 |
| 5520 | Garbage | 9,974.00 | 9,974.00 | 5,974.00 | | 4,000.00 |
| 5530 | Water | 61,000.00 | 61,000.00 | 56,114.26 | 4,885.74 | .00 |
| 5540 | Propane | 217,501.00 | 217,501.00 | 217,500.00 | | 1.00 |
| 5590 | Miscellaneous Utilities | 20,000.00 | 20,000.00 | | | 20,000.00 |
| 5600 | Rentals, Leases & Repairs | 111,884.00 | 111,884.00 | 61,750.33 | 6,450.30 | 43,683.37 |
| 5800 | Services & Operating Expense | 21,400.00 | 21,400.00 | 4,400.00 | | 17,000.00 |
| 5810 | Legal Expenses | 26,463.00 | 26,463.00 | 10,000.00 | 632.50- | 17,095.50 |
| 5812 | Board Election Expense | 2,000.00 | 2,000.00 | | | 2,000.00 |
| 5840 | Audit Expense | 25,000.00 | 25,000.00 | 2,162.86 | | 22,837.14 |
| 5860 | Solid Waste Tax | 12,625.00 | 12,625.00 | 12,625.00 | | .00 |
| 5890 | Contracts/Service | 1,356,981.00 | 1,356,981.00 | 221,666.62 | 24,898.63 | 1,110,415.75 |
| 5899 | SCOE Interagency Reimburse | 35,262.00 | 35,262.00 | 25,655.98 | 8,581.42 | 1,024.60 |
| 5900 | Communications | 8,827.00 | 8,827.00 | | | 8,827.00 |
| 5910 | Telephone-Monthly Service | 105,852.00 | 105,852.00 | 13,924.81 | 952.19 | 90,975.00 |
| Total for Object 5000 | | 2,508,103.00 | 2,508,103.00 | 936,857.58 | 55,309.26 | 1,515,936.16 |
| 6400 | Equipment | 8,001.00 | 8,001.00 | | | 8,001.00 |
| 6500 | Equipment Replacement | 32,671.00 | 32,671.00 | | | 32,671.00 |
| Total for Object 6000 | | 40,672.00 | 40,672.00 | .00 | .00 | 40,672.00 |
| 7110 | Out-of-State Tuition | 104,450.00 | 104,450.00 | 107,940.00 | | 3,490.00- |
| 7142 | Other Tuition, Excess Cost, an | 163,838.00 | 163,838.00 | | 24,896.00 | 138,942.00 |
| 7310 | Direct Support/Indirect Costs | | | | | .00 |

Balances through August

Fiscal Year 2024/25

| Object | Description | Adopted Budget | Revised Budget | Encumbered | Expenditure | Account Balance |
|--|--|---------------------|---------------------|---------------------|-------------------|---------------------|
| Fund 01 - General FD (continued) | | | | | | |
| 7616 | Trans fr Gen Fund to Cafeteria | 76,470.00 | 76,470.00 | | | 76,470.00 |
| | Total for Object 7000 | 344,758.00 | 344,758.00 | 107,940.00 | 24,896.00 | 211,922.00 |
| | Total for Fund 01 and Expense accounts | 9,465,138.00 | 9,465,138.00 | 5,694,455.27 | 413,543.60 | 3,357,139.13 |
| Fund 13 - Cafeteria | | | | | | |
| 2200 | Classified Support Salaries | 91,155.00 | 91,155.00 | 88,886.51 | | 2,268.49 |
| 2215 | Classified Extra Duty | 3,000.00 | 3,000.00 | | | 3,000.00 |
| 2220 | Classified Support Substitute | 2,000.00 | 2,000.00 | | | 2,000.00 |
| | Total for Object 2000 | 96,155.00 | 96,155.00 | 88,886.51 | .00 | 7,268.49 |
| 3202 | Public Employees Retirement Sy | 21,237.00 | 21,237.00 | 15,634.30 | | 5,602.70 |
| 3312 | OASDI-Classified Positions | 5,537.00 | 5,537.00 | 5,086.47 | | 450.53 |
| 3322 | Medicare-Classified Positions | 1,296.00 | 1,296.00 | 1,189.62 | | 106.38 |
| 3402 | Health & Welfare-Classified Po | 17,537.00 | 17,537.00 | 17,536.60 | | .40 |
| 3502 | State Unemployment Insurance- | 48.00 | 48.00 | 44.50 | | 3.50 |
| 3602 | Workers' Compensation Insuranc | 3,328.00 | 3,328.00 | 2,799.25 | | 528.75 |
| | Total for Object 3000 | 48,983.00 | 48,983.00 | 42,290.74 | .00 | 6,692.26 |
| 4340 | Food Service | 10,636.00 | 10,636.00 | 5,485.54 | | 5,150.46 |
| 4400 | Non-Capital Equipment (Up to \$ | 2,000.00 | 2,000.00 | | | 2,000.00 |
| 4700 | Food | 108,785.00 | 108,785.00 | 69,221.00 | | 39,564.00 |
| | Total for Object 4000 | 121,421.00 | 121,421.00 | 74,706.54 | .00 | 46,714.46 |
| 5200 | Travel & Conferences | 1,014.00 | 1,014.00 | | | 1,014.00 |
| 5600 | Rentals, Leases & Repairs | 9,312.00 | 9,312.00 | 3,756.12 | | 5,555.88 |
| 5800 | Services & Operating Expense | 400.00 | 400.00 | | | 400.00 |
| 5890 | Contracts/Service | 500.00 | 500.00 | | 406.00 | 94.00 |
| | Total for Object 5000 | 11,226.00 | 11,226.00 | 3,756.12 | 406.00 | 7,063.88 |
| | Total for Fund 13 and Expense accounts | 277,785.00 | 277,785.00 | 209,639.91 | 406.00 | 67,739.09 |
| Fund 40 - Dist Build | | | | | | |
| 5890 | Contracts/Service | | | 37,807.00 | 41,840.20 | 79,647.20- |
| 6200 | Building & Improvements | 945,227.00 | 945,227.00 | 29,946.56 | | 915,280.44 |
| | Total for Fund 40 and Expense accounts | 945,227.00 | 945,227.00 | 67,753.56 | 41,840.20 | 835,633.24 |
| Fund 73 - Bechen | | | | | | |
| 5800 | Services & Operating Expense | 35,000.00 | 35,000.00 | 6,500.00 | | 28,500.00 |
| | Total for Fund 73, Expense accounts and Object 5000 | 35,000.00 | 35,000.00 | 6,500.00 | .00 | 28,500.00 |
| Selection Filtered by User Permissions, (Org = 6, Online/Offline = N, Fiscal Year = 2025, Period = 2, Unposted JEs? = N, Assets and Liabilities? = N, Restricted Accts? = Y, Object = 1-7, SACS Fund? = N, Fund Page Break? = N, Obj Lvl = 4, Obj Digits = 1, Page Break? = N) | | | | | | |

| Balances through August | | | | | | Fiscal Year 2024/25 |
|---|------------------------------|----------------|----------------|--------------|-------------|---------------------|
| Object | Description | Adopted Budget | Revised Budget | Encumbered | Expenditure | Account Balance |
| Fund 78 - Gottardi Fund | | | | | | |
| 5800 | Services & Operating Expense | 500.00 | 500.00 | 500.00 | | .00 |
| Total for Fund 78, Expense accounts and Object 5000 | | 500.00 | 500.00 | 500.00 | .00 | .00 |
| Total for Org 006 - Sierra-Plumas Joint Unified School District | | 10,723,650.00 | 10,723,650.00 | 5,978,848.74 | 455,789.80 | 4,289,011.46 |

Inter-District Attendance Agreements

2024-2025

| New/Renewal | School Year | Grade Entering | District of Residence | Receiving District | Reason Given by Requestor | Backup Documentation Received? | In/Out? |
|-------------|-------------|----------------|-----------------------|--------------------|--------------------------------|--------------------------------|---------|
| Renewal | 2024-25 | 11 | Washoe | SPJUSD | Parent works for SPJUSD | n/a | In |
| Renewal | 2024-25 | 3 | SPJUSD | Plumas | Parent works for PUSD | n/a | Out |
| Renewal | 2024-25 | 9 | SPJUSD | Plumas | Parent works for PUSD | n/a | Out |
| Renewal | 2024-25 | 12 | SPJUSD | Plumas | Parent works for PUSD | n/a | Out |
| Renewal | 2024-25 | 5 | Plumas | SPJUSD | Parent works in Loyalton | n/a | In |
| Renewal | 2024-25 | 9 | Plumas | SPJUSD | Parent works in Loyalton | n/a | In |
| Renewal | 2024-25 | 12 | Plumas | SPJUSD | Parent works in Loyalton | n/a | In |
| New | 2024-25 | 1 | Washoe | SPJUSD | Continue education in Loyalton | n/a | In |
| New | 2024-25 | 6 | Washoe | SPJUSD | Continue education in Loyalton | n/a | In |
| New | 2024-25 | 10 | SPJUSD | TTUSD | Continue education in Truckee | n/a | Out |
| Renewal | 2024-25 | 11 | Plumas | SPJUSD | Continue education in Loyalton | n/a | In |
| | | | | | | | |
| | | | | | | | |

Report Date:
9/10/2024

ENROLLMENT BY SCHOOL MONTH - 2024-2025

****As of 09/04/2024**

| | | Downieville Elementary | Loyalton Elementary | Downieville Jr High | Loyalton Jr High | Downieville Sr High | Loyalton Sr High | Sierra Pass Continuation | Long-Term ISP/SDC | TOTAL |
|-------------------|--|---------------------------|------------------------|------------------------|---------------------|------------------------|---------------------|-----------------------------|----------------------|-------|
| Ending 2023-2024 | | 27 | 193 | 10 | 41 | 12 | 114 | 6 | included in site # | 403 |
| 1st Day 2024-2025 | | 28 | 205 | 10 | 47 | 9 | 123 | 3 | included in site # | 425 |

| | Month | | | | | | | | | |
|-------------------|-------|--|--|--|--|--|--|--|--------------------|---|
| September | 1 | | | | | | | | included in site # | 0 |
| 08/21/24-09/13/24 | | | | | | | | | | |
| October | 2 | | | | | | | | included in site # | 0 |
| 09/16/24-10/11/24 | | | | | | | | | | |
| November | 3 | | | | | | | | included in site # | 0 |
| 10/14/24-11/08/24 | | | | | | | | | | |
| December | 4 | | | | | | | | included in site # | 0 |
| 11/12/24-12/06/24 | | | | | | | | | | |
| January | 5 | | | | | | | | included in site # | 0 |
| 12/09/24-01/17/25 | | | | | | | | | | |
| February | 6 | | | | | | | | included in site # | 0 |
| 01/21/25-02/14/25 | | | | | | | | | | |
| March | 7 | | | | | | | | included in site # | 0 |
| 02/18/25-03/14/25 | | | | | | | | | | |
| April | 8 | | | | | | | | included in site # | 0 |
| 03/18/25-04/11/25 | | | | | | | | | | |
| May | 9 | | | | | | | | included in site # | 0 |
| 04/14/25-05/09/25 | | | | | | | | | | |
| June | 10 | | | | | | | | included in site # | 0 |
| 05/13/25-06/06/25 | | | | | | | | | | |

| | | | |
|-----------|--------|------|--------|
| 2023-2024 | SPJUSD | SCOE | Washoe |
| P1 ADA | 358.58 | 0.74 | 13.34 |
| P2 ADA | 357.90 | 0.74 | 13.37 |
| Annual | 358.02 | 0.74 | 13.33 |

| | |
|---------------|---|
| Long-Term ISP | |
| DES | 0 |
| LES | 4 |
| DHS | 0 |
| LHS | 4 |

| | | | |
|-----------|--------|------|--------|
| 2022-2023 | SPJUSD | SCOE | Washoe |
| P1 ADA | 354.53 | 0.70 | 13.50 |
| P2 ADA | 351.20 | 0.70 | 12.97 |
| Annual | 352.11 | 0.70 | 13.46 |

A Reminder but always subject to change.....we try

2024-2025 LHS FFA Calendar

August

8/10/24-Steve Maddalena Roping

8/20/24 First Day of School

September

9/4/24 Night Meeting @7:00 pm

9/12-13/24 -Ag Tech Workshop - UC Davis

9/27/24 Fall Sectional CATA Meeting - Susanville

October

10/2/24 GLC Redding

10/3/24 Peak Fundraiser

10/9/24 Monthly Meeting - Gus

10/10/24 - Shasta College Field Day

10/13-14 Superior Region CATA

10/20/24-Opening and Closing, Fall River FairGrounds

10/23/24- Pumpkin Carving & Livestock Sales Committee

10/23-10/26- National FFA Convention, Indianapolis, Indiana

November

11/6/24 Lunch Meeting - Elise

11/ 5-6 /24 New Professionals Conference - Fresno

11/13/24 Fall Sectional Contest- Intermountain Fairgrounds

11/17/24- Power of Three Prof Development, Lake Almanor

11/20/24- Annual FFA Fall Banquet, 6p.m.@ LHS

December

12/11/24 Lunch Meeting -

12/3/23- Mariposa FFA Field Day, Mariposa High School

January

1/1/24- Superior Region FFA Officer Applications go live

1/15/25-Night meeting, 7:00p.m.

1/17-1/18 Sacramento MFE/ALA

1/24-1/25 Redding MFE/ALA

1/28/25- FFA Super Saturday & Sectional Speaking Contest, Merced College

February

2/5/25-Lunch meeting
2/5/25 - Sectional Speaking Contest - Susanville
2/3/25- Arbuckle Field Day, Arbuckle High School 2/10/25- Chico Field Day, Chico State
2/16/25 Regional Applications Due

March

3/5/25-Lunch Meeting
3/2/25- UC Davis Field Day, UC Davis
3/8/25- Merced College Field Day, Merced College
3/15/25- Superior Region FFA Candidate Interview
3/22/25- Modest Junior College Field Day, MJC
3/28/25- Local Project Competition
3/30/25- Superior Region Meeting and State Degree Ceremony

April

4/2/25-Lunch Meeting - Change
4/3-6/25 State Leadership Conference
4/12/25- Reedley Field Day, Reedley College
4/25/25 -Spring Sectional CATA Meeting - Big Valley HS
4/26/24- Fresno FFA Field Day, Fresno State
4/30/25- Spring Banquet

May

5/3/24-Lunch Meeting
5/7-11/25 NJLS
5/6/25- State Finals, Cal Poly
5/16/25- Farm Day

June

6/7/24-Graduation

Sierra-Plumas Joint Unified School District Governing Board

August 13, 2024

5:00pm CLOSED Session

6:00pm Regular Session

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

Zoom videoconferencing was also available for the public.

A. CALL TO ORDER

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

B. ROLL CALL

PRESENT: *Area 1: Patty Hall (Clerk)*

Area 2: Rhynie Hollitz

Area 3: Christina Potter (Vice President) (attending via Zoom under “Just Cause” pursuant to Government Code 54953)

HOLLITZ motioned to approve POTTER attending viz zoom due to Just Cause. Second by HALL.

4/0

Area 4: Kelly Champion (President)

Area 5: Richard Jaquez

ABSENT: *None*

C. APPROVAL OF AGENDA

HALL/HOLLITZ

5/0

D. PUBLIC COMMENT FOR CLOSED SESSION

None

E. CLOSED SESSION

The Board moved into Closed Session *at 5:02pm* to discuss the following item(s):

1. Government Code 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator(s) for the Board: James Berardi, County Superintendent
Sean Snider, District Superintendent

Employee Organizations:

Unrepresented Employees: District Superintendent

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

2. Government Code 54956.8

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 105 Beckwith St, Loyalton CA 96118

Sierra COE Negotiator: James Berardi, Superintendent

Party with whom Sierra COE is Negotiating: City of Loyalton

Under Negotiation: Price and Terms of Payment

F. RETURN TO OPEN SESSION at 5:32pm and ADJOURN FOR BREAK

G. 6:04PM – RECONVENE

H. FLAG SALUTE

I. REPORT OUT FROM CLOSED SESSION

CHAMPION: Both items were for discussion only, no action was taken.

J. INFORMATION ITEMS

1. Superintendent Reports

COUNTY—SCOE

a. Advocacy

BERARDI: Last Wednesday I went to Nevada County and met with Kevin Kiley. We discussed unfunded mandates, the idea to change credentialing to a national system instead of state-specific, and my advocacy work with CSBA to better accommodate single district counties.

DISTRICT—SPJUSD

b. Presentation of 2024-2025 Superintendent Goals

Overview by SNIDER

c. Facilities update

SNIDER: Asphalt sealing, carpet replacements, and water damage repairs. Will do a walk-through to inspect all the flooring at each site after completion. First phase of installing new swing set at LES scheduled for this weekend. We hope to have it ready for the first day of school, but that is yet to be seen. Still working with FEMA on reimbursements for roof repairs from the winter storms of 2023. Community meeting September 4, 2024, at 6pm in LHS gym regarding proposed plans for girls' softball field in Loyalton.

d. All Staff Kickoff will be Monday, August 19th

SNIDER: Board members welcome. Starts at 8am.

e. Active Shooter Drills

SNIDER: Held in Loyalton last week and scheduled in Downieville tomorrow. Not open to the public.

2. Business Report

a. Account Object Summary-Balance from 07/01/2024 to 07/31/2024

1. SCOE

2. SPJUSD

b. Most recent Inter-District Attendance Agreements approved

3. Staff Reports

a. SCOE

SELPA—BETHKE: None

ADULT ED—JACKSON: Progress with culinary equipment install. Looking at what culinary classes we will start to offer once the space is ready. EMS still going strong. One EMT Basic class starting on the 19th has 9 students already including a current high school student. Both high school students that were in the last class passed and are now nationally certified. Adult Ed will be at LHS kickoff to showcase programs available for high schoolers. Received a state award for our Go Teach program for our Early Childhood Educators.

b. SPJUSD

LES—ARMSTRONG: Thank you to Mr. Snider and the District Office staff for all of the support in my new role! Thank you to the custodians and maintenance staff for working to get the facilities ready for next week! Many changes in teacher assignments. Back To School Night August 28th.

LHS—GRIFFIN: Thank you to the summer staff working on facility prep! Thank you to Mr. Snider, Mrs. Meschery, the District Office staff, and Staci and Stacey for their support and guidance! Hosted Active Shooter Drill. Getting the site ready with asphalt sealing and carpet replacements. Grizzlies night August 15th for student and parents. LHS calendar on website has information on all events. Welcome to all the new teachers we have this year! New FFA advisor taking over. Sports – first volleyball game tomorrow in Virginia City, then baseball there on the 26th.

DES & DHS—BERARDI: The school is still pulled apart, but working to get as much done as we can before school starts and staff come back next week. Still working on hiring staff as well. Active Shooter Drill here tomorrow. Open House is August 28th. Some new teacher assignments here as well. Working through training and transitions. Facility use was heavy with summer events, so we are locking gates to keep people off the fields so they stay better maintained for the students.

4. SPTA Report

PRESIDENT—PETTERSON: None

5. Committee/Board Member Reports

HOLLITZ: Budget Committee meeting held last week on August 6th. Each agenda item was covered. Some ideas came up to address budget deficit.

CHAMPION: It was great to discuss things that I'd wanted to for so long at the Budget Committee meeting. Next meeting on the 26th at 3:30pm. CSBA holding a County Board Conference in September. CSBA email about a Call to Action to oppose AB 2088.

