

**SIERRA SANDS UNIFIED SCHOOL DISTRICT**

**Board of Education  
Regular Meeting**

**JULY 19, 2012  
Ridgecrest City Council Chambers  
100 West California Avenue  
*www.ssusd.org***

*We, the members of the Board of Education of the Sierra Sands Unified School District, are committed to providing the highest quality education in a safe environment to all K-12 students. We believe the school shares with the family, church, and community the responsibility for developing life-long learners who are responsible, productive citizens.*

**A G E N D A**

**CALL TO ORDER AND PLEDGE TO THE FLAG**

**7:00 P.M.**

Amy Covert  
Judy Dietrichson  
Bill Farris, Vice President/Clerk  
Tim Johnson, President  
Tom Pearl  
Kurt Rockwell  
Michael Scott

Joanna Rummer, Superintendent

**MOMENT OF SILENCE**

**1. ADOPTION OF AGENDA**

*Welcome to a meeting of the Board of Education. Because we believe you share our concern for the education of the youth of our community, we appreciate and welcome your participation. Copies of the agenda, along with a procedural handout, are available on the wall at the back of the room to assist with your participation in the meeting.*

**2. APPROVAL OF MINUTES of the special and special concurrent meetings of June 12, 2012 and the regular meeting of June 21, 2012.**

**3. PROGRAMS AND PRESENTATIONS**

**4. PUBLIC HEARING**

**4.1 Public Hearing on the Technology Protection Measure and Internet Safety Policy**

## 5. REPORTS AND COMMUNICATIONS

### 5.1 Reports from Members of the Board

### 5.2 Superintendent's Report

- Enrollment Report
- Professional Development
  - Professional Learning Community
  - School Services of California, May Revise

### 5.3 Communications from the public

*The board will provide time during the discussion of each agenda item for members of the public to comment. At this time, members of the public may address the board on an item not on the agenda. Comments should relate to items of public interest within the board's jurisdiction. The law prohibits the board from taking action on items not on the agenda. If appropriate, your comments will be referred to staff for response. When addressing the board, please state your name and address at the podium and limit your remarks to three minutes. In accordance with the board bylaws, the board will limit the total time for public input to 30 minutes. Those wishing to address the board beyond the 30-minute time limit may do so at the end of the scheduled meeting agenda.*

## 6. EDUCATIONAL ADMINISTRATION

### 6.1 Adoption of Resolution #1 1213 Child Care and Development for 2012-2013, State Preschool Program

## 7. POLICY DEVELOPMENT AND REVIEW

- 7.1 Approval of Revision to Board Policy/Administrative Regulation 1250, Visitors/Outsiders
- 7.2 Revisions to Administrative Regulation 1312.1, Complaints Concerning School Personnel
- 7.3 Revisions to Administrative Regulation 3513.3, Tobacco Free Schools
- 7.4 Revisions to Administrative Regulation 3516.2, Bomb Threats
- 7.5 Approval of Revision to Board Policy 4020, Drug and Alcohol-Free Workplace
- 7.6 Revisions to Administrative Regulation 4112.62, 4212.62, 4312.62, Maintenance of Criminal Offender Records
- 7.7 Approval of Revisions to Board Policy 4144, 4244, 4344, Complaints
- 7.8 Approval of Revision to Board Policy 4157, 4257, 4357, Employee Safety
- 7.9 Revisions to Administrative Regulation 4161.1, 4361.1, Personal Illness/Injury Leave
- 7.10 Approval of Revision to Board Policy 5137, Positive School Climate
- 7.11 Revisions to Administrative Regulation 5145.9 Hate Motivated Behavior
- 7.12 Presentation of Board Policy 6111, School Calendar
- 7.13 Approval of Revisions to Board Policy/Administrative Regulation/Exhibit 6163.4, Student Use of Technology

## 8. PERSONNEL ADMINISTRATION

### 8.1 Certificated

Employment, resignation, retirement, leave of absence, change of status, termination

### 8.2 Classified

Employment, resignation, retirement, leave of absence, change of status, termination

### 8.3 Approval of Tentative Agreement between the California School Employees Association (CSEA), and the Board of Education Regarding Settlement of Contract Reopeners for 2012-2013

### 8.4 Approval of Amendment to the Superintendent's Contract

## 9. GENERAL ADMINISTRATION

### 9.1 Gifts to the District

### 9.2 Appointment of Student Member to the Board of Education for the 2012-13 School Year

### 9.3 Report to the Board: Nature and Resolution of Complaints with Regard to Deficiencies Related to Instructional Materials, Emergency or Urgent Facilities Conditions that Pose a Threat to the Health and Safety of Pupils or Staff, Teacher Vacancy or Misassignment, and Provision of Intensive Instruction and Services to Students Who Did Not Pass the California High School Exit Examination (CAHSEE) by the End of Grade 12, as Required by the Williams Act

## 10. CONSTRUCTION ADMINISTRATION

### 10.1 Report to the Board: Measure "A" and Other Construction Activities and Issues

## 11. BUSINESS ADMINISTRATION

### 11.1 Authority to Contract with School Services of California, Inc. to provide assessment, analysis and program review services to the Sierra Sands Unified School District SELPA

### 11.2 Approval to Increase the Price of School Lunches

## 12. CONSENT CALENDAR

### 12.1 Approval of "A" and "B" Warrants

### 12.2 Report to the Board on Solid Waste Hauling Services

### 12.3 Approval of Contract with Ester Sires to Serve as WorkAbility I Director for the 2012-13 School Year

### 12.4 Agreement with the City of Ridgecrest for Onsite Police Services for the 2012-13 School Year

### 12.5 Approval of Interdistrict Transfer Agreement - Chappell

### 12.6 Approval of Recommendations for Expulsion, Expulsion Cases #12 1112, #13 1112

### 13. FUTURE AGENDA

### 14. ADJOURNMENT

The next regular meeting of the Board of Education will be August 16, 2012.

*Any materials required by law to be made available to the public prior to a meeting of the Board of Education of the Sierra Sands Unified School District can be inspected during normal business hours at the district office located at 113 Felspar, Ridgecrest, CA. These materials can also be viewed on the district's internet website at [www.ssusd.org](http://www.ssusd.org).*

*Note: Individuals who require special accommodation, including but not limited to an American sign language interpreter, accessible seating or documentation in accessible formats, should contact the Superintendent's Office at least two days before the meeting date.*

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Minutes of the Special Meeting of the Board of Education

DATE OF MEETING: June 12, 2012

TIME OF MEETING: 6:00 p.m.

PLACE OF MEETING: District Office Conference Room

MEMBERS PRESENT: Covert, Dietrichson, Farris, Johnson, Pearl, Rockwell, Scott

STAFF PRESENT: Joanna Rummer, Superintendent

PLEDGE OF ALLEGIANCE The Pledge was led by Vice President Bill Farris.

MOMENT OF SILENCE was observed.

ADOPTION OF AGENDA

2. EDUCATIONAL ADMINISTRATION

2.1 Approval of Preschool Self-Evaluation Annual Report for the 2011-2012 School Year

Motion passed to approve the preschool self evaluation annual report for 2011-12.

COVERT/DIETRICHSON

Ayes: Covert, Dietrichson, Farris, Johnson, Pearl, Rockwell, Scott

2.2 Approval of Application for Title 1 School-wide Program Status for Gateway Elementary School

Motion passed to approve the application for Title I School-wide Program Status for Gateway Elementary School. DIETRICHSON/ROCKWELL

Ayes: Covert, Dietrichson, Farris, Johnson, Pearl, Rockwell, Scott

2.3 Approval of Addendum to Single Plan for Student Achievement (SPSA) at Gateway Elementary School

Motion passed to approve the Addendum to Single Plan for Student Achievement at Gateway Elementary School. COVERT/ROCKWELL

Ayes: Covert, Dietrichson, Farris, Johnson, Pearl, Rockwell, Scott

3. BUSINESS ADMINISTRATION

3.1 Board Budget Workshop

The board met in a work study session to discuss the budget for 2012-13.

4. ADJOURNMENT was at 7:25 p.m.

THE BOARD OF EDUCATION

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William Farris, Vice President/Clerk

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Joanna Rummer, Secretary to Board

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Minutes of the Special Concurrent Meeting of the Board of Education

DATE OF MEETING: June 12, 2012

TIME OF MEETING: 6:00 p.m.

PLACE OF MEETING: District Office Conference Room

MEMBERS PRESENT: Covert, Dietrichson, Farris, Johnson, Pearl, Rockwell, Scott

STAFF PRESENT: Joanna Rummer, Superintendent

PLEDGE OF ALLEGIANCE was recited in unison, led by Mr. Farris.

MOMENT OF SILENCE was observed.

ADOPTION OF AGENDA

2. CONSTRUCTION ADMINISTRATION

2.1 Authorization to Replace the Student Drop Off Zone at Las Flores Elementary School

Motion passed to authorize the replacement of the student drop off zone at Las Flores Elementary School. DIETRICHSON/COVERT

AYES: Covert, Dietrichson, Farris, Johnson, Pearl, Rockwell, Scott

2.2 Information Item: Award of Hazardous Material Abatement Contract (RFP 212-007) for the Phase II, Career and Technical Education (CTE) Modernization Project at Burroughs High School to 5M Contracting

Motion passed to award the Hazardous Material Abatement Contract for Phase II, Career and Technical Education modernization project at Burroughs High School to 5 M Contracting in the amount of \$15,600. COVERT/DIETRICHSON

AYES: Covert, Dietrichson, Farris, Johnson, Pearl, Rockwell, Scott

2.3 Information Item: Award of Division of the State Architect (DSA) Inspector of Record (IOR) Contract (RFQ 212-008) for the Phase II, Career and Technical Education (CTE) Modernization Project at Burroughs High School to Construction Quality Consultants, Inc.

Motion passed to award the Division of the State Architect Inspector of Record for Phase II, Career and Technical Education modernization project at Burroughs High School to Construction Quality Consultants, Inc at a rate of \$60.00 per hour.  
DIETRICHSON/COVERT

AYES: Covert, Dietrichson, Farris, Johnson, Pearl, Rockwell, Scott

2.4 Award of Contract to Eastern Sierra Land Surveying Inc. for Initial Surveying Services

Motion passed to award a contract to Eastern Sierra Land Surveying, Inc. for initial surveying services for Murray Middle School in the amount of \$5,900.  
DIETRICHSON/COVERT

AYES: Covert, Dietrichson, Farris, Johnson, Pearl, Rockwell, Scott

2.5 Award of Contract to BSK Associates for Geotechnical Services

Motion passed to award a contract to BSK Associates for geotechnical services for Murray Middle School in the amount of \$63,500. DIETRICHSON/ROCKWELL

AYES: Covert, Dietrichson, Farris, Johnson, Pearl, Rockwell, Scott

4. ADJOURNMENT was at 7:25 p.m.

THE BOARD OF EDUCATION

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William Farris, Vice President/Clerk

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Joanna Rummer, Secretary to Board



SIERRA SANDS UNIFIED SCHOOL DISTRICT

Minutes of the Regular Meeting of the Board of Education

DATE OF MEETING: June 21, 2012  
TIME OF MEETING: 7:00 p.m.  
PLACE OF MEETING: Ridgecrest City Council Chambers  
MEMBERS PRESENT: Covert, Dietrichson, Farris, Johnson, Scott  
MEMBERS ABSENT: Pearl, Rockwell

PLEDGE OF ALLEGIANCE was recited in unison, led by Mr. Farris.

MOMENT OF SILENCE was observed in honor of the passing of employee, Linda Brown.

1. ADOPTION OF AGENDA

The agenda was adopted by consensus as posted.

2. APPROVAL OF MINUTES

Hearing no comments, the minutes of the May 17, 2012 and the special and special concurrent meetings of May 29, 2012 were adopted by consensus as written.

3. PROGRAMS AND PRESENTATIONS

4. PUBLIC HEARING

4.1 Public Hearing and Approval of the Annual Budget Plan and the Annual Service Plan for 2012-13 for the Sierra Sands SELPA

A public hearing was held for the Annual Budget Plan and Annual Service Plan for 2012-13 for the Sierra Sands SELPA. No comments were made during the public hearing.

4.2 Public Hearing To Permit Southern California Edison (SCE) to Purchase a "Right of Way" Easement in the Amount of \$8,400.00 for Assessor Parcel Number 418-010-06 (Corner of Ward and Norma Streets, Also Described as the Sierra Vista Center)

A public hearing was held regarding Southern California Edison request to purchase a "Right of Way" Easement in the amount of \$8,400. No comments were made during the public hearing.

## 5. REPORTS AND COMMUNICATIONS

### 5.1 Reports from Members of the Board

Mr. Farris reported on his attendance at the delegate assembly meeting. CSBA will be posting information on their web site regarding the tax measures on the ballot. Mr. Farris stated education has taken a disproportionate amount of the overall budget cuts. CSBA has determined they will support both tax initiatives.

Mr. Johnson urged all board members to know what's on the ballot so we can vote for what is in the best interest of the kids.

### 5.5 Comments from the public on items not on the agenda

Mrs. Maureen Glennon, President of DATA expressed her support and requested the board to join her in voting for the tax ballot initiatives. Additionally Mrs. Glennon handed a packet to each board member with information enclosed regarding the previous school board meeting.

## 6. EDUCATIONAL ADMINISTRATION

### 6.1 Report to the Board on Elementary School Counseling Grant Application

Mrs. Hickle reported to the board on the Elementary School Counseling Grant Application that was submitted. This grant would provide additional counseling staff at the elementary level. This was presented as an informational item and required no action.

### 6.2 Approval of the Annual Budget Plan and the Annual Service Plan for 2012-2013 for the Sierra Sands SELPA

Motion passed to approve the Annual Budget Plan and Annual Service Plan for 2012-13 for the Sierra Sands SELPA. SCOTT/COVERT

AYES: Covert, Dietrichson, Farris, Johnson, Scott  
ABSENT: Pearl, Rockwell

### 6.3 Approval of 6<sup>th</sup> and 7<sup>th</sup> Grade Advancement Via Individual Determination (AVID) Courses at Monroe and Murray Middle Schools

Motion passed to approve the 6<sup>th</sup> and 7<sup>th</sup> grade AVID Courses at Monroe and Murray Middle Schools. COVERT/DIETRICHSON

AYES: Covert, Dietrichson, Farris, Johnson, Scott  
ABSENT: Pearl, Rockwell

### 6.4 Approval of Advancement Via Individual Determination (AVID) Community Service Tutor Course at Burroughs High School

Motion passed to approve the AVID Community Service Tutor Course at Burroughs High School. DIETRICHSON/COVERT

AYES: Covert, Dietrichson, Farris, Johnson, Scott  
ABSENT: Pearl, Rockwell

7. POLICY DEVELOPMENT AND REVIEW

7.1 Approval of Revisions to Board Policy 5131.8, Bullying

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Motion passed to approve the revisions to Board Policy 5131.8, Bullying. COVERT/SCOTT

AYES: Covert, Dietrichson, Farris, Johnson, Scott

ABSENT: Pearl, Rockwell

7.2 Approval of Revisions to BP/AR 5145.7, Sexual Harassment

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Motion passed to approve revisions to BP5145.7, Sexual Harassment. The Administrative Regulation 5145.7 was presented for informational purposes only. COVERT/DIETRICHSON

AYES: Covert, Dietrichson, Farris, Johnson, Scott

ABSENT: Pearl, Rockwell

8. PERSONNEL ADMINISTRATION

8.1 Certificated

Employment, resignation, retirement, leave of absence, change of status, termination

8.2 Classified

Employment, resignation, retirement, leave of absence, change of status, termination

Motion passed to adopt the personnel actions as presented. SCOTT/COVERT

AYES: Covert, Dietrichson, Farris, Johnson, Scott

ABSENT: Pearl, Rockwell

These actions are made a part of the minutes by reference and are filed in the Board Record Book.

8.3 Approval of Tentative Agreement between the Desert Area Teacher Association (DATA), and the Board of Education Regarding Settlement of Contract Reopeners for 2012-2013

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Motion passed to approve the Tentative Agreement between the Desert Area Teacher's Association (DATA) regarding settlement of contract reopeners for 2012-13. DIETRICHSON/COVERT

AYES: Covert, Dietrichson, Farris, Johnson, Scott

ABSENT: Pearl, Rockwell

9. GENERAL ADMINISTRATION

9.1 Gifts to the District

Motion passed to accept the following gifts: Ms. Jennie Paton donated \$50 for Rand School students and Mr. John Piri donated a Zap Electric Vehicle with a value of \$9,000 to the Burroughs automotive and engineering programs for study and research.  
FARRIS/DIETRICHSON

AYES: Covert, Dietrichson, Farris, Johnson, Scott  
ABSENT: Pearl, Rockwell

9.2 Approval of Change to the Adopted Board Meeting Calendar for 2012-13

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Motion passed to change the regular scheduled meeting of October 18, 2012 to October 25, 2012. DIETRICHSON/COVERT

AYES: Covert, Dietrichson, Farris, Johnson, Scott  
ABSENT: Pearl, Rockwell

Board President Johnson temporarily adjourned the meeting of the Sierra Sands Unified School District Board of Education Meeting to open the Inyo-Kern Schools Financing Authority Meeting of the Board of Directors.

President Johnson reconvened the meeting of the Sierra Sands Unified School District Board of Education Meeting at 7:25 p.m.

9.3 Approval of the Academic Calendar and Minimum Day Schedule for 2013-14

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Motion passed to approve the adoption of the Academic Calendar and Minimum Day Schedule for 2013-14 as presented. COVERT/SCOTT

AYES: Covert, Dietrichson, Farris, Johnson, Scott  
ABSENT: Pearl, Rockwell

9.4 Consideration and Possible Action to Adopt Resolution #33 1112 Ordering School District Election

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Motion passed to adopt Resolution #33 1112 Ordering School District Election.  
DIETRICHSON/SCOTT

AYES: Covert, Dietrichson, Farris, Johnson, Scott  
ABSENT: Pearl, Rockwell

10. CONSTRUCTION ADMINISTRATION

10.1 Report to the Board: Measure "A" and Other Construction Activities and Issues

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Mr. Auld updated the board on the current status of construction projects in the district. This is an informational item and requires no action.