6. Public Comment

None

K. CONSENT CALENDAR

1. Approval of minutes for the Regular Joint Meeting held July 30, 2024
2. Approval of Board Report-Checks Dated 07/01/2024 through 07/31/2024
 - a. SCOE
 - b. SPJUSD
3. Authorization for the Superintendent to enter into the 2024-2025 Interlocal Contract with Washoe County School District, Contract 2025-007D
4. Approval to surplus E-Waste for SCOE and SPJUSD
5. Approval of the following SPJUSD personnel items:
 - a. Assignment of Carrie Blakley, Cook, Downieville School, .68 FTE (5.4 hours/day), effective January 12, 2024
 - b. Assignment of Touthulong Vang, Agriculture Teacher, Loyalton High School, 1.0 FTE, effective August 19, 2024
 - c. Assignment of Loyalton Schools 2024-2025 Coaches (see list)**

HALL/JAQUEZ

5/0

L. ACTION ITEMS

1. New Business

COUNTY & DISTRICT

PUBLIC HEARING – Declaration of Need for Fully Qualified Educators

- a. Public Hearing *opened at 6:45pm* to receive public comment regarding the Declaration of Need for Fully Qualified Educators for the 2024-2025 School Year. *Closed at 6:47pm with no comment.*
- b. Adoption of Resolution No. 25-002C/25-002D, Declaration of Need for Fully Qualified Educators for the 2024-2025 School Year

HOLLITZ/HALL

5/0

- c. Approval of the Declaration of Need for Fully Qualified Educators for the 2024-2025 school year. *A diligent search to recruit fully prepared teacher(s) was made and an insufficient number of certificated persons met the employment criteria for the position(s).*

1. SCOE
2. SPJUSD

CHAMPION/HALL

5/0

- d. Approval of CBEST Waiver for Substitute Teachers

The Sierra COE and Sierra-Plumas JUSD have been unable to recruit enough day-to-day substitute teachers who have not had an opportunity to take and pass all sections of the California Basic Educational Skills Test. The SCOE and SPJUSD anticipates employing no greater than five (5) day-to-day substitutes on variable term CBEST waiver for the 2024-2025 school year.

HOLLITZ/HALL

5/0

- e. Approval of updated Injury & Illness Prevention Plan (IIPP) for 2024-2025
HOLLITZ/HALL
5/0

DISTRICT—SPJUSD

- f. Prop 28 Annual Report
HALL/HOLLITZ
5/0
- g. Approval of contract with Fullmind for 2024-2025 math courses for Downieville High School, Contract No. 2025-006D
SNIDER/BERARDI: This is a backup plan for online math courses for DHS in the case that we do not have a math teacher hired next week when school starts.
HOLLITZ motioned to give the Superintendent authority to initiate the contract if necessary.
Second by JAQUEZ.
5/0

BOARD POLICIES AND 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.”

Batch from July 30th – Second Reading

HOLLITZ motioned to approve h-o as presented for Second Reading. Second by JAQUEZ.
5/0

- h. 4111~4211~4311—Recruitment and Selection (*All Staff*)
- i. 4118—Dismissal/Suspension/Disciplinary Action (*Certificated*)
- j. 4218—Dismissal/Suspension/Disciplinary Action (*Classified*)
- k. 4121—Temporary/Substitute Personnel (*Certificated*)
- l. 4127~4227~4337—Temporary Athletic Team Coaches (*All Staff*)
- m. 4140~4240~4340—Bargaining Units (*All Staff*)
- n. 4157~4257~4357—Employee Safety (*All Staff*)
- o. 4161~4261~4361—Leaves (*All Staff*)

New for August 13th – First Reading

Postponed p-aa to the September 10th meeting.

- p. 2121—Superintendent’s Contract
- q. 5113—Absences and Excuses
- r. 5126—Awards for Achievement
- s. 5144—Discipline
- t. 5145.6—Parent/Guardian Notifications
- u. 6000—Concepts and Roles
- v. 6115—Ceremonies and Observances
- w. 6141.2—Recognition of Religious Beliefs and Customs
- x. 6164.2—Guidance/Counseling Services
- y. 6175—Migrant Education Program

- z. 6177—Summer Learning Programs
- aa. 7214—General Obligation Bonds

M. ADVANCED PLANNING

1. The next Regular Joint Board Meeting will be held on September 10, 2024, 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
None

N. ADJOURN

CHAMPION adjourned the meeting at 7:42pm.

James Berardi,
County Superintendent

Sean Snider,
District Superintendent

Patty Hall, Clerk

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

DATE: August 13, 2024

CLOSED SESSION BEGAN AT: 5:02 P.M.

BOARD MEMBERS PRESENT:

☒ Patty Hall ☒ Rhynie Hollitz ☒ Christina Potter ☒ Kelly Champion ☒ Richard Jaquez

OTHERS PRESENT:

- ☒ James Berardi, County Superintendent
☒ Sean Snider, District Superintendent
☒ Randy Jones, Director of Business Service/CBO
☐ Terri Ryland, Ryland School Business Consulting, Interim CBO
☐ Carol Wieckowski, Evans, Wieckowski, Ward & Scofield LLP, Legal Counsel
☐

I. SESSION TOPIC(S):

Item #1—Government Code 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator(s) for the Board: James Berardi, County Superintendent
Sean Snider, District Superintendent

Employee Organizations:
Unrepresented Employees: District 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____ HOLLITZ____ POTTER____ CHAMPION____ JAQUEZ____
☐ A ROLL CALL VOTE WAS TAKEN IN OPEN SESSION:
HALL____ HOLLITZ____ POTTER____ CHAMPION____ JAQUEZ____

Item #2—Government Code 54956.8

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 105 Beckwith St, Loyalton CA 96118

Sierra COE Negotiator: James Berardi, Superintendent

Party with whom Sierra COE is Negotiating: City of Loyalton

Under Negotiation: Price and Terms of Payment

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____ HOLLITZ____ POTTER____ CHAMPION____ JAQUEZ____
☐ A ROLL CALL VOTE WAS TAKEN IN OPEN SESSION:
HALL____ HOLLITZ____ POTTER____ CHAMPION____ JAQUEZ____

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

II. ENDED CLOSED SESSION AT 5:32 P.M. AND RETURNED TO OPEN SESSION

PRESIDED BY:

Kelly Champion
Kelly Champion, PRESIDENT

RECORDED BY:

Patty Hall
Patty Hall, CLERK

Loyalton Schools 2024-2025 Coaches pending board approval August 13, 2024:

6th-8th Grade Volleyball

- Allison Ceresola
- Sarah Torricelli

6th-8th Grade Flag Football

- Reid Mason
- Ian Wright

U6 soccer

- Dannie Ball
- Illeana Vokel
- Kaycie Sellers

U8 Soccer

- Lauren Jones
- Miranda Prakash
- Illeana Vokel

U10 Soccer

- Dave Carter
- Graham Bell
- Jason Champion
- Miguel Hernandez

U12 Soccer

- Carlynn Wills

Checks Dated 08/01/2024 through 08/31/2024

| Check Number | Check Date | Pay to the Order of | Fund-Object | Comment | Expensed Amount | Check Amount |
|------------------------|------------|---|-------------|----------------------------|-----------------|--------------|
| 00017135 | 08/09/2024 | ALHAMBRA | 11-4330 | WATER SERVICE | | 29.46 |
| 00017136 | 08/09/2024 | AMAZON CAPITAL SERVICES | 11-4300 | CLASSROOM SUPPLIES | | 28.94 |
| 00017137 | 08/09/2024 | AT&T | 11-5900 | PHONE | | 163.75 |
| 00017138 | 08/09/2024 | DONALD BERGSTROM | Reissued | | | 1,750.00 * |
| | | Reissued on 08/28/2024 | | | | |
| 00017139 | 08/09/2024 | CALIFORNIA COUNTY SUPERINTENDENTS | 01-5300 | AESA MEMBERSHIP | 750.00 | |
| | | | | BASC STEERING COMMITTEE | 1,000.00 | |
| | | | | CCSESA DUES | 15,550.00 | |
| | | | | CISC MEMBERSHIP DUES | 600.00 | |
| | | | | COEPACD MEMBERSHIP DUES | 225.00 | |
| | | | | PASCO DUES | 700.00 | |
| | | | | TSC MEMBERSHIP DUES | 400.00 | 19,225.00 |
| 00017140 | 08/09/2024 | KELLY CHAMPION | 01-9500 | PER DIEM | | 65.53 |
| 00017141 | 08/09/2024 | CWDL CERTIFIED PUBLIC ACCOUNTANTS | 01-9500 | AUDIT FEES | | 1,599.50 |
| 00017142 | 08/09/2024 | JAQUEZ CUSTOM CRAFT, INC | 11-9500 | SITE WORK | | 2,790.85 |
| 00017143 | 08/09/2024 | JOEL TILLMAN | 11-5810 | TECH SUPPORT | | 1,112.33 |
| 00017144 | 08/09/2024 | LIBERTY UTILITY CA | 01-5500 | ELECTRICAL SERVICE | 179.89 | |
| | | | 11-5500 | ELECTRICAL SERVICE | 266.67 | 446.56 |
| 00017145 | 08/09/2024 | PLUMAS-SIERRA TELECOMMUNICATIONS | 11-5900 | BROADBAND SERVICE | | 109.00 |
| 00017146 | 08/09/2024 | REMSA CENTER FOR INTEGRATED HEALTH CARE & COMMUNITY EDU | 11-4300 | CPR CARDS | | 17.00 |
| 00017147 | 08/09/2024 | RYLAND SCHOOL BUSINESS CONSULTING | 01-9500 | SCHOOL BUSINESS CONSULTING | | 9,805.00 |
| 00017148 | 08/09/2024 | SAN JOAQUIN SELPA ATTN: PATTI FARHAT | 01-5810 | SPED INFO SYSTEM | | 8,000.00 |
| 00017149 | 08/09/2024 | SIERRA COUNTY OFFICE OF EDUCATION | 01-5808 | BANK SERVICE FEES | | 197.03 |
| 00017150 | 08/09/2024 | SIERRA COUNTY HEALTH DEPARTMENT | 11-5810 | STATE OVERSIGHT FEE | | 272.00 |
| 00017151 | 08/09/2024 | SINGLETON AUMAN PC | 01-5810 | AUDIT FEES | | 4,500.00 |
| 00017152 | 08/09/2024 | THE MASTER TEACHER | 11-4300 | ONLINE TRAINING | | 660.00 |
| 00017153 | 08/09/2024 | TRI COUNTY SCHOOLS INSURANCE GROUP | 01-9535 | HEALTH INSURANCE | 1,948.00 | |
| | | | 76-9576 | HEALTH INSURANCE | 30,156.40 | 32,104.40 |
| 00017154 | 08/09/2024 | U.S. BANK | 01-5200 | CCS TRAVEL | | 33.84 |
| 00017155 | 08/28/2024 | DONALD BERGSTROM | 01-5810 | SPED/DO CLEANING | 1,225.00 | |
| | | | 01-5899 | SPED/DO CLEANING | 525.00 | 1,750.00 |
| Total Number of Checks | | | | | 21 | 84,660.19 |

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.

Checks Dated 08/01/2024 through 08/31/2024

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

| | | |
|-----------|-------|-----------|
| | Count | Amount |
| Reissue | 1 | 1,750.00 |
| Net Issue | | 82,910.19 |

Fund Summary

| Fund | Description | Check Count | Expensed Amount |
|---------------------------------|----------------------------|-------------|-----------------|
| 01 | County School Service Fund | 11 | 47,303.79 |
| 11 | ADULT EDUCATION | 10 | 5,450.00 |
| 76 | Payroll Clearing | 1 | 30,156.40 |
| Total Number of Checks | | 20 | 82,910.19 |
| Less Unpaid Sales Tax Liability | | | .00 |
| Net (Check Amount) | | | 82,910.19 |

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.

Checks Dated 08/01/2024 through 08/31/2024

| Check Number | Check Date | Pay to the Order of | Fund-Object | Comment | Expensed Amount | Check Amount |
|--------------|------------|--|-------------|-------------------------------------|-----------------|--------------|
| 00086986 | 08/09/2024 | 1-888-4-ABATEMENT | 40-5890 | ASBESTOS ABATEMENT | | 25,655.00 |
| 00086987 | 08/09/2024 | ACADEMIC INNOVATIONS | 01-4300 | CURRICULUM | 1,549.98 | |
| | | | | Get Focused Modules | 3,458.00 | 5,007.98 |
| 00086988 | 08/09/2024 | ADOBE SYSTEMS INCORPORATED | 01-4300 | ADOBE SOFTWARE LICENSES | | 2,496.00 |
| 00086989 | 08/09/2024 | ALLPRO ENVIRONMENTAL SERVICES | 40-5890 | ASBESTOS TESTING | | 2,750.00 |
| 00086990 | 08/09/2024 | ALPINE FIRE SERVICE, INC. | 01-5600 | FIRE EXTINGUISHER MAINT - ALL SITES | | 1,195.62 |
| 00086991 | 08/09/2024 | AMAZON CAPITAL SERVICES | 01-4100 | TEXTBOOKS | 1,308.24 | |
| | | | 01-4300 | TECH SUPPLIES | 593.51 | |
| | | | 01-4320 | WINDOW FILM | 97.68 | |
| | | | 01-4330 | CBO TECH SUPPLIES | 182.93 | |
| | | | | OFFICE SUPPLIES | 528.05 | |
| | | | 01-5899 | CBO TECH SUPPLIES | 60.97 | 2,771.38 |
| 00086992 | 08/09/2024 | AT&T | 01-5890 | PHONE SERVICES | 55.13 | |
| | | | 01-5899 | PHONE SERVICES | 25.67 | |
| | | | 01-5910 | PHONE SERVICES | 588.33 | 669.13 |
| 00086993 | 08/09/2024 | BERTAGNOLLI PAVING | 01-5890 | PAVEMENT SEALING | 1,492.80 | |
| | | | 40-5890 | PAVEMENT SEALING | 13,435.20 | 14,928.00 |
| 00086994 | 08/09/2024 | BRADY INDUSTRIES | 01-4320 | cleaning supplies | 7,883.95 | |
| | | | | Custodial Supplies | 5,428.40 | |
| | | | 01-4400 | carpet extractor | 2,541.41 | |
| | | | | floor machine | 878.90 | |
| | | | 01-5600 | EXTRACTOR REPAIR | 108.62 | |
| 00086995 | 08/09/2024 | PAMELA BRANDON | 01-5899 | cleaning supplies | 875.99 | 17,717.27 |
| 00086996 | 08/09/2024 | CALIFORNIA DEPARTMENT OF ED. ACCOUNTING OFFICE | 01-5600 | TECH COTTAGE RENTAL | | 100.00 |
| | | | 01-5890 | RETURN EXCESS | | 3,094.00 |
| 00086997 | 08/09/2024 | CARNEGIE LEARNIN | 01-4100 | textbooks | | 3,068.71 |
| 00086998 | 08/09/2024 | CITY OF LOYALTON | 01-5530 | WATER AND SEWER - LOYALTON SITES | 4,287.04 | |
| | | | 01-5899 | WATER AND SEWER - LOYALTON SITES | 258.11 | 4,545.15 |
| 00086999 | 08/09/2024 | MADELINE DORSEY | 73-9510 | BECHEN SCHOLARSHIP | | 7,000.00 |
| 00087000 | 08/09/2024 | DOWNIEVILLE PUBLIC UTILITY DIS | 01-5530 | Water | 598.70 | |
| | | | 01-5600 | PRV WORK | 1,315.48 | 1,914.18 |
| 00087001 | 08/09/2024 | EDLIO, LLC COLLECTIONS | 01-5890 | WEBSITE | | 6,188.00 |
| 00087002 | 08/09/2024 | TRISTA EVANS | 78-9510 | GOTTARDI SCHOLARSHIP | | 500.00 |
| 00087003 | 08/09/2024 | GRAINGER, INC. | 01-4320 | CUSTODIAL SUPPLIES | | 37.06 |
| 00087004 | 08/09/2024 | JANET HAMILTON | 01-5600 | TECH COTTAGE RENTAL | | 100.00 |
| 00087005 | 08/09/2024 | K 12 MANAGEMENT DBA FUELED | 01-9510 | STUDENT LICENSE BLOCK/ISP COURSES | | 6,248.49 |

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.

Checks Dated 08/01/2024 through 08/31/2024

| Check Number | Check Date | Pay to the Order of | Fund-Object | Comment | Expensed Amount | Check Amount |
|--------------|------------|---|-------------|--------------------------------------|-----------------|--------------|
| 00087006 | 08/09/2024 | LIBERTY UTILITY CA | 01-5510 | ELECTRIC - LOYALTON SITES | 3,016.10 | |
| | | | 01-5899 | ELECTRIC - LOYALTON SITES | 193.79 | 3,209.89 |
| 00087007 | 08/09/2024 | MOUNTAIN MESSENGER | 01-5300 | ADVERTISEMENTS AND PUBLIC HEARINGS | 52.00 | |
| | | | 01-5890 | ADVERTISEMENTS AND PUBLIC HEARINGS | 31.84 | 83.84 |
| 00087008 | 08/09/2024 | NFHS | 01-9510 | COACHES TRAINING | | 300.00 |
| 00087009 | 08/09/2024 | NAVIGATE360, LLC | 01-5890 | SAFETY TRAINING YR2 | | 1,932.00 |
| 00087010 | 08/09/2024 | ODP BUSINESS SOLUTIONS LLC | 01-4330 | OFFICE SUPPLIES | 299.84 | |
| | | | 01-5899 | OFFICE SUPPLIES | 99.95 | 399.79 |
| 00087011 | 08/09/2024 | PACIFIC GAS & ELECTRIC COMPANY | 01-9510 | Electricity | | 4,291.03 |
| 00087012 | 08/09/2024 | PLAYGROUND BOSS | 01-4400 | UPK SUPPLIES | 7,214.52 | |
| | | | | Unpaid Sales Tax | 315.52- | 6,899.00 |
| 00087013 | 08/09/2024 | PLUMAS COUNTY GLASS | 01-5600 | WINDOW REPLACMENT | | 546.90 |
| 00087014 | 08/09/2024 | POWERSCHOOL GROUP LLC | 01-5200 | REGISTRATION | | 1,350.00 |
| 00087015 | 08/09/2024 | RIDDEL ALL AMERICAN SPORTS CORP | 01-5600 | Helmet Reconditioning | | 2,883.68 |
| 00087016 | 08/09/2024 | LOYALTON ROTARY | 01-5300 | ROTARY DUES | | 125.00 |
| 00087017 | 08/09/2024 | SAN JOAQUIN COUNTY OFFICE OF EDUCATION | 01-5890 | ED-JOIN ANNUAL FEE | 400.00 | |
| | | | 01-5899 | ED-JOIN ANNUAL FEE | 400.00 | 800.00 |
| 00087018 | 08/09/2024 | SCHOOL SERVICES OF CALIFORNIA | 01-5890 | FISCAL BUDGET SERVICES | | 4,680.00 |
| 00087019 | 08/09/2024 | SIERRA BOOSTER | 01-5890 | ADVERTISEMENTS/LEGAL/PUBLIC NOTICES | | 72.00 |
| 00087020 | 08/09/2024 | SIERRA BUTTES TRAIL STEWARDSHIP | 01-8650 | REFUND | | 460.00 |
| 00087021 | 08/09/2024 | SIERRA COUNTY HEALTH DEPARTMENT | 01-5510 | ELECTRICAL SERVICES FOR TECH COTTAGE | 289.50 | |
| | | | 01-5890 | HAZARDOUS MATERIAL PERMIT | 846.00 | 1,135.50 |
| 00087022 | 08/09/2024 | SIERRA HARDWARE | 01-4320 | Misc Maintenance supplies | | 719.51 |
| 00087023 | 08/09/2024 | SIERRA VALLEY HOME CENTER | 01-4320 | MAINT. SUPPLIES | 245.64 | |
| | | | | MAINT/CUSTODIAL SUPPLIES | 903.73 | 1,149.37 |
| 00087024 | 08/09/2024 | SIERRA-PLUMAS JOINT UNIFIED | 01-5890 | BANK SERVICE FEES | | 609.70 |
| 00087025 | 08/09/2024 | SINGLETON AUMAN PC | 01-9510 | AUDIT FEES | | 5,000.00 |
| 00087026 | 08/09/2024 | DEPARTMENT OF JUSTICE ACCOUNTING OFFICE | 01-9510 | EMPLOYMENT FINGERPRINTING | | 32.00 |
| 00087027 | 08/09/2024 | TRI COUNTY SCHOOLS INS. GR. | 01-9535 | HEALTH INSURANCE | 9,700.62 | |
| | | | 76-9576 | HEALTH INSURANCE | 69,925.82 | 79,626.44 |
| 00087028 | 08/09/2024 | U.S. BANK | 01-4320 | MAINT. SUPPLIES | 54.11 | |
| | | | 01-9510 | ADOBE PRO SUBSCRIPTION | 19.99 | |
| | | | | BUS FUEL | 469.08 | |
| | | | | FUEL FOR MAINT. | 122.18 | |

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.