## 11. BUSINESS ADMINISTRATION

### 11.1 Approval of Contract with Sy-Tech Solutions for Document Management Services

Motion passed to approve the contract with Sy-Tech Solutions for Document Management Services. SCOTT/DIETRICHSON

AYES: Covert, Dietrichson, Farris, Johnson, Scott

ABSENT: Pearl, Rockwell

### 11.2 Authorization to Permit Southern California Edison (SCE) to Purchase a "Right of Way" Easement in the Amount of \$8,400.00 for Assessor Parcel Number 418-010-06 (Corner of Ward and Norma Streets, Also Described as the Sierra Vista Center) by Approving Resolution #32 1112

Motion passed to permit Southern California Edison to purchase a "Right of Way" Easement in the amount of \$8,400.00 by approving Resolution #32 1112. COVERT/DIETRICHSON

AYES: Covert, Dietrichson, Farris, Johnson, Scott

ABSENT: Pearl, Rockwell

### 11.3 Adoption of the Sierra Sands Unified School District Budget for Fiscal Year 2012-13.

After discussion, motion passed to adopt the Sierra Sands Unified School District budget for 2012-13. DIETRICHSON/COVERT

AYES: Covert, Dietrichson, Farris, Johnson, Scott

ABSENT: Pearl, Rockwell

## 12. CONSENT CALENDAR

### 12.1 Approval of "A" and "B" Warrants

### 12.2 Approval of Agreement with Atkinson, Andelson, Loya, Ruud and Romo for Legal Services Associated with Developer Fees, Modernization, and New construction

### 12.3 Approval of Agreement with Dannis Woliver Kelley for Legal Services Associated with Educational Issues

### 12.4 Approval of a Professional Services Agreement with the Law Firm of Fagen Friedman & Fulfroft, LLP for Legal Services

### 12.5 Approval of Contract Renewal with Susan Stuart & Associates to Provide Professional Services in Reserving School Facilities Program Funds for Modernization and New Construction Projects

### 12.6 Approval of Contract Renewal for Services with Richard Gonzalez & Associates to Update Eligibility for Modernization and New Construction under the State of California's School Facilities Program

### 12.7 Approval of a Professional Services Agreement with Schools Legal Services

### 12.8 Authorization to Utilize the Unrestricted General Fund to Provide Funds on a Temporary Basis to Fund 12 (Preschool) throughout the 2012-13 School Year

### 12.9 Report to the Board on Solid Waste Hauling Services

12. CONSENT CALENDAR (continued)

12.10 Appointment of 2012-13 California Interscholastic Federation (CIF) League Representatives  
for Burroughs High School

12.11 Approval of Recommendations for Expulsion, Expulsion Cases #10 1112, #11 1112

Motion passed to adopt the consent calendar as presented. DIETRICHSON/SCOTT

AYES: Covert, Dietrichson, Farris, Johnson, Scott

ABSENT: Pearl, Rockwell

13. FUTURE AGENDA

14. ADJOURNMENT was at 8:00 p.m.

THE BOARD OF EDUCATION

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William Farris, Vice President/Clerk

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Joanna Rummer, Secretary to Board

recorder: Alison Burson

4. PUBLIC HEARING

4.1 Public Hearing on the Technology Protection Measure and Internet Safety Policy

BACKGROUND INFORMATION: New E-Rate rules have been established that require school districts to amend their existing Internet Safety Policy (ISP) if it does not already comply with the new standards.

CURRENT CONSIDERATIONS: According to the Children's Internet Protection Act ("CIPA") the district must hold at least one public hearing to address the proposed technology protection measure and Internet Safety Policy. Under Board Item 7.13, Policy Development and Review, staff is presenting a revision for approval to BP/AR/E 6163.4, Student Use of Technology, to comply with the changes in law.

FINANCIAL IMPLICATIONS: None

SUPERINTENDENT'S RECOMMENDATION: It is recommended that the board conduct a public hearing on the Technology Protection Measure and Internet Safety Policy.

**Sierra Sands Unified School District  
Tenth Month Enrollment 2011-2012**

SCHOOL	11-12 %	10-11 %	K	1	2	3	4	5	6	7	8	9-12	SDC	11-12 TOTAL	10-11 TOTAL	CHANGE
FALLER	96.6%	95.9%	81	84	83	78	69	76						471	460	<b>11</b>
GATEWAY	96.1%	95.6%	83	74	79	62	62	65						425	460	<b>-35</b>
INYOKERN	94.1%	96.5%	34	35	27	31	25	33					0	185	199	<b>-14</b>
LAS FLORES	95.0%	97.0%	69	73	60	61	63	60						386	424	<b>-38</b>
PIERCE	96.5%	95.8%	48	63	60	58	60	62						351	345	<b>6</b>
RAND	93.5%	85.7%	0	3	2	1								6	7	<b>-1</b>
RICHMOND ANNEX	89.4%	93.1%											107	107	92	<b>15</b>
RICHMOND	95.9%	95.8%	75	74	76	63	68	69						425	407	<b>18</b>
TOTAL K -5	95.6%	95.8%	390	406	387	354	347	365					107	2356	2394	<b>-38</b>
MONROE	94.7%	94.2%							159	163	151		23	496	514	<b>-18</b>
MURRAY	95.5%	93.9%							199	156	203		31	589	593	<b>-4</b>
TOTAL 6 -8	95.1%	94.0%							358	319	354		54	1085	1107	<b>-22</b>
BURROUGHS	93.2%	97.4%										1318	68	1386	1390	<b>-4</b>
MESQUITE												89	0	89	97	<b>-8</b>
														0		<b>0</b>
TOTAL 9 - 12	94.1%	97.4%										1407	68	1475	1487	<b>-12</b>
11-12 TOTAL	94.8%		390	406	387	354	347	365	358	319	354	1407	229	4916	---	---
10-11 TOTAL		95.8%	388	436	378	372	361	366	325	360	367	1425	210		4988	---
CHANGE		<b>-1.00%</b>	<b>2</b>	<b>-30</b>	<b>9</b>	<b>-18</b>	<b>-14</b>	<b>-1</b>	<b>33</b>	<b>-41</b>	<b>-13</b>	<b>-18</b>	<b>19</b>	<b>---</b>	<b>---</b>	<b>-72</b>

Elementary K - 5

Regular -

K 397 388

1 - 3 1161 1186

4 - 5 712 727

Special Education -

SDC 107 93

RSP 122 137

Middle 6-8

Regular 1081 1052

Special Education -

SDC 54 55

RSP 76 79

High School 9 - 12

Regular 1446 1390

Continuation 85 97

ROP 0

Special Education -

SDC 68 62

RSP 82 75

Adult

542 571



## 6. EDUCATIONAL ADMINISTRATION

### 6.1 Adoption of Resolution #1 1213 Child Care and Development for 2012-2013, State Preschool Program

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BACKGROUND INFORMATION: The Sierra Sands Unified School District operates state preschools at the Inyokern, Pierce and Faller sites. The state preschools operate through contracts between the California Department of Education (CDE) Child Development Division and Sierra Sands Unified School District. Services are provided through an agreement between a private contractor and Sierra Sands Unified School District.

CURRENT CONSIDERATIONS: Annual board approval of the resolution and contracts between the Sierra Sands Unified School District and the California Department of Education is required. Resolution #1 1213 must be adopted in order to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract documents for the 2012-2013 fiscal year.

New State law (Chapter 38, Statutes of 2012) requires that effective July 1, 2012, families with children enrolled in part-day California State Preschool Program be assessed a family fee in accordance with current law. The amount of the family fee is assessed using a family fee schedule and is based on the following factors: family income, family size, children enrolled in other programs that have assessed a family fee. For example: A family of three with an adjusted monthly income of \$2,100 would be assessed a part-time daily fee of \$1.25; a family of four with adjusted monthly income of \$2,400 would be assessed a part-time daily fee of \$1.50. Families whose eligibility is based on a child(ren) receiving child protective services or at risk of being abused, neglected, or exploited will **not** be assessed a family fee when the referral from a legal, medical, or social service agency indicates that the fee should be waived. Additionally, families receiving CalWORKs cash aid are exempt from paying family fees.

FINANCIAL IMPLICATIONS: Child Development Services are Tier 1 programs. Funding for the state preschool program is provided by the State of California at an anticipated maximum potential reimbursement for program expenses of \$433,106 down from \$472,278 in 2011-2012 and down from \$549,769 in the 2010-2011 school year. Funding is reimbursed for actual attendance of students at the rate of \$34.00 per day per child of full-time enrollment and actual expenditures in the program not to exceed the maximum reimbursable amount. The district must request reimbursement quarterly from the California Department of Education, but does so monthly in order to facilitate cash flow.

SUPERINTENDENT'S RECOMMENDATION: It is recommended that the board approve Resolution #1 1213 certifying its approval to enter into transactions with the California Department of Education for the purpose of providing child care and development services and to authorize the superintendent to sign contract documents for the 2012-2013 fiscal year.

## RESOLUTION

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services **and to authorize the designated personnel to sign contract documents for Fiscal Year 2012-13.**

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## RESOLUTION

BE IT RESOLVED that the Governing Board of Sierra Sands Unified School District

authorizes entering into local agreement number/s \_\_\_\_\_ and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>Joanna Rummer</u>	<u>Superintendent</u>	_____
_____	_____	_____
_____	_____	_____

PASSED AND ADOPTED THIS 19th day of July 2012 by the  
Governing Board of Sierra Sands Unified School District  
of Kern County, California.

I, \_\_\_\_\_, Clerk of the Governing Board of

Sierra Sands Unified, of Kern County,

California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

\_\_\_\_\_  
(Clerk's signature)

\_\_\_\_\_  
(Date)

**CALIFORNIA DEPARTMENT OF EDUCATION**

1430 N Street

Sacramento, CA 95814-5901

**F.Y. 12 - 13**

DATE: July 01, 2012

CONTRACT NUMBER: CSPP-2127

PROGRAM TYPE: CALIFORNIA STATE  
PRESCHOOL PROGRAM

PROJECT NUMBER: 15-7374-00-2

**LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES****CONTRACTOR'S NAME:** SIERRA SANDS UNIFIED SCHOOL DISTRICT

By signing this contract and returning it to the State, you are agreeing to provide services in accordance with the FUNDING TERMS AND CONDITIONS (FT&C - available online at <http://www.cde.ca.gov/fg/aa/cd/>) and the CURRENT APPLICATION which by this reference are incorporated into this contract. The FT&C and Requirements specify the contractual responsibilities of the State and the contractor. The contractor's signature also certifies compliance with "General Terms and Conditions," (GTC 610/Exhibit A) which by this reference is incorporated herein.

Funding of this contract is contingent upon appropriation and availability of sufficient funds. This contract may be terminated immediately by the State if funds are not appropriated or available in amounts sufficient to fund the State's obligations under this contract.

The period of performance for this contract is July 01, 2012 through June 30, 2013. For satisfactory performance of the required services, the contractor shall be reimbursed in accordance with the Determination of Reimbursable Amount Section of the FT&C, at a rate not to exceed \$34.00 per child per day of full-time enrollment and a Maximum Reimbursable Amount (MRA) of \$433,106.00.

**SERVICE REQUIREMENTS**

Minimum Child Days of Enrollment (CDE) Requirement 12,738.0

Minimum Days of Operation (MDO) Requirement 210

Any provision of this contract found to be in violation of Federal and State statute or regulation shall be invalid, but such a finding shall not affect the remaining provisions of this contract.

Exhibit A, General Terms and Conditions attached.

STATE OF CALIFORNIA		CONTRACTOR	
BY (AUTHORIZED SIGNATURE)		BY (AUTHORIZED SIGNATURE)	
PRINTED NAME OF PERSON SIGNING Margie Burke, Manager		PRINTED NAME AND TITLE OF PERSON SIGNING Joanna Rümmer Superintendent	
TITLE Contracts, Purchasing & Conference Services		ADDRESS 113 Felspar Ridgecrest, CA 93555	
AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 433,106	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE	
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ 0	(OPTIONAL USE) See Attached	Department of General Services use only	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 433,106	ITEM See Attached	CHAPTER	STATUTE
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702	FISCAL YEAR	
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.	B.R. NO.
SIGNATURE OF ACCOUNTING OFFICER See Attached		DATE	

CONTRACTOR'S NAME: SIERRA SANDS UNIFIED SCHOOL DISTRICT

CONTRACT NUMBER: CSPP-2127

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 7,949	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 0	(OPTIONAL USE)0656 13609-7374	FC# 93.596 PC# 000321		
TOTAL AMOUNT ENCUMBERED TO DATE \$ 7,949	ITEM 30.10.020.001 6110-194-0890	CHAPTER B/A	STATUTE 2012	FISCAL YEAR 2012-2013
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290			

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 4,374	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 0	(OPTIONAL USE)0656 15136-7374	FC# 93.575 PC# 000324		
TOTAL AMOUNT ENCUMBERED TO DATE \$ 4,374	ITEM 30.10.020.001 6110-194-0890	CHAPTER B/A	STATUTE 2012	FISCAL YEAR 2012-2013
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290			

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 405,145	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE General		
PRIOR AMOUNT ENCUMBERED \$ 0	(OPTIONAL USE)0656 23038-7374			
TOTAL AMOUNT ENCUMBERED TO DATE \$ 405,145	ITEM 30.10.010. 6110-196-0001	CHAPTER B/A	STATUTE 2012	FISCAL YEAR 2012-2013
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590			

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 15,638	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE General		
PRIOR AMOUNT ENCUMBERED \$ 0	(OPTIONAL USE)0656 23254-7374			
TOTAL AMOUNT ENCUMBERED TO DATE \$ 15,638	ITEM 30.10.020.001 6110-194-0001	CHAPTER B/A	STATUTE 2012	FISCAL YEAR 2012-2013
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590			

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.	T.B.A. NO.	B.R. NO.
SIGNATURE OF ACCOUNTING OFFICER	DATE	21

EXHIBIT A

GENERAL TERMS AND CONDITIONS

1. APPROVAL: This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.

2. AMENDMENT: No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.

3. ASSIGNMENT: This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.

4. AUDIT: Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).

5. INDEMNIFICATION: Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.

6. DISPUTES: Contractor shall continue with the responsibilities under this Agreement during any dispute.

7. TERMINATION FOR CAUSE: The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.

8. INDEPENDENT CONTRACTOR: Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.

9. RECYCLING CERTIFICATION: The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).

10. NON-DISCRIMINATION CLAUSE: During the performance of this Agreement, Contractor and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (e.g., cancer), age (over 40), marital status, and denial of family care leave. Contractor and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

11. CERTIFICATION CLAUSES: The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 307 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

12. TIMELINESS: Time is of the essence in this Agreement.

13. COMPENSATION: The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

a. The Government Code Chapter on Antitrust claims contains the following definitions:

1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.

2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.

b. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.

c. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.

d. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.

16. CHILD SUPPORT COMPLIANCE ACT: For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

b. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.



17. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

18. PRIORITY HIRING CONSIDERATIONS: If this Contract includes services in excess of \$200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.

19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS:

a. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)

b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

20. LOSS LEADER:

If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.1 Approval of Revisions to Board Policy/Administrative Regulation 1250, Visitors/ Outsiders

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BACKGROUND INFORMATION: The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

CURRENT CONSIDERATIONS: Board Policy and Administrative Regulation 1250, Visitors/Outsiders was last updated in October of 2006. Current revisions include identifying procedures for which visitors and school personnel must follow to assist in maintaining safe and secure school environments. All visitors, with the exception of school personnel, are required to check in and register at the front office of each school. Registration procedures are clearly outlined and include guidelines for visitation. This policy has been updated and revised to reflect legal requirements and recent changes in the laws. Procedures are clearly outlined and identified according to recommendations by CSBA.

FINANCIAL IMPLICATIONS: None.

SUPERINTENDENT'S RECOMMENDATION: It is recommended the board approve revisions to Board Policy 1250 as presented. Please note the revised administrative regulation is presented for information purposes only.

# Sierra Sands USD

## Board Policy

### Visitors/Outsiders

BP 1250

### Community Relations

The Governing Board encourages parents/guardians and interested members of the community to visit the schools and view the educational program. The Superintendent or designee shall invite parents/guardians and the community to open house activities and other special events.

Parents/guardians and other nonschool personnel may visit schools and classrooms at the request of school personnel or on their own initiative to observe the teaching and learning process in action, as long as the principal has been notified and such visits do not disrupt classroom activities. Visits will be arranged in advance and teachers notified before visitors arrive.

To ensure minimum interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be first arranged with the teacher and principal or designee. If a conference is desired, an appointment should be set with the teacher during noninstructional time.

To ensure the safety of students and staff and avoid potential disruptions, all visitors shall register immediately upon entering any school building or grounds when school is in session.

(cf. 1112 - Media Relations)

(cf. 3515.2 - Disruptions)

For purposes of school safety and security, the principal or designee may design a visible means of identification for visitors while on school premises.

(cf. 3515.2 - Intruders on Campus)

No electronic listening or recording device may be used in a classroom without the teacher and principal's permission. (Education Code 51512)

***The Board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have concerns with any district program or employee. In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.***

***(cf. 1312.1 - Complaints Concerning District Employees)***

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*(cf. 3515.2 - Disruptions)*

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes; misdemeanor

32212 Classroom interruptions

35160 Authority of governing boards

35292 Visits to schools (board members)

51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off

PENAL CODE

626-626.10 Schools

627-627.10 Access to school premises, especially:

627.1 Definitions

627.2 Necessity of registration by outsider

627.7 Misdemeanors; punishment

ATTORNEY GENERAL OPINIONS

95 Ops.Cal.Atty.Gen. 509 (1996)

Policy SIERRA SANDS UNIFIED SCHOOL DISTRICT

adopted: ~~October 19, 2006~~ **July 19, 2012** Ridgecrest, California

# Sierra Sands USD

## Administrative Regulation

### Visitors/Outsiders

AR 1250

### Community Relations

*The Superintendent or designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code 32211; Penal Code 627.6)*

*Unless otherwise directed by the principal or designee, a staff member shall accompany visitors/outsideers while they are on school grounds.*

### Objectives

The objectives of visits to schools by nonschool personnel include:

1. Keeping the public informed of the local educational process.
2. Keeping parents/guardians informed of the children's educational progress, attitudes toward school, and classroom behavior.
3. Providing assistance to teachers for classroom projects or programs.

### Responsibilities

The Superintendent will inform the community of visitation procedures.

Each principal will:

1. Develop and inform his/her staff of procedures to be followed when a nonschool visitor makes an appointment, is invited to visit, or arrives on campus.
2. Notify the teacher as much in advance as possible that his/her class will be visited. If time permits, such notice may consist of a message in the teacher's school mail box. Otherwise, notice will be provided via messenger or the intercom system.
3. Inform visitors of visitation procedures, including requests that they be courteous, not disrupt the educational process, and obtain permission prior to using any recording device.

Each teacher will:

1. Be aware of school procedures for visits by nonschool personnel.
2. Notify the principal if a nonschool visitor arrives at the classroom without an invitation or previous appointment and refer the visitor to the principal for clearance.
3. Inform the principal in advance when nonschool persons are invited to visit the classroom to observe or assist the teacher.

## Outsiders

Any person who is not a student or a member of the school site staff is considered an outsider and required to register upon entering school premises:

### ***Principal's Registration Authority***

***The principal or designee may refuse to register any outsider if he/she reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke any outsider's registration if he/she has a reasonable basis for concluding that the individual's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code 627.4)***

***(cf. 3515.2 - Disruptions)***

***(cf. 3515.3 - District Police/Security Department)***

***When an outsider fails to register, or when the principal or designee denies or revokes an outsider's registration privileges, the principal or designee may request that the individual promptly leave school grounds. When an outsider is directed to leave, the principal or designee shall inform him/her that if he/she reenters the school within seven days he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)***

## Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or designee or principal by submitting a written request for a hearing. This request must be made within five days after the person's departure from school and must state why the request to depart was improper. The request must provide an address to which a hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or designee or principal shall mail a notice of the hearing to the person requesting it. The hearing shall be held within seven days after receipt of the request. (Penal Code 627.5)

***(cf. 1312.1 - Complaints Concerning District Employees)***

***(cf. 1312.3 - Uniform Complaint Procedures)***

The decision of the Superintendent or designee or principal may be appealed to the Governing Board. The Board shall address the matter at the next regular public Board meeting for which it can be placed on the agenda. The Board's decision shall be final. (Education Code 32211)

Regulation SIERRA SANDS UNIFIED SCHOOL DISTRICT  
approved: ~~October 19, 2006~~ **July 19, 2012** Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.2 Revisions to Administrative Regulation 1312.1, Complaints Concerning School Personnel

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BACKGROUND INFORMATION: The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

CURRENT CONSIDERATIONS: Administrative Regulation 1312.1 Complaints Concerning School Personnel, was last approved in August of 1994. Current revisions include identifying complaint considerations at the appropriate level and making sure notification requirements and deadlines are clearly outlined. This policy has been updated and revised to reflect legal requirements and recent changes in the laws. Procedures are clearly outlined and identified according to recommendations by CSBA.

FINANCIAL IMPLICATIONS: None.

SUPERINTENDENT'S RECOMMENDATION: It is recommended the board review revisions to Administrative Regulation 1312.1, Complaints Concerning School Personnel as presented. Please note the revised administrative regulation is presented for information purposes only.



# Sierra Sands USD

## Administrative Regulation

### Complaints Concerning School Personnel

#### AR 1312.1 Community Relations

In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints. Every effort should be made to resolve a complaint at the earliest possible stage.

*The Superintendent or designee shall determine whether a complaint should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel and/or other district procedures.*

(cf. 1312.2 - Complaints Concerning Instructional Materials)  
(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 4144/4244/4344 - Complaints)

1. Complaints concerning school personnel should be made directly by the complainant to the person against whom the complaint is lodged. Parents/guardians are encouraged to attempt to orally resolve concerns with the staff member personally.
2. If the complaint is not resolved at this level, the complainant may submit the complaint in writing to the school principal or immediate supervisor. When necessary, district administration shall assist in the preparation of the written complaint so as to meet the requirement of this regulation. The administrative staff shall inform the complainant that such assistance is available if he/she is unable to prepare the written complaint without help.
3. A written complaint must include the name of each employee involved and a brief but specific summary of the complaint and the facts surrounding it. It must also include a specific description of a prior attempt to discuss the complaint with the employee involved and the failure to resolve the matter.
4. ~~The recipient of the complaint will send correspondence to the complainant within 48 hours indicating receipt of the complaint and defining the rest of the complaint process.~~ ***When a written complaint is received, the employee shall be notified within five days or in accordance with collective bargaining agreements.***
5. The principal or immediate supervisor is responsible for investigating complaints and will attempt to resolve the complaint to the satisfaction of the person(s) involved. If the complaint is resolved, the principal will so advise all concerned parties, including the Superintendent or

designee.

6. If the complaint remains unresolved after review by the principal or the immediate supervisor, the principal shall refer the written complaint, together with a report and analysis of the situation, to the Superintendent or designee. Complainants should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Governing Board regarding the complaint.

7. All written complaints regarding district personnel other than administrators shall be initially filed with the principal. If the complaint regards a principal or central office administrator, the written complaint shall be initially filed with the Superintendent or designee. If the written complaint concerns the Superintendent it shall be initially filed with the Board.

***8. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days.***

9. Except when a complaint is directed against the Superintendent no party to a complaint may address the Board, either in closed or open session, unless the Board has received the Superintendent or designee's written report concerning the complaint. The Superintendent or designee's report shall contain, but not be limited to:

- a. The name of each employee involved.
- b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the employee(s) as to the precise nature of the complaint and to allow the employee(s) to prepare a defense.
- c. A copy of the signed original complaint.
- d. A summary of the action taken by the Superintendent or designee, with his/her specific finding that disposition of the case at the Superintendent or designee's level has not been possible, and the reasons why.

~~9.~~ **10.** All parties to a complaint, including the school administration, may be asked to attend a Board meeting or part of such meeting for the purpose of presenting all available evidence and allowing every opportunity for explaining and clarifying the issue.

~~10.~~ **11.** Complaints concerning an employee shall be addressed in a closed session of the Board unless the employee requests that the issue be addressed in open session.

(cf. 9321 - Closed Sessions)

~~11.~~ **12.** The decision of the Board following the hearing shall be final.

Regulation SIERRA SANDS UNIFIED SCHOOL DISTRICT  
approved: ~~August 18, 1994~~ ***July 19, 2012*** Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.3 Revisions to Administrative Regulation 3513.3, Tobacco Free Schools

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**BACKGROUND INFORMATION:** The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

**CURRENT CONSIDERATIONS:** Administrative Regulation 3513.3, Tobacco Free Schools was last approved in October of 2008. These policies have been updated and revised to reflect legal requirements and recent changes in the laws. Procedures are clearly outlined and identified according to recommendations by CSBA.

**FINANCIAL IMPLICATIONS:** None.

**SUPERINTENDENT'S RECOMMENDATION:** It is recommended the board review revisions to Administrative Regulation 3513.3, Tobacco Free Schools. Please note the revised administrative regulation is presented for informational purposes only.

# **Sierra Sands USD**

## **Administrative Regulation**

### **Tobacco-Free Schools**

AR 3513.3

#### **Business and Noninstructional Operations**

##### Notifications

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students and the community.

Information about smoking cessation and support programs shall be made available to students and staff.

Tobacco-use prevention and cessation services are made available to every pregnant minor and minor parent(s) at all grade levels. (Health and Safety Code 104420, 104660)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property. (Health and Safety Code 104420)

##### Enforcement/Discipline

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 5144 - Discipline)

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

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

(cf. 1250 - Visitors/Outsiders)  
(cf. 3515.2 - Disruptions)

***The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)***

Regulation SIERRA SANDS UNIFIED SCHOOL DISTRICT  
approved: ~~October 16, 2008~~ **July 19, 2012** Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.4 Revisions to Administrative Regulation 3516.2, Bomb Threats

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**BACKGROUND INFORMATION:** The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

**CURRENT CONSIDERATIONS:** Administrative Regulation 3516.2, Bomb Threats was last updated in July of 1998. This policy has been updated and revised to reflect legal requirements and recent changes in the laws. This update includes procedures for staff members to follow in the event of a bomb threat. Procedures are clearly outlined and identified according to recommendations by CSBA.

**FINANCIAL IMPLICATIONS:** None.

**SUPERINTENDENT'S RECOMMENDATION:** It is recommended the board review revisions to Administrative Regulation 3516.2, Bomb Threats. Please note the revised administrative regulation is presented for informational purposes only.

# Sierra Sands USD

## Administrative Regulation

### Bomb Threats

AR 3516.2

#### Business and Noninstructional Operations

##### Receiving Threats

Any staff member receiving a telephoned bomb threat shall try to keep the caller on the line so as to gather information about the location and timing of the bomb and the person(s) responsible. He/she should also try to determine the caller's gender and age and should take note of any distinctive features of voice or speech and any background noises such as music, traffic, machinery or other voices.

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

Staff members who customarily receive telephone calls or handle packages shall receive training related to bomb threats.

##### Procedures

1. Any employee who receives a bomb threat shall immediately call 911 and also report the threat to the principal or designee. If the threat is in writing, he/she shall place the message in an envelope and take note of where and by whom it was found.
2. Any student or employee seeing a suspicious package shall promptly notify the principal or designee.
3. The principal or designee shall immediately use fire drill signals and institute standard evacuation procedures as specified in the emergency plan.

(cf. 3516 - Emergency and Disaster Preparedness Plan)

(cf. 3516.1 - Fire Drills and Fires)

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

Law enforcement and/or fire department staff shall conduct the bomb search. School police officers may assist in this search. No other school staff shall search for or handle any explosive or incendiary device.



Except for school police officers, no staff or students shall reenter the threatened building(s) until the law enforcement and/or fire department staff advises the principal or designee that reentry is safe.

Any student who makes a bomb threat shall be subject to disciplinary procedures.

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

Legal Reference:

EDUCATION CODE

44810 Willful interference with classroom conduct

48900 Grounds for suspension or expulsion

51202 Instruction in personal and public health and safety

PENAL CODE

17 Felony, misdemeanor, classification of offenses

148.1 False report of explosive or facsimile bomb

245 Assault with deadly weapon or force likely to produce great bodily injury; punishment

594 Vandalism; penalty

Regulation

SIERRA SANDS UNIFIED SCHOOL DISTRICT

approved: ~~July 16, 1998~~ **July 19, 2012** Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.5 Approval of Revisions to Board Policy 4020, Drug and Alcohol-Free Workplace

**BACKGROUND INFORMATION:** The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

**CURRENT CONSIDERATIONS:** Board Policy 4020, Drug and Alcohol-Free Workplace was last approved in August of 2010. This mandated policy clarifies prohibitions while on duty at the workplace. These policies have been updated and revised to reflect legal requirements and recent changes in the laws. Procedures are clearly outlined and identified according to recommendations by CSBA.

**FINANCIAL IMPLICATIONS:** None.

**SUPERINTENDENT'S RECOMMENDATION:** It is recommended the board approve revisions to Board Policy 4020, Drug and Alcohol Free Workplace as presented.

# Sierra Sands USD

## Board Policy

### Drug And Alcohol-Free Workplace

BP 4020

#### Personnel

The Governing Board seeks to maintain a drug-free workplace by ensuring that all employees are free from the effects of drug use during working hours and that drugs are not permitted on district premises. A drug-free workplace is essential to maintaining the safety and efficiency of school and district operations, and the health and safety of employees, students, and the public.

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in 21 USC 81 at any school district workplace. These prohibitions apply before, during and after school hours. A school district workplace is any place where school district work is performed, any school-owned or school-approved vehicle used to transport students to and from school or school activities; any off-school sites when accommodating a school sponsored or school-approved activity or function where students under district jurisdiction; or during an period of time when an employee is supervising students on behalf of the district or otherwise engaged in district business.

(cf. 4112-41/4212.41/4312.41 - Employee Drug Testing)

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

***Employees are prohibited from being under the influence of controlled substances or alcohol while on duty. For purposes of this policy, on duty means while an employee is on duty during both instructional and noninstructional time in the classroom or workplace, at extracurricular or cocurricular activities, or while transporting students or otherwise supervising them. Under the influence means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.***

(cf. 4032 - Reasonable Accommodation)

The Superintendent or designee shall:

1. Publish and give to each employee a notification of the above prohibitions. The notification shall specify the actions that will be taken against employees who violate these prohibitions. The notification shall also state that as a condition of employment, the employee will abide by the terms of this policy and notify the employer, within five days, of any criminal drug or alcohol statute conviction which he/she receives for a violation occurring in the workplace.

For the purpose of this policy, "conviction" shall mean a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both, by any judicial body charged to determine violations of federal or state criminal drug or alcohol statutes.

2. Establish a drug and alcohol-free awareness program to inform employees about:
  - a. The dangers of drug and alcohol abuse in the workplace.
  - b. The district policy of maintaining drug and alcohol-free workplaces.
  - c. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs, and
  - d. The penalties that may be imposed on employees for drug and alcohol abuse violations.
3. Notify the appropriate federal granting or contracting agencies within ten days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace.
4. Initiate disciplinary action within 30 days after receiving notice of a conviction for a violation in the workplace from an employee or otherwise. Such action shall be consistent with state and federal law, the appropriate employment contract, the applicable collective bargaining agreement, and district policy and practices.
5. Make a good faith effort to continue maintaining a drug and alcohol-free workplace through implementation of Board policy.

In taking disciplinary action, the Board shall require termination when termination is required by law. When termination is not required by law, the Board shall either take disciplinary action, up to and including termination, or shall require the employee to satisfactorily participate and complete a drug assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency. The Board's decision shall be made in accordance with relevant state and federal laws, employment contracts, collective bargaining agreements, and district policies and practices.

(cf. 4117.4 - Dismissal)

(cf. 4118/4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 4159 - Employee Assistance Programs)

#### Legal Reference:

##### EDUCATION CODE

44011 Controlled substance offense

44425 Conviction of controlled substance offenses as grounds for revocation of credential

44836 Employment of certificated persons convicted of controlled substance offenses

44940 Compulsory leave of absence for certificated persons  
44940.5 Procedures when employees are placed on compulsory leave of absence  
45123 Employment after conviction of controlled substance offense  
45304 Compulsory leave of absence for classified persons

GOVERNMENT CODE

8350-8357 Drug-free workplace

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug Free Schools and Communities Act

UNITED STATES CODE, TITLE 21

812 Schedule of controlled substances

UNITED STATES CODE, TITLE 41

701-707 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1308.01-1308.49 Schedule of controlled substances

COURT DECISIONS

Cahoon v. Governing Board of Ventura USD, (2009) 171 Cal.App.4th 381

Ross v. RagingWire Telecommunications, Inc., (2008) 42 Cal.4th 920

Management Resources:

WEB SITES

California Department of Alcohol and Drug Programs: <http://www.adp.ca.gov>

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

U.S. Department of Labor: <http://www.dol.gov>

Policy SIERRA SANDS UNIFIED SCHOOL DISTRICT

adopted: ~~August 19, 2010~~ **July 19, 2012** Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.6 Revisions to Administrative Regulation 4112.62, 4212.62, 4312.62, Maintenance of Criminal Offender Records

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BACKGROUND INFORMATION: The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

CURRENT CONSIDERATIONS: Administrative Regulation 4112.62, 4212.62, 4312.62, Maintenance of Criminal Offender Records was last updated and approved in December of 1998. Current revisions include assurances that criminal background checks on all employees or prospective employees are conducted through the Department of Justice (DOJ). In addition, a new law has been passed that reflects the requirements for designating an official Custodian of Records for the district and the responsibilities included in this position. This policy has been updated and revised to reflect legal requirements and recent changes in the laws. Procedures are clearly outlined and identified according to recommendations by CSBA.

FINANCIAL IMPLICATIONS: None.

SUPERINTENDENT'S RECOMMENDATION: It is recommended the board review revisions to Administrative Regulation 4112.62, 4212.62, 4312.62, Maintenance of Criminal Offender Records. Please note the revised administrative regulation is presented for informational purposes only.

# Sierra Sands USD

## Administrative Regulation

### Maintenance Of Criminal Offender Records

AR 4112.62 4212.62, 4312.62

#### Personnel

#### Maintenance of Criminal Offender Records

All information received from the Department of Justice is confidential. (Education Code 44830.1, 45125)

*The Superintendent or designee shall ensure that criminal record background checks on employees or prospective employees are conducted through the Department of Justice (DOJ) and that any Criminal Offender Record Information (CORI) received is maintained in accordance with law.*

The Superintendent shall designate an employee as record custodian of all confidential fingerprint and criminal record history who shall be responsible for the administration of the information. Any questions regarding Criminal Offender Record Information shall be resolved by the record custodian.

(cf. 1240 - Volunteer Assistance)  
(cf. 3515.6 - Criminal Background Checks for Contractors)  
(cf. 4112.5/4312.5 - Criminal Record Check)  
(cf. 4112.6/4212.6/4312.6 - Personnel Files)  
(cf. 4212.5 - Criminal Record Check)

Criminal Offender Record Information shall be accessible only to the record custodian and shall be kept in a locked file separate from other files. The contents of these records shall not be disclosed and shall not be reproduced. (Education Code 44830.1, 45125)

The record custodian shall be fingerprinted and processed through the California Department of Justice. He/she shall sign an Employee Statement Form, acknowledging an understanding of the laws regarding Criminal Offender Record Information.

These records shall be used only for the purpose for which they were requested.

Upon a hiring determination, the records shall be destroyed to the extent that the identity of the individual can no longer be reasonably ascertained. (Education Code 44830.1, 45125; 11 CCR 708)

Violation of this administrative regulation may result in suspension, dismissal and/or criminal or civil prosecution.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)  
(cf. 9011 - Disclosure of Confidential/Privileged Information)

***The Superintendent shall designate an employee as custodian of records. Beginning July 1, 2011, any employee designated as custodian of records shall receive a criminal background check clearance from the DOJ prior to serving in that capacity. (Penal Code 11102.2)***

***The custodian of records shall sign and return to the DOJ the Employee Statement Form acknowledging an understanding of the laws prohibiting misuse of CORI. In addition, the custodian of records shall ensure that any individual with access to CORI has on file a signed Employee Statement Form.***

***The custodian of records shall be responsible for the security, storage, dissemination, and destruction of all CORI furnished to the district. He/she also shall serve as the primary contact for the DOJ for any related issues. (Penal Code 11102.2)***

***By March 1, 2012, and by March 1 of every year thereafter, the Superintendent or designee shall notify the DOJ of the district's designated custodian of records. In addition, the Superintendent or designee shall immediately notify the DOJ whenever a designated custodian of records ceases to serve in that capacity. (Penal Code 11102.2)***

The record custodian shall ensure that the district complies with destruction, storage, dissemination, auditing, backgrounding and training requirements as set forth in 11 CCR 701-708 and the rules regarding use and security of these records as set forth in Penal Code 11077. (Education Code 44830.1, 45125)

#### Interagency Agreements

Upon receipt from the Department of Justice of a criminal history record or report of subsequent arrest for any person on a common list of persons eligible for employment, the designated district shall give notice to the Superintendent or any participating district, or the person designated in writing by that Superintendent, that the report is available for inspection on a confidential basis by the Superintendent or the written designee. The report shall be made available at the office of the designated district for 30 days following the receipt of the notice. (Education Code 44830.2, 45125.01)

The designated district shall not release a copy of that information to any participating district or any other person. In addition, the designated district shall retain or dispose of the information in the manner specified in law and in this administrative regulation after all participating districts have had an opportunity to inspect it in accordance with law. (Education Code 44830.2, 45125.01)

The designated district shall maintain a record of all persons to whom the information has been shown. This record shall be available to the Department of Justice. (Education Code 44830.2,



45125.01)

The designated district shall submit an interagency agreement to the Department of Justice to establish authorization to submit and receive this information. (Education Code 44830.2, 45125.01)

Legal Reference:

EDUCATION CODE

44332 Temporary certificate

44332.6 Criminal record check, county board of education

44346.1 Applicants for credential, conviction of a violent or serious felony

44830.1 Certificated employees, conviction of a violent or serious felony

44830.2 Interagency agreements

45122.1 Classified employees, conviction of a violent or serious felony

45125 Use of personal identification cards to ascertain conviction of crime

45125.01 Interagency agreements

45125.5 Automated records check

45126 Duty of Department of Justice to furnish information

PENAL CODE

667.5 Prior prison terms, enhancement of prison terms

1192.7 Plea bargaining limitation

11075-11081 Criminal record dissemination

11105 State criminal history information; furnishing to authorized persons

11105.3 Record of conviction involving sex crimes, drug crimes or crimes of violence; availability to employer for applicants for positions with supervisory or disciplinary power over minors

11140-11144 Furnishing of state criminal history information

13300-13305 Local summary criminal history information

CODE OF REGULATIONS, TITLE 11

701-708 Criminal offender record information

Regulation SANDS UNIFIED SCHOOL DISTRICT

approved: ~~December 10, 1998~~ **July 19, 2012** Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.7 Approval of Revisions to Board Policy 4144, 4244, 4344, Complaints

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**BACKGROUND INFORMATION:** The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

**CURRENT CONSIDERATIONS:** Board Policies 4144, 4244, 4344, Complaints was last approved in August of 1994. Current revisions include making sure confidentiality is maintained and prohibits retaliation against complainants. This policy has been updated and revised to reflect legal requirements and recent changes in the laws. Procedures are clearly outlined and identified according to recommendations by CSBA.

**FINANCIAL IMPLICATIONS:** None.

**SUPERINTENDENT'S RECOMMENDATION:** It is recommended the board approve revisions to Board Policy 4144, 4244, 4344, Complaints as presented.

# Sierra Sands USD

## Board Policy

### Complaints

BP 4144 4244,4344

### Personnel

The Governing Board recognizes the need for providing employees with a complaint process for matters not subject to grievance procedures. The Superintendent or designee shall establish complaint procedures.

The Board expects that employees and supervisors will make every effort to resolve employee complaints and disagreements informally before resorting to formal complaint procedures.