Checks Dated 08/01/2024 through 08/31/2024

| Check Number | Check Date | Pay to the Order of | Fund-Object | Comment | Expensed Amount | Check Amount |
|------------------------|------------|---------------------|-------------|----------------------|-----------------|--------------|
| 00087028 | 08/09/2024 | U.S. BANK | 01-9510 | Graduation Chairs | 1,464.75 | |
| | | | | IPAD SOFTWARE | 4.58 | |
| | | | | MAINT SUPPLIES | 23.90 | |
| | | | | OFFICE SUPPLIES | 418.15 | |
| | | | | ZOOM SUBSCRIPTION | 66.29 | 2,643.03 |
| 00087029 | 08/09/2024 | VERIZON WIRELESS | 01-5899 | CELL PHONE SERVICE | 450.94 | |
| | | | 01-5910 | CELL PHONE SERVICE | 363.86 | 814.80 |
| 00087030 | 08/09/2024 | U.S. BANK VOYAGER | 01-4351 | Fuel for Maintenance | 474.86 | |
| | | | 01-5200 | FUEL FOR FFA | 423.23 | |
| | | | 01-9510 | Fuel for Maintenance | 115.90 | 1,013.99 |
| Total Number of Checks | | | | | 45 | 226,763.44 |

Fund Summary

| Fund | Description | Check Count | Expensed Amount |
|---------------------------------|--------------------------------|-------------|-----------------|
| 01 | General Fund | 41 | 107,812.94 |
| 40 | Special Reserve for Capital Ou | 3 | 41,840.20 |
| 73 | Foundation Trust (Bechen) | 1 | 7,000.00 |
| 76 | Warrant/Pass Though (payroll) | 1 | 69,925.82 |
| 78 | Edna Gottardi Scholarship Fun | 1 | 500.00 |
| Total Number of Checks | | 45 | 227,078.96 |
| Less Unpaid Sales Tax Liability | | | 315.52 |
| Net (Check Amount) | | | 226,763.44 |

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.

RESOLUTION NO. 16-002
ADOPTING A CONFLICT OF INTEREST CODE
OF THE
SIERRA COUNTY OFFICE OF EDUCATION

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Governing Board of the Sierra County Office of Education has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Sierra County Office of Education has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Sierra County Board of Education Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.


PASSED AND ADOPTED THIS 13th day of December 2016, at a meeting by the following vote:

| | | |
|--------|---|------------------------------|
| DRYDEN | AYE <input checked="" type="checkbox"/> | NAY <input type="checkbox"/> |
| HALL | AYE <input checked="" type="checkbox"/> | NAY <input type="checkbox"/> |
| MOORE | AYE <input checked="" type="checkbox"/> | NAY <input type="checkbox"/> |
| WRIGHT | AYE <input checked="" type="checkbox"/> | NAY <input type="checkbox"/> |

ABSENT: DRISCOLL


Sharon Dryden, President

Attest:


Merrill M. Grant, Ed.D.
County Superintendent

SIERRA COUNTY OFFICE OF EDUCATION

CONFLICT-OF-INTEREST CODE

2016

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the Sierra County Office of Education (County).

Individuals holding designated positions shall file their statements of economic interests with the County, which will make the statements available for public inspection and reproduction at 109 Beckwith Road, Loyalton, California. (Gov. Code Sec. 81008.) All statements will be retained by the County.

SIERRA COUNTY OFFICE OF EDUCATION

CONFLICT-OF-INTEREST CODE

APPENDIX A DESIGNATED POSITIONS

| <u>POSITION</u> | <u>CATEGORY</u> |
|--|-----------------|
| Designated Position Disclosure Category | |
| Governing Board of Education Members | 1 |
| Superintendent of Schools..... | 1 |
| Business Manager | 2 |
| SELPA Director | 2 |
| Consultants/New Positions* | 2 |

* Consultants/New positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Superintendent may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Section 81008.)

SIERRA COUNTY OFFICE OF EDUCATION

CONFLICT-OF-INTEREST CODE

APPENDIX B DISCLOSURE CATEGORIES

Category 1:

Designated positions in this category must report:

- a. Interest in real property located entirely or partly within boundaries, or within two miles of County boundaries or of any land owned or used by the County. Such interests include any leasehold, beneficial or ownership interest, or option to acquire such interest in real property.
- b. Investments and business positions in business entities and income, including gifts, loans, and travel payments, from, sources which:
 1. Are engaged in the acquisition or disposal of real property within the County,
 2. Are contractors that are, or have been within the past two years, engaged in work or services of the type used by the County, or
 3. Are of the type which engages in the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings, or equipment.

Category 2:

Designated persons in this category must report investments and business positions in business entities and income, including gifts, loans, and travel payments, from, sources which:

- a. Are contractors engaged in work or services of the type to be used by the department in which the designated person manages or directs, or
- b. Are of the type which engages in the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings, or equipment.

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

CONFLICT-OF-INTEREST CODE

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the **Sierra-Plumas Joint Unified School District (District)**.

Individuals holding designated positions shall file their statements of economic interests with the **District**, which will make the statements available for public inspection and reproduction at 109 Beckwith Road, Loyalton, California. (Gov. Code Sec. 81008.) All statements will be retained by the **District**.

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

CONFLICT-OF-INTEREST CODE

APPENDIX A DESIGNATED POSITIONS

| <u>POSITION</u> | <u>CATEGORY</u> |
|--|-----------------|
| Governing Board of Education Members | 1 |
| Superintendent of Schools | 1 |
| Business Manager | 2 |
| School Site Administrators | 2 |
| SELPA Director | 2 |
| Technology Director | 2 |
| Consultants/New Positions | * |

Note: The positions of Superintendent of Schools and Business Manager are Sierra County Office of Education staff members who act in a staff capacity.

* Consultants/New positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Superintendent may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Section 81008.)

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

CONFLICT-OF-INTEREST CODE

APPENDIX B DISCLOSURE CATEGORIES

Category 1:

Designated position in this category must report:

- Interest in real property located entirely or partly within District boundaries, or within two miles of District boundaries or of any land owned or used by the District. Such interests include any leasehold, beneficial or ownership interest, or option to acquire such interest in real property.
- Investments and business positions in business entities and income, including gifts, loans, and travel payments, from, sources which:
 - Are engaged in the acquisition or disposal of real property within the District,
 - Are contractors that are, or have been within the past two years, engaged in work or services of the type used by the District, or
 - Are of the type which engages in the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings, or equipment of the type utilized by the District.

Category 2:

Designated position in this category must report:

- Investments and business positions in business entities and income, including gifts, loans, and travel payments, from, sources which:
 - Are contractors engaged in work or services of the type to be used by the department,
 - Are of the type which engages in the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings, or equipment of the type utilized by the department in which the designated position manages or directs.

This is the last page of the conflict of interest code for **Sierra-Plumas Joint Unified School District**.



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict of interest code for **Sierra-Plumas Joint Unified School District** was approved on 1/17/ 2017. This code will become effective on 2/16/ 2017.

A handwritten signature in blue ink, appearing to be "BJ", written over a horizontal line.

Brian G. Lau

Senior Commission Counsel

Fair Political Practices Commission

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

109 Beckwith Road, P.O. Box 955, Loyalton, CA 96118

Tel: (530) 993-1660 Fax: (530) 993-0828

REQUEST FOR TRAVEL/CONFERENCE APPROVAL

PURCHASE ORDER REQUIRED FOR EACH EXPENSE CLAIM

Prepayment Required ☐ Yes **Date Due:** _____ **To:** _____
☒ No (Unless you indicate a prepayment is necessary, no prepayment will be sent)

Employee: Caroline Griffin

Date of Request: 8/27/2024

| |
|--------------------|
| SCHOOL/SITE |
| LHS |

| |
|----------------------------|
| Date(s) of Activity |
| 10/24/2024-10/26/2024 |

Destination: Indianapolis, IN (facility you are visiting and city)

Funding Program: AIG

Purpose of Activity: National FFA Convention

How will attendance benefit the District's educational program(s)? 6 American Degree Recipients

THE FOLLOWING CLAIMS REQUIRE A PURCHASE ORDER EACH. PLEASE ATTACH A COPY WITH THIS FORM.

| | | |
|---|--|--|
| TRANSPORTATION: <input type="checkbox"/> District Vehicle <input type="checkbox"/> Personal <input type="checkbox"/> Other _____ Est. Miles _____ x \$.545/mile = \$ _____ (Mileage will only be paid when a School/District vehicle is not available.) | | |
| PER DIEM: 3 Breakfast x \$10.00 = _____ 3 Lunch x \$11.00 = _____ 2 Dinner x \$18.00 = _____ Per Diem is taxable income, unless it meets the IRS overnight travel rule. | PARKING: _____ Days x \$ _____ = \$ _____ Taxi/Shuttle: ? Trips x \$ _____ /Trip = \$ _____ | AIR TRAVEL: Airline Name: <u>Southwest</u> Confirmation #: <u>Confirmation # 3U6ZC</u> Total Cost: <u>655.95</u> Please attach copy of confirmation/receipt |
| REGISTRATION FEE: \$ <u>?</u> ORGANIZATION CONDUCTING ACTIVITY: <u>National FFA (Does not open until 9/11/24)</u> (Attach completed copy of ENTIRE Registration Form) | | |
| REGISTRATION HAS BEEN MADE <input type="checkbox"/> YES <input type="checkbox"/> NO REGISTRATION FORM NEEDS TO BE MAILED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | | |
| LODGING: Hotel name and address: <u>Courtyard by Marriott Downtown Indian</u> Tele: _____ Dates: <u>10/24/24 & 10/25/24</u> Confirmation # <u>Your hotel acknowledgement number</u> Total cost including all taxes per night \$ <u>194</u> x <u>2</u> nights = Total cost of lodging \$ <u>453.96</u> | | |

NOTE: HOTEL ACCOMMODATION INFORMATION AND COMPLETED REGISTRATION FORM MUST BE ATTACHED OR REQUEST WILL BE RETURNED!

SUBSTITUTE REQUIRED: NO

PROGRAM TO CHARGE: _____

After approval by the site administrator, employees must follow these steps:

- > Employees are responsible for their own registration, hotel and travel arrangements and any changes thereto. If an employee does not cancel in an appropriate amount of time to secure a refund, the employee will be responsible for covering the cost.
- > This form, a copy of registration, all required purchase orders, and any backup documentation must be submitted to the District Office -four weeks prior - to date of departure or registration deadline.

STAFF DEVELOPMENT DAY(S): _____

SUPERINTENDENT APPROVAL: _____

(Certificated staff only when conference is on a non-contract day, and is at least 6 hours in length)

| APPROVAL | | |
|-------------------|-----------|---------|
| Authorizing Agent | Signature | Date |
| ADMINISTRATOR: | CSG | 8/27/24 |
| SUPERINTENDENT: | | |

Kristie Jacobsen

From: Cali Griffin
Sent: Tuesday, August 27, 2024 9:33 AM
To: Kristie Jacobsen
Subject: Fw: Hotel Reservation Acknowledgement

Caroline (Cali) Griffin
Loyalton High School Principal
Sierra Plumas Joint Unified School District
Post Office Box 37, 700 Fourth Street
Loyalton, CA 96118
530-993-4454 ext. 310

Home of the Grizzlies

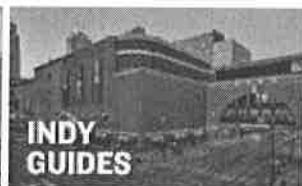
From: Visit Indy Housing Bureau <info@cvent.com>
Sent: Tuesday, August 27, 2024 8:42 AM
To: Cali Griffin <cgriffin@spjUSD.org>
Subject: Hotel Reservation Acknowledgement



EVENTS | WHAT TO DO | WHERE TO EAT

THANK YOU FOR BOOKING!

Get the most out of your stay and consider adding time to explore Indy.



2024 National FFA Convention & Expo
Oct 23, 2024 - Oct 26, 2024
Indianapolis, IN

Dear Caroline,

Thank you for making plans to visit Indy! This letter is an acknowledgement for hotel accommodations during 2024 National FFA Convention & Expo which will take place in Indianapolis, IN. We're so excited that you are coming and invite you to explore our great city (plan your stay at VisitIndy.com). We are confident you will wish to return again and again.

If your rooms will be paid for by school or company check, you must contact your hotel after the Housing close date of 09/25/2024 to confirm the hotel's process and make arrangements. Hotels typically require they receive a check 2 weeks prior to arrival.

To make name changes, date changes, or cancel individual reservations, use the 'modify' button next to Guest Information: You may change check in, check out, number of guests per room, first name, last name, and email. You may also cancel an individual reservation using the 'Remove' button.

Once you have typed the changes, you will save these using the 'Next' button at the bottom of the page, and then the 'Save' and 'Confirm' buttons on the following page.

Reach out to us @VisitIndy for questions or suggestions, and be sure to share your trip by posting with #LoveIndy.

Your hotel acknowledgement number is DVQ84MN6. For details about your reservation, please see the information below. To make changes to your reservation electronically, please [click here](#). Changes and cancellations may be made online using your reservation acknowledgement number.

We look forward to welcoming you to Indianapolis!

RESERVATION INFORMATION

Passkey DVQ84MN6
Acknowledgement Number:
Your hotel: Courtyard by Marriott Downtown Indianapolis
Check-in: Oct 24, 2024
Check-out: Oct 26, 2024
Room type: Guest room, 2 Queen
Number of rooms: 1
Guests per room: 1
Guest name: Caroline Griffin
Share with: There are no other guests sharing this room
Requests:
Guarantee method: Credit Card
Nightly Rates:

| Date | Guests | Status | Rate |
|--------------|--------|-----------|--------|
| Oct 24, 2024 | 1 | Confirmed | 194.00 |
| Oct 25, 2024 | 1 | Confirmed | 194.00 |

Additional Person Charges:

| | Additional GuestRate |
|--------------|----------------------|
| Second Guest | 0.00 |
| Third Guest | 0.00 |
| Fourth Guest | 0.00 |

Total Room Charge: 388.00

Room rates are subject to state and local taxes, currently 17% (subject to change without notice).

453.96
Cancellation Policy: First night room rate including taxes for cancellations made on or after 09/05/2024.
CANCELLATION POLICY – ALL DEADLINES IN EASTERN TIME:
May 8, 2024 - September 4, 2024 5:00PM EDT: No cancel fee.

September 5 - September 25, 2024: 1 night's room and tax cancellation policy to be charged by the reservations system, per room canceled. You may make changes to the reservation without penalty, but if the reservation is cancelled the penalty fee will be charged to the credit card associated with the reservation. Prior to making the cancellation you may go into the reservation and change the credit card.

September 26 - Arrival Date: 1 night's room and tax cancellation policy to be charged by the hotel per room canceled.

Hotel Information

Hotel Name:

Courtyard by Marriott Downtown Indianapolis

Address:

601 W. Washington St.

Indianapolis, IN 46204

Weather:

[View the Weather Forecast](#)

A kind note about calling the hotel "just to be sure"

Please do not call your hotel "to be sure" about your hotel reservation until after Sep 25, 2024.

Please understand that processing your reservations from the Housing Bureau into the Hotel system will take a few days. Rest assured that if you have received a confirmation number already from the Housing Bureau, the hotel will honor your booking. Thank you for your consideration.

After Sep 25, 2024, all reservation changes can be made by contacting the hotel directly at 317-822-9029. Passkey, its reservation system and/or their agents act only in the capacity of agent for all customers in all matters pertaining to hotel reservations, and as such are not responsible for guaranteed hotel rooms, damages, expenses, inconveniences, or damage to any person or property from any cause whatsoever.



We look forward to hosting you!



Kristie Jacobsen

From: Cali Griffin <cali.bryangriffin@yahoo.com>
Sent: Tuesday, August 27, 2024 9:34 AM
To: Kristie Jacobsen
Subject: Fw: You're going to Indianapolis on 10/24 (3U6ZCD)!

----- Forwarded Message -----

From: Southwest Airlines <southwestairlines@ifly.southwest.com>
To: "cali.bryangriffin@yahoo.com" <cali.bryangriffin@yahoo.com>
Sent: Tuesday, August 27, 2024 at 08:59:10 AM PDT
Subject: You're going to Indianapolis on 10/24 (3U6ZCD)!

Here's your itinerary & receipt. See ya soon!
View in web browser | View our mobile site



Travel notice

REAL ID Requirement: Do you have a REAL ID? Beginning May 7, 2025, you will need a state-issued REAL ID compliant license or identification within the United States. Visit www.tsa.gov for a list of acceptable forms of ID and additional information regarding REAL ID requirements.



Hi Caroline Suzanne,

We're looking forward to flying together!
Below you'll find your itinerary, important receipt. See you onboard soon!

OCTOBER 24 - OCTOBER 26

RNO  **IND**

Reno/Tahoe to Indianapolis

Confirmation # **3U6ZCD**

| | |
|--------------------|--------------------------|
| PASSENGER | Caroline Suzanne Griffin |
| RAPID REWARDS # | 22641845752 |
| TICKET # | 5262554373751 |
| EST. POINTS EARNED | 3,387 |

Rapid Rewards® points are only estimations. Cash + Points bookings will not earn Rapid Rewards points, tier qualifying points for A-List or A-List preferred status o

Your itinerary

Flight 1: Thursday, 10/24/2024 Est. Travel Time: 5h 55m [Wanna Get Away®](#)

FLIGHT # 0472

| | | |
|--------------------|---|--------------------|
| DEPARTS |  | ARRIVES |
| RNO 05:40AM | | PHX 07:25AM |
| Reno/Tahoe | | Phoenix |

Stop:  Change planes

FLIGHT # 1355

| | | |
|--------------------|---|--------------------|
| DEPARTS |  | ARRIVES |
| PHX 08:15AM | | IND 02:35PM |
| Phoenix | | Indianapolis |

Flight 2: Saturday, 10/26/2024 Est. Travel Time: 7h 10m [Wanna Get Away®](#)

FLIGHT # 4227

| | | |
|--------------------|---|--------------------|
| DEPARTS |  | ARRIVES |
| IND 04:35PM | | DEN 05:25PM |
| Indianapolis | | Denver |

Stop:  Change planes

FLIGHT # 3138

| | | |
|--------------------|---|--------------------|
| DEPARTS |  | ARRIVES |
| DEN 07:25PM | | RNO 08:45PM |
| Denver | | Reno/Tahoe |

Payment information

Total cost

Air - 3U6ZCD

| | | |
|-----------------------------|----|--------|
| Base Fare | \$ | 564.42 |
| U.S. Transportation Tax | \$ | 42.33 |
| U.S. 9/11 Security Fee | \$ | 11.20 |
| U.S. Flight Segment Tax | \$ | 20.00 |
| U.S. Passenger Facility Chg | \$ | 18.00 |

| | | |
|--------------|-----------|---------------|
| Total | \$ | 655.95 |
|--------------|-----------|---------------|

Fare rules: If you decide to make a change to your current itinerary it may result in a fare increase.

Your ticket number : 5262554373751

All your perks, all in one place. (Plus a few reminders.)



Wanna Get Away® fare: Your two bags fly free®, no change or cancel fees, 6X Rapid Rewards® points, and free (provided). [Learn more.](#)



Make sure you know when to arrive at your airport. Times vary by city.



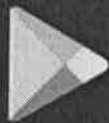
If your plans change, cancel your reservation at least 10 minutes before the original scheduled departure time or reservation in time, your funds will be forfeited.

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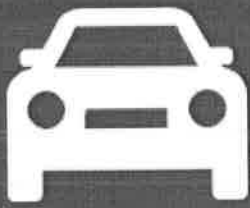


Download app now



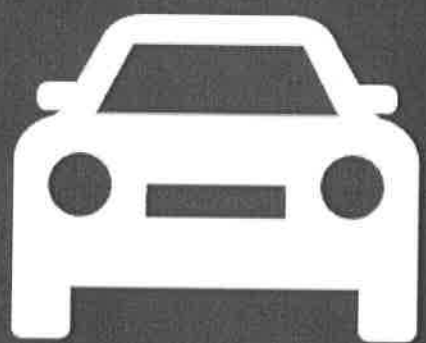
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5262554373751: NONREF/NONTRANSFERABLE -BG WN RNO WN X/PHX WN IND203.14WN X/DEN WN RNO361.28USD564.42END ZP RNO5.00PHX5.00IND5.00DEN5.00 >

SLAVP2H|SLAVP2H
QLA7P2H|QLA7P2H

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SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT CERTIFICATED SUBSTITUTE LIST 2024-2025

[illegible]

SIERRA COUNTY OFFICE OF EDUCATION

RESOLUTION NO. 25-003C

Resolution for Adopting the Gann Limit

WHEREAS, in November of 1979, the California electorate adopted Proposition 4, commonly called the “Gann Amendment”, which added Article XIII-B to the California Constitution; and

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called “Gann Limits,” for public agencies, including school districts; and

WHEREAS, Section 7900 et seq. of the Government Code require this board to establish annually, by resolution at a regular or special meeting, the appropriations limit for the County; and

WHEREAS, Government Code section 7902.1 authorizes this board to increase the County’s appropriations limit to an amount equal to its proceeds of taxes; and

NOW, THEREFORE, BE IT RESOLVED, that this Board does provide public notice that the attached calculations and documentation of the Gann Limits for 2023-2024 and 2024-2025 fiscal years are made in accord with applicable constitutional and statutory law; and

BE IT FURTHER RESOLVED, this Board does hereby declare that the appropriations in the Budget for the 2023-2024 and 2024-2025 fiscal years do not exceed the limitations imposed by Proposition 4; and

BE IT FURTHER RESOLVED, that the Superintendent provides copies of this resolution along with the appropriate attachments to interested citizens of this district.