(cf. 1312.5 - Complaints Concerning Discrimination)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4141/4241 - Employee Agreements)

*The Board prohibits retaliation against complainants. The Superintendent or designee may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint.*

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

*All matters related to a complaint shall be kept confidential and any document, communication, or record regarding the complaint shall be placed in a separate file and shall not be placed in an employee's personnel file.*

(cf. 4112.6/4212.6/4312.6 - Personnel Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

35186 Williams uniform complaint procedures

44110-44114 Reporting by school employees of improper governmental activity

Legal Reference:

GOVERNMENT CODE

3543 Public school employees' rights

3543.1 Rights of employee organizations

3543.1 Rights of employee organizations

53296-53299 Disclosure of confidential information; whistleblower

53296 Definitions

**54957 Closed session; personnel matters**

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

Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.8 Approval of Revisions to Board Policy 4157, 4257, 4357, Employee Safety

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**BACKGROUND INFORMATION:** The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

**CURRENT CONSIDERATIONS:** Board Policy 4157, 4257, 4357 was last updated in October of 2000. The revisions include making sure first aid materials at district workplaces are readily available and we have effective provisions in place for medical treatment in case an employee is injured or becomes sick. These policies have been updated and revised to reflect legal requirements and recent changes in the laws. Procedures are clearly outlined and identified according to recommendations by CSBA.

**FINANCIAL IMPLICATIONS:** None.

**SUPERINTENDENT'S RECOMMENDATION:** It is recommended the board approve revisions to Board Policy 4157, 4257, 4357, Employee Safety as presented.

# Sierra Sands USD

## Board Policy

### Employee Safety

BP 4157 4257, 4357

#### Personnel

The Governing Board is committed to maximizing employee safety and believes that safety is every employee's responsibility. Working conditions and equipment shall be maintained in compliance with standards prescribed by federal, state and local laws and regulations.

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402)

The Board expects all employees to use safe work practices and to correct any unsafe conditions which may occur. If an employee is unable to correct an unsafe condition, he/she shall immediately report the problem to the Superintendent or designee.

The Superintendent or designee shall promote safety and correct any unsafe work practice through education, training, and enforcement. The Superintendent or designee shall establish a district safety committee in order to promote the participation of all employees in accident prevention and their acceptance of a personal responsibility for safety.

The Superintendent or designee shall establish and implement a written injury and illness prevention program in accordance with law. (Labor Code 6401.7)

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4158/4258/4358 - Employee Security)

The Board shall ensure that the Superintendent or designee provides eye protective devices as specified in law and administrative regulation.

***The Superintendent or designee shall ensure the ready availability of first aid materials at district workplaces and shall make effective provisions, in advance, for prompt medical treatment in the event of an employee's serious injury or illness. (8 CCR 3400)***

No employee shall be discharged or discriminated against for making complaints, instituting proceedings or testifying with regard to employee safety or health, or for participating in any

occupational health and safety committee established pursuant to Labor Code 6401.7. (Labor Code 6310)

Legal Reference:

EDUCATION CODE

32000-32066 Safety: public and private institutions

LABOR CODE

6305 Occupational safety and health standards; special order

6310 Retaliation for filing complaint prohibited

6401.7 Injury prevention programs

6400-6413.5 Responsibilities and duties of employers and employees

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

5095-5100 Control of noise exposure

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.95 Noise standards

Management Resources:

CAL/OSHA PUBLICATIONS

Guide to Developing Your Workplace Injury and Illness Prevention Program, revised April 1998

DHHS PUBLICATIONS

Preventing Occupational Hearing Loss - A Practical Guide, June 1996, Department of Health and Human Services (National Institute for Occupational Safety and Health)

WEB SITES

OSHA: <http://www.osha.gov>

Cal/OSHA: [http://www.dir.ca.gov/occupational\\_safety.html](http://www.dir.ca.gov/occupational_safety.html)

Centers for Disease Control and Prevention: <http://www.cdc.gov>

National Institute for Occupational Safety and Health: <http://www.cdc.gov/niosh>

National Hearing Conservation Association: <http://www.hearingconservation.org>

Policy SIERRA SANDS UNIFIED SCHOOL DISTRICT

adopted: ~~October 5, 2000~~ **July 19, 2012** Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.9 Revisions to Administrative Regulation 4161.1, 4361.1 Personal Illness/Injury Leave

**BACKGROUND INFORMATION:** The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

**CURRENT CONSIDERATIONS:** Administrative Regulation 4161.1, 4361.1, Personnel Illness/Injury Leave was last approved in March of 1999. This policy includes mandated revisions to more directly reflect law regarding the amount of sick leave an employee can use to attend to the illness of his/her child, parent, spouse, registered domestic partner, or domestic partner's child. This policy has been updated and revised to reflect legal requirements and recent changes in the laws. Procedures are clearly outlined and identified according to recommendations by CSBA.

**FINANCIAL IMPLICATIONS:** None.

**SUPERINTENDENT'S RECOMMENDATION:** It is recommended the board review revisions to Administrative Regulation 4161.1, 4361.1, Personal Illness/Injury Leave. Please note the revised administrative regulation is presented for informational purposes only.



# **Sierra Sands USD**

## **Administrative Regulation**

### **Personal Illness/Injury Leave**

AR 4161.1 4361.1

#### **Personnel**

Full-time certificated employees are entitled to 10 days (1 day for every 18 work days for management employees) leave of absence for personal illness or injury (sick leave) per school year, with full pay. Employees working less than five days per week shall be granted comparable sick leave in proportion to the time they work. (Education Code 44978)

(cf. 4161/4261 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

(cf. 4361 - Leaves)

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

Prior to October 1 of each school year, employees shall be notified of the amount of sick leave they have accumulated.

Any certificated employee who leaves the district after at least one year of employment and accepts a certificated position in another district, county office of education or community college district within one year shall have transferred with him/her the total amount of accumulated sick leave. The district may not require new employees to waive their leave accumulated in a previous district. (Education Code 44979, 44980)

Sick leave may be used by certificated employees for:

1. Cases of temporary inability to perform duties because of illness, accident or quarantine, whether or not the cause of absence arises out of and in the course of employment (Education Code 44964)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

2. Absences due to pregnancy, miscarriage, childbirth and recovery (Education Code 44965, 44978)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Cases of personal necessity (Education Code 44981)

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

4. Medical and dental appointments, in increments of not less than two hours

5. Cases of industrial accidents or illnesses when leave granted specifically for that purpose has expired (Education Code 44984)

(cf. 4161.11/4361.11 - Industrial Accident/Illness Leave)

**6. *Illness of the employee's child, parent, spouse, registered domestic partner, or domestic partner's child in an amount not less than the sick leave that would be accrued by the employee during six months at his/her then current rate of entitlement (Labor Code 233)***

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than 3 p.m. of the day preceding the day on which he/she intends to return to work. If failure to so notify the district results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. 4121 - Temporary/Substitute Personnel)

#### Sick Leave Beyond 10 Days

When a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and continues to be absent from his/her duties due to illness or accident for an additional period up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that might have been paid to a substitute shall be deducted from the employee's salary. (Education Code 44977)

The sick leave, including accumulated sick leave, and the five-month period shall run consecutively. (Education Code 44977)

An employee shall not be provided more than one five-month period per illness or accident. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (Education Code 44977)

After five months, if a certificated employee has exhausted all available sick leave and is not medically able to resume his/her duties, the employee shall be placed either in another position or on a reemployment list. If the employee is on probationary status, he/she shall be placed on the reemployment list for 24 months beginning at the expiration of the five-month period

provided pursuant to Education Code 44977; if on permanent status, the employee shall be placed on the reemployment list for 39 months. If during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

(cf. 4116 - Probationary/Permanent Status)

#### Verification Requirements

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may, at any time, require additional written verification by the employee's physician or practitioner. Such verification shall be required whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever clear evidence indicates that an absence is not related to illness or injury.

The Superintendent or designee may require an employee to visit a physician selected by the district and at district expense in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis for when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Before returning to work, an employee who has been absent for surgery, hospitalization or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return and stipulating any recommended restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

#### Legal Reference:

##### EDUCATION CODE

44964 Power to grant leave of absence in case of illness, accident or quarantine

44965 Granting of leaves of absence for pregnancy and childbirth

44976 Transfer of leave rights when school is transferred to another district

44977 Salary deduction during absence from duties

44978 Provisions for sick leave of certificated employees

44979 Transfer of accumulated sick leave to another district

44980 Transfer of accumulated sick leave to a county office of education

44981 Leave of absence for personal necessity

44983 Exception to sick leave when district adopts specific rule

44986 Leave of absence for disability allowance applicant

##### CODE OF REGULATIONS, TITLE 5

5601 Transfer of accumulated sick leave  
LABOR CODE  
234 Absence control policy

Regulation SIERRA SANDS UNIFIED SCHOOL DISTRICT  
approved: ~~March 4, 1999~~ **July 19, 2012** Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.10 Approval of Revisions to Board Policy 5137, Positive School Climate

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**BACKGROUND INFORMATION:** The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

**CURRENT CONSIDERATIONS:** Board Policy 5137, Positive School Climate was last updated in August of 2001. Current revisions include consistently enforcing board policies for student conduct. This includes prohibitions against bullying, cyber bullying, harassment, hazing and other violence against students. Staff is expected to serve as role models and to use effective classroom management techniques based on clear expectations for student behavior. This policy has been updated and revised to reflect legal requirements and recent changes in the laws. Procedures are clearly outlined and identified according to recommendations by CSBA.

**FINANCIAL IMPLICATIONS:** None.

**SUPERINTENDENT'S RECOMMENDATION:** It is recommended the board approve revisions to Board Policy 5137, Positive School Climate as presented.

# Sierra Sands USD

## Board Policy

### Positive School Climate

BP 5137

#### Students

~~The Governing Board desires to provide an orderly and caring learning environment in which students feel comfortable, share responsibility for maintaining a positive school climate, and take pride in their school and their achievements. District staff shall encourage and reward success and achievement, participation in community projects, and positive student conduct.~~

~~(cf. 5126—Awards for Achievement)~~

~~(cf. 6142.4—Community Service)~~

~~The district shall encourage attitudes and behaviors that promote mutual respect and harmonious relations. The schools shall promote nonviolent conflict resolution techniques and provide students opportunities to voice their concerns about school policies and practices. The Superintendent or designee may initiate student courts, campus beautification projects, buddy systems, vandalism prevention campaigns, and other programs in which students may identify and solve problems that affect their school.~~

~~(cf. 5131.4—Campus Disturbances)~~

~~(cf. 5136—Gangs)~~

~~Students shall not bully other students. Bullying includes but is not limited to intimidating, threatening, teasing, or harassing others, especially those who are smaller or weaker. Students shall not use vulgar, obscene or fighting words. Students who do so shall be subject to appropriate counseling and discipline in accordance with law.~~

~~(cf. 5145.2—Freedom of Speech/Expression: Publications Code)~~

~~(cf. 5145.7—Sexual Harassment)~~

~~The Board encourages classroom use of cooperative learning strategies that foster positive social interactions among students from diverse backgrounds. The district shall provide instruction and counseling designed to promote positive racial and ethnic identity, help students understand diverse cultures, teach them to think critically about racial bias, and show them how to deal with discriminatory behavior in appropriate ways.~~

~~(cf. 6141—Curriculum Development and Evaluation)~~

~~(cf. 6161.1—Selection and Evaluation of Instructional Materials)~~

~~(cf. 6141.6—Multicultural Education)~~

Legal Reference:

EDUCATION CODE

~~35160 - Authority of governing boards~~

~~35160.1 - Broad authority of school districts~~

~~48907 - Student exercise of free expression~~

~~48950 - Freedom of speech~~

*The Governing Board desires to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students can feel safe and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.*

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

*(cf. 3515 - Campus Security)*

*(cf. 3515.2 - Disruptions)*

*(cf. 5030 - Student Wellness)*

*(cf. 5131.4 - Student Disturbances)*

*(cf. 5142 - Safety)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.*

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

*Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct, including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use.*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 4020 - Drug and Alcohol-Free Workplace)*

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.6 - Alcohol and Drugs)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

*(cf. 5136 - Gangs)*

*(cf. 5144 - Discipline)*

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

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

*(cf. 5145.2 - Freedom of Speech/Expression)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

*The district's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.*

*(cf. 5131.9 - Academic Honesty)*

*(cf. 6141 - Curriculum Development and Evaluation)*

*(cf. 6142.3 - Civic Education)*

*(cf. 6142.4 - Service Learning/Community Service Classes)*

*(cf. 6142.92- History-Social Science Instruction)*

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

*The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, graffiti removal, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the schools.*

*(cf. 1240 - Volunteer Assistance)*

*(cf. 5126 - Awards for Achievement)*

*(cf. 5131.5 - Vandalism and Graffiti)*

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6020 - Parent Involvement)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.5 - Student Organizations and Equal Access)*

*Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school.*

*The schools shall promote nonviolent conflict resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. As part of this effort, students shall be taught the skills necessary to reduce violence, including communication skills, anger management, bias reduction, and mediation skills.*

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

*(cf. 6164.2 - Guidance/Counseling Services)*

*Staff shall receive professional development designed to improve classroom management, conflict resolution techniques, and communications with students and parents/guardians including persons of diverse backgrounds.*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*



***Legal Reference:***

***EDUCATION CODE***

***233-233.8 Hate violence prevention***

***32280-32289 School safety plans***

***32295.5 Teen court programs***

***35181 Governing board policy on responsibilities of students***

***35291-35291.5 Rules***

***44807 Teachers' duty concerning conduct of students***

***48900-48925 Suspension and expulsion***

***Management Resources:***

***CSBA PUBLICATIONS***

***Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007***

***Protecting Our Schools: Governing Board Strategies to Combat School Violence, rev. 1999***

***CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS***

***Bullying at School, 2003***

***Creating Safe and Drug-Free Schools: An Action Guide, 1996***

***U.S. DEPARTMENT OF EDUCATION PUBLICATIONS***

***Preventing Bullying: A Manual for Schools and Communities, 1998***

***WEB SITES***

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

***California Department of Education, Learning Support: <http://www.cde.ca.gov/ls>***

***National School Safety Center: <http://www.schoolsafety.us>***

***U.S. Department of Education, Office of Safe and Drug-Free Schools:***

***<http://www.ed.gov/offices/OESE/SDFS>***

Policy SIERRA SANDS UNIFIED SCHOOL DISTRICT

adopted: ~~August 16, 2001~~ **July 19, 2012** Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.11 Revisions to Board Policy 5145.9, Hate Motivated Behavior

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**BACKGROUND INFORMATION:** The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

**CURRENT CONSIDERATIONS:** Board Policy 5145.9, Hate-Motivated Behavior was last updated in February of 2003. Additions to this policy include collaboration with community programs to promote safe environments for youth and to promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society. These policies are updated and revised to reflect legal requirements and recent changes in the laws. Procedures are clearly outlined and identified according to recommendations by CSBA.

**FINANCIAL IMPLICATIONS:** None.

**SUPERINTENDENT'S RECOMMENDATION:** It is recommended the board approve revisions to Board Policy 5145.9, Hate Motivated Behavior as presented.

# Sierra Sands USD

## Board Policy

### Hate-Motivated Behavior

BP 5145.9

#### Students

The Governing Board affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs or practices shall not be tolerated.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.1 - Crime Data Reporting)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 6141.6 - Multicultural Education)

Any student who feels that he/she is a victim of hate-motivated behavior shall immediately contact the principal or designee. If the student believes that the situation has not been remedied by the principal or designee, he/she may file a complaint in accordance with district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Superintendent or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.

(cf. 3515.3 - District Police/Security Department)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

In addition, the district shall provide counseling and appropriate sensitivity training and diversity education for students exhibiting hate-motivated behavior. The district shall also provide counseling, guidance and support, as necessary, to those students who are the victims of hate-motivated behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that staff receives appropriate training to recognize hate-motivated behavior and methods for handling such behavior in appropriate ways.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

***The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.***

(cf. 1020 - Youth Services)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6020 - Parent Involvement)

~~The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights.~~

***The district shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.***

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6141.94 - History-Social Science Instruction)

At the beginning of each school year, students and staff shall receive a copy of the district's policy on hate-motivated behavior.

Legal Reference:

EDUCATION CODE

200-262 Prohibition of discrimination on the basis of sex

48900.3 Suspension for hate violence

PENAL CODE

186.21 Street terrorism; legislative findings and declarations

422.6-422.95 Civil Rights

11410-11414 Terrorism

13023 Reports by law enforcement of crimes motivated by race, ethnicity, religion, sexual orientation or physical or mental disability

13519.6 Hate crimes, training courses and guidelines

UNITED STATES CODE, TITLE 18

245 Federally protected activities

Management Resources:

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995

ALAMEDA OFFICE OF EDUCATION & CALIFORNIA DEPARTMENT OF EDUCATION  
PUBLICATIONS

Hate-Motivated Behavior in Schools: Response Strategies for School Boards, Administrators, Law Enforcement and Communities, 1997

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL  
ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999

WEB SITES

CDE: <http://www.cde.ca.gov>

California Association of Human Relations Organizations: <http://www.cahro.org>

United States Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR/index.html>

Policy SIERRA SANDS UNIFIED SCHOOL DISTRICT

adopted: ~~February 20, 2003~~ **July 19, 2012** Ridgecrest, California

## 7. POLICY DEVELOPMENT AND REVIEW

### 7.12 Presentation of Board Policy 6111, School Calendar

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**BACKGROUND INFORMATION:** The Assistant Superintendent of Human Resources has reviewed selected board policies and administrative regulations as a result of recommendations for revisions from the California School Board Association (CSBA) policy service. Proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

**CURRENT CONSIDERATIONS:** Currently, our district does not have a board policy regarding school calendars and instruction. We do follow the practices and recommendations outlined in the CSBA policy regarding a school calendar and would like to submit the recommended policy BP 6111 for board approval. This policy includes meeting the requirements of law and the needs of the community, students, and the work year as negotiated with the district's employee organizations. Proposed school calendars will be aligned with assessment and accountability schedules in order to support the district's goals for student achievement. Procedures are clearly outlined and identified according to recommendations by CSBA.

**FINANCIAL IMPLICATIONS:** None.

**SUPERINTENDENT'S RECOMMENDATION:** This is the first reading of Board Policy 6111, School Calendar and will be presented to the board for approval at the August 16, 2012 board meeting.