Passed and adopted at a regular meeting of the Sierra County Board of Education held September 10, 2024 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

VACANT: _____

Patty Hall, Clerk
Sierra County Board of Education

SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 25-003D

Resolution for Adopting the Gann Limit

WHEREAS, in November of 1979, the California electorate adopted Proposition 4, commonly called the “Gann Amendment”, which added Article XIII-B to the California Constitution; and

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called “Gann Limits,” for public agencies, including school districts; and

WHEREAS, Section 7900 et seq. of the Government Code require this board to establish annually, by resolution at a regular or special meeting, the appropriations limit for the District; and

WHEREAS, Government Code section 7902.1 authorizes this board to increase the District’s appropriations limit to an amount equal to its proceeds of taxes; and

NOW, THEREFORE, BE IT RESOLVED, that this Board does provide public notice that the attached calculations and documentation of the Gann Limits for 2023-2024 and 2024-2025 fiscal years are made in accord with applicable constitutional and statutory law; and

BE IT FURTHER RESOLVED, this Board does hereby declare that the appropriations in the Budget for the 2023-2024 and 2024-2025 fiscal years do not exceed the limitations imposed by Proposition 4; and

BE IT FURTHER RESOLVED, that the Superintendent provides copies of this resolution along with the appropriate attachments to interested citizens of this district.

Passed and adopted at a regular meeting of the Sierra-Plumas Joint Unified School District Governing Board held September 10, 2024 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

VACANT: _____

Patty Hall, Clerk
Sierra-Plumas Joint Unified School District
Governing Board

Assignment Monitor
Teachers on Local Assignment
Presented to Governing Board 9/10, 2024

| Teacher | Site | Credential | Subject/Grade | Sections | EC § | Section |
|-------------|-------------|--|---------------------|----------|-------|------------------------|
| Binkley, M | LHS | Single Subject Math | HSS 8 | 1 | 44865 | Necessary Small School |
| | | | HSS 7 | 2 | 44865 | Necessary Small School |
| | | | World History | 1 | 44865 | Necessary Small School |
| | | | US History | 1 | 44865 | Necessary Small School |
| Bolle', R | DVL | Biological Science | Math 7/8 | 1 | 44865 | Necessary Small School |
| | | | US Hisotry | 1 | 44865 | Necessary Small School |
| | | | Journalism/Yearbook | 1 | 44865 | Necessary Small School |
| | | | Life Science 7/8 | 1 | 44865 | Necessary Small School |
| | | | Chemistry 11/12 | 1 | 44865 | Necessary Small School |
| | | | Astronomy | 1 | 44865 | Necessary Small School |
| Corcoran, A | LHS | Single Subject Social Science | Spanish 1 | 2 | 44865 | Necessary Small School |
| | | | Spanish 2 | 2 | 44865 | Necessary Small School |
| Doyle, P | Sierra Pass | Multiple Subject | Math 7-12 | TBD | 44865 | Alternative School |
| | | | Social Science 7-12 | TBD | 44865 | Alternative School |
| | | | Science 7-12 | TBD | 44865 | Alternative School |
| | | | English | TBD | 44865 | Alternative School |
| | | | ISP K-12 | TBD | 44865 | Alternative School |
| Fillo, S | DVL | Standard Secondary Ind Arts w/ supplemental Geology | Math 11/12 | 1 | 44865 | Necessary Small School |
| | | | PE 7-10 | 1 | 44865 | Necessary Small School |
| | | | Woods | 1 | 44865 | Necessary Small School |
| | | | Metals | 1 | 44865 | Necessary Small School |
| Markee, S | DVL | Multiple Subject | 11/12 English | 1 | 44865 | Necessary Small School |
| | | | Alg 1 | 1 | 44865 | Necessary Small School |
| | | | Drama | 1 | 44865 | Necessary Small School |
| | | | 9/10 English | 1 | 44865 | Necessary Small School |
| | | | Future Focus 9/10 | 1 | 44865 | Necessary Small School |
| | | | Music | 1 | 44865 | Necessary Small School |

Assignment Monitor
Teachers on Local Assignment
Presented to Governing Board 9/10, 2024

[illegible]

Board Policy Manual

Sierra-Plumas Joint Unified School District & Sierra County Office of Education

Students**Policy 5145.6: Parent/Guardian Notifications**

The Governing Board desires to promote effective communication ~~between~~from the ~~district and/or school~~ and the home and to families to keep ~~parents/guardians~~families informed regarding educational programs, school operations, and the legal rights of students and ~~their~~ parents/guardians. The Superintendent or designee shall send parents/guardians all notifications required by law and any other notifications the Superintendent or designee believes will promote ~~parental~~familial understanding and involvement.

Notice of the rights and responsibilities of parents/guardians as specified in Education Code 48980 shall be sent at the beginning of each academic year and may be provided by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used by the district for written communication with parents/guardians. (Education Code 48981)

No activity specified in Education Code 48980 shall be undertaken with respect to any particular student unless the student's parent/guardian has been informed of such action through the annual notification or other separate special notification. Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur. (Education Code 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. ~~The parent/guardian's signature is~~ Parents are not required to sign the notice, but schools still need to confirm that parents received it. If a parent does sign the form, it only shows that they have received the information. It does not mean that they are agreeing to or refusing to let their child participate in any specific program an acknowledgment of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. (Education Code 48982)

There are certain activities where parents must actively give or withhold permission for their child to participate. These activities include:

1. Sexual health and HIV/AIDS prevention education (passive consent): Parents are notified and given the option to opt their child out of these lessons.
2. Animal dissections (passive consent): If students are required to dissect animals, parents can choose to excuse their child from this activity.
3. Physical exams (passive consent): Schools may perform routine physical exams, but parents can decline these for their child.
4. Surveys or questionnaires (active consent for 5th grade, passive consent for 7th, 9th, and 11th grade): Parents must give permission for their child to participate in certain surveys about personal beliefs or family matters.
5. Photos and media release (active consent): Schools usually require parents to approve the use of a student's photo or name in public communications.

These decisions help ensure that parents are actively involved in their child's education and can choose what is appropriate for their child.

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

Whenever a student enrolls in a district school during the school year, the student's parents/guardians shall be given all required parental notifications at that time.

CSBA NOTE: The following paragraph applies to notices required for certain federal programs, including, but not necessarily limited to, Title I notices pursuant to 20 USC 6311 and 6312, notices regarding the rights of parents/guardians of students with disabilities pursuant to 34 CFR 300.503 and 300.504, and notices of the educational rights of students experiencing homelessness pursuant to 42 USC 11432. The following paragraph may be revised to reflect district practice.

Notifications shall be presented in an understandable and uniform format ~~and, to the extent practicable,~~

CSBA NOTE: Pursuant to state and federal antidiscrimination laws, including the Americans with Disabilities Act (42 USC 12101; 28 CFR 35) and Section 504 of the Rehabilitation Act of 1973 (29 USC 794), auxiliary aides and services must be provided to qualified individuals with disabilities to enable those individuals to effectively communicate and participate in public programs, services, or activities. For example, for the Medi-Cal Program, the Department of Health Care Services (DHCS), the state agency that administers the program, has issued Policy and Procedure Letters No. 21-017R and No. 23-004, which require districts to develop a plan to meet these alternative format requirements. For more information on the Medi-Cal Program, see AR 5141.6 - School Health Services.

When necessary, the district shall provide notifications to qualified individuals with disabilities in alternative formats, such as braille, large font, or audio recordings, to enable such individuals to effectively participate in any program, service, or activity, as required by law.

CSBA NOTE: Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to the parents/guardians of these students must also be written in the primary language and may be answered by the parent/guardian in either language.

Education Code 48985 requires the California Department of Education (CDE) to notify districts, by August 1 of each year, of the schools and the languages for which the translation of notices is required based on census data submitted to the CDE in the preceding fiscal year.

Whenever 15 percent or more of the students enrolled in a district school speak a single primary language other than English, as determined from the California Department of Education census data collected pursuant to Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (Education Code 48981, 48985)

Whenever an employee learns that a student's parent/guardian is unable to understand the district's printed notifications for any reason, the employee shall inform the principal or designee, who shall work with the parent/guardian to establish other appropriate means of communication.

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

Policy adopted: April 10, 2007

revised: February 12, 2013

revised: April 10, 2018

revised: November 10, 2020

revised: August 08, 2023

revised: ??, 2024

CSBA POLICY GUIDE SHEET – September 10, 2024 *First Reading*

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 0410 - Nondiscrimination in District Programs and Activities

Policy updated to reflect **NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474)** which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, and (2) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. Additionally, policy updated to reflect **NEW LAW (SB 153, 2024)** which prohibits the Governing Board from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination in accordance with specified state law. In addition, policy updated to reflect **NEW FEDERAL REGULATIONS (89 Fed. Reg. 31320)** which include specified technical standards to ensure that content available through a district's web and mobile applications are accessible to individuals with disabilities.

Board Policy 1312.3 - Uniform Complaint Procedures

Policy updated to reflect **NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474)** which (1) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, and (2) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status. Additionally, policy updated to reflect **NEW LAW (SB 153, 2024)** which prohibits the Governing Board from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination in accordance with specified state law. In addition, policy updated to clarify that the uniform complaint procedures should not be used to investigate and resolve employment discrimination complaints, and reflect **NEW LAW (AB 714, 2023)** which exempts "newcomer students" from district adopted graduation requirements, transfer of coursework and credit requirements, and specified consultation and notice requirements, formerly applicable to students in the third or fourth year of high school participating in a newcomer program.

Board Policy 4030 - Nondiscrimination in Employment

Policy updated to reflect **NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474)** which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, and (2) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. Additionally, policy updated to reflect **NEW LAW (SB 700, 2023)** which prohibits the district from discriminating against an employee in termination, or any term or condition of employment, or otherwise penalizing a person, based on the person's use of cannabis when off the job or away from the workplace. In addition, policy updated to move material related to sex discrimination to Board Policy and Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment in order to keep material related to sex discrimination and sex-based harassment together. Policy also updated to provide that employees are required to report incidents of prohibited discrimination within one workday, which may be modified to reflect the district's timeline, in order to maintain consistency of such reporting requirements across the policy manual.

Board Policy 4033 - Lactation Accommodation

Policy updated to reflect **NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474)** which (1) require districts to provide reasonable break time for employees to express breast milk or breastfeed, and to ensure that employees have access to a lactation space, as specified, (2) provide that "sex" for purposes of sex discrimination under Title IX includes lactation and related medical conditions or recovery, and (3) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. Additionally, policy updated to reflect the Providing Urgent Maternal Protections (PUMP) for Nursing Mother Act which (1) requires employers to provide reasonable break time for nursing employees to express breast milk for one year after the child's birth, and to ensure that employees have access to a lactation space, as specified, and (2) authorizes an employee to file a complaint with the Wage and Hour Division of the U.S. Department of Labor for violation of such act. In addition, policy updated to reflect the Pregnant Workers Fairness Act which (1) requires employers to provide reasonable accommodation to employees due to pregnancy, childbirth, or related medical conditions, including lactation, as specified, and (2) authorizes an employee to file a complaint with the Equal Employment Opportunity Commission for failure to provide reasonable accommodations pursuant to the act.

Board Policy 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment

Policy updated to include material related to sex discrimination, in addition to sex-based harassment. Additionally, policy updated to reflect **NEW LAW (AB 1955, 2024)** which prohibits a district, including a Governing Board member, from retaliating or otherwise taking adverse action against an employee, including by placing the employee on administrative leave, on the basis that the employee supported a student exercising rights specified in certain Education Code provisions, performed work in a manner consistent with the district's legal obligations related to educational equity, or provided instruction to students consistent with current content standards, curriculum frameworks, instructional materials adopted by the state board, and state law. In addition, policy updated to reflect **NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474)** which (1) require districts to provide a notice of nondiscrimination on the basis of sex, (2) require employees with knowledge of conduct that reasonably may constitute sex discrimination or sex-based harassment in a district education program or activity to notify the Title IX Coordinator, (3) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, and (4) require the Title IX Coordinator to offer and coordinate supportive measures when notified of conduct that reasonably may constitute sex discrimination, including sex-based harassment.

Board Policy 5145.3 - Nondiscrimination/Harassment

Policy updated to reflect **NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474)** which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, and (2) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. Additionally, policy updated to reflect **NEW LAW (AB 1165, 2023)** which encourages districts to have a student who has been suspended, or for whom other means of correction have been implemented pursuant to Education Code 48900.5 for an incident of racist bullying, harassment, or intimidation, as well as the victim, to engage in a restorative justice practice suitable to address the needs of both the victim and the perpetrator.

Board Policy 5145.7 - Sex Discrimination and Sex-Based Harassment

Policy updated to include material related to sex discrimination, in addition to sex-based harassment. Additionally, policy updated to reflect **NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474)** which (1) clarify that discrimination on the basis of sex, including sex-based harassment, for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status, (2) require employees with knowledge of conduct that reasonably may constitute sex discrimination or sex-based harassment in a district education program or activity to notify the Title IX

Coordinator, (3) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, (4) require the Title IX Coordinator to offer and coordinate supportive measures when notified of conduct that reasonably may constitute sex discrimination, including sex-based harassment (5) require specified training related to sex discrimination for all district employees, as well as additional training for investigators, decisionmakers, and other persons who are responsible for implementing the district's grievance procedures or have the authority to modify or terminate supportive measures; facilitators of an informal resolution process; and the Title IX Coordinator(s) and designees, and (6) require specified records to be maintained for seven years. In addition, policy updated to reflect **NEW LAW (AB 1955, 2024)** which prohibits a district, including a Governing Board member from retaliating or otherwise taking adverse action against an employee, including by placing the employee on administrative leave, on the basis that the employee supported a student exercising rights specified in certain Education Code provisions, performed work in a manner consistent with the district's legal obligations related to educational equity, or provided instruction to students consistent with current content standards, curriculum frameworks, instructional materials adopted by the state board, and state law. Policy also updated to (1) provide that employees are required to report incidents of prohibited discrimination within one workday, which may be modified to reflect the district's timeline, in order to maintain consistency of such reporting requirements across the policy manual, and (2) delete material related to requirements for posting and publishing the district's sexual harassment policy which are located in Administrative Regulation 5145.3 – Nondiscrimination/Harassment, and the accompanying administrative regulation by reference.

Board Policy 5146 - Married/Pregnant/Parenting Students

Policy updated to reflect **NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474)** which (1) provide that a student's current, potential, or past pregnancy, childbirth, termination of pregnancy or lactation, and related medical conditions and recovery, as well as a student's current, potential, or past parental, family, or marital status are protected from discrimination pursuant to Title IX and its implementing regulations, (2) require an employee, when a student or a person who has a legal right to act on behalf of a student informs any employee of the student's pregnancy or related conditions, to provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination, including sex-based harassment, and ensure the student's equal access to the district's education program or activity, (3) require the district to provide the district's notice of nondiscrimination on the basis of sex and take specified actions once notified of a student's pregnancy or related conditions, (4) prohibit the district from requiring a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person verifying that the student is physically able to participate in the district's class, program, or extracurricular activity unless the certified level of physical ability of health is (a) necessary for participation in the class, program, or extracurricular activity, (b) the district requires such certification of all participating students, and (c) the information obtained is not used as a basis for sex discrimination, (5) require the district to allow a student who is pregnant or who has related conditions to voluntarily take a leave of absence to cover, at a minimum, the period of time deemed medically necessary by the student's licensed healthcare provider, and, if the district has a leave policy that allows for a greater period of time than the medically necessary period and the student qualifies for leave under such policy, to permit the student to take leave under that policy, (6) require the district to reinstate a student who has returned to school after taking parental leave to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began, (7) require the district to provide reasonable accommodations for students who are pregnant or parenting, or have related conditions, as specified, (8) require the district to provide a student who is lactating with access to a lactation space, as specified, and (9) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct.

Board Policy Manual

Sierra-Plumas Joint Unified School District & Sierra County Office of Education

Philosophy, Goals, Objectives and Comprehensive Plans

Policy 0410: Nondiscrimination In District Programs And Activities

CSBA NOTE: Education Code 234.1 mandates districts to adopt policy as well as a process to ensure that district programs and activities are free from unlawful discrimination. Education Code 234.1 requires that the district's nondiscrimination policy include a statement that the policy applies to all acts related to a school activity or school attendance and, as amended by AB 1078 (Ch. 229, Statutes of 2023), to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district. Education Code 234.1, as amended by AB 1078, contains similar language regarding the County Board of Education and the County Superintendent of Schools.

In accordance with various provisions of state and federal law, discrimination in education programs and activities is unlawful when it is based on certain actual or perceived characteristics of an individual. Education Code 220 prohibits discrimination based on race or ethnicity, nationality, immigration status, sex, sexual orientation, gender, gender identity, gender expression, religion, disability, or any other characteristic contained in the definition of hate crimes in Penal Code 422.55. Education Code 260 prohibits discrimination based on age. Government Code 11135 prohibits discrimination based on many of the foregoing characteristics and on an individual's genetic information and medical condition. Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7) prohibits discrimination on the basis of race, color, and national origin. Title IX (20 USC 1681-1688; 34 CFR 106.1-106.82, as amended by 89 Fed. Reg. 33474) prohibits discrimination on the basis of sex, including sex stereotypes; sex characteristics; gender; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status. The Americans with Disabilities Act (ADA) (42 USC 12101-12213) and Section 504 of the Rehabilitation Act of 1973 (29 USC 794) prohibit discrimination on the basis of disability. For policy language protecting students against discrimination and harassment, see BP/AR 5145.3 - Nondiscrimination/Harassment and BP/AR 5145.7 - Sex Discrimination and Sex-Based Harassment, and for language regarding Title IX complaint procedures, see AR 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Education Code 260 and 5 CCR 4900-4965 require the Board to monitor district compliance with these state and federal laws. The federal laws are enforced by the Office for Civil Rights (OCR) of the U.S. Department of Education (USDOE), and the California Department of Education (CDE) may investigate complaints regarding discrimination pursuant to 5 CCR 4600-4670.

OCR's May 2024 Dear Colleague Letter, "Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics," which expands and clarifies USDOE's 2023, "Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools," provides that Title VI's protections from race, color, and national origin discrimination extends to students who experience discrimination based on actual or perceived (1) shared ancestry or ethnic characteristics, or (2) citizenship or residency in a country with a dominant religion or distinct religious identity.

While Title VI does not protect individuals based solely on religious discrimination, it does apply to antisemitism and other forms of discrimination when based on shared ancestry or ethnic characteristics. The guidance includes clarifying examples regarding existing legal requirements under Title VI.

Additionally, OCR's November 2023 Dear Colleague Letter, "Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics," states that all students, including students who are or are perceived to be Jewish, Israeli, Muslim, Arab, or Palestinian, as well as students who come from, or are perceived to come from, all regions of the world, are

entitled to a school environment free from discrimination based on race, color, or national origin. The Dear Colleague Letter provides that Title VI also protects students from discrimination which is based on (1) actual or perceived citizenship or residency in a country with a dominant religion or distinct religious identity, including Jewish, Muslim, Sikh, Hindu, Christian, and Buddhist students, when the discrimination involves racial, ethnic, or ancestral slurs or stereotypes, (2) a student's skin color, physical features, or style of dress that reflects both ethnic and religious traditions, and (3) where a student came from or is perceived to have come from. Discrimination based on a student's foreign accent, foreign name, or a student speaking a foreign language may also violate Title VI's prohibitions against discrimination.