# Sierra Sands USD

## Board Policy

### School Calendar

BP 6111

#### Instruction

*For each district school, the Governing Board shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the district's employee organization(s). As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the district's goals for student achievement.*

*(cf. 0200 - Goals for the School District)*

*(cf. 4143/4243 - Negotiations/Consultation)*

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.52 - High School Exit Examination)*

*Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.*

*(cf. 6112 - School Day)*

*(cf. 6115 - Ceremonies and Observances)*

*(cf. 6117 - Year-Round Schedules)*

*(cf. 6177 - Summer School)*

*The district shall offer 180 days of instruction per school year, except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2.*

*(cf. 1431 - Waivers)*

*Staff development days shall not be counted as instructional days.*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331- Staff Development)*

*Notification of the schedule of minimum days shall be sent to all parents/guardians at the beginning of the school year. If any minimum days are added to the schedule, the Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least one month before the scheduled minimum day. (Education Code 48980)*

*(cf. 5145.6 - Parental Notifications)*

*If a school will be used as a polling place on an election day, the Board shall determine whether to continue school in session, designate the day for staff training and development, or close the school to students and nonclassified staff. (Elections Code 12283)*

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

*(cf. 5113 - Absences and Excuses)*

***Legal Reference:***

***EDUCATION CODE***

***37200-37202 School calendar***

***37220-37223 Holidays***

***37252-37254.1 Summer school***

***37300-37307 Year-Round School Demonstration Project***

***37600-37672 Continuous school programs: year-round schools, especially:***

***37618 School calendar***

***37700-37711 Four-day week***

***41422 Schools not maintained for 175 days***

***41530-41532 Professional Development Block Grant***

***46200-46206 Incentives for longer instructional day and year***

***46300 Method of computing ADA***

***48980 Notice at beginning of term***

***REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS***

***44579-44579.6 Instructional Time and Staff Development Reform Program***

***ELECTIONS CODE***

***12283 School closures, election days***

***COURT DECISIONS***

***Butt v. State of California, (1992) 4 Cal 4th 668***

***PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS***

***Davis Joint Unified School District, (1984) PERB Decision No. 474***

***Management Resources:***

***WEB SITES***

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

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

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

***Secretary of State's Office: <http://www.ss.ca.gov>***

***Policy SIERRA SANDS UNIFIED SCHOOL DISTRICT***

***adopted: July 19, 2012 Ridgecrest, California***



## 7. POLICY DEVELOPMENT AND REVIEW

### 7.13 Approval of BP/AR/E 6163.4, Student Use of Technology

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**BACKGROUND INFORMATION:** BP/AR 6163.4, Student Use of Technology was taken to the Board for a first reading on October 4, 2001 and subsequently approved by the Board on October 18, 2001. The policy was taken in response to new federal law and regulations that require that any district receiving federal technology funds adopt an Internet safety policy and to block and filter access to information deemed harmful to minors.

**CURRENT CONSIDERATIONS:** New E-Rate rules have been established that require school districts to amend their existing Internet Safety Policy ("ISP") if it does not already comply with the new standards. These changes are the result of Congress passing the "Protecting Children in the 21st Century Act" in 2008. When this law was passed, it amended Children's Internet Protection Act ("CIPA") and mandated that Internet safety education be taught in any elementary or secondary schools having computers with Internet access that apply for services through the E-Rate program. CIPA compliance for school districts has now been changed to require all school districts applying for Internet Access, Internal Connections or Basic Maintenance, the "Internet safety policy must provide for the education of minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response." It continues to be Congress's intent that local authorities have the ultimate role in deciding what is and is not appropriate for their communities, as well as what this education should look like. Therefore, this rule speaks to the fact that there must be a provision for education of online behavior in your ISP. It does not mandate how you choose to implement that education. School districts must comply with the requirements of CIPA in order to receive E-Rate funding for Internet services. As part of the process for filing for E-Rate, school authorities must certify by June 8, 2012 they have either complied with the requirements of CIPA or that they are undertaking actions to comply with the requirements of CIPA. Below is a summary of the requirements that school districts should follow as well as the addition to the ISP. If selected for audit, documentation to support your CIPA compliance must be in place. Failure to provide documentation may result in the loss of continued E-Rate funding and/or obligate your district to reimburse the full costs for Internet services for any fiscal year in which your district was found to be non-compliant.

#### **1. Technology Protection Measure**

A technology protection measure (e.g. Internet filtering software) is a specific technology that blocks or filters Internet access.

It must protect against access by adults and minors to visual depictions that are obscene, child pornography, or - with respect to use of computers with Internet access by minors - harmful to minors. It may be disabled for adults engaged in bona fide research or other lawful purposes. The policy must also include monitoring the online activities of minors. Retain documentation of the technology protection measure (e.g. bills from a service provider or filter logs) for at least five years.

## **2. Internet Safety Policy**

Your Internet Safety Policy must address the following issues:

- Access by minors to inappropriate matter on the Internet and World Wide Web
- The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications
- Unauthorized access including "hacking" and other unlawful activities by minors online
- Unauthorized disclosure, use, and dissemination of personal information regarding minors
- Measures designed to restrict minors' access to materials harmful to minors
- NEW - A statement that you are "educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response."

Retain a copy of the Internet safety policy for at least 5 years after the funding year in which the policy was relied on to obtain E-Rate funding.

## **3. Public notice of and public meeting or hearing on the Internet Safety Policy**

The authority with responsibility for administration of the school district must provide reasonable public notice and hold at least one public hearing to address a proposed technology protection measure and Internet Safety Policy. Retain documentation of the notice and public hearing (e.g. flyer or newspaper notice, agenda, board minutes) for at least five years beyond the year in which you rely on it to obtain E-Rate funding.

FINANCIAL IMPLICATIONS: None

SUPERINTENDENT'S RECOMMENDATION: It is recommended the board adopt revisions to Board Policy 6163.4, Student Use of Technology as it reflects current law. Administrative Regulation and Exhibit are provided for information only.

# Sierra Sands USD

## Board Policy

### Student Use Of Technology

BP 6163.4

#### Instruction

The Governing Board intends that technological resources provided by the district be used in a *safe*, responsible and proper manner in support of the instructional program and for the advancement of student learning.

(cf. 0440 - District Technology Plan)  
(cf. 1113 - District and School Web Sites)  
(cf. 4040 - Employee Use of Technology)  
(~~cf. 6010 - Goals and Objectives~~)  
(~~cf. 6162.7 - Use of Technology in Instruction~~)  
(cf. 6163.1 - Library Media Centers)

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computer, *user obligations and responsibilities*, and consequences for unauthorized use and/or unlawful activities *in accordance with district regulations and the district's Acceptable Use Agreement*.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process: Students with Disabilities)  
(cf. 5145.12 - Search and Seizure)

*Before a student is authorized to use the district's technological resources, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.*

(cf. 6162.6 - Use of Copyrighted Materials)

*The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using the district's technological resources and to help ensure that the district adapts to changing technologies and circumstances.*

### *Use of District Computers for Online Services/Internet Access*

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to ***visual depictions*** ~~inappropriate content, including material that is~~ ***are*** obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 6777 2441; 47 USC 254)

The Board desires to protect students from access to harmful matter on the Internet or other on-line services. ***To reinforce these measures,*** ~~The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet~~ ***and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.***

~~He/she~~ ***The Superintendent or designee*** also shall establish regulations to address the safety and security of students ***and student information*** when using electronic mail, ***blogs***, chat rooms and other forms of direct electronic communication.

***The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, blogs and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying and cyberbullying awareness and how to respond when subjected to cyberbullying.***

***The use of educational social networking sites will be at the discretion of the principal or designee. To the extent possible, the Superintendent or designee shall block access to such sites on district computers with Internet access.***

Disclosure, use and dissemination of personal identification information regarding students is prohibited.

~~Staff shall supervise students while they are using on-line services and may ask teacher aides and student aides to assist in this supervision.—~~

~~Before using the district's on-line resources, each student and his/her parent/guardian shall annually sign and return an Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district responsible and shall agree to indemnify and hold harmless the district and all district personnel for the failure of any technology protection measures, violations of copyright restrictions, users' mistakes or negligence, or any costs incurred by users.—~~

~~(cf. 6162.6—Use of Copyrighted Materials)~~

~~In order to help ensure that the district adapts to changing technologies and circumstances, the Superintendent or designee shall regularly review this policy, the accompanying administrative regulation and other procedures. He/she shall also monitor the district's filtering software to help ensure its effectiveness.—~~

Legal Reference:

EDUCATION CODE

~~48980 Required notification at beginning of term~~

51006 Computer education and resources

51007 Programs to strengthen technological skills

51870-51874 Education Technology

~~51870.5 Student Internet access~~

60044 Prohibited instructional materials

PENAL CODE

313 Harmful matter

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

***653.2 Electronic communication devices, threats to safety***

***UNITED STATES CODE, TITLE 15***

***6501-6506 Children's Online Privacy Protection Act***

UNITED STATES CODE, TITLE 20

6751-6777 Enhancing Education Through Technology Act, No Child Left Behind Act, Title II, Part D

6777 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's online privacy protection

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

CDE PUBLICATIONS

~~K-12 Network Technology Planning Guide: Building the Future, 1994~~

CDE PROGRAM ADVISORIES

~~1223.94 Acceptable Use of Electronic Information Resources~~

***Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007***

***FEDERAL TRADE COMMISSION PUBLICATIONS***

***How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000***

***MY SPACE.COM PUBLICATIONS***

***The Official School Administrator's Guide to Understanding MySpace and Resolving Social Networking Issues***

WEB SITES

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

American Library Association: <http://www.ala.org>  
**California Coalition for Children's Internet Safety:** <http://www.cybersafety.ca.gov>  
**California Department of Education:** <http://www.cde.ca.gov>  
**Center for Safe and Responsible Internet Use:** <http://csriu.org>  
Federal Communications Commission: <http://www.fcc.gov>  
**Federal Trade Commission, Children's Online Privacy Protection:**  
**<http://www.ftc.gov/privacy/privacyinitiatives/childrens.html>**  
U.S. Department of Education: <http://www.ed.gov>  
Commission on Online Child Protection: <http://www.copacommission.org>  
~~CDE:~~ ~~<http://www.cde.ca.gov>~~  
Web Wise Kids: <http://www.webwisekids.org>

Policy SIERRA SANDS UNIFIED SCHOOL DISTRICT  
adopted: ~~October 18, 2004~~ **July 19, 2012** Ridgecrest, California

# Sierra Sands USD

## Administrative Regulation

### Student Use Of Technology

AR 6163.4

#### Instruction

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. ~~He/she shall ensure that all students using these resources receive training in their proper and appropriate use.~~ ***All instructional staff shall receive a copy of this administrative regulation, the accompanying Board policy, and the district's Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All students using these resources shall receive instruction in their proper and appropriate use.***

(cf. 0440 - District Technology Plan)

(cf. 4040 - Employee Use of Technology)

(cf. 4131- Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

~~(cf. 6162.7 — Use of Technology in Instruction)~~

***Teachers, administrators, and/or library media specialists shall prescreen technological resources and online sites that will be used for instructional purposes to ensure that they are appropriate for the intended purpose and the age of the students.***

***(cf. 6163.1 - Library Media Centers)***

At the beginning of each school year, parents/guardians ***can access*** a copy of the district's policy and administrative regulation regarding access by students to the Internet and online sites ***on the district website in the Rights and Responsibilities Handbook for Parents and Students.***

(Education Code 48980)

(cf. 5145.6 - Parental Notifications)

#### On-Line/Internet Services: User Obligations and Responsibilities

Students are authorized to use district equipment to access the Internet or on-line services in accordance with user obligations and responsibilities specified below and in accordance with Governing Board policy and the district's Acceptable Use Agreement.

1. The student, in whose name an online services account is issued, is responsible for its proper use at all times. Students shall keep personal account ***information and passwords***, home

addresses and telephone numbers private. They shall use the system only under their own *username*.

2. Students shall use the district's system *only safely, responsibly, and primarily* for ~~purposes related to education.~~ *educational purposes*. ~~Commercial, political, and/or personal use of the district's system is strictly prohibited.~~ The district reserves the right to monitor any on-line communications for improper use.

3. Students shall not access, post, submit, publish or display harmful or inappropriate matter that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment, *cyberbullying* or disparagement of others based on their race/ethnicity, national origin, *sex*, gender, sexual orientation, age, disability, religion or political beliefs.

*(cf. 5131 - Conduct)*

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political or scientific value for minors. (Penal Code 313)

4. *Unless otherwise instructed by school personnel*, ~~S~~students shall not disclose, use or disseminate personal identification information about themselves or others when using electronic mail, chat rooms, *blogs* or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals ~~located~~ *contacted* through the Internet without the permission of their parents/guardians.

Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.

5. Students shall not use the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy, *administrative regulations*.

(cf. 3513.3 - Tobacco-Free Schools)

*(cf. 5131.6 - Alcohol and Other Drugs)*

6. *Students shall not use the system to engage in political, commercial or other for-profit activities.*

7. *Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.*

8. Copyrighted material shall ~~not be placed on the system without the author's permission.~~



~~Students may download copyrighted material for their own use only.~~ ***be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.***

(cf. 5131.9 - Academic Honesty)  
(cf. 6162.6 - Use of Copyrighted Materials)

~~7.9.~~ Students shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."

(cf. 5131.5 - Vandalism, Theft and Graffiti)

~~8. 10.~~ Students ~~shall not read other users' electronic mail or files.~~ They shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to ***read***, delete, copy, modify or ~~forge other users' mail.~~ ***use another individual's identity.***

~~9. 11.~~ Students shall report any security problem or misuse of the services to the teacher or principal.

~~The district shall block student access to all electronic mail, chat rooms, and other forms of direct electronic communication except by special request of staff to access a particular web site for a specific educational activity.~~

~~The district reserves the right to monitor any on-line communications for improper use. Electronic communications and downloaded material, including files deleted from a user's account, may be monitored or read by district officials to ensure proper use of the system.~~ ***use of the district's systems for improper use without advance notice or consent. Students shall be informed that computer files and electronic communications, including email, are not private and may be accessed by the district for the purpose of ensuring proper use.***

(cf. 5145.12 - Search and Seizure)

***Whenever a student is found to have violated Board policy, administrative regulation, or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.***

The principal or designee shall make all decisions regarding whether or not a student has violated Board policy or the district's Acceptable Use Agreement. The decision of the principal or designee shall be final.

~~Inappropriate use shall result in a cancellation of the student's user privileges, disciplinary action and/or legal action in accordance with law and Board policy.~~

(cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Regulation     SIERRA SANDS UNIFIED SCHOOL DISTRICT  
approved: ~~October 18, 2001~~ **July 19, 2012** Ridgecrest, California

# Sierra Sands USD

## Exhibit

### Student Use of Technology

E 6163.4

#### Instruction

Sierra Sands Unified School District  
Secondary School Age Student  
Acceptable Use Policy of District Technology Resources

#### *Forward*

*Use of technology throughout the SIERRA SANDS UNIFIED SCHOOL DISTRICT (SSUSD) is a privilege extended to individuals who wish to enhance their learning experiences. Users will broaden their global horizons and discover a vast scope of information and experiences including interaction with the tools of high technology and post-high school educational institutions.*

#### *Purpose*

*The purpose of this policy is to ensure school-level compliance with all policies and guidelines concerning the internet and SSUSD technology resources, and to help ensure the school's opportunity to access other existing internet computer sites, and those telecommunications and networking programs which may be developed in the future.*

#### *Applicability*

*These policies shall apply to all students, teachers, administrators, and others who obtain their network and internet access privileges through association with the SSUSD.*

#### *Consequences of Inappropriate Network Behavior*

*The use of the network and the Internet is a privilege, not a right. Access entails responsibility, and inappropriate use will result in cancellation of those privileges. Unauthorized use of the network, intentional deletion or damage to files and data belonging to other users, copyright violations, attempts to gain access to unauthorized components inside our outside the SSUSD network, and/or attempts to bypass the SSUSD internet filter are all direct violations of this AUP. Intentional damage to hardware, software, or network components may be defined as criminal property damage and will be dealt with as appropriate.*

*First offense—Disciplinary measures may include computer use referral, referral to the administration, possible revocation of network and/or internet access privileges, depending on severity of violation.*

*Second offense-- Disciplinary measures may include computer use referral, referral to the administration, one week computer use ban, revocation of network and/or internet access, parent notified.*

*Third offense-- Disciplinary measures may include computer use referral, referral to the administration, computer use suspension for remainder of year, parent notified, and appropriate disciplinary action will be taken.*

### *Acceptable Use*

*1. The SSUSD prohibits the student use of electronic communications for personal purposes not connected to SSUSD. Electronic communications, internet research, and email will be used only for educational purposes. All student accounts will be monitored.*

*2. All messages and internet searches shall be appropriate for educational purposes. Offensive messages/searches, including rude, foul, hate, racial, religious, or sexual slurs; illegal, inappropriate, discrimination, and harassment are prohibited.*

*3. The SSUSD reserves the right to review electronic communications. This reminder will be posted on the opening screens of all SSUSD computer systems: "This computer system is the property of the Sierra Sands Unified School District. It is for authorized use only. Users (authorized or unauthorized) have no explicit or implicit expectation of privacy."*

*4. Users shall respect the integrity of the SSUSD telecommunication infrastructure. Unauthorized access to the SSUSD information systems, including Internet or other networked computers, is prohibited. Use of any unauthorized computer, networking equipment, or unauthorized programs/applications is prohibited. Users shall not use the network in any way that would disrupt the use of the network by other users.*

*5. Use shall be consistent with the goals of SSUSD. Use of the network for personal profit or gain is prohibited.*

*6. Users shall respect the privacy of other users -- shall not access, modify, or copy passwords or data belonging to their users. Users will not publish private information on students or staff without permission.*

*7. Users may not access inappropriate materials such as pornographic materials or files dangerous to the network, nor shall any attempts be made to bypass the SSUSD internet filtering system. Use of any Proxy servers/technology or any attempt to access systems outside the protected SSUSD network is strictly prohibited.*

*8. Any user who does not comply with this AUP could lose network and/or internet privileges. Unauthorized use of the network, intentional deletion or damage to files and data belonging to other users, copyright violations, attempts to gain access to unauthorized components inside or outside the network, and/or attempts to bypass the SSUSD internet filter are all direct violations of this AUP. Intentional damage to hardware, software, or network components*

*may be defined as criminal property damage and will be dealt with as appropriate.*

*9. Users shall respect copyright laws and licensing agreements pertaining to material entered into and obtained via the system.*

*10. Authorized owners of the accounts shall be responsible for all communications from their accounts. Users will not attempt to log in through another person's account or access another person's files. Attempting to Log on to the network as an administrator, or any other account other than their own will result in cancellation of user privileges. Attempting to elevate one's privileges beyond the standard student access rights, or gain access to areas of the network that are normally not accessible to standard student accounts will result in cancellation of user privileges. Any attempt to "capture" or "sniff" network traffic is prohibited. When applicable, law enforcement agencies may be involved.*

*11. Users are responsible for all mail received under their account and have the responsibility to make only those contacts leading to some justifiable personal growth on the internet. Users are responsible for immediately deleting and reporting inappropriate material received.*

*12. Administrator's, Principals, and/or Teachers may "increase" consequences in their own classroom if deemed necessary.*

*13. Users are prohibited from harassing other students or participating in any form of "cyber-bullying".*

*14. The use of educational social networking sites will be at the discretion of the principal or designee. Under no circumstances, however, are users permitted to engage in unauthorized communication with unknown persons/entities for non-educational purposes on the internet.*

#### *Disclaimer*

*Sierra Sands Unified School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers, including but not limited to, loss of data or interruptions of service.*

*SSUSD is not responsible for the quality of any information obtained through the Internet or stored on the network. Internet sources used in student papers, reports, and presentations should be cited in the same manner as references to printed materials. The District will not be responsible for financial obligations arising through unauthorized use of the network. Users will identify and hold the District harmless from any losses sustained as a result of intentional misuse of the network.*

#### *Student Agreement*

*I understand and will abide by the Sierra Sands Unified School District Student Acceptable Use Policy of District Technology Resources. I further understand that should I commit any violation, my access privileges could be revoked, and school disciplinary action and/or appropriate legal action may be taken. In consideration for using the District's Internet*

*connection and having access to public networks, I hereby release the District and its School Board members, employees, and agents from any claims and damages arising from my use, or inability to use, the Internet.*

**DATE:** \_\_\_\_\_

**STUDENT NAME (please print):** \_\_\_\_\_

**STUDENT SIGNATURE:** \_\_\_\_\_

**Parent Agreement**

*I have read the Sierra Sands Unified School District Student Acceptable Use Policy of District Technology Resources, which might, at times, include electronic mail. I understand that access is designed for educational purposes and that the District has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the District to restrict access to all controversial and inappropriate materials.*