OCR's August 2023 Dear Colleague Letter, "Race and School Programming," states that a district may not separate students based on race, but may include group discussions or activities that focus on race as part of the curriculum, courses, or programs so long as access or participation is not permitted or limited based on race. OCR's guidance also provides that a school-sponsored program with emphasis on race, such as a student club, that is open to all students, typically would not violate Title VI solely because of its race-related theme.

Additionally, OCR's May 2023 Dear Colleague Letter, "Resource on Confronting Racial Discrimination in Student Discipline," published in conjunction with the U.S. Department of Justice (DOJ), states that a district's responsibility not to discriminate against students applies to any of its programs or activities, whether directly or through contractual or other arrangements.

In addition to the prohibitions to discrimination described above, Government Code 12940 provides protections for employees, job applicants, unpaid interns, and volunteers against unlawful discrimination and harassment on the basis of actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, reproductive health decisionmaking, pregnancy, physical or mental disability, medical condition, genetic information, veteran or military status, sex, sexual orientation, gender, gender identity, or gender expression.

For policy language regarding Title IX complaint procedures for employees, see AR 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for language addressing protections against discrimination as they relate to employees, unpaid interns, and job applicants, see BP 4030 - Nondiscrimination in Employment and BP 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment, and as they relate to volunteers, see BP 1240 - Volunteer Assistance.

This policy shall apply to all acts related to a school activity or school attendance and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board is committed to providing equal opportunity for all individuals in district programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, ~~marital status~~, pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery, parental, family, or marital status, reproductive health decisionmaking, physical or mental disability, medical condition, sex, sex stereotypes, sex characteristics, sexual orientation, gender, gender identity, gender expression, veteran or military status, 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.

CSBA NOTE: Education Code 234.7 mandates that districts adopt policy consistent with the California Attorney General's model policy contained in the Office of the Attorney General's publication, "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues." That model policy includes statements regarding the equitable provision of services and a prohibition against the use of school resources or data for creating a registry based on specific characteristics. In

addition, Government Code 8310.3 prohibits districts from disclosing information about immigration status or religion to federal government authorities for use in the compilation of a registry for immigration enforcement or otherwise assisting in the creation of such a registry. For more information regarding this mandate and appropriate responses to citizenship and immigration concerns, see BP/AR 5145.13 - Response to Immigration Enforcement.

All individuals shall be treated equitably in the receipt of district and school services. Personally identifiable information collected in the implementation of any district program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on ~~race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above~~ any of the categories identified above.

CSBA NOTE: Education Code 243, as added by AB 1078, clarifies when it is unlawful discrimination for the Board to (1) refuse to approve the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, or (2) prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library. The Board may not refuse to approve such use on the basis that the material includes a study of the role and contributions of specified individuals or groups, unless the study of the role and contributions reflects adversely upon legally protected groups. Additionally, the Board may not prohibit such use on the basis that the study of the role and contributions contain inclusive or diverse perspectives. Any Board action to ban or censor a textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction on any of the bases described above may constitute unlawful discrimination under Education Code 220. In addition, pursuant to Education Code 244, as added by SB 153 (Ch. 38, Statutes of 2024), the Board is prohibited from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination pursuant to Education Code 220.

Education Code 242, as added by AB 1078, requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum. For more information regarding instructional materials adoption see BP/AR/E(1) 6161.1 - Selection and Evaluation of Instructional materials, CSBA's publication, "Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities," and corresponding Fact Sheet and Reference, and the California Attorney General's, "Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books."

District programs and activities shall be free of any discriminatory use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources.

The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

Additionally, the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be adopted by the Board or district if the use would subject a student to unlawful discrimination as specified in Education Code 220. (Education Code 244)

CSBA NOTE: Education Code 221.2-221.3, the California Racial Mascot Act, declare the use of racially derogatory or discriminatory school or athletic team names, mascots, or nicknames to be contrary to an equal education and specifically prohibit public schools from using the term "Redskins" as a school or athletic team name, mascot, or nickname. The following paragraph expands this prohibition to include any racially derogatory or discriminatory athletic team name, mascot, or nickname and may be revised to reflect district practice.

District programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

CSBA NOTE: Pursuant to Education Code 221.5, a district is required to permit a student to participate in sex- segregated school programs and activities, including athletic teams and competitions, and to use facilities consistent with the student's gender identity, regardless of the student's gender as listed on the student's educational records.

Additionally, Title IX, 34 CFR 106.31, as amended by 89 Fed. Reg. 33474, provides that a district (1) may not exclude a student from participation in, deny a student the benefits of, or otherwise subject a student to discrimination on the basis of sex in any education program or activity, (2) that in the limited circumstances in which different treatment or separation on the basis of sex is permitted, a district may not carry out such different treatment or separation in a manner that discriminates on the basis of sex by subjecting a student to more than de minimis harm, and (3) that preventing a student from participating in an education program or activity consistent with the student's gender identity would subject the student to more than de minimis harm on the basis of sex. In commentary accompanying the Final Rule, USDOE clarifies that Title IX protects students from sex discrimination, including sex-based harassment, when they access sex-separate facilities. This protection applies with equal force to all students, including transgender and nonbinary students, requiring districts to provide access to sex-separate facilities, including bathrooms, in a manner that does not cause more than de minimis harm. USDOE intends to issue a separate final rule to address Title IX's application to sex-separate athletic teams which is governed by 34 CFR 106.41, rather than 34 CFR 106.31 as described above. See BP/AR 5145.7 - Sex-Discrimination and Sex-Based Harassment.

For further information, see CSBA's, "Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools," and CSBA's Recently Asked Questions, "Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students."

The Superintendent or designee shall annually review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. The Superintendent or designee shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

CSBA NOTE: Complaints alleging discrimination based on a violation of Education Code 243, as added by AB 1078, or Education Code 244, as added by SB 153, related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, as described above, may be brought under the district's uniform complaint procedures (UCP) or may be filed directly with the Superintendent of Public Instruction (SPI). Complaints that are filed directly with the SPI are required to identify the basis for doing so, and present evidence that supports the basis for the direct filing. In such cases, the SPI may directly intervene without waiting for an investigation by the district. See BP/AR 1312.3 - Uniform Complaint Procedures.

Pursuant to 34 CFR 106.11 and 106.44, as amended by 89 Fed. Reg. 33474, a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, is required to follow Title IX grievance procedures when investigating and resolving a

complaint based on the alleged conduct. As such a complaint may also fall within the complaint process as specified in BP/AR 1312.3 - Uniform Complaint Procedures, for students, and AR 4030 - Nondiscrimination in Employment, for employees, it is unclear whether districts would additionally be required to follow the procedures specified in BP/AR 1312.3 - Uniform Complaint Procedures or AR 4030 - Nondiscrimination in Employment, as applicable. Due to this uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel prior to utilizing such a complaint process for this purpose. For more information regarding the Title IX grievance procedures, see AR 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for students, and AR 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for employees.

~~All~~Except for allegations of sex discrimination or sex-based harassment, allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures, for students, and Administrative Regulation 4030 - Nondiscrimination in Employment, for employees. Complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved in accordance with 34 CFR 106.44 and 106.45 and as specified in Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for students, and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for employees.

CSBA NOTE: Many nondiscrimination laws and regulations contain a notification requirement. For example, pursuant to 34 CFR 104.8 and 106.8, a district that receives federal aid is required to take "continuing steps" to notify students, parents/guardians, employees, employee organizations, and applicants for admission and employment that it does not discriminate on the basis of disability or sex in its education programs or activities. In addition, Education Code 221.61 requires districts to post specified information relating to Title IX on their websites. To ensure consistent implementation of the laws, the same notification requirement should be adopted for all the protected categories as provided in the following paragraph.

Pursuant to 34 CFR 104.8 and 106.8, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the district. The notification shall also be posted on the district's website and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

CSBA NOTE: Education Code 234.7 requires the following notification. Information about the educational rights of all students is contained in the appendix of the Office of the Attorney General's publication, "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues."

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (Education Code 234.7)

CSBA NOTE: Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to the parents/guardians of these students must also be written in the primary language and may be answered by the parent/guardian in English or the primary language. In addition, 20 USC 6311 and 6312 require that districts receiving Title I funds provide parent/guardian notices in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians understand.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language. (Education Code 48985; 20 USC 6312)

Access for Individuals with Disabilities

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

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

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

CSBA NOTE: Pursuant to 28 CFR 35.130 and 35.160, the ADA requires districts to provide services and aids to ensure that a disabled individual is not excluded from participation or denied a benefit, service, or program on the basis of a disability. However, if the district can show that providing such aids and services would fundamentally alter the nature of the function, program, or meeting or would be an undue burden, then the district need not provide them. The requirement to provide services and aids extends to qualified individuals with speech, hearing, or vision disabilities who participate in Medi-Cal, and, in accordance with the Department of Health Care Services Policy and Procedure Letters No. 21-017R and No. 23-004, districts are required to have a plan to meet these alternative format requirements; see AR 5141.6 - School Health Services.

In addition, Government Code 54953.2 requires that all Board meetings meet the protections of the ADA and implementing regulations (28 CFR 35.160 and 36.303). The district must ensure that such meetings are accessible to persons with disabilities and that, upon the request of any person with a disability, disability-related accommodations, such as auxiliary aids and services, are made available. Additionally, Government Code 54953 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. See BB 9320 - Meetings and Notices and BB 9322 - Agenda/Meeting Materials. OCR has interpreted the ADA and Section 504 of the Rehabilitation Act of 1973 to include the requirement that district websites be accessible to individuals with disabilities. In April 2024, the DOJ published updated regulations which include specific technical standards to ensure that content available through a district's web and mobile applications are accessible to individuals with disabilities by April 26, 2027. For more information on website accessibility, see OCR's June 2010 and May 2011 Dear Colleague Letters, DOJ's April 2024, "Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments," and BP 1113 - District and School Websites.

The Superintendent or designee shall ensure that the ~~district provides~~ district's web and mobile applications comply with technical standards prescribed by law, and as necessary, shall provide appropriate auxiliary aids and services ~~when necessary~~ to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of ~~a service, program~~ district services, programs, or activity ~~activities~~. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school websites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or designee if they have a disability that requires special assistance or services.

Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

CSBA NOTE: Pursuant to 28 CFR 35.107, a district that has 50 or more employees is required to designate at least one employee to coordinate the district's efforts to comply with the ADA. The designated employee could be the same individual or position responsible for the district's compliance with state and federal laws and regulations governing educational programs as identified in the district's UCP procedures. The following paragraph, which identifies the person or position identified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee, may be modified if the district chooses to designate another person or position.

The individual identified in Administrative Regulation 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state federal civil rights laws is hereby designated as the district's ADA coordinator. The compliance officer shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

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SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
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Community Relations**Policy 1312.3: Uniform Complaint Procedures**

CSBA NOTE: To address prohibited discrimination and violations of state and federal laws governing educational programs, 5 CCR 4621 mandates districts to adopt uniform complaint procedures (UCP) consistent with the state's complaint procedures specified in 5 CCR 4600-4670. Additionally, Education Code 52075 mandates districts to adopt policies and procedures implementing the use of UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan, and Education Code 8212 mandates districts to adopt policies and procedures for resolving complaints regarding specified health and safety issues in license-exempt California State Preschool Programs (CSPP). Furthermore, a number of federal civil rights statutes and their implementing regulations mandate districts to adopt policies and procedures for the prompt and equitable resolution of complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). For example, districts are mandated pursuant to 28 CFR 35.107 to adopt policy and procedures to address discrimination on the basis of disability, while districts that receive federal financial assistance are mandated pursuant to 34 CFR 110.25 to adopt policies and procedures to address discrimination on the basis of age. The following policy contains a list of programs and activities subject to these procedures pursuant to state law; see the section "Complaints Subject to UCP", below.

The California Department of Education (CDE) monitors district programs and operations for compliance with these requirements through its Federal Program Monitoring (FPM) process. The FPM consists of a review of (1) written district policies and procedures for required statements, including prohibition of discrimination (such as discriminatory harassment, intimidation, and bullying) against students pursuant to Education Code 234.1 and (2) records of required activities, such as annual notification provided to students, parents/guardians, employees, and other school community members.

The U.S. Department of Education's Office for Civil Rights (OCR) enforces federal anti-discrimination laws, including Title II of the Americans with Disabilities Act (42 USC 12101-12213), Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7), Title IX of the Education Amendments Act of 1972 (20 USC 1681-1688), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Age Discrimination Act of 1975 (42 USC 6101-6107). Pursuant to 34 CFR 106.1-106.82, as amended by the 89 Fed. Reg. 33474, districts are required to follow the Title IX grievance procedures when investigating and resolving Title IX sex discrimination complaints based on conduct that occurred on or after August 1, 2024. See BP/AR 5145.7 - Sex Discrimination and Sex-Based Harassment and AR/E(1) 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures. As such a complaint may also fall within the scope of the UCP, it is unclear whether districts would additionally be required to follow the UCP. Due to this uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel prior to utilizing the UCP for this purpose.

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to UCP

CSBA NOTE: The FPM process includes a review of a district's policies and procedures to determine whether all district programs and activities that are subject to the UCP, as listed in the FPM instrument, are addressed. According to CDE, the district's policy must list all such programs and activities and, at the district's discretion, may add a paragraph below the list stating the UCP programs and activities that are implemented in the district.

For further information regarding requirements for the following programs and activities, see the law cited and/or related CSBA policy and/or administrative regulation.

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)

CSBA NOTE: As noted above, it is unclear whether districts are required to follow the UCP in addition to the Title IX grievance procedures when investigating and resolving a Title IX sex discrimination complaint based on conduct that occurred on or after August 1, 2024. As a result, Item #10 below does not list discrimination, harassment, intimidation, or bullying in district programs and activities based on sex. It is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel prior to including discrimination, harassment, intimidation, or bullying in district programs and activities based on sex in Item #10. See Item #3 in the Non-UCP Complaint section.

10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, ~~marital status, pregnancy, parental status,~~ physical or mental disability, medical condition, ~~sex, sexual orientation, gender, gender identity, gender expression,~~ or genetic information, ~~or~~ any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55; ~~or~~ based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

CSBA NOTE: Education Code 243, as added by AB 1078 (Ch. 229, Statutes of 2023), clarifies when it is unlawful discrimination for the Governing Board to (1) refuse to approve the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library or (2) prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library. The Board may not refuse to approve such use on the basis that the material includes a study of the role and contributions of specified individuals or groups, unless the study of the role and contributions reflects adversely upon legally protected groups. Additionally, the Board may not prohibit such use on the basis that the study of the role and contributions contain inclusive or diverse perspectives. Any Board action to ban or censor a textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction on any of the bases described above may also constitute unlawful discrimination under Education Code 220. In addition, pursuant to Education Code 244, as added by SB 153 (Ch. 38, Statutes of 2024), the Board is prohibited from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination pursuant to Education Code 220. Complaints alleging discrimination based on a violation of Education Code 243, as added by AB 1078, or Education Code 244, as added by SB 153, may be brought under the district's UCP or may be filed directly with the Superintendent of Public Instruction (SPI). Complaints that are filed directly with the SPI are required to identify the basis for doing so, and present evidence that supports the basis for the direct filing. In such cases, the SPI may directly intervene without waiting for an investigation by the district. For more information regarding complaints concerning instructional materials, see BP/AR 1312.2 - Complaints Concerning Instructional Materials and AR 1312.4 - Williams Uniform Complaint Procedures.

Education Code 242, as added by AB 1078, requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum.

For more information regarding instructional materials adoption, see BP/AR/E(1) 6161.1 - Selection and Evaluation of Instructional materials, CSBA's publication, "Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities," and corresponding Fact Sheet and Reference, and the California Attorney General's, "Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books."

Discrimination includes, but is not limited to, the Board's refusal to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library, on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. Additionally, discrimination includes, but is not limited to, the Board's adoption or approval of use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library if the use would subject a student to unlawful discrimination pursuant to Education Code 220. A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI). (Education Code 243, 244)

The UCP shall not be used to investigate and resolve employment discrimination complaints. (5 CCR 4611)

CSBA NOTE: Pursuant to Education Code 51225.1 and 51225.2, as amended by AB 714 (Ch. 342, Statutes of 2023), exemptions from district adopted graduation requirements, transfer of coursework and credit requirements, and specified consultation and notice requirements, formerly applicable to students in the third or fourth year of high school participating in a newcomer program, are applicable to "newcomer students," as defined in Education Code 51225.2, who are in the third or fourth year of high school.

11. Educational and graduation requirements for students in foster care, students experiencing homelessness, students from military families, students formerly in a juvenile court school, students who are migratory, and ~~students participating in a newcomer program~~ students (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
21. State preschool programs (Education Code 8207-8225)

CSBA NOTE: Pursuant to Education Code 8212, and CDE's 2023-24 FPM instrument, which is subject to change as the 2024-25 FPM instrument has not yet been released, the district must use the UCP, with modifications as necessary, to resolve complaints alleging deficiencies related to health and safety issues in license-exempt CSPPs. Pursuant to 5 CCR 4610, such complaints must be addressed through the procedures described in 5 CCR 4690-4694. See the section "Health and Safety Complaints in License-Exempt Preschool Programs" in the accompanying administrative regulations.

22. State preschool health and safety issues in license-exempt programs (Education Code 8212)

CSBA NOTE: 5 CCR 4621 mandates that district policy ensure that complainants are protected from retaliation as specified in item #23 below.

23. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
24. Any other state or federal educational program the SPI or designee deems appropriate

CSBA NOTE: 5 CCR 4631 authorizes the district to utilize alternative dispute resolution (ADR) methods, including mediation, to resolve complaints before initiating a formal investigation. However, the district should ensure that any ADR it uses, particularly "in-person ADR," is appropriate for the particular situation. For example, in some instances, face-to-face mediation should not be used, even if all parties voluntarily agree, given the risk that a student might feel pressured to "voluntarily" agree to it.

The following optional paragraph provides for a neutral mediator and should be revised to reflect district practice.

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint ~~involving sexual assault or~~ where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with federal, state, and federal/local laws and regulations.

CSBA NOTE: The following paragraph is mandated pursuant to 5 CCR 4621. Since appropriate disclosure will vary in each case depending on the facts and circumstances, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

CSBA NOTE: It is important to maintain records of all UCP complaints and the investigations of those complaints. If the district is investigated by OCR or CDE, these are important documents in demonstrating that the district has complied with federal law, state law, and its own policies and regulations.

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency- (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for

licensed facilities, be referred to Department of Social Services- (5 CCR 4611)

CSBA NOTE: 34 CFR 106.2 and 106.10, as amended by 89 Fed. Reg. 33474, clarify that discrimination on the basis of sex for the purpose of Title IX includes discrimination on the basis of sex stereotypes; sex characteristics; sexual orientation; gender identity; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status. While the phrases "gender" and "gender expression" are not explicitly included, they are implied by the definitions of those terms that are explicitly included.

3. Any complaint alleging that a student, while in an education program or activity ~~in which the district exercises substantial control over the context and respondent~~, was subjected to sexual conduct known to the district that may reasonably constitute sex discrimination under Title IX, including sex-based harassment, as defined in 34 CFR 106.302

~~3-~~ Discrimination on the basis of sex includes sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status. Such a complaint shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in Administrative Regulation 5145.71 - Title IX ~~Sexual~~Sex Discrimination and Sex-Based Harassment Complaint Procedures. (34 CFR 106.2, 106.10, 106.11, 106.44)

Any

CSBA NOTE: Complaints of employment discrimination are not subject to the UCP. Instead, pursuant to 2 CCR 11023, the district must establish an impartial and prompt process for addressing such complaints. In addition, 5 CCR 4611 requires that employment discrimination complaints be referred to the Civil Rights Department.

However, pursuant to 34 CFR 106.1-106.82, as amended by 89 Fed. Reg. 33474, districts are required to follow the Title IX grievance procedures when investigating and resolving employment complaints alleging sex discrimination based on conduct that occurred on or after August 1, 2024. See BP/AR 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment and AR/E(1) 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures. As such a complaint may also fall within the process specified in AR 4030 - Nondiscrimination in Employment, it is unclear whether districts would additionally be required to follow the complaint procedures specified in AR 4030 - Nondiscrimination in Employment. Due to this uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel prior to utilizing the procedures specified in AR 4030 - Nondiscrimination in Employment for this purpose. See AR 4030 - Nondiscrimination in Employment for applicable complaint procedures.