*I hereby release the district, its personnel, Board of Education members, and any institutions with which it is affiliated, from any and all claims and damages of any nature arising from my child's use of, or inability to use, the electronic network. This includes, but is not limited to claims that may arise from the unauthorized use of the network components or harm caused by materials or software obtained via the network. I accept full responsibility for supervision if and when my child's use is not in the school setting. I accept responsibility for setting and conveying standards for my daughter or son to follow when selecting, sharing, or exploring information and media. I have discussed the terms of this Policy with my child. I hereby request that my child be allowed access to the District's network and the Internet.*

**DATE:** \_\_\_\_\_

**PARENT/GUARDIAN NAME (please print):** \_\_\_\_\_

**PARENT/GUARDIAN SIGNATURE:** \_\_\_\_\_

## ~~SIERRA SANDS UNIFIED SCHOOL DISTRICT~~

### ~~Secondary School Age Student Electronic Information Resource Contract~~

Student: \_\_\_\_\_ Site: \_\_\_\_\_ Date: \_\_\_\_\_

~~We are pleased to announce that Internet electronic information services are now available to students and teachers in our district who qualify. The Sierra Sands Unified School District strongly believes in the educational value of such electronic services and recognizes the potential of such to support our curriculum and student learning in our district. Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication. Sierra Sands Unified School District will make every effort to protect students and teachers from any misuses or abuses as a result of their experiences with an information service. All users must be continuously on guard to avoid inappropriate and illegal interaction with the information service.~~

~~Please read the document carefully. When signed by you and, if appropriate, your guardian/parent, it becomes a legally binding contract. WE must have your initials where indicated and your signature and that of your guardian/parent (if you are under 18) before we can provide you with an access account or user privileges.~~

~~Listed below are the provisions of this contract. If any user violates these provisions, access to the information service shall be denied, and you shall be subject to disciplinary action.~~

#### ~~Terms and Conditions of This Contract~~

~~1. Personal Responsibility. As a representative of this school, I will accept personal responsibility for reporting any misuse of the network to the system administrator or staff member in charge. Misuse can come in many forms, but it is commonly viewed as any message(s) sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described below. All the rules of conduct described in the District Policy BP 6163.4(a) apply when you are on the network.~~

~~I have read and understand this provision.~~

~~Initial \_\_\_\_\_~~

~~2. Acceptable Use. The use of my assigned account must be in support of education and research and with the educational goals and objectives of the Sierra Sands Unified School District (these may be found in the district policies BP 6162.7 and BP 6163.4(a)). I am personally responsible for this provision at all times when using the electronic information service.~~

~~a. Uses of other organization's networks or computing resources must comply with rules appropriate to that network.~~

~~b. Transmission of any material in violation of local, state, or federal rules or regulations is prohibited. This includes, but is not limited to: copyrighted material, threatening or obscene material, or material protected by trade secret.~~

~~c. Use of commercial activities by for-profit institutions is generally not acceptable.~~

~~d. Use of product advertisement or political lobbying is also prohibited.~~

~~I have read and understand this provision.~~

~~Initial \_\_\_\_\_~~

~~3. Privileges. The use of the information system is a privilege, not a right, and inappropriate use shall result in a cancellation of those privileges. Each person who receives an account will participate in a discussion with a site faculty member as to proper behavior and use of the network. The administration, staff, or faculty will decide what is appropriate use and their decision is final. The administration, staff, or faculty of Sierra Sands Unified School District may request that the system administrator deny, revoke, or suspend specific user accounts.~~

~~I have read and understand this provision.~~

~~Initial \_\_\_\_\_~~

~~4. Network Etiquette and Privacy. You are expected to abide by the generally accepted rules of network etiquette. These rules include (but are not limited to) the following:~~

~~a. BE POLITE. Never send, or encourage others to send, abusive messages.~~

~~b. USE APPROPRIATE LANGUAGE. Remember that you are a representative of our school and district on a non-private system. You may be alone with your computer, but what you say and do can be viewed globally! Never swear, use vulgarities, or any other inappropriate language. Illegal activities of any kind are strictly forbidden.~~

~~c. PRIVACY. Do not reveal your home address or personal phone number or the addresses and phone numbers of students or colleagues.~~

~~d. ELECTRONIC MAIL. Electronic mail (e-mail) is not guaranteed to be private. Messages relating to, or in support of, illegal activities must be reported to the authorities.~~

~~e. DISRUPTIONS. Do not use the network in any way that would disrupt use of the network by others.~~

~~f. OTHER CONSIDERATIONS:~~

~~Do be brief. Fewer people will bother to read a long message.~~



~~Do minimize spelling errors, and make sure your message is easy to understand and read.~~  
~~Do use accurate and descriptive titles for your articles. Tell people what it is about before they read it.~~  
~~Do get the most appropriate audience for your message, not the widest.~~  
~~Do remember that humor and satire are very often misinterpreted.~~  
~~Do remember that if you post to multiple groups, specify all groups in a single message.~~  
~~Do site references for any facts you present.~~  
~~Do forgive the spelling and grammar errors of others.~~  
~~Do keep signatures brief.~~  
~~Do remember that all network users are human beings. Don't "attack" correspondents; persuade them with facts.~~  
~~Do post only to groups you know.~~

~~I have read and understand this provision.~~

~~Initial \_\_\_\_\_~~

~~5. Services. The Sierra Sands Unified School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. Sierra Sands Unified School District will not be responsible for any damages suffered while on this system. These damages include loss of data as a result of delays, nondeliveries, misdeliveries, or service interruptions caused by the system or your errors or omissions. Use of any information obtained via the information system is at your own risk. Sierra Sands Unified School District specifically disclaims any responsibility for the accuracy of information obtained through its services.~~

~~I have read and understand this provision.~~

~~Initial \_\_\_\_\_~~

~~6. Security. Security on any computer system is a high priority because there are so many users. If you identify a security problem, notify the system administrator or staff member in charge at once. Never demonstrate the problem to other users. Never use another individual's account. All use of the system must be under your own account. Any user identified as a security risk shall be denied access to the information system.~~

~~I have read and understand this provision.~~

~~Initial \_\_\_\_\_~~

~~7. Vandalism. Vandalism is defined as any malicious attempt to harm or destroy data of another user or any other agencies or networks that are connected to the system. This includes, but is not limited to, the uploading or creation of computer viruses. Any vandalism shall result in the loss of computer services, disciplinary action, and legal referral.~~

~~I have read and understand this provision.~~

Initial \_\_\_\_\_

8. ~~UPDATING.~~ The information service may occasionally require new registration and account information from you to continue the service. You must notify the information system of any changes in your account information.

~~I have read and understand this provision.~~

Initial \_\_\_\_\_

### ~~Required Signatures~~

#### ~~STUDENT~~

~~I understand and will abide by the provisions and conditions of this contract. I understand that any violations of the above provisions shall result in disciplinary action, the revoking of my user account, or user privileges, and appropriate legal action. I also agree to report any misuse of the information system to the Sierra Sands Unified School District. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described above. All the rules of conduct described in the district policy 6163.4(a) apply when I am on the network.~~

~~Student Signature \_\_\_\_\_ Date \_\_\_\_\_~~

#### ~~PARENT OR GUARDIAN~~

~~Students under the age of 18 must also have the signature of a parent or guardian who has read this contract.~~

~~As the parent or guardian of this student, I have read this contract and understand that it is designed for educational purposes. I understand that it is impossible for Sierra Sands Unified School District to restrict access to all controversial materials, and I will not hold the district responsible for materials acquired on the network. I also agree to report any misuse of the information system to the Sierra Sands Unified School District system administrator or staff member/teacher in charge. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described above. I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give my permission to issue an account for my child and certify that the information contained on this form is correct.~~

~~Parent or Guardian Name (please print): \_\_\_\_\_~~

~~Signature \_\_\_\_\_ Date \_\_\_\_\_~~

\_\_\_\_\_

## SPONSORING TEACHER

~~I have read this contract and agree to promote this agreement with the student. Because the student may use the network for individual work or in the context of another class, I cannot be held responsible for the student use of the network. As the sponsoring teacher, I agree to instruct the student on acceptable use of the network and proper network etiquette. I also agree to report any misuse of the information system to the Sierra Sands Unified School District system administrator. Misuse can come in many forms but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described above.~~

Teacher's Name (please print): \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_

Exhibit        SIERRA SANDS UNIFIED SCHOOL DISTRICT  
version: ~~October 18, 2001~~    **July 19, 2012**    Ridgecrest, California

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Elementary School Age Student  
Electronic Information Resource Contract

A. Introduction to the Parent or Legal Guardian:

Electronic information resources are available to qualifying students in the Sierra Sands Unified School District. These resources include the use of the computer and access to the Local Area Network, Sierra Sands Wide Area Network, and Internet services. Our district goal, in providing electronic services to students, is to promote educational excellence by facilitating resource use, innovation, communication, and acceptable use.

The Sierra Sands Unified School District Internet system is being filtered by a proxy server. Student use of the Internet is monitored. Students who abuse acceptable use, which includes, but is not limited to, copyrighted material, threatening or obscene material, pornography, **cyberbullying**, gambling, and inappropriate language will be subject to discipline.

To qualify for electronic information resource services, students must be willing to abide by the rules of acceptable use. Please work with us in helping your elementary school age child understand and abide by these simple but important rules of appropriate use. Thank you.

B. For the Student - Acceptable Use:

Acceptable use means that as a student in the Sierra Sands Unified School District, you will promise to use the computer and those special learning tools and programs, such as the Internet, with respect. Acceptable use means you will promise to abide by the school and district rules as outlined here and as will be taught to you by your teachers and computer specialists in your own classroom or school. You must understand that the use of these electronic teaching and learning tools is designed to support your education. If rules are broken, a student may lose his/her privilege in using the computer and the Internet. Please pay special attention to the following:

1. Be Polite and Show Respect: When using the computer to write, send, or to receive messages or information, always use kind and proper language and abide by the rules of friendliness. Treat others and equipment with respect. You may be alone in your use of the computer, but what you write or receive, using electronic machines, may be viewed by others with or without your knowledge. You must not vandalize or abuse the equipment. Show respect for property, others, and self. The computer and electronic resources belong to the school district.
2. Be Honest and Obey the Rules: Do not do things on the computer that would be against the rules, the law, or may be looked upon as dishonest. Use the computer and the Internet for appropriate educational purposes only.
3. Keep Personal Things Private: It is advised that students not tell or show others any personal or family information over the Internet, such as home address, phone numbers, passwords, personal photos when used with names, or Social Security numbers. Do not log on or use

another person's account. Keep personal and electronic information private.

#### Required Signatures

##### C. My Promise to Follow the Rules:

My parent or guardian has reviewed the Sierra Sands Unified School District Acceptable Use Agreement with me. I understand the importance of being polite, respectful, honest, and the need to obey the rules for the use of the computer and the Internet. I also know I should not give out personal information about myself or my family over the Internet. I understand that the computer, the Internet, and other electronic information resources are to be used for educational purposes. I also understand that if I break the rules, my use of these educational tools may be taken away from me and that other disciplinary or legal action may be taken. I PROMISE TO FOLLOW THE RULES.

Student Name (please print): \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_ Teacher: \_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

##### D. For the Parent or Legal Guardian:

As the parent or legal guardian, I have read and I have reviewed with my elementary school age child the Sierra Sands Unified School District Acceptable Use Agreement. I understand that the use of these electronic information resources is for educational purposes. I recognize the District has initiated reasonable safeguards to filter and monitor inappropriate materials. I understand that while the District has also taken steps to restrict student access on the Internet to inappropriate information and sites, it is impossible to restrict access to all controversial materials. I further recognize that if my child does not abide by the rules of acceptable use, he/she may be disciplined. I will not hold the Sierra Sands Unified School District responsible for materials my child may acquire on the Internet. I hereby give permission to the Sierra Sands Unified School District to permit my child to have access to the Local and Wide Area Networks and the Internet.

Parent or Legal Guardian (please print): \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ e-mail: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

PLEASE COMPLETE AND SIGN THIS AGREEMENT.  
DETACH, AND RETURN SIGNATURE PAGE TO YOUR LOCAL SCHOOL.

Exhibit      SIERRA SANDS UNIFIED SCHOOL DISTRICT  
version: ~~October 18, 2001~~ **July 19, 2012**      Ridgecrest, California

8. PERSONNEL ADMINISTRATION

8.1 CERTIFICATED PERSONNEL

8.11 RESIGNATION, TERMINATION\*, SEPARATION\*\*, RETIREMENT\*\*\*

8.12 LEAVE OF ABSENCE

8.13 EMPLOYMENT

8.14 CHANGE OF STATUS

RECOMMENDED ACTION: To approve certificated personnel actions as presented.

8.2 CLASSIFIED PERSONNEL

8.21 RESIGNATION, TERMINATION\*, SEPARATION\*\*, RETIREMENT\*\*\*

8.22 LEAVE OF ABSENCE

8.23 EMPLOYMENT

8.24 CHANGE OF STATUS

RECOMMENDED ACTION: To approve classified personnel actions as presented.

8. PERSONNEL ADMINISTRATION

8.1 CERTIFICATED PERSONNEL

8.11 RESIGNATION, TERMINATION\*, SEPARATION\*\*, RETIREMENT\*\*\*

Sheena Krabbe  
Mathematics – BHS  
Effective 7-1-12

Christine Laird  
Special Day Class – Richmond  
Effective 7-1-12

8.12 LEAVE OF ABSENCE

Lorie (Mendes) Briggs  
Resource Specialist – Las Flores  
Request 2<sup>nd</sup> year leave of absence  
For 2012-13 school year

JD Wright  
ROP Health Careers – BHS  
Request 2<sup>nd</sup> year leave of absence  
For 2012-13 school year

8.13 EMPLOYMENT

8.14 CHANGE OF STATUS



8. PERSONNEL ADMINISTRATION

8.2 CLASSIFIED PERSONNEL

8.21 RESIGNATION, TERMINATION\*, SEPARATION\*\*, RETIREMENT\*\*\*

Linda Brown\*\*\*  
8 hr. Library Specialist – James Monroe  
Effective 06-15-12

Wendy Werneking  
5 ½ hr. Paraprofessional – Richmond  
Effective 07-03-12

8.22 LEAVE OF ABSENCE

8.23 EMPLOYMENT

Laura Ehman  
5 ½ hr. Warehouse Worker - Warehouse  
Effective 07-02-12

Lisa Foisy  
1 ¾ hr. Noon Duty Supervisor – Pierce  
Effective 08-14-12

Crystal Freeman  
1 ½ hr. Noon Duty Supervisor – Gateway  
Effective 08-14-12

Megan Garner  
1 ½ hr. Noon Duty Supervisor – Richmond  
Effective 08-14-12

Valerie Lane  
1 ½ hr. Noon Duty Supervisor – Las Flores  
Effective 08-14-12

Classified Substitutes for the 2012-2013 School Year  
Karl Howard  
Brandon Sanders  
Randall Tomlin

8. PERSONNEL ADMINISTRATION

8.2 CLASSIFIED PERSONNEL

8.23 CHANGE OF STATUS

Tari Brightwell

From: 1 ½ hr. Noon Duty Supervisor – Richmond

To: 1.58 hr. Noon Duty Supervisor – Las Flores

And Two ½ hr. Crossing Guard – Las Flores

Effective 08-14-12

Janette Field

From: 4 hr. Food Service Assistant II – Murray

And 3 ½ hr. Food Service Assistant I – Richmond

To: 4 hr. Food Service Assistant II – Las Flores

And 3 hr. Food Service Assistant I – Las Flores

Effective 08-14-12

Shelley Hill

From: 3 hr. Food Service Assistant I – Las Flores

And 4 hr. Food Service Assistant II – Las Flores

To: 8 hr. Food Service Manager I – Las Flores

Effective 08-14-12

Teresa Martinez

From: 6 hr. Library Specialist – Gateway

To: 8 hr. Library Specialist – James Monroe

Effective 08-06-12

Lisa Piepmeier

From: 5 ½ hr. Paraprofessional – Gateway

To: 5 ½ hr. Paraprofessional – Richmond

Effective 08-14-12

8. PERSONNEL ADMINISTRATION

8.3 Ratification of Tentative Agreement between the California School Employees Association, Chapter 188 (CSEA) and the Board of Education Regarding Settlement of Contract Issues for 2012-2013

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BACKGROUND INFORMATION: The CSEA and District negotiation teams reached a tentative agreement for 2012-2013.

CURRENT CONSIDERATIONS: CSEA and the District reached a tentative agreement regarding contract language changes and proposals. A copy of the agreement is attached.

FINANCIAL IMPLICATIONS: None. Per KCSOS direction, AB 1200 documentation is not required unless the tentative agreement includes financial changes to the contract. This tentative agreement does not include such changes.

SUPERINTENDENT'S RECOMMENDATION: Ratify the tentative agreement between the California School Employees Association, Chapter 188 (CSEA) and the Board of Education regarding contract issues for 2012-2013, as presented.

**TENTATIVE AGREEMENT**  
**Between the**  
**California School employees Association**  
**And**  
**Sierra Sands Unified School District**

The Sierra Sands Unified School District ("District") and the California School Employees Association, Chapter 188 ("CSEA," collectively with the District, "Parties") enter into the following Tentative Agreement regarding the 2012-2013 school year:

1. With the exception of the items noted in paragraph 2 below, the Parties agree to a new term of the current collective bargaining agreement from June 30, 2012 to June 30, 2015. As a result, the collective bargaining agreement shall consist of the same terms and conditions as set forth in the Parties' 2008-2011 collective bargaining agreement, but with the exceptions noted in Paragraph 2 below. The district will maintain paying for step and column and Health and Welfare for 2012-2013.
2. The Parties agree and acknowledge that, for a variety of reasons, it is very difficult to accurately project 2012-2013 budgets at the time of full execution of this Tentative Agreement. As a result, the Parties mutually agree that after the November elections occur and the school district state budget allocations have been determined, both parties will meet to discuss the economic terms of the collective bargaining agreement including, but not limited to, Articles V, VI, VIII and denoted re-openers.

Agreed:

Sierra Sands Unified School District

CSEA, Chapter 188

Chamber 6/21/12

Randy Coit 6-23-12  
6/21/12

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8. PERSONNEL ADMINISTRATION

8.4 Approval of Amendment to the Superintendent's Contract

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BACKGROUND INFORMATION: The board and the superintendent entered into a contract on April 20, 2005.

CURRENT CONSIDERATIONS: In consideration of her satisfactory evaluation, dated July 9, 2012 the board has requested that the superintendent's contract be amended to read as follows:

1. TERM

Per paragraph 5, Evaluation, the superintendent's contract shall be extended from June 30, 2012 to August 31, 2014.

3. FRINGE BENEFITS

During the term of this agreement, the Superintendent shall be entitled to receive at least all health, welfare, and fringe benefits of employment enjoyed by other management team members employed by the District.

FINANCIAL IMPLICATIONS: None

SUPERINTENDENT'S RECOMMENDATION: It is requested that the board approve the amendment to the agreement with the superintendent with regard to term of contract and fringe benefits as presented.

Subject: Amendment to Superintendent's Contract

Date: June 26, 2012

Upon receipt of a satisfactory evaluation dated July 9, 2012 the superintendent's contract shall be amended to include the following:

1. TERM  
Per paragraph 5, Evaluation, the Superintendent's contract shall be extended from June 30, 2012 to August 31, 2014.
3. FRINGE BENEFITS  
During the term of this agreement, the Superintendent shall be entitled to receive at least all health, welfare and fringe benefits of employment enjoyed by other management team members employed by the District.

\_\_\_\_\_  
Board President  
Tim Johnson

\_\_\_\_\_  
Superintendent  
Joanna Rummer

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

9. GENERAL ADMINISTRATION

9.1 Gifts to the District

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CURRENT CONSIDERATIONS: The following gifts have been received for student supplies at Murray Middle School. Lisa Harper, \$80, Kirsti Smith \$45, Michael Robbins \$45, Teri Cleveland \$80, Valerie Bennett \$45, Bonnie Mann \$30, and Amber Garfield \$45.

FINANCIAL IMPLICATIONS: Donations provide support to the district and have a positive financial impact.

SUPERINTENDENT'S RECOMMENDATION: Accept the gifts as described and send appropriate letters of appreciation.

9. GENERAL ADMINISTRATION

9.2 Appointment of Student Member to the Board of Education for the 2012-13 School Year

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BACKGROUND INFORMATION: In accordance with board policy, candidates have been solicited from both Burroughs High School and Mesquite High School to serve as student member of the Board of Education for the 2012-13 school year. Qualifying candidates were considered by the Associated Student Body (ASB) of Burroughs High School. The ASB has submitted the name of Sean Anderson.

CURRENT CONSIDERATIONS: Sean Anderson is a senior at Burroughs High School. Academically, Sean maintains a 3.5 GPA and takes honors classes. He has been involved in Habitat for Humanity and is a member of ASB and Key Club. Additionally he will be playing varsity soccer in the fall.

FINANCIAL IMPLICATIONS: None

SUPERINTENDENT'S RECOMMENDATION: It is recommended the Board of Education appoint Sean Anderson as student member of the board for the 2012-13 school year.



## 9. GENERAL ADMINISTRATION

- 9.3 Report to the Board: Nature and Resolution of Complaints with Regard to Deficiencies Related to Instructional Materials, Emergency or Urgent Facilities Conditions that Pose a Threat to the Health and Safety of Pupils or Staff, Teacher Vacancy or Misassignment, and Provision of Intensive Instruction and Services to Students Who Did Not Pass the California High School Exit Examination (CAHSEE) by the End of Grade 12, as Required by the Williams Act
- 

BACKGROUND INFORMATION: California Education Code 35186 specifies that a school district shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the governing board of the school district. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. The complaints and written responses shall be available as public records.

This procedure is intended to address all of the following:

- (1) A complaint related to instructional materials as follows:
  - (A) A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state adopted or district adopted textbooks or other required instructional material to use in class.
  - (B) A pupil does not have access to instructional materials to use at home or after school in order to complete required homework assignments.
  - (C) Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- (2) A complaint related to teacher vacancy or misassignment as follows:
  - (A) A semester begins and a certificated teacher is not assigned to teach the class.
  - (B) A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class. This subparagraph does not relieve a school district from complying with state or federal law regarding teachers of English learners.
  - (C) A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
- (3) A complaint related to the condition of facilities that pose an emergency or urgent threat to the health or safety of pupils or staff as defined in paragraph (1) of subdivision (c) of Section 17592.72 and any other emergency conditions the school district determines appropriate.

(4) A complaint related to provision of intensive instruction and services to students who did not pass the California High School Exit Examination (CAHSEE) by the end of grade 12.

CURRENT CONSIDERATIONS: There have been no complaints filed with the school district between January 1, 2012 and March 31, 2012 in any of the designated areas.

FINANCIAL CONSIDERATION: None.

SUPERINTENDENT'S RECOMMENDATION: This report is for informational purposes only. A copy of this report will be forwarded to the Kern County Superintendent of Schools as required by state law.

# Quarterly Report on Williams Uniform Complaints

[Education Code § 35186]

District: Sierra Sands Unified School District

Person completing this form: Ernie Bell Title: Assistant Superintendent of Human Resources

Quarterly Report Submission Date:  
(check one)

- ☐ April 1, 2012 (for period Jan 1 - Mar 31)  
☒ July 1, 2012 (for period Apr 1 - Jun 30)  
☐ Oct 1, 2011 (for period Jul 1 – Sep 30)  
☐ Jan 1, 2012 (for period Oct 1 – Dec 31)

Date for information to be reported publicly at governing board meeting: July 19, 2012

Please check the box that applies:

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

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

Joanna Rummer

Print Name of District Superintendent

Signature of District Superintendent

10. CONSTRUCTION ADMINISTRATION

10.1 Report to the Board: Measure “A” and Other Construction Activities and Issues

BACKGROUND INFORMATION: The purpose of this item is to keep the board, administration, and especially the community informed as to the progress of the district’s Measure “A” and other construction efforts.

CURRENT CONSIDERATIONS: Construction activity and planning continue at several sites. Mr. Auld will update the board and community on these activities.

FINANCIAL IMPLICATIONS: None

SUPERINTENDENT’S RECOMMENDATION: This item is presented for informational purposes and no action is required.

## 11. BUSINESS ADMINISTRATION

- 11.1 Authority to Contract with School Services of California, Inc. to provide assessment, analysis and program review services to the Sierra Sands Unified School District  
SELPA
- 

BACKGROUND INFORMATION: During the last several years, there have been many rule, regulation and policy changes related to the delivery of educational services to the K-12 special needs population. In recognition of that fact and in a desire to be able to provide the most appropriate services expeditiously and effectively, district staff requested that School Services of California conduct a comprehensive program review of its special education program.

CURRENT CONSIDERATION: In accordance with the attached proposal, staff at School Services of California with specific expertise in all areas of the State and Federal K-12 special education program will provide the following services:

- Review staffing levels, organizational program data, and program structure
- Conduct a program survey and stakeholder interviews
- Provide a report of findings and recommendations
- Provide follow-up support

These services will be provided by two senior members of the School Services staff with expertise in K-12 Special Education and related issues. The work provided will commence during the summer, will be comprehensive in nature and will extend through a portion of the school year. Two trips to the district by two SSC employees are anticipated during the duration of the task, with more visits to the district if needed.

FINANCIAL IMPLICATIONS: It is anticipated that the performance of this work will not exceed \$23,000. Funds will be provided by the MAA program.

SUPERINTENDENT'S RECOMMENDATION: The superintendent's recommendation is to approve the contract with School Services of California as presented.



June 21, 2012

1121 L Street

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Suite 1060

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Sacramento

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California 95814

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TEL: 916 . 446-7517

•

FAX: 916 . 446-2011

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[www.sscal.com](http://www.sscal.com)

*An Employee-Owned  
Company*

Ms. Elaine Janson  
Assistant Superintendent of Business Services  
Sierra Sands Unified School District  
113 Felspar  
Ridgecrest, CA 93555-3589

Dear Ms. Janson:

Thank you for your interest in having School Services of California, Inc., (SSC) conduct a special education review for the Sierra Sands Unified School District (District). Our goals for such reviews are to assist the District in identifying changes that will improve the quality and cost effectiveness of the special education program and, very importantly, to assist the District in taking steps to implement changes to realize the program improvements and efficiencies identified in the study.

We offer the District an experienced team with a track record of successfully supporting districts throughout California. Our expertise in special education includes an understanding of the fiscal requirements, as well as the operational laws and program objectives.

Following is a description of how we plan to approach this proposed project.

## SCOPE OF REVIEW

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This review will provide the District with an objective analysis and recommendations regarding the effectiveness and efficiency of its special education program. Particular attention will be paid to assessing the following areas:

- ✚ Revenue maximization—reviewing allocation model and options available to the District for possible revenue generation
- ✚ Staffing levels—consideration of both workload and caseload for certificated, classified, and management
- ✚ Organizational structure—including roles and responsibilities of both District Office and site-level staff

- ✚ Program structure and design—evaluated based on incidence and types of disabilities in the District; in other words, are the programs and their structure aligned to meet the needs of students requiring services in the most cost-effective manner?

## METHODOLOGY

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Our approach is designed to provide the District with a high quality report that provides a description of all findings and recommendations, but we have found that reports require buy in from stakeholders if their recommendations are to be followed. As a result, our approach involves providing for staff input as we conduct the review, and staff participation in a customized training modeled after SSC's Special Education workshop. This inservice will reflect the areas of recommendations included in the report and will conclude with an opportunity for participants to contribute to outlining next steps to implement improvements.

Following is an overview of the key steps we propose for this project:

- ✚ **Program Survey**—We will start with providing key District staff with a short program survey that will provide our team with an overview of your special education programs and how fiscal resources are allocated in support of these programs. The program survey will also provide the team with preliminary information on special education program staffing and organizational structure. The program survey will assist the team in identifying program strengths and areas for further review and analysis.
- ✚ **Program Data Review**—We will provide the District with a data request based on the results of the program survey. This analysis, coupled with the results of the survey, will help us frame a set of essential questions or problem statements to be explored during the interview phase of the project.
- ✚ **Stakeholder Interviews**—We will interview key District staff including cabinet members, district office fiscal and program staff, site administrators, teachers, instructional aides, and specialized program staff. The interviews may be individual or group meetings of 30-45 minutes in length and will allow for input from numerous staff and other interested parties.
- ✚ **Report of Findings and Recommendations**—We will provide the District with a report of our findings and recommendations. A conference call will be held to discuss the draft report and, based upon that discussion, a final report will be provided to the District.
- ✚ **Follow-up Support**—Approximately six months following issuance of the final report, the SSC team will meet with the District's team to review progress to date. This visit will provide the District with an opportunity to share information about progress and any challenges encountered in the process of implementing recommendations. The SSC team will

work with the District to identify barriers to implementation and offer suggestions and technical assistance on planning the next steps.

The approach we have outlined is designed to efficiently use District staff time and resources, provide an opportunity for District stakeholders to be heard and involved in the development and implementation of the recommendations, and ultimately build the capacity of the District to support implementation of improvements.

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## ABOUT SSC STAFF

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Staff for this project will include two consultants from SSC. Each portion of the project will be led by a member of our firm with special expertise in the assigned area:

**Jeff Bell**, Director, Management Consulting Services, has served in the Education Unit at the State Department of Finance during three different Administrations, and he brings many years of education finance and legislative experience, most recently as an Assistant Program Budget Manager for budget, legislative, and policy issues surrounding the K-12 education budget. In addition to working at the State Department of Finance, Jeff served as both an Education Consultant and later as a Fiscal Staff Director in the State Senate. At the local level, Jeff served four years as the County Budget Administrator for Placer County during some of the most challenging fiscal times local governments have faced in decades. Prior to working in the education arena, Jeff was an active-duty officer in the U.S. Navy for ten years, where he served as an engineering officer, targeting officer, and intelligence officer. Jeff graduated from San Diego State University with a B.A. in Economics and a minor in Naval Science, and from the Naval Postgraduate School in Monterey, California, with a master's degree in Operational Intelligence.

**Maureen Evans**, Vice President, provides support to school districts, county offices, and community colleges in governance, management, collective bargaining, factfinding, fiscal health analysis, general consulting, and chief business officer search services. She has served on the Fiscal Crisis and Management Assistance Teams (FCMAT) in Vallejo City and West Fresno school districts and in the Compton Community College District. She has held positions at every level from school site to top-level administration. Prior to joining SSC, Maureen was the Assistant Superintendent, Business Services, in Little Lake School District. She was responsible for all business and finance functions and served as a key member of the district's cabinet. Her prior positions, including Chief Business Officer in the La Cañada Unified School District and Director of Budget for Long Beach Unified School District, make her a valuable resource for educators in California.

**John Gray**, Executive Vice President, provides support to school districts, county offices, and community college districts in governance, management, collective bargaining, factfinding,



fiscal health analysis, general consulting, and chief business officer search services. He has served on the Fiscal Crisis and Management Assistance Teams (FCMAT) in Vallejo, Oakland, and West Contra Costa Unified School Districts. John is a well-known presenter at statewide workshops on school finance, collective bargaining, and categorical funding. In addition, he presents annually at the Association of California Administrators (ACSA) Negotiators' Symposium, California School Boards Association (CSBA) conference, and the California Association of School Business Official (CASBO) conference. For nine years prior to joining SSC, John was the Director of Fiscal Services for a large urban school district. There he facilitated the implementation of a new integrated financial system for all business functions and a new human resources/payroll system. He also established the internal audit function.

**Michele A. Huntoon, CPA**, Associate Vice President, has more than 18 years of experience with and knowledge of the demands with which school district administrators contend on a daily basis. Her roles have provided a unique look from the outside looking in and the inside looking out in her capacity as an employee of the Fiscal Crisis and Management Assistance Team (FCMAT), an independent consultant, a county office of education employee, and an independent auditor for school districts and county offices of education. Her experience is both wide and deep, and includes the areas of finance, budgeting, categorical reporting, charter schools, payroll and MIS issues, revenue limits, and policies and procedures. She serves SSC clients by conducting fiscal health analyses and budget reviews for school districts and charter schools, functioning as fiscal advisor, performing multiyear financial projections, evaluating school district reorganizations and unifications, performing special education reviews, preparing enrollment projections, performing school district efficiency studies, and addressing accounting standards and compliance issues (i.e., GASB and OMB).

**Robert Miyashiro**, Vice President, has worked on numerous consulting projects, including budget reviews, efficiency studies, retirement system analyses, and CBO searches. In addition, he provides consulting services on state mandate issues. Prior to joining SSC, he had a distinguished career in California state government, focusing on school finance. He most recently served as the Deputy Director of the Department of Finance, where he was a member of the executive management team, providing analyses and advice on legislative, budget, and policy issues facing the state. Prior to that, he served as the Director of the Education Finance Division in the Department of Education; Principal Consultant for the Assembly Budget Committee; Director of Expenditure Forecasting for the Commission on State Finance; and an analyst with the Legislative Analyst's Office.

**Kathleen O'Sullivan**, Director, Management Consulting Services, has been with SSC since 2006 and works with school districts to implement and maintain effective and efficient operations through innovative strategies. Kathleen works with school districts to strengthen program management conducting organizational reviews, shared services and efficiency studies, budget reviews, comparative analyses of school district resources and staffing, and facilities

reviews. She also specializes in compensation studies and salary schedule analyses. Kathleen assists in the preparation of case materials for SSC's many successful school district factfindings. She serves as SSC's liaison to the State Board of Education (SBE) monitoring emerging education policy issues and has guided many school districts through the SBE waiver process resulting in successful outcomes. Kathleen is committed to serving California's school districts during these challenging economic times.

**Suzanne Speck**, Director, Management Consulting Services, provides support to school districts, county offices, and community college districts in management, collective bargaining, factfinding, contract risk analysis, special education, legislative issues, general consulting, and chief business officer search services. For more than 20 years, she has served school districts in California as a special education teacher, site administrator, and human resources professional. Suzanne has a strong background in collective bargaining, alternative dispute resolution, and organizational development. She presents statewide on collective bargaining, human resources, and employee benefits and leave administration. She has served on the Fiscal Crisis and Management Assistance Teams (FCMAT) for human resources in South Monterey Joint Union High School District and Compton Community College District. Suzanne is a skillful facilitator and has extensive experience leading large and small groups, on various topics, including strategic planning, budget advisory, and health benefit committees. Prior to joining SSC, Suzanne was the Assistant Superintendent, Human Resources, in the Travis Unified School District. Her prior positions, including Director of Personnel for the Vallejo City Unified School District and Special Education Principal for the Solano County Office of Education, make her a valuable resource for educators in California.

**Sheila G. Vickers**, Vice President, provides support to school districts, county offices, and community college districts in management, collective bargaining, legislative issues, information systems, chief business official search services, fiscal health analyses, and other management consulting services. She has served on Fiscal Crisis and Management Assistance Teams (FCMAT) for human resources and finance, and as a county-appointed fiscal advisor for school districts in financial distress. Prior to joining SSC, Sheila developed a strong background in public sector business and finance: 11 years in K-12 and community college districts and seven years at a public utility. She served most recently as the Director of Fiscal Services for a large single-campus community college district, where she was responsible for budget planning, development, and maintenance, as well as for all accounting and payroll functions. Prior to that, she was the Director of Accounting for a large high school district and Accounting Manager for a community college campus.

**Lewis W. Wiley, Jr.**, Director, Management Consulting Services, has extensive experience in the financial management of charter schools, categorical programs, and Associate Student Body Funds, as well as the general fund. His focus is on budget reviews, fiscal health analysis, negotiations, charter school reviews, and management consulting. Lewis was with the Fresno Unified School District for eight years, where he most recently served as Director of Fiscal

Services overseeing the Accounting and Payroll functions. He formerly worked for the District as a Financial Analyst responsible for budget preparation and analysis for both the general fund and categorical programs. Prior to moving to Fresno Unified, Lewis was an Audits Supervisor for Vavrinek, Trine, Day & Co., CPAs, where he performed audits of school districts, county offices of education, community colleges, and joint powers authorities. Lewis' experience as a school district manager and a school district auditor prepared him to understand the demands placed on school administrators and the details of sound fiscal management.

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## ANTICIPATED TIMELINES

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The study will commence at an agreed-upon time. The draft report is expected to be completed within six to eight weeks following the site visits and receipt of the required District documents necessary to complete the project.

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## COST OF PROJECT

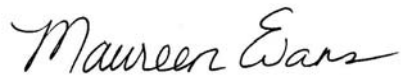
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Our fee for this study is \$19,600, plus actual and reasonable expenses. Expenses are defined as actual, out-of-pocket expenses, such as travel, meals, conference call telephone charges, shipping, and duplication of materials. The cost of the review includes ten copies of the report and an electronic file of the report. If additional meetings are required that are not described in this proposal (for example, additional days of follow up), a charge of \$200 per hour, per director will be billed in addition to actual and reasonable expenses. We will submit monthly billings for services associated with the project.

After reviewing the proposal, if you decide the proposed scope should be expanded or contracted, we would be happy to make modifications and provide a revised estimated fee. If the proposal meets with your approval, please sign the enclosed Agreement for Special Services and return it to our office, whereupon a final executed Agreement will be returned for your records. Our proposal is valid for 60 days from the date of this letter.

We appreciate the confidence you have in our office and look forward to working with the Sierra Sands Unified School District on the upcoming project.

Very truly yours,

A handwritten signature in cursive script that reads "Maureen Evans".

MAUREEN EVANS  
Vice President

**AGREEMENT FOR SPECIAL SERVICES**  
Special Education Study

This is an Agreement between the **SIERRA SANDS UNIFIED SCHOOL DISTRICT**, hereinafter referred to as "Client," and **SCHOOL SERVICES OF CALIFORNIA, INC.**, hereinafter referred to as "Consultant," entered into as of June 21, 2012.

**RECITALS**

**WHEREAS**, the Client needs assistance regarding a Special Education Study; and

**WHEREAS**, the Consultant is professionally and specially trained and competent to provide these services; and

**WHEREAS**, the authority for entering into this Agreement is contained in Section 53060 of the Government Code and such other provisions of California law as may be applicable;

**NOW, THEREFORE**, the parties to this Agreement do hereby mutually agree as follows:

1. The Consultant agrees to assist the Client by providing a Special Education Study.
2. The Client agrees to pay the Consultant the amount of \$19,600, plus actual and reasonable expenses related to completion of the project, such as travel, meals, conference call telephone charges, shipping, and duplication of materials, upon receipt of billing from Consultant. If additional meetings are required that are not described in this proposal (for example, additional days of follow up), a charge of \$200 per hour, per director will be billed in addition to actual and reasonable expenses.
3. This Agreement shall be for the period commencing June 21, 2012, and terminating February 28, 2013. It may be terminated at any time prior to February 28, 2013, by either party on thirty (30) days written notice. In case of cancellation, the Client shall be liable for any costs accrued to date of cancellation.
4. It is expressly understood and agreed to by both parties that Consultant, while carrying out and complying with any of the terms and conditions of this Agreement, is an independent contractor and is not an employee of the Client.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed as indicated below:

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
ELAINE JANSON, Assistant Superintendent of Business Services  
Sierra Sands Unified School District

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
MAUREEN EVANS, Vice President  
School Services of California, Inc.