4. Except for complaints alleging sex discrimination, including sex-based harassment, any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in Administrative Regulation 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Civil Rights Department-
Employment complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved as specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

CSBA NOTE: 5 CCR 4610 limits the applicability of the UCP for complaints regarding special education and child nutrition, as provided in Items #5-7 below.

5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with Administrative Regulation 6159.1 - Procedural Safeguards and Complaints for Special Education- (5 CCR 3200-3205)
6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of

cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with Board Policy 3555 - Nutrition Program Compliance- (5 CCR 15580-15584)

7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with Board Policy 3555 - Nutrition Program Compliance- (5 CCR 15582)

CSBA NOTE: Education Code 35186 requires the district to use UCP, with modifications, to investigate and resolve complaints related to the issues stated in the following paragraph (i.e., "Williams complaints").

Because Education Code 35186 sets forth different timelines for investigation and resolution of these kinds of complaints than the timelines specified in law for other uniform complaints, CDE has created a separate uniform complaint process for the Williams complaints. See AR 1312.4 - Williams Uniform Complaint Procedures for the separate procedure.

- 4.8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

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 *(All Staff)*

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 decision-making, 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), the Pregnant Workers Fairness Act (42 USC 2000gg-2000gg-6), 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).

The U.S. Equal Employment Opportunity Commission's (EEOC) April 2024, "Enforcement Guidance on Harassment in the Workplace," provides for components of an effective anti-harassment policy, including that the policy (1) defines what conduct is prohibited, (2) is widely disseminated, (3) is comprehensible to employees, (4) requires supervisors to report harassment when they are aware of it, (5) offers multiple avenues for reporting harassment, enabling employees to contact someone other than their harasser, (6) clearly identifies who complaints can be made to, including contact information, and (7) explains the complaint process, including anti-retaliation and confidentiality protections.

For policy addressing sex discrimination and sex-based harassment of and by employees, see BP/AR 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment, and for language regarding Title IX sex discrimination, including sex-based harassment, complaint procedures, see AR/E(1) 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

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.

CSBA NOTE: 34 CFR 106.2 and 106.10, as amended by 89 Fed. Reg. 33474, clarify that discrimination on the basis of sex for the purpose of Title IX includes sex stereotypes; sex characteristics; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status.

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; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; parental, family, or marital status; ~~pregnancy~~; physical or mental disability; medical condition; genetic information; veteran or military status; sex; ~~sex stereotypes~~; ~~sex characteristics~~; 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 includes reproductive health decision-making as a characteristic for which employment discrimination is prohibited. Pursuant to Government Code 12926(y) "reproductive health decision- making" 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 decision-making, 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 such inquiry is necessary 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's such inquiry~~ inquiry is required to do so in order necessary to comply with federal immigration law. (2 CCR 11028)

CSBA NOTE: Pursuant to Government Code 12954, as amended by SB 700 (Ch. 408, Statutes of 2023), the district may not discriminate against an employee in termination, or any term or condition of employment, or otherwise penalize a person, based on the person's use of cannabis when off the job or away from the workplace. However, Government Code 12954 does not interfere with the district's right to maintain drug-free schools or to prohibit employees from possessing, being impaired by, or using cannabis while at work. Government Code 12954 also does not preempt state or federal laws requiring applicants to be tested for controlled substances as a condition of employment or to applicants in the building and construction trades or for positions requiring a federal background investigation. Districts with questions about employee cannabis use or screening should consult CSBA's District and County Office of Education Legal Services or district legal counsel. Also see BP 4111 - Recruitment and Selection, AR 4112.5 - Criminal Record Check, BP/AR 4118 - Dismissal/Suspension/Disciplinary Action, and BP/AR 4218 - Dismissal/Suspension/Disciplinary Action.

Unless otherwise provided for in law, the district may not discriminate against an employee, including an applicant for employment, in any term or condition of employment, or otherwise penalize a person, including termination, based on the person's use of cannabis off the job and away from the workplace, or on a drug screening which finds that the person has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. However, the district retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (Government Code 12954)

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. Labor Code 1197.5, as amended by SB 497 (Ch. 612, Statutes of 2023), creates a rebuttable presumption in favor of the employee's claim if a district retaliates against an employee within 90 days of the specified protected activity.

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 could not discipline an employee for non-coercive religious conduct while the employee was acting as a private citizen. Also see BP 4118 - Dismissal/Suspension/Disciplinary Action, 4218 - Dismissal/Suspension/Disciplinary Action, and BP 4119.1/4219.1/4319.1 - Civil and Legal Rights.

In Groff v. DeJoy, the U.S. Supreme Court held that Title VII's protections against religious discrimination require an employer who denies an employee's religious accommodation to show that the burden of granting the accommodation would result in substantial increased costs in relation to the conduct of its particular business.

EEOC's April 2024, "Enforcement Guidance on Harassment in the Workplace," notes that while Title VII requires districts to accommodate an employee's sincerely held religious belief, districts are also responsible for protecting employees against unlawful harassment, including harassment motivated by religion. EEOC's guidance suggests that in order to address the dual obligations under Title VII, a district should accommodate an employee's sincerely held religious practice, unless doing so would create a hostile work environment.

In May 2023, the U.S. Department of Education issued, "Guidance on Constitutionally Protected Prayer and Religious Expression in Public Schools," which includes the extent to which prayer in public schools is legally protected, constitutional principles that relate to religious expression in general, and requirements under federal and state laws relevant to prayer and religious expression. The guidance states that, "Nothing in the

First Amendment, however, converts the public schools into religion-free zones, or requires students, teachers, or other school officials to leave their private religious expression behind at the schoolhouse door." The guidance also states that employees may pray when they are not acting in their official capacity and the prayer does not result in any coercion of students.

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 offensive and 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. As the specific prohibitions are too numerous to list in policy, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel 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~~
 - a. Sex discrimination as specified in Board Policy and Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment
 - 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
- e. Requiring an applicant or employee to disclose information relating to the employee's reproductive health decision-making

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 sex-based 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)

CSBA NOTE: Pursuant to 34 CFR 106.11 and 106.44, as amended by 89 Fed. Reg. 33474, a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, is required to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. As such a complaint may also fall within the complaint process as specified in the accompanying administrative regulation, it is unclear whether districts would additionally be required to follow the procedures specified in the accompanying administrative regulation. Due to this uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel prior to utilizing such a complaint process for this purpose. For more information regarding the Title IX grievance procedures, see AR 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based

Harassment Complaint Procedures.

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation. However, complaints alleging sex discrimination under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

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 - Sex Discrimination and Sex-Based Harassment.

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

The following paragraph should be revised to reflect the district's timeline.

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 within one workday.~~ All other employees ~~are encouraged to~~ shall report such incidents to their supervisor ~~immediately or~~ designated district coordinator within one workday.

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 website. 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 EEOC's "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.

EEOC's April 2024, "Enforcement Guidance on Harassment in the Workplace," provides for components of effective training, including that it (1) explains the district's anti-harassment policy, complaint process, and confidentiality and anti-retaliation protections, (2) describes and provides examples of prohibited conduct under the policy, (3) provides information about employees' rights if they experience, observe, become aware of, or report prohibited conduct, (4) provides supervisors with information about how to prevent, identify, stop, report, and correct harassment, with clear instructions for addressing and reporting harassment, (5) is tailored to the workplace and workforce, (6) is provided on a regular basis to all employees, and (7) is provided in a clear and easily understood format.

For further information on prevention strategies, including posting requirements, 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, 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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Personnel (All Staff)**Policy 4033: Lactation Accommodation**

CSBA NOTE: Pursuant to Labor Code 1034, districts are mandated to develop policy regarding lactation accommodation with specified components, as provided below.

Both federal and state law require that employees be provided reasonable break time and an appropriate location to accommodate their desire to express breast milk for their infant children. Title IX (20 USC 1681-1688), and its implementing regulation 34 CFR 106.57, as amended by 89 Fed. Reg. 33474, require districts to provide reasonable break time for employees to express breast milk or breastfeed, and to ensure that employees have access to a lactation space, as specified. Additionally, the Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act (29 USC 218d) requires employers to provide reasonable break time for nursing employees to express breast milk for one year after the child's birth, and to ensure that employees have access to a lactation space, as specified. In addition, the Pregnant Workers Fairness Act (PWFA) (42 USC 2000gg-2000gg-6) requires employers to provide reasonable accommodation to employees due to pregnancy, childbirth, or related medical conditions, including lactation. State law (Labor Code 1030-1034; Government Code 12925-12954) also applies to all district employees. Where provisions of the laws conflict, the statute providing greater protections for employees supersedes. The district should consult CSBA's District and County Office of Education Legal Services or district legal counsel if questions arise about the application of conflicting laws to a particular employee.

Government Code 12926 includes breastfeeding or medical conditions related to breastfeeding within the definition of "sex" for purposes of sex discrimination under the California Fair Employment and Housing Act. Additionally, 34 CFR 106.10, as amended by 89 Fed. Reg. 33474, provides that "sex" for purposes of sex discrimination under Title IX includes lactation and related medical conditions or recovery. In addition, Labor Code 1033 prohibits an employer from discharging, or in any manner discriminating or retaliating against, an employee for exercising or attempting to exercise any right related to lactation accommodation. Pursuant to Labor Code 1033, violation of Labor Code 1030-1034 may result in a citation from the Labor Commissioner and/or a civil penalty.

Districts are required to prohibit retaliation when a right or privilege secured by Title IX is interfered with, including when a person reported possible sex discrimination, made a sex-discrimination complaint, or participated or refused to participate in any way in the district's Title IX process. Pursuant to 34 CFR 106.71, as amended by 89 Fed. Reg. 33474, when the district has information about conduct that reasonably may constitute retaliation under Title IX, the district is required to respond to such conduct using the procedures used for other forms of sex discrimination as specified in 34 CFR 106.44 and 106.45; see AR/E(1) 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

The district should ensure consistency of this policy with provisions in the district's collective bargaining agreement, if any, related to break times or other employment issues.

The Governing Board of Education recognizes the immediate and long-term health benefits of breastfeeding and desires to provide a supportive environment for any district employee to express breast milk for an infant child upon returning to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee for seeking an accommodation to express breast milk for an infant child while at work.

CSBA NOTE: Labor Code 1034 mandates that the district's policy regarding lactation accommodation include the process by which the employee is to make a lactation accommodation request and the district's obligation to respond to the request. The following paragraph should be modified to reflect the district's process.

For more information regarding workplace accommodations, see AR 4032 - Reasonable Accommodation and for temporary assignments, see BP 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment.

An employee shall notify the employee's supervisor or other appropriate ~~personnel~~district administrator in advance of the intent to request an accommodation. The supervisor or appropriate district administrator shall respond to the request and shall work with the employee to make arrangements.- If needed, the supervisor or appropriate district administrator shall address scheduling in order to ensure that the employee's essential job duties are covered during the break time.

CSBA NOTE: Pursuant to Labor Code 1032, all districts are required to grant lactation accommodation except when granting the accommodation would "seriously disrupt" district operations. "Serious disruption" is not defined in the law.

Additionally, the PUMP Act (29 USC 218d) and Labor Code 1031 provide an exception for districts with fewer than 50 employees when lactation accommodation would result in "undue hardship" based on significant difficulty or expense in relation to the size, financial resources, nature, or structure of the district. In addition, the PWFA (42 USC 2000gg-1) applies to districts with 15 or more employees, but provides an exception for accommodations that would impose an "undue hardship." When a district is able to demonstrate undue hardship, Labor Code 1031 only requires that reasonable efforts be made to provide the employee with the use of a room or other location in close proximity to the employee's work area for the employee to express breast milk in private. Pursuant to Labor Code 1031, the provided room or location may not be a toilet stall.

Regardless of the size of the district, the determination of serious disruption or undue hardship should be made on a case-by-case basis and only in limited, stringent circumstances. The burden of demonstrating why accommodation could not be made, even if on a temporary basis or for less time than requested, would likely fall to the district.

Lactation accommodations shall be granted unless limited circumstances exist as specified in law.- (Labor Code 1031, 1032; 29 USC ~~207~~218d, 42 USC 2000gg-1)

CSBA NOTE: Labor Code 1034 mandates that the district's policy include a statement that the district provide a written response to an employee if the district is unable to comply with the break time or location requirements.

34 CFR 106.57, as amended by 89 Fed. Reg. 33474, requires the district to provide "reasonable" break time for an employee to express breast milk or breastfeed, but does have any qualification related to the requirement to provide a lactation space. Additionally, it would be unlikely that a district would have a valid reason to deny a lactation accommodation pursuant to the PWFA. Thus, districts should proceed with caution before denying a lactation accommodation, and consult CSBA's District and County Office of Education Legal Services or district legal counsel as necessary.

Before a determination is made to deny lactation accommodations to an employee, the employee's supervisor shall consult with the Superintendent or designee. When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s).- (Labor Code 1034)

CSBA NOTE: Labor Code 1034 mandates that the district's policy regarding lactation accommodation be distributed to employees as provided in the following paragraph.

Additionally, pursuant to 34 CFR 106.8, as amended by 89 Fed. Reg. 33474, the district's policy regarding the prohibition of sex discrimination, which includes lactation and related conditions, is required to be published, and the district's notice of nondiscrimination on the basis of sex is required to be posted on the district's website and appear in each handbook, catalog, announcement, bulletin, and application that the district makes available to employees and applicants for employment.

The district shall include this policy in its employee handbook or in any set of policies that the district makes available to employees. In addition, the Superintendent or designee shall distribute ~~the~~this policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave.- (Labor Code 1034)

Break Time and Location Requirements

CSBA NOTE: Although the PUMP Act (29 USC 218d) limits the length of time that an employee is entitled to lactation accommodation to one year after the birth of the child, Labor Code 1030 and the PWFA (42 USC 2000gg- 1) do not set a specific limit on the infant child's age and therefore provides greater benefits to employees.

Additionally, 34 CFR 106.57, as amended by 89 Fed. Reg. 33474, which requires districts to provide reasonable break time for an employee to express breast milk or breastfeed, does not specify a duration of time from birth of the child.

The district shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child.- (Labor Code 1030); 42 USC 2000gg-1; 34 CFR 106.57)

CSBA NOTE: Labor Code 1030 and the PUMP Act (29 USC 218d) do not require the district to compensate non- exempt employees for breaks taken for the purpose of expressing breast milk. However, an employee who uses break time already provided by the district as paid time must be compensated for that break time in the same manner as any other employee. Any additional time beyond the authorized paid break time could be uncompensated, provided the employee is completely relieved from duty during that time. If the district instead chooses to provide compensation for such additional break time, it should modify the following paragraph accordingly. The district also may provide flexible scheduling for those employees who choose to work extra time to make up for any uncompensated break time beyond the authorized break time.

To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid.- (Labor Code 1030; 29 USC ~~207~~218d)

CSBA NOTE: Labor Code 1031 requires the district to provide an employee with the use of a room or location, other than a bathroom, to express breast milk in private. This may include the place where the employee normally works if the location otherwise meets legal requirements, as specified below. Labor Code 1031 authorizes the district to designate a temporary location to express breast milk if the district is unable to provide a permanent location due to operational, financial, or space limitation, as long as the space is in close proximity to the employee's work area, shielded from view, free from intrusion while breast milk is being expressed, and is otherwise compliant with law.

Additionally, the PUMP Act (29 USC 218d) and Title IX (34 CR 106.57, as amended by 89 Fed. Reg. 33474) require the district to ensure that an employee can access a lactation space, other than a bathroom, that is clean, shielded from view, and free from intrusion from others.

The employee shall be provided ~~the use of a~~ lactation space which may be used by the employee for expressing breast milk or breastfeeding as needed. The lactation space shall be a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the employee's work area. ~~The room or location provided, and~~ shall meet the following requirements:- (Labor Code 1031; 29 USC ~~207~~218d; 34 CFR 106.57)

1. Is shielded from view and free from intrusion while the employee is expressing breast milk
-
2. -Is safe, clean, and free of hazardous materials, as defined in Labor Code 6382
-
3. Contains a place to sit and a surface to place a breast pump and personal items
-
4. Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump
-
5. -Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing breast milk in close proximity to the employee's workspace

If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes.- (Labor Code 1031)

Dispute Resolution

CSBA NOTE: Pursuant to 34 CFR 106.11 and 106.44, as amended by 89 Fed. Reg. 33474, a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, is required to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. As such a complaint may also fall within the complaint process as specified in AR 4030 - Nondiscrimination in Employment, it is unclear whether districts would additionally be required to follow the procedures specified in AR 4030 - Nondiscrimination in Employment. Due to this uncertainty, it is recommended that districts consult CSBA's District and County of Office Education Legal Services or district legal counsel prior to utilizing such a complaint process for this purpose. For more information regarding the Title IX grievance procedures, see AR 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Additional remedies may be available for violation of the PUMP Act (29 USC 218d) under the Fair Labor Standards Act, the PWFA (42 USC 2000gg-2), and state law pursuant to Labor Code 1030-1034 and Government Code 12925-12954.

Complaints alleging sex discrimination under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Additionally, an employee may file a complaint with the Wage and Hour Division of the U.S. Department of Labor for an alleged violation of the Providing Urgent Maternal Protections for Nursing Mothers Act and/or the Equal Employment Opportunity Commission for failure to provide reasonable accommodations pursuant to the Pregnant Workers Fairness Act. (29 USC 218c, 218d, 42 USC 2000gg-2).

CSBA NOTE: The following paragraph is mandated pursuant to Labor Code 1034.

In addition, an employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034.- (Labor Code 1034)

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
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Board Policy Manual

Sierra-Plumas Joint Unified School District & Sierra County Office of Education

Personnel (All Staff)

Policy 4119.11~4219.11~4319.11: Sex Discrimination and Sex-Based Harassment

CSBA NOTE: Sex discrimination and sex-based harassment are prohibited by Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17) and/or Title IX of the Education Amendments of 1972 (20 USC 1681-1688; 34 CFR 106.1-106.82), as well as the California Fair Employment and Housing Act (Government Code 12900-12996).

Education Code 231.5, 2 CCR 11023, and 34 CFR 106.8 mandate that districts have a written policy prohibiting sex discrimination and sex-based harassment against employees. As part of this mandate, districts are also required to adopt a written policy prohibiting sex discrimination and sex-based harassment against students; see BP/AR 5145.7 - Sex Discrimination and Sex-Based Harassment and AR 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Pursuant to 34 CFR 106.11 and 106.44, as amended by 89 Fed. Reg. 33474, a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, is required to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. As such a complaint may also fall within the complaint process as specified in AR 4030 - Nondiscrimination in Employment, it is unclear whether districts would additionally be required to follow the procedures specified in AR 4030 - Nondiscrimination in Employment. Due to this uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel prior to utilizing the process specified in AR 4030 - Nondiscrimination in Employment for this purpose. For more information regarding the Title IX grievance procedures, see AR 4119.12 - Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Pursuant to 2 CCR 11034, the district may be liable for sex-based harassment committed by a supervisor, coworker, or a third party. Pursuant to Government Code 12940, employers may also be held liable for sex-based harassment committed against their workers by clients, customers, or other third parties if they knew or should have known of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

The Governing Board is committed to providing a safe work environment that is free of discrimination, harassment, and intimidation. The Board prohibits ~~sexual-sex~~ sexual-sex discrimination, including sex-based harassment, as defined in the accompanying administrative regulation, in district programs and activities by and against district employees and.

CSBA NOTE: Pursuant to Education Code 220.1, as added by AB 1955 (Ch. 95, Statutes of 2024), a district, including a Governing Board member, may not retaliate or otherwise take adverse action against an employee, including by placing the employee on administrative leave, on the basis that the employee supported a student exercising rights specified in Education Code 220.1, performed work in a manner consistent with the district's legal obligations related to educational equity, or provided instruction to students consistent with current content standards, curriculum frameworks, instructional materials adopted by the state board, and state law.

Additionally, the Board prohibits retaliatory behavior or action against any person who complains, or testifies about conduct that reasonably may constitute sex discrimination, including sex-based harassment, reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, (Education Code 220.1; 34 CFR 106.71)

CSBA NOTE: Federal and state courts have provided guidance that may help employers avoid liability or mitigate damages in sex-based harassment cases. In Department of Health Services v. Superior Court (McGinnis), the California Supreme Court outlined measures that may constitute mitigating factors in the assessment of damages, including establishing anti-harassment policies, communicating those policies to employees, consistently enforcing the policies, preserving the confidentiality of employees who report harassment, and preventing retaliation against reporting employees. The U.S. Supreme Court in Burlington Industries v. Ellerth held that, for certain claims under federal law, an employer may defend against sex-based harassment claims by proving that (1) reasonable care was exercised to prevent and promptly correct any sexually harassing behavior, and (2) the employee (victim) failed to take advantage of the preventive and corrective opportunities provided by the employer. Additionally, in Faragher v. City of Boca Raton, one of the factors relied on by the U.S. Supreme Court in finding liability for harassment by a supervisor was the failure of the policy to provide an assurance to its employees that harassing supervisors may be bypassed in registering complaints.

Pursuant to Government Code 12950.1, employers with five or more employees are required to provide sex-based harassment training to supervisory and nonsupervisory employees which includes training in regard to sex discrimination. Additionally, Title IX, and its implementing regulation 34 CFR 106.8, as amended by 89 Fed. Reg. 33474, requires specified training related to sex discrimination, including sex-based harassment, for all district employees, as well as additional training for (1) investigators, decisionmakers, and other persons who are responsible for implementing the recipient's grievance procedures or have the authority to modify or terminate supportive measures, (2) facilitators of an informal resolution process, and (3) Title IX Coordinators and designees. See the accompanying administrative regulation for timelines and training requirements.

Items #1-4 below reflect the courts' guidance, Government Code 12950.1, and 34 CFR 106.8, and should be modified to reflect district practice.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of ~~sexual~~sex discrimination and sex-based harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's ~~sexual~~sex discrimination and sex-based harassment policy to employees and others to whom the policy may apply

CSBA NOTE: Pursuant to Title IX and its implementing regulation 34 CFR 106.8, as amended by 89 Fed. Reg. 33474, districts are required to provide a notice of nondiscrimination on the basis of sex, as specified below. For more information about the content and publication requirements for the notice of nondiscrimination, see AR 4030 - Nondiscrimination in Employment.

3. Publicizing, in accordance with 34 CFR 106.8 and as specified in Administrative Regulation 4030 - Nondiscrimination in Employment, a Title IX notice of nondiscrimination to employees, applicants for employment, and bargaining units
- 3.4. Ensuring prompt, thorough, fair, and equitable investigation of complaints through the appropriate state and/or federal procedures
- 4.5. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

CSBA NOTE: The following optional paragraph reflects a recommendation of the U.S. Equal Employment Opportunity Commission's informal guidance, "Promising Practices for Preventing Harassment," has been expanded to include sex discrimination, and may be revised to reflect district practice.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address sex discrimination and sex-based harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether sex discrimination and/or sex-based harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any ~~other~~other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to ~~the~~ harassment policy~~(ies)~~, complaint procedures, or training-

Sexual Harassment, as appropriate and in accordance with law.

Reports and Complaints

~~District employees who feel that they have been sexually harassed in the performance of their~~

CSBA NOTE: 34 CFR 106.8, as amended by 89 Fed. Reg. 33474, requires the district to designate at least one employee to coordinate its responsibilities under Title IX, who must be referred to as the Title IX Coordinator. See the accompanying administrative regulation.

Any district administrator, or employee who has experienced sex discrimination or sex-based harassment in the district's Title IX Coordinator. Employees education program or activity may bypass their supervisor in filing file a complaint if with the supervisor district's Title IX Coordinator. (34 CFR 106.2, 106.44)

CSBA NOTE: Pursuant to 34 CFR 106.44, as amended by 89 Fed. Reg. 33474, a district is required to respond promptly and effectively when it has knowledge of conduct that reasonably may constitute sex discrimination or sex-based harassment in its education program or activity. 34 CFR 106.44 further obligates a district to require its Title IX Coordinator to monitor the district's programs and activities for barriers to reporting information of such conduct and its employees to notify the Title IX Coordinator when they have such information. The following paragraph should be revised to reflect the district's timeline.

Any employee with knowledge of conduct that reasonably may constitute sex discrimination or sex-based harassment by or against another district employee, a student, or a third party in a district education program or activity shall notify the Title IX Coordinator within one workday. An employee may be subject to discipline for failure to timely report such conduct. (34 CFR 106.44)

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR Administrative Regulation 4119.12/4219.12/4319.12 - Title IX SexualSex Discrimination and Sex-Based Harassment Complaint Procedures ~~or AR 4030 - Nondiscrimination in Employment.~~

CSBA NOTE: Pursuant to 34 CFR 106.44, as amended by 89 Fed. Reg. 33474, when the Title IX Coordinator is notified of conduct that reasonably may constitute sex discrimination, including sex-based harassment, the Title IX Coordinator is required to offer and coordinate supportive measures to the complainant and-. Thus, districts should not wait to respond until a "formal" complaint is made. If the district has begun grievance procedures or offered an informal resolution process to the respondent, the Title IX Coordinator is required to offer and coordinate supportive measures to the respondent, as appropriate.

The Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and, if the district has begun grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures to be provided to the respondent as deemed appropriate under the circumstances. (34 CFR 106.44)

CSBA NOTE: In addition to district discipline imposed on employees who engage in sex-based harassment, Government Code 12940 provides that such employees may be held personally liable in a court of law for any damage to the victim(s).

Upon investigation of a ~~sexual~~sex discrimination or sex-based harassment complaint, any district employee found to have engaged or participated in ~~sexual~~sex discrimination or sex-based harassment or to have aided, abetted, incited, compelled, or coerced another to commit ~~sexual~~sex discrimination or sex-based harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

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

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Board Policy Manual

Sierra-Plumas Joint Unified School District & Sierra County Office of Education

Students**Policy 5145.3: Nondiscrimination/Harassment**

CSBA NOTE: The following mandated policy reflects various provisions of state and federal law which prohibit discrimination against students in educational programs and activities based on certain actual or perceived characteristics of an individual. Education Code 220 prohibits discrimination based on disability, race, nationality, immigration status, ethnicity, gender, gender identity, gender expression, sexual orientation, religion, or any other characteristic contained in the definition of hate crimes in Penal Code 422.55. Government Code 11135 prohibits discrimination based on most of the foregoing characteristics and on sex, color, ancestry, age, medical condition, marital status, and an individual's genetic information. Title VI of the Civil Rights Act of 1964 (42 USC 2000d- 2000d-7) prohibits discrimination based on race, color, or national origin. Title IX (20 USC 1681-1688; 34 CFR 106.1-106.82, as amended by 89 Fed. Reg. 33474) prohibits discrimination based on sex; sex stereotypes; sex characteristics; gender; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation; and, parental, marital, and family status. The Age Discrimination Act of 1975 (42 USC 6101-6107) prohibits discrimination based on age. The Americans with Disabilities Act (ADA) (20 USC 12101-12213) and Section 504 (29 USC 794) prohibit discrimination based on disability. Education Code 260 gives the Governing Board primary responsibility for ensuring that district programs and activities are free from discrimination based on age or any of the characteristics listed in Education Code 220. For more information regarding the requirement for district programs and activities to be free from discrimination, see BP 0410 - Nondiscrimination in District Programs and Activities.

For policy addressing student sex discrimination and sex-based harassment, see BP/AR 5145.7 - Sex Discrimination and Sex-Based Harassment, and for language regarding Title IX sex discrimination, including sex-based harassment, complaint procedures, see AR/E(1) 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Education Code 234.1 mandates that districts adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics listed above, which applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the district, and a process for receiving and investigating such complaints. The California Department of Education (CDE), through its Federal Program Monitoring process, reviews districts' uniform complaint procedures (UCP) and other anti-discrimination policies and processes to ensure compliance with these requirements. In addition, the U.S. Department of Education's Office for Civil Rights (OCR) is responsible for the administrative enforcement of federal laws and regulations prohibiting discrimination on the basis of race, color, national origin, sex, disability, and age in programs and activities that receive federal financial assistance from the department, and requires the adoption of nondiscrimination policies and complaint procedures.

Education Code 234.1, as amended by AB 1078 (Ch. 229, Statute of 2023), also requires that the district's nondiscrimination policy include a statement that the policy applies to all acts of the Board and the Superintendent in enacting policies and procedures that govern the district. Education Code 234.1, as amended by AB 1078, contains similar language regarding the County Board of Education and the County Superintendent of Schools.

Education Code 243, as added by AB 1078, clarifies when it is unlawful discrimination for the Board to (1) refuse to approve the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library or (2) prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library. The Board may not refuse to approve such use on the basis that the material includes a study of the role and contributions of specified individuals or groups, unless the study of the role and contributions reflects adversely upon legally protected groups. Additionally, the Board may not prohibit such use on the basis that the study of the role and contributions contain inclusive or diverse perspectives. In addition, the

Board's action to ban or censor a textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction on any of the bases described above may also constitute unlawful discrimination pursuant to Education Code 220. And, pursuant to Education Code 244, as added by SB 153 (Ch. 38, Statutes of 2024), the Board is prohibited from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination pursuant to Education Code 220. For more information regarding instructional materials adoption, see BP/AR/E(1) 6161.1 - Selection and Evaluation of Instructional materials, CSBA's publication, "Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities," and corresponding Fact Sheet and Reference, and the California Attorney General's, "Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books."

OCR has clarified in several publications that conduct that occurs off campus may have an adverse effect on a student at school (e.g., create a "hostile environment" for the student). When that happens, the district has an obligation to investigate and to take steps to protect the student.

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

CSBA NOTE: 34 CFR 106.2 and 106.10, as amended by 89 Fed. Reg. 33474, clarify that discrimination on the basis of sex for the purpose of Title IX includes discrimination on the basis of sex stereotypes; sex characteristics; sexual orientation; gender identity; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status.

The Board desires to provide a welcoming, safe, and supportive school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, ~~targeted at~~ any student by anyone, based on the student's actual or perceived race; color; ancestry; nationality; national origin; immigration status; ethnic group identification; ethnicity; age; religion; ~~marital status~~; pregnancy, childbirth, termination of pregnancy or lactation, including related medical conditions or recovery; parental, marital, and family status; physical or mental disability; medical condition; sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; or genetic information; or association with a person or group with one or more of these actual or perceived characteristics.

CSBA NOTE: OCR's May 2024 Dear Colleague Letter, "Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics," which expands and clarifies the U.S. Department of Education's 2023, "Guidance on Constitutionally Protected Prayer and Religious Expression in Public Schools," provides that Title VI's protections from race, color, and national origin discrimination extends to students who experience discrimination based on actual or perceived (1) shared ancestry or ethnic characteristics or (2) citizenship or residency in a country with a dominant religion or distinct religious identity. While Title VI does not protect individuals based solely on religious discrimination, it does apply to antisemitism and other forms of discrimination when based on shared ancestry or ethnic characteristics. The guidance includes clarifying examples regarding existing legal requirements under Title VI.

Additionally, OCR's November 2023 Dear Colleague Letter, "Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics," states that all students, including students who are or are perceived to be Jewish, Israeli, Muslim, Arab, or Palestinian, as well as students who come from, or are perceived to come from, all regions of the world, are entitled to a school environment free from discrimination based on race, color, or national origin. The Dear Colleague Letter provides that Title VI also protects students from discrimination which is based on (1) actual or perceived citizenship or residency in a country with a dominant religion or distinct religious identity, including

Jewish, Muslim, Sikh, Hindu, Christian, and Buddhist students, when the discrimination involves racial, ethnic, or ancestral slurs or stereotypes, (2) a student's skin color, physical features, or style of dress that reflects both ethnic and religious traditions, and (3) where a student came from or is perceived to have come from. Discrimination based on a student's foreign accent, foreign name, or a student speaking a foreign language may also violate Title VI's prohibitions against discrimination.

OCR's August 2023 Dear Colleague Letter, "Race and School Programming," states that a district may not separate students based on race, but may include group discussions or activities that focus on race as part of the curriculum, courses, or programs so long as access or participation is not permitted or limited based on race. OCR's guidance also provides that a school-sponsored program with emphasis on race, such as a student club, that is open to all students, typically would not violate Title VI solely because of its race-related theme.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

CSBA NOTE: In addition to the types of prohibited student conduct described above, unlawful discrimination includes different treatment of students with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services. See BP 0410 - Nondiscrimination in District Programs and Activities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

CSBA NOTE: Unlawful discrimination may occur when disciplining students. OCR's guidance, "Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973," "Resource on Confronting Racial Discrimination in Student Discipline," and "Creating Inclusive and Nondiscriminatory School Environments for LGBTQI Students," address discrimination in the use of discipline based on disability, race, and gender expression.

For more information regarding student discipline, see BP/AR 5144 - Discipline, BP/AR 5144.1 - Suspension and Expulsion/Due Process, and AR 5144.2 - Suspension and Expulsion/Due Process (Students With Disabilities).

Because unlawful discrimination ~~may~~could occur when disciplining students, including suspension and expulsion, the Superintendent or designee shall ensure that staff enforce discipline rules fairly, consistently and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144 - Discipline, Board Policy and Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students With Disabilities).

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates ~~or~~ participates or refuses to participate in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

CSBA NOTE: Pursuant to Education Code 234.1 and 34 CFR 106.8, a district is required to publicize its nondiscrimination policies to the school community. Additionally, Education Code 234.1, as amended by SB 153, and 234.6 require the district to make readily accessible on its website its nondiscrimination, harassment, intimidation, bullying, sex-based harassment, suicide prevention, and other specified policies and information related to specified state and federal laws and resources. In addition, 34 CFR 104.8 requires districts to take "continuing steps" to notify students, parents/guardians, applicants for admission, and employees that it does not discriminate on the basis of disability in its education programs or activities.

For further information regarding specific posting requirements, see "Measures to Prevent Discrimination" in the accompanying administrative regulation.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's website in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. (Education Code 234.1, 234.6); 34 CFR 106.8)

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

CSBA NOTE: Policies related to discrimination must be consistent with the First Amendment right to free speech. Education Code 48950 prohibits a district from subjecting a high school student to disciplinary sanctions solely on the basis of speech or other communication that would be constitutionally protected if engaged in outside of campus. However, Education Code 48950 also specifies that the law does not prohibit discipline for harassment, threats, or intimidation unless constitutionally protected. Whether such speech might be entitled to constitutional protection would be determined on a case-by-case basis, with consideration for the specific words used and the circumstances involved. It is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel as necessary.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

CSBA NOTE: The following paragraph may be revised to reflect district practice. Pursuant to Education Code 48900.5, as amended by AB 1165 (Ch. 22, Statutes of 2023), the district is encouraged to have a student who has been suspended, or for whom other means of correction have been implemented pursuant to Education Code 48900.5 for an incident of racist bullying, harassment, or intimidation, as well as the victim, to engage in a restorative justice practice suitable to address the needs of both the victim and the perpetrator, in addition to the other measures specified in the following paragraph; see BP/AR 5131.2 - Bullying.

When a student has been suspended, or other means of correction have been implemented against the student for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

CSBA NOTE: Pursuant to 34 CFR 106.11 and 106.44, as amended by 89 Fed. Reg. 33474, a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, is required to follow the Title IX grievance procedures when investigating and resolving the complaint. A complaint may also fall within the complaint process adopted by the district pursuant to Education Code 234.1 for receiving and investigating complaints of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying that is consistent with the district's UCP specified in 5 CCR 4600-4670. It is unclear whether districts would additionally be required to follow the UCP when investigating and resolving such a complaint. Due to this uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel prior to utilizing the UCP for this purpose. For more information regarding the Title IX grievance procedures, see AR 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

~~All allegations~~Allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures, when required by law. However, complaints alleging sex discrimination, including sex-based harassment, under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

SIERRA COUNTY OFFICE OF EDUCATION
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT
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Students**Policy 5145.7: Sex Discrimination and Sex-Based Harassment**

CSBA NOTE: Education Code 231.5 and 34 CFR 106.8 mandate the district to have written policies on sex discrimination and sex-based harassment. The following policy addresses sex discrimination and sex-based harassment against students in the school setting. As part of this mandate, the district should also adopt a sex discrimination and sex-based harassment policy related to employees; see BP/AR 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment and AR 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Moreover, this Board policy and the accompanying administrative regulation reflect the right of a transgender student to participate in sex-segregated educational programs and use facilities consistent with one's gender identity, as specified in Education Code 221.5 and 34 CFR 106.31, as amended by 89 Fed. Reg. 33474, and best practices based on existing state and federal law.

Both federal law, Title IX of the Education Amendments of 1972 (20 USC 1681-1688; 34 CFR 106.1-106.82), and state law (Education Code 220, 231.5), prohibit sex discrimination, including sex-based harassment and require districts to establish procedures for the prompt and equitable resolution of sex discrimination, including sex-based harassment complaints. Pursuant to 34 CFR 106.11 and 106.44, as amended by 89 Fed. Reg. 33474, a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, is required to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. As such a complaint may also fall within the scope of the uniform complaint procedures (UCP) as specified in BP/AR 1312.3 - Uniform Complaint Procedures, it is unclear whether districts would additionally be required to follow the process specified in BP/AR 1312.3 - Uniform Complaint Procedures. Due to this uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel prior to utilizing the UCP for this purpose. For more information regarding the Title IX grievance procedures, see AR 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

34 CFR 106.2 and 106.10, as amended by 89 Fed. Reg. 33474, clarify that discrimination on the basis of sex for the purpose of Title IX includes discrimination on the basis of sex stereotypes; sex characteristics; sexual orientation; gender identity; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status. Pursuant to 34 CFR 106.44, as amended by 89 Fed. Reg. 33474, a district can be held liable for civil damages for sex discrimination, including sex-based harassment of students pursuant to Title IX if the district has knowledge of conduct that reasonably may constitute sex-based harassment in its education program or activity and does not respond promptly and effectively.

In addition to filing a private civil lawsuit, an alleged victim of sex discrimination, including sex-based harassment, may file a complaint with the California Department of Education (CDE) and/or the U.S. Department of Education's Office for Civil Rights (OCR), the federal agency responsible for administrative enforcement of federal laws and regulations that prohibit discrimination in programs and activities that receive federal financial assistance from the U.S. Department of Education.

The ~~Governing Board of Education~~ is committed to maintaining a welcoming, safe, and supportive school environment that is free from ~~harassment and discrimination and harassment~~. The Board prohibits, at school or at school-sponsored or school-related activities, ~~sexual harassment~~ sex discrimination and sex-based harassment, as defined in the accompanying administrative regulation, targeted at any student by anyone. The, based on the student's actual or perceived sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy or lactation, including related medical conditions or recovery; and, parental, marital, and family status.

CSBA NOTE: Districts are required to prohibit retaliation when a right or privilege secured by Title IX is interfered with, including when a person reports possible sex discrimination, made a sex-discrimination complaint, or participated or refused to participate in any way in the district's Title IX process. Pursuant to 34 CFR 106.71, as amended by 89 Fed. Reg. 33474, when the district has information about conduct that reasonably may constitute retaliation under Title IX, including peer retaliation, the district is required to respond to such conduct using the procedures used for other forms of sex discrimination as specified in 34 CFR 106.44 and 106.45; see AR/E(1) 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Pursuant to Education Code 220.1, as added by AB 1955 (Ch. 95, Statutes of 2024), a district, including a Governing Board member, may not retaliate or otherwise take adverse action against an employee, including by placing the employee on administrative leave, on the basis that the employee supported a student exercising rights specified in Education Code 220.1, performed work in a manner consistent with the district's legal obligations related to educational equity, or provided instruction to students consistent with current content standards, curriculum frameworks, instructional materials adopted by the state board, and state law.

Additionally, the Board prohibits retaliatory behavior or action against any person who ~~reports, files a complaint, complains~~ or testifies about, ~~or otherwise supports a complainant in alleging sexual harassment.~~ conduct that reasonably may constitute sex discrimination, including sex-based harassment, reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy. (Education Code 220.1; 34 CFR 106.71)

CSBA NOTE: The following two paragraphs relate to student and employee reporting of sex discrimination, including sex-based harassment. It is important to note that reporting to law enforcement and/or child protective services does not relieve a school district of its responsibility to investigate a complaint of sex discrimination, including sex-based harassment.

The district strongly encourages students who feel that they are being or have ~~been sexually harassed~~ experienced sex discrimination, including sex-based harassment, on school grounds or at a school-sponsored or school-related activity ~~by another student or an adult, or who have experienced, or~~ off-campus ~~sexual harassment that~~ when the conduct has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee.-

CSBA NOTE: 34 CFR 106.44, as amended by 89 Fed. Reg. 33474, requires a district to respond promptly and effectively when it has knowledge of conduct that reasonably may constitute sex discrimination or sex-based harassment in its education program or activity. 34 CFR 106.44 further obligates a district to require its Title IX Coordinator to monitor the district's programs and activities for barriers to reporting information of such conduct and its employees to notify the Title IX Coordinator when they have such information.