## 11. BUSINESS ADMINISTRATION

### 11.2 Approval to Increase the Price of School Lunches

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**BACKGROUND INFORMATION:** The interim rule entitled, "National School Lunch Program: School Food Service Account Revenue Amendments" implements the Paid Lunch Equity provision of the "Healthy, Hunger-Free Kids Act of 2010". It requires school food authorities (SFAs) participating in the National School Lunch Program to ensure sufficient funds are provided to the nonprofit school food service account for meals served to students not eligible for free and reduced price meals. SFAs must annually review their paid lunch revenue to assure compliance with the paid lunch equity requirement. To meet the requirement the only options available to the District are to either gradually increase the average paid lunch price until the revenue per lunch matches the difference between the free and paid Federal reimbursement rates or to contribute funds from non-Federal sources.

**CURRENT CONSIDERATIONS:** Current lunch prices have been in effect since August 2008 and were intended to be maintained through, at minimum, this school year. Upon receiving the notification regarding the requirement to raise meal prices, SSUSD staff made inquiries to determine if the interim rule was elective or mandatory. Staff was informed that even though the Food Service Fund has been self-sufficient since the 1997-98 school year and does not encroach on the unrestricted General Fund, the increase is mandatory. Staff further inquired regarding the possibility of obtaining a waiver or other relief from the requirement and was also informed that the only alternative to raising the price of school lunches is to supplement the program utilizing non-Federal funds. Because both the unrestricted and restricted general funds have been severely impacted for the last four years, there are no other non-Federal resources available to provide the amount required by the National School Lunch Program. The amount required is estimated to be \$15,000. In accordance with the rule (see attached USDA directive ), staff performed the calculations as mandated by the program using USDA's Paid Lunch Equity Tool and concluded that a paid lunch price increase in the amount of \$0.25 per meal would be necessary to meet the program requirement. Because the interim rule was published after pricing decisions for the 2011-12 school year had already been set, the required adjustment for the 2012-13 school year must reflect the adjustment for the 2011-12 school year as well as the 2012-13 school year. The total proposed increase in price is \$0.25 per lunch, raising the price of an elementary school lunch from \$2.00 to \$2.25, the price of a secondary school lunch from \$2.25 to \$2.50, and the adult lunch price from \$3.00 to \$3.25.

USDA expects school food authorities (SFAs) to make a good faith effort to comply with this provision. If an SFA does not comply it may be subject to a Coordinated Review Effort by the state and a subsequent corrective action plan. The additional revenue of \$29,000 (based on 2011-2012 lunch participation) generated by the interim rule as calculated will be applied to the implementation of the new nutritional guidelines mandated by the “Healthy Hunger-Free Kids Act of 2010”, effective July 1, 2012.

FINANCIAL IMPLICATIONS: The recommended increase in price of meals is modest and will allow the district to be in compliance with the USDA mandate.

SUPERINTENDENT’S RECOMMENDATION: It is recommended the board approve an increase in the price of a paid school lunch by \$.25 per meal as described above, effective August 1, 2012.



United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

3101 Park  
Center Drive  
Alexandria, VA  
22302-1500

**DATE:** February 15, 2012

**MEMO CODE:** SP 15-2012

**SUBJECT:** Paid Lunch Equity: School Year 2012-2013 Calculations

**TO:** Regional Directors  
Special Nutrition Programs  
All Regions

State Directors  
Child Nutrition Programs  
All States

The interim rule entitled, “National School Lunch Program: School Food Service Account Revenue Amendments Related to the Healthy, Hunger-Free Kids Act of 2010” requires school food authorities (SFAs) participating in the National School Lunch Program to ensure sufficient funds are provided to the nonprofit school food service account for meals served to students not eligible for free or reduced price meals. There are two ways to meet this requirement: either through the prices charged for “paid” meals or through other non-Federal sources provided to the nonprofit school food service account.

#### Annual Review of Paid Lunch Revenue

SFAs must annually review their paid lunch revenue to assure compliance with the paid lunch equity requirement. When the average paid lunch price is less than the difference between the free and paid Federal reimbursement rates, the SFA must determine how they will meet the requirement—by increasing their average paid lunch price or providing funds from non-Federal sources.

Those SFAs that choose to increase the average paid lunch price must increase the average paid lunch price by a factor of two percent plus the annual inflation rate. The inflation factor is based on the percentage change in the Consumer Price Index for All Urban Consumers (CPI). The reimbursement rates are adjusted using the CPI for the 12-month period of May of the previous year to May of the current year. Due to the timing of calculating and issuing the reimbursement rates, the paid lunch equity calculations are based on the inflation factor used for the previous SY’s reimbursement rates. Therefore, the inflation factors used by SFAs to calculate their paid lunch equity requirements will change from year to year.



Regional Directors  
State Directors  
Page 2

For SY 2012-2013

For SY 2012-2013, SFAs must use SY 2011-2012 Federal reimbursement rates and the related inflation factor when calculating paid lunch requirements. The Federal reimbursement rates and inflation factor were issued in a July 20, 2011, Federal Register Notice (76 FR 43256). The Notice announced an increase in the reimbursement rate for SY 2011-12 and provided the inflation rate of 2.18 percent for the increase in rates between SY 2010-2011 and SY 2011-2012.

Therefore, for SY 2012-2013, SFAs which, on average, charged less than **\$2.51** for paid lunches in SY 2011-2012 are required to adjust their average price or provide additional non-Federal funds to the non-profit school food service account. The amount of the per meal increase will be calculated using 2 percent plus 2.18 percent, or **4.18** percent.

The Food and Nutrition Service (FNS) will issue an updated version of the PLE tool soon which will include the new reimbursement and inflation rates and account for, as applicable, crediting any amount SFAs increased paid lunch prices above the required level. The PLE tool will also address any shortfall in meeting the PLE requirement and make the appropriate adjustments based on the information that SFAs input from their records. SFAs should also refer to memo SP 39-2011(Revised) for more guidance on making PLE calculations.

State agencies should direct any questions concerning this guidance to the appropriate FNS Regional Office. Regional Offices with questions should contact the Child Nutrition Division.

**Original Signed**

Cynthia Long  
Director  
Child Nutrition Division

12. CONSENT CALENDAR

12.1 Approval of “A” and “B” Warrants

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CURRENT CONSIDERATIONS: “A” and “B” warrants released in June 2012 are submitted for approval. “A” warrants totaled \$ 2,235,487.19. “B” warrants totaled \$ 1,015,147.87.

FINANCIAL IMPLICATIONS: Warrants were issued as stated.

SUPERINTENDENT’S RECOMMENDATION: Approve “A” and “B” warrants for June, 2012 as presented.

This list represents the "A" and "B" warrants released during the month of **June 2012**  
The "A" and "B" warrant registers are available in the business office for your review.

**RECOMMENDED ACTION: Approve "A" and "B" warrants as presented.**

### **"A" WARRANTS**

<u>Type of Payroll</u>	<u>Amount</u>
End of month certificated	\$1,516,122.96
End of month classified	\$478,220.44
10th of month certificated	\$145,222.35
10th of month classified	\$95,921.44
<b>Total "A" Warrants</b>	<b>\$2,235,487.19</b>

### **"B" WARRANTS**

<u>Register Number</u>	<u>Amount</u>
Batch 185	\$476,579.61
Batch 186	Food Service
Batch 187	\$29,674.23
Batch 188	\$33,085.77
Batch 189	\$32,896.18
Batch 190	Void
Batch 191	\$178,610.57
Batch 192	\$29,138.47
Batch 193	\$84,377.15
Batch 194	Food Service
Batch 195	\$76,165.08
Batch 196	\$369.03
Batch 197	\$1,739.82
Batch 198	\$23,953.06
Batch 199	\$48,558.90
<b>Total "B" Warrants</b>	<b>\$1,015,147.87</b>

## 12. CONSENT CALENDAR

12.2 Report to the Board on Solid Waste Hauling Services

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BACKGROUND INFORMATION: In accordance with Public Resource Code 40059, at the August 18, 2011 board meeting, the district utilized Resolution #4 1112 to authorize a short-term contract for solid waste services while it reevaluated the district needs and went for bid for a solid waste hauling contract. This action was precipitated by the fact that the solid waste hauling service arrangement that was in place was due to expire on September 2, 2011 and the outcome of service provision was uncertain at the time and likely to remain so by the expiration date. This necessitated a short-term contract for service while the district pursued the bid process.

CURRENT CONSIDERATIONS: The district has concluded a short-term contract with Benz Sanitation, Inc. The district has been pleased with the service provided.

FINANCIAL IMPLICATIONS: The district is in the process of evaluating its solid waste hauling service requirements and is also developing specifications so that it can publically request formal proposals for these services from all qualified providers.

SUPERINTENDENT'S RECOMMENDATION: There is no action required at this time. This item is provided for information only.

## 12. CONSENT CALENDAR

12.3 Approval of Contract with Ester Sires to Serve as Workability I Director for the 2012-13 School Year

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BACKGROUND INFORMATION: The Workability Program which began in 1982 has sites in 305 local education agencies and serves all 58 California counties. The program provides comprehensive pre-employment training, employment placement and follow up for high school students in special education who are making the transition from school to work, independent living and post secondary education or training. The workability program is funded and administered by the California Department of Education.

The Workability I program at Burroughs High School was coordinated by Mrs. Ester Sires for 14 years. Mrs. Sires developed a program that is exemplary in the state. All 160 Special Education students at BHS benefit from the program, either by direct or indirect services. Mrs. Sires resigned from Sierra Sands Unified School District as a Special Education teacher at the end of the 2007/08 school year and has worked as the Workability Program Director for Sierra Sands since the 2008-09 school year.

CURRENT CONSIDERATIONS: The SELPA wishes to renew its contract with Mrs. Sires as Program Director for the Workability I program. This will allow continuity in the program at Burroughs High School. Because Mrs. Sires is no longer a teacher, she will be able to do the travel connected with the program without having a substitute teacher in the classroom. Her expertise in the area of workability has resulted in an exemplary program in the Sierra Sands Unified School District and her continuation in the role of Program Director has ensured that the Workability Program maintains the services for the special education students at Burroughs High School that have been available for the past 17 years.

FINANCIAL IMPLICATIONS: The cost to contract with Mrs. Sires as Program Director for the Workability I program is \$9,600 plus travel expenses, not to exceed \$7,300, which will be paid for out of workability funds.

SUPERINTENDENT'S RECOMMENDATION: It is recommended that the board approve the contract with Mrs. Esther Sires as Program Director for the Workability I Program for the 2012-2013 school year as presented.



SIERRA SANDS UNIFIED SCHOOL DISTRICT  
113 Felspar  
Ridgecrest, California 93555

CONTRACT FOR PROFESSIONAL SERVICES

Esther Sires, (Contractor), and the Sierra Sands Unified School District (District), hereby agree as follows:

1. Contractor shall provide the following professional services and all materials: WorkAbility Program Coordinator and clerical support.
2. Contractor shall complete all services no later than June 30, 2013.
3. Contractor shall hold District harmless for any loss, damage, or injury arising from the performance of service.
4. District shall compensate Contractor the total sum of \$9,600 for services as the WorkAbility Program Coordinator and clerical support and an amount not to exceed \$7,300 for WorkAbility conferences and business meetings for all services rendered.
5. District shall, within 30 days after presentation of receipts, reimburse Contractor for Travel, accommodations, and meal expenses.
6. Contingent upon receipt of W-9 form, District shall pay Contractor within 30 days after completion of service and presentation of an appropriate invoice.

AGREED BY CONTRACTOR

\_\_\_\_\_  
*Authorized Signature*

Date: \_\_\_\_\_

Esther Sires  
\_\_\_\_\_  
*Company Name*

725 Peg Street  
\_\_\_\_\_  
*Street Address*

Ridgecrest, CA 93555  
\_\_\_\_\_  
*City/State/Zip*

\_\_\_\_\_  
*Social Security or Employer Identification Number*

AGREED BY DISTRICT

\_\_\_\_\_  
*Authorized Signature*

Date: \_\_\_\_\_

01-6520-0-5800.00-5001-2100-709-00-000-0000 \$9,600  
& 01-6520-0-5200.00-5001-2100-709-00-000-0000  
\$7,300  
\_\_\_\_\_  
*Budget Code*

79530  
\_\_\_\_\_  
*Requisition No.*

## 12. CONSENT CALENDAR

### 12.4 Agreement with the City of Ridgecrest for Onsite Police Services for the 2012-13 School Year

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**BACKGROUND INFORMATION:** In December 1994, the superintendent of the Sierra Sands Unified School District began discussions with the school board regarding a program between the district and the City of Ridgecrest Police Department to assign a full-time officer to serve in the three Ridgecrest area secondary schools. In March of 1995, a proposal was brought before both the Ridgecrest City Council and the Sierra Sands Board of Education to establish a cooperative for a trial period of 18 months by which a police officer would be almost exclusively assigned to the secondary schools located in Ridgecrest. The total expenses related to this assignment were to be equally shared by both agencies. The proposal was approved. The agreement has been renewed and extended on several occasions.

**CURRENT CONSIDERATIONS:** The School Resource Officer (SRO) has become an important part of the commitment of the Sierra Sands Unified School District and the City of Ridgecrest to keep campuses safe for district students. The SRO works closely with the administration at the three Ridgecrest area secondary schools in providing law enforcement, student counseling, and law-related education. Continuation of this agreement will ensure that the collaboration between the Ridgecrest Police Department and the district and the positive interaction between the students of Sierra Sands Unified School District and law enforcement will be maintained. This partnership enables the district to meet state and federal mandates for community partnerships in maintaining safe and drug-free communities.

**FINANCIAL IMPLICATIONS:** The district agrees to pay one-half of the actual cost incurred by the city in employing the officer, which this year will be approximately \$70,000 to be funded with Carl Washington School Safety and Violence Prevention funds.

**SUPERINTENDENT'S RECOMMENDATION:** It is recommended the board approve the agreement with the City of Ridgecrest to provide onsite police services for the 2012-2013 school year as presented.

## **AGREEMENT**

THIS AGREEMENT is made and entered into by and between the City of Ridgecrest, a Municipal Corporation, hereinafter referred to as "CITY," and the Sierra Sands Unified School District, a public entity, hereinafter referred to as "DISTRICT."

WHEREAS, DISTRICT does not maintain a school law enforcement agency pursuant to Section 38000(a) of the California Education Code, and DISTRICT wishes to acquire the services of a sworn peace officer, and

WHEREAS, CITY, through the Ridgecrest Police Department, hereinafter referred to as "RPD," is willing to provide the service of one sworn peace officer.

NOW, THEREFORE, the parties hereto agree as follows:

1. CITY agrees to provide the services of one sworn peace officer to serve the DISTRICT at secondary schools within the Ridgecrest city limits, specifically Monroe Middle School, Mesquite High School, and Burroughs High School.
2. CITY shall supervise the officer through the command structure of the RPD.
3. DISTRICT shall appoint a designated individual to interface with RPD regarding activities of the officer and to interface with such officer in accordance with a joint operating protocol developed between RPD and DISTRICT.
4. At all times during the term of this AGREEMENT, the officer shall be an employee of the CITY, under supervision and control of CITY, and not an employee or agent of DISTRICT; and CITY shall assume responsibility and liability for the activities of the officer.
5. During the term of this AGREEMENT, DISTRICT agrees to reimburse CITY one-half actual cost incurred by CITY in employing the officer. For purpose of this AGREEMENT, actual cost shall be defined as officer's salary and benefits, including, but not limited to, health insurance, life insurance, dental insurance, vision insurance, PERS, educational incentive pay, uniform allowance, officer safety equipment, and overtime.
6. DISTRICT shall, at its expense, provide CITY with a vehicle suitable for performing the duties of the officer equal to that provided to other RPD officers. In the event that this AGREEMENT is terminated, CITY shall reimburse DISTRICT on a pro rata basis, based on a five-year vehicle life expectancy.



7. THIS AGREEMENT shall be effective September 1, 2012, and remain in full force and effect for a 12-month period ending August 31, 2013. Either party may terminate this AGREEMENT prior to August 31, 2013, by giving ninety (90) days notice to the other party. Notice to CITY shall be in writing, and mailed to or delivered to:

City Manager  
City of Ridgecrest  
100 E. California Avenue, Ridgecrest, CA 93555

Notice to DISTRICT shall be in writing, and mailed or delivered to:

Superintendent  
Sierra Sands Unified School District  
113 Felspar  
Ridgecrest, CA 93555

8. Each party to this AGREEMENT hereby holds the other harmless from all claims or lawsuits for damages to property and for injuries to persons arising from each party's performance of its obligations under this AGREEMENT. This obligation will include providing a defense to lawsuits and related services.
9. In the event any dispute arises between the parties concerning the interpretation or enforcement of the Terms and Conditions of this AGREEMENT, the parties hereto agree to submit any such dispute to arbitration pursuant to rules of the American Arbitration Association. Any decision of the American Arbitration Association shall be binding on the parties hereto. In the event that any matter is submitted to arbitration or if legal action or proceeding is taken in connection with the interpretation or enforcement of this AGREEMENT, whether or not such action is arbitrated or litigated, the prevailing party of any such action, proceeding, or arbitration shall be awarded, in addition to its actual costs incurred, its actual attorneys' fees incurred. Actual attorneys' fees means all attorneys' fees incurred by the prevailing party whether or not such attorneys' fees are deemed to be "reasonable" by a court of competent jurisdiction or an arbitrator. Furthermore, the sole and exclusive remedy for the resolution of disputes concerning the enforcement and interpretation of this AGREEMENT shall be arbitration.

10. This AGREEMENT constitutes the sole and only agreement between the parties hereto. Any prior discussions, agreements or understandings, whether written or oral, are of no force and effect. This AGREEMENT may be modified only by a written agreement executed by both parties hereto.

FOR THE CITY OF RIDGECREST

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Ron Carter, Mayor

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Kurt Wilson, City Manager

FOR THE SIERRA SANDS UNIFIED SCHOOL DISTRICT

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Tim Johnson, Board President

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Joanna Rummer, Superintendent

12. CONSENT CALENDAR

12.5 Approval of Interdistrict Transfer Agreement – Chappell

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BACKGROUND INFORMATION: According to Education Code 46600-46611 students may apply to attend school in a district outside of their attendance boundary under an interdistrict attendance permit. The Education Code states that upon request from the parents/guardians, the district may approve interdistrict attendance permits on a case by case basis.

CURRENT CONSIDERATIONS: Mr. & Mrs. Chappell, parents of Aislynn Chappell, 4<sup>th</sup> grade student, have requested an interdistrict transfer permit to attend Sierra Sands Unified School District based on their employment within the boundaries of the district.

FINANCIAL IMPLICATIONS: There are no known financial implications at this time.

SUPERINTENDENT'S RECOMMENDATION: It is recommended that the board approve the interdistrict transfer request for Aislynn Chappell as requested.

MAY 15 2012

SIERRA SANDS UNIFIED SCHOOL DISTRICT  
FORM TO REQUEST RESIDENCY  
BASED ON PARENT EMPLOYMENT

This form is submitted to request residency status with the Sierra Sands Unified School District.

Name of Student