The following paragraph should be revised to reflect the district's timeline.

Any employee who receives a report or observes an incident of ~~sexual harassment~~ sex discrimination, including sex-based harassment, by or against a student in a district education program or activity shall ~~notify~~ report the incident to the Title IX Coordinator- within one workday.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through ~~AR~~ Administrative Regulation 5145.71 - Title IX ~~Sexual~~ Sex Discrimination and Sex-Based Harassment Complaint Procedures ~~or BP/AR 1312.3 - Uniform Complaint Procedures.~~

CSBA NOTE: Pursuant to 34 CFR 106.44, as amended by 89 Fed. Reg. 33474, when the Title IX Coordinator is notified of conduct that reasonably may constitute sex discrimination, including sex-based harassment, the Title IX Coordinator is required to offer and coordinate supportive measures to the complainant, and, if the district has begun grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures to the respondent, as appropriate.

The Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and, if the district has begun grievance procedures or offered an informal resolution

process to the respondent, offer and coordinate supportive measures to be provided to the respondent as deemed appropriate under the circumstances.

CSBA NOTE: 34 CFR 106.8, as amended by 89 Fed. Reg. 33474, requires that all employees receive training related to their duties under Title IX promptly upon hire or change of position that alters their duties under Title IX, and annually thereafter. The training provided to all employees is required to include the district's obligation to address sex discrimination, the scope of conduct that constitutes sex discrimination under Title IX, including the definition of sex-based harassment, and the applicable notice and information requirements. 34 CFR 106.8, as amended 89 Fed. Reg. 33474, requires additional training for (1) investigators, decisionmakers, and other persons who are responsible for implementing the district's grievance procedures or have the authority to modify or terminate supportive measures, (2) facilitators of an informal resolution process, and (3) Title IX Coordinators and designees.

The Superintendent or designee shall ~~inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and district staff handbooks.~~ All district staff shall be ~~are~~ trained regarding the ~~policy.~~

district's sex discrimination and sex-based harassment policy, and that all employees receive training related to their duties under Title IX as specified in Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment. (34 CFR 106.8)

Instruction/Information

CSBA NOTE: Pursuant to Education Code 231.7, as added by AB 1071 (Ch. 65, Statutes of 2023), CDE is required to make available on its website (1) resources on abuse, including sexual, emotional, and physical abuse, and teen dating violence prevention for professional learning purposes, (2) information about local and national hotlines and services for youth experiencing teen dating violence, and (3) other relevant materials for parents/guardians, and other caretakers of students.

The Superintendent or designee shall ensure that all district students receive age-appropriate information on ~~sexual~~sex discrimination and sex-based harassment. Such instruction and information shall include:

1. What acts and behavior constitute ~~sexual~~sex discrimination and sex-based harassment, including the fact that ~~sexual~~sex discrimination and sex-based harassment could occur between people of the same sex and could involve sexual violence
-
2. A clear message that students do not have to endure ~~sexual~~sex discrimination or sex-based harassment under any circumstance
-
3. Encouragement to report observed incidents of ~~sexual~~sex discrimination and sex-based harassment even when the alleged victim of the discrimination or harassment has not complained

CSBA NOTE: Where sex discrimination, or sex-based harassment or violence, occurs in the context of other possible rule violations, students may be reluctant to report such conduct. For example, a student who experiences sex-based harassment while away from school without permission may be reluctant to file a complaint if the student believes discipline will be imposed for the violation. As such, Item #4 below clarifies that any other rule violation will be addressed separately from the sex discrimination and/or sex-based harassment complaint in order to encourage students to report the harassment.

4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a ~~sexual~~sex discrimination or sex-based harassment incident will be addressed separately and will not affect the manner in which the ~~sexual~~sex discrimination or sex-based harassment complaint will be received, investigated, or resolved
-
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every ~~sexual~~sex discrimination and sex-based harassment allegation that involves a student, whether as the complainant, respondent, or victim of the discrimination or harassment, shall be investigated and action shall be taken to respond to

harassment, prevent recurrence, and address any continuing effect on students

-
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of ~~sexual~~sex discrimination and/or sex-based harassment should be made
-
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a ~~sexual~~sex discrimination or sex-based harassment complaint continues
-
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of ~~sexual~~sex discrimination or sex-based harassment and/or other students during an investigation

Disciplinary Actions

CSBA NOTE: Pursuant to Education Code 48900.2, a student in grades 4-12 may be suspended and/or expelled from school for sex-based harassment. Education Code 48915(c) requires the Superintendent or designee to recommend expulsion for any student, irrespective of grade, who commits sexual assault or battery as defined in the Penal Code. For more information regarding suspension and expulsion, see AR 5144.1 - Suspension and Expulsion/Due Process and AR 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities).

When there is an allegation of Title IX sex discrimination, including sex-based harassment, 34 CFR 106.45, as amended by 89 Fed. Reg. 33474, prohibits the district from imposing any disciplinary sanctions against a respondent for the allegedly discriminatory behavior until the grievance procedures are completed.

Upon completion of an investigation of ~~a sexual~~sex discrimination and/or sex-based harassment ~~complaint~~, any student found to have engaged in ~~sexual~~sex discrimination, and/or sex-based harassment or sexual violence, in violation of this policy, shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of ~~a sexual~~sex discrimination and/or sex-based harassment ~~complaint~~, any employee found to have engaged in ~~sexual~~sex discrimination against, and/or sex-based harassment or sexual violence toward, any student, shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Record-Keeping

CSBA NOTE: Pursuant to 34 CFR 106.8, as amended by 89 Fed. Reg. 33474, the district is required to keep the following records for at least seven years: (1) for each complaint of sex discrimination, including sex-based harassment, records documenting any informal resolution process implemented in accordance with 34 CFR 106.44 or grievance procedures implemented in accordance with 34 CFR 106.45, (2) for each notification the Title IX Coordinator receives of information about conduct that may reasonably constitute sex discrimination under Title IX, actions taken to fulfill the district's obligations as specified in 34 CFR 106.44, including supportive measures, and (3) all materials used to train district employees; the Title IX Coordinator and designees; investigators, decisionmakers, and other persons who are responsible for implementing the district's grievance procedures or have the authority to modify or terminate supportive measures; and any person who facilitates an informal resolution process.

~~The Superintendent or designee shall maintain records in~~ accordance with law, ~~including in accordance with 34 CFR 106.8 as specified in Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures,~~ and district policies and regulations, ~~the Superintendent or designee shall maintain a record of~~ all reported cases of ~~sexual~~sex-based harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

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

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Board Policy Manual

Sierra-Plumas Joint Unified School District & Sierra County Office of Education

Students**Policy 5146: Married/Pregnant/Parenting Students**

CSBA NOTE: The following optional policy may be revised to reflect district practice. Pursuant to Education Code 48410, students may be exempted from compulsory attendance in continuing education classes if they must render personal services to a dependent. See AR 5112.1 - Exemptions from Attendance.

~~The Boards of Education~~ The Governing Board recognizes that responsibilities ~~related~~ pertaining to marriage, pregnancy, or parenting ~~and, including~~ related ~~responsibilities~~ obligations, medical conditions, or recovery, may disrupt a student's education and increase the chance of a student dropping out of school. The Board ~~therefore~~ desires to ~~support~~ minimize interruption to such students' educational progress by supporting married, pregnant, and parenting students ~~to continue~~ in their continued education, ~~assisting them to~~ attain strong academic and parenting skills, and ~~promote~~ promoting the healthy development of their ~~children~~ child(ren).

CSBA NOTE: Pursuant to Education Code 221.51, districts are prohibited from applying any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex, or from excluding or denying any student from any educational program or activity, including extracurricular activity, solely on the basis of a student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from such conditions. Additionally, 34 CFR 106.1-106.82, as amended by 89 Fed. Reg. 33474, prohibits discrimination on the basis of sex in the district's education program or activity, including current, potential, or past pregnancy, childbirth, termination of pregnancy, or lactation, and related medical conditions or recovery, and parental, marital, and family status; see BP/AR 5145.7 - Sex Discrimination and Sex-Based Harassment.

The district shall not exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely on the basis of the student's current, potential, or past pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, or related medical conditions or recovery. In addition, the district shall not adopt any rule concerning a student's actual-~~or~~, potential, or past parental, family, or marital status that discriminates against and/or treats students ~~student~~ differently on the basis of sex. (Education Code 221.51, 230; 5 CCR 4950; 34 CFR 106.40)

CSBA NOTE: Education Code 222.5 requires the following annual notifications.

The Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available ~~to them~~ under the law through annual school year welcome packets and through independent study packets. (Education Code 222.5, 48980)

CSBA NOTE: Pursuant to 34 CFR 106.40, as amended by 89 Fed. Reg. 33474, when a student or a person who has a legal right to act on behalf of a student, informs any employee of the student's pregnancy or related conditions, the employee is required to provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination, including sex- based harassment, and ensure the student's equal access to the district's education program or activity.

Any employee who is informed by a student, or a person who has a legal right to act on behalf of a student, of a student's pregnancy or related conditions shall provide that person with the Title IX Coordinator's contact information and inform the person that the Title IX Coordinator can coordinate specific acts to prevent sex discrimination, including sex-based harassment, and ensure the student's equal access to the district's education program or activity. (34 CFR 106.8)

CSBA NOTE: Pursuant to 34 CFR 106.40, as amended by 89 Fed. Reg. 33474, once notified of a student's pregnancy or related conditions, the district is required to take specified actions, as described below, to protect the student against sex discrimination.

When notified of a student's pregnancy or related conditions, the Title IX Coordinator shall provide the student, and if applicable the person who has a legal right to act on behalf of the student and who notified the Title IX Coordinator of the student's pregnancy or related conditions, with the district's notice of nondiscrimination, as specified in Administrative Regulation 5145.3 - Nondiscrimination/Harassment and Exhibit (1) 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures. The Title IX Coordinator shall also coordinate actions specified in 34 CFR 106.40 to prevent discrimination against, and ensure equal access to, the student, including the following: (34 CFR 106.44)

1. Notifying the student that the district is required to not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions

However, a student's voluntary participation in a separate portion of the district's education program or activity does not constitute prohibited discrimination if the district ensures that the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.

2. To the extent consistent with 34 CFR 106.40(b)(3), ensuring that pregnancy or related conditions are treated in the same manner and under the same policies as any other temporary medical condition with respect to any medical or hospital benefit, service, plan, or policy the district administers, operates, offers, or participates in with respect to students admitted to the district's education program or activity
3. Informing the student that the district may not require the student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person verifying that the student is physically able to participate in the district's class, program, or extracurricular activity unless the certified level of physical ability of health is necessary for participation in the class, program, or extracurricular activity; the district requires such certification of all participating students; and, the information obtained is not used as a basis for Title IX discrimination

CSBA NOTE: Pursuant to Family Code 7002, any person under the age of 18 years who enters into a valid marriage is an emancipated minor and therefore has the same rights as an adult. Such rights include, but are not limited to, those related to the verification of student absences (see AR 5113 - Absences and Excuses), application for a work permit (see AR 5113.2 - Work Permits), and access to student records (see AR 5125 - Student Records).

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years ~~old~~of age or older, even if the marriage has been dissolved. (Family Code 7002)

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in the regular education program or an alternative education program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the student's child.

CSBA NOTE: Both federal law (34 CFR 106.40) and state law (Education Code 221.51; 5 CCR 4950) prohibit districts from requiring a student to take a course or participate in a separate program or school for pregnant and parenting students. When students voluntarily participate in such alternative programs, federal law requires that the alternative program be "comparable" to the regular education program, and state law requires that the program be "equal" to the regular education program. The following paragraph reflects the state standard which is more stringent and thus would prevail.

Any alternative education program, activity, or course that is offered separately to pregnant or parenting students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (Education Code 221.51; 5 CCR 4950)

CSBA NOTE: Education Code 221.51 authorizes districts to require certification by a physician or nurse practitioner that a student is physically and emotionally able to participate in the regular education program or activity.

However, 34 CFR 106.40, as amended by 89 Fed. Reg. 33474, prohibits districts from requiring a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person verifying that the student is physically able to participate in the district's class, program, or extracurricular activity unless the certified level of physical ability of health is necessary for participation in the class, program, or extracurricular activity; the district requires such certification of all participating students; and, the information obtained is not used as a basis for sex discrimination. Additionally, Education Code 221.51 and 34 CFR 106.40 require that pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, or related conditions be treated in the same manner as any other temporary disabling condition. Thus, the district cannot require a student who is pregnant or has related conditions to provide a physician's note to participate in physical education classes unless the certified level of physical ability is necessary for participation and such certification is required of all students. A student who is pregnant or who has related conditions who cannot accomplish the requirements of the regular physical education curriculum may be offered accommodations, as specified in "Accommodations" below, or voluntary access to a comparable program, as described above. Education Code 48206.3 defines a "temporary disability" as a physical, mental, or emotional disability after which the student can reasonably be expected to return to regular day classes or an alternative education program; see AR 6183 - Home and Hospital Instruction.

~~If required~~ The Superintendent or designee ~~may~~**shall not** require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, or related medical conditions or recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to continue participation in the ~~regular district's~~ education program or activity, including an extracurricular activity, unless the certified level of physical ability is necessary for participation and such certification is required of all students. (Education Code 221.51; 5 CCR 4950; 34 CFR 106.40)

CSBA NOTE: Items #1-7 below are optional and may be revised to reflect district practice.

To the extent feasible, the district shall provide educational and related support services, either directly or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

CSBA NOTE: The district may choose to offer child care and development services as an incentive to encourage the school attendance of parenting students, as provided in Item #1 below. For more information about child care and development services, see BP/AR 5148 - Child Care and Development.

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities

2. Parenting education and life skills instruction

CSBA NOTE: The federal Women, Infants, and Children grant program (42 USC 1786; 7 CFR 246.1-246.28) provides funding that may be used for special school nutrition supplements for low-income pregnant and lactating students as provided in Item #3 below; see the U.S. Department of Agriculture's website. Education Code 49553 specifies nutritional standards for these special school nutrition supplements.

- 2.
3. Special school nutrition supplements for pregnant and lactating students pursuant to Education

Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28

4. Health care services, including prenatal care

CSBA NOTE: Health and Safety Code 104460 requires districts receiving Tobacco-Use Prevention Education funds to provide access to tobacco-use prevention and intervention services to pregnant and parenting students; see AR 5131.62 - Tobacco.

- 4.
5. Tobacco, alcohol, and/or drug prevention and intervention services
6. Academic and personal counseling
7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

Absences

Pregnant or parenting students may be excused for absences for medical appointments and other purposes specified in BP/AR 5113 - Absences and Excuses.

CSBA NOTE: Education Code 48205 authorizes an excused absence without a note from a physician for a parenting student to care for a sick child. For more information regarding excused absences, see AR 5113 - Absences and Excuses.

A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code 48205)

Parental Leave

CSBA NOTE: Education Code 46015 provides that a pregnant or parenting student is entitled to eight weeks of parental leave, or longer if deemed medically necessary by the student's physician. Pursuant to Education Code 46015, the student's failure to notify the school as required below does not abridge the student's rights.

Additionally, 34 CFR 106.40, as amended by 89 Fed. Reg. 33474, requires the district to allow a student who is pregnant or who has related conditions to voluntarily take a leave of absence to cover, at a minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. If the district has a leave policy that allows for a greater period of time than the medically necessary period, and the student qualifies for leave under such policy, the district is required to permit the student to take leave under that policy.

A student who is pregnant or parenting, or has a related condition, shall be entitled to parental leave in order to protect the health of the student who gives and/or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The period of the leave shall be the greater of eight weeks, or the length of time deemed medically necessary by the student's healthcare provider, or, if the district has a leave policy for which the student qualifies, the amount of time provided for in such policy. Such leave may be taken before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The Superintendent or designee may grant parental leave beyond eight weeks if deemed medically necessary by the student's physician. (Education Code 46015; 34 CFR 106.40)

The student, if age 18 years or older, or the student's parent/guardian shall notify the school of the student's intent to take parental leave. (Education Code 46015)

No student shall be required to take all or part of the parental leave. (Education Code 46015); 34 CFR 106.40)

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program or an alternative education program. A student who is pregnant or parenting-student, or has related conditions, shall not be required to complete academic work or other school requirements during the period of the parental leave. (Education Code 46015)

CSBA NOTE: Pursuant to 34 CFR 106.40, as amended by 89 Fed. Reg. 33474, when a student returns to school after taking parental leave, the district is required to reinstate the student to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began.

Following the leave, a student who is pregnant or parenting-student, or has related conditions, may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option provided by the district. (Education Code 46015; 34 CFR 106.40)

Upon return to school, a pregnant or parenting student shall have opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. (Education Code 46015)

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. (Education Code 46015)

Accommodations

CSBA NOTE: Pursuant to 34 CFR 106.40, as amended by 89 Fed. Reg. 33474, the district is required to provide reasonable accommodations for students who are pregnant or parenting, or have related conditions, as specified below. Additionally, pursuant to 34 CFR 106.40, as amended by 89 Fed. Reg. 33474, the school is required to provide any services to pregnant students that it provides to other students with temporary medical conditions, such as at-home instruction or tutoring for students who miss school because of such medical conditions.

When necessary, the district shall provide reasonable accommodations to enable a ~~pregnant or parenting~~ student who is pregnant or parenting, or with related conditions, to access the educational program.

~~A pregnant-~~ The district shall consult with the student when identifying potential modifications. Any modification accepted by the student shall be implemented. Any proposed modification that would fundamentally alter the nature of the district's education program or activity shall not be implemented. (34 CFR 106.40)

Reasonable modifications may include, but are not limited to: (34 CFR 106.40)

1. Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
2. Intermittent absences to attend medical appointments
3. Access to online or homebound education
4. Changes in schedule or course sequence

5. Extensions of time for coursework and rescheduling of tests and examinations
6. Allowing a student to sit or stand, or carry or keep water nearby
7. Counseling
8. Changes in physical space or supplies, such as access to a larger desk or a footrest
9. Elevator access
10. Any other change to policies, practices, or procedures

A student who is pregnant or who has a related condition shall have access to any services available to other students with temporary ~~disabilities or~~ medical conditions. (34 CFR 106.40)

CSBA NOTE: In addition to lactation accommodations required by state law, 34 CFR 106.40, as amended by 89 Fed. Reg. 33474, requires that a student who is lactating has access to a lactation space other than a bathroom, that is clean, shielded from view, and free from intrusion from others that may be used to express breast milk or breastfeed.

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222; 34 CFR 106.40)

1. Access to a private and secure room, other than a restroom, that is clean, shielded from view, and free from intrusion by others to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

Complaints

CSBA NOTE: Since a student's current, potential, or past parental, family, or marital status is protected from discrimination pursuant to Title IX and its implementing regulations, as amended by 89 Fed. Reg. 33474, districts are required to follow Title IX grievance procedures when investigating and resolving a complaint based on alleged conduct that occurred on or after August 1, 2024. As such a complaint may also fall within Education Code 46015, which authorizes the use of the district's uniform complaint procedures (UCP) established pursuant to 5 CCR 4600- 4670, it is unclear whether districts would additionally be required to follow the UCP. Due to this uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel prior to utilizing the UCP for this purpose. For more information regarding the Title IX grievance procedures, see AR 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Any complaint alleging discrimination on the basis of a student's current, potential, or past pregnancy, family, or marital ~~or parental~~ status, district noncompliance with the requirements of Education Code 46015 or 34 CFR 106.40, or district noncompliance with the requirement to provide reasonable accommodations for lactating students, shall be ~~addressed through the district's uniform complaint~~

~~procedures investigated and resolved~~ in accordance with ~~5 CCR 4600-4670 and BP/AR 1312.3—~~
~~Uniform~~ the Title IX grievance procedures as specified in 34 CFR 106.44 and 106.45 and Administrative
Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures. ~~A~~
~~complainant who is not satisfied with the district's decision may appeal the decision to the California~~
~~Department of Education (CDE). If the district or CDE finds merit in an appeal, the district shall provide~~
~~a remedy to the affected student.~~ (Education Code 222, 46015; 5 CCR 4600- 4670); 34 CFR 106.44,
106.45)

Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support current, potential, and past married, pregnant, and parenting students, which may include data on student participation in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.

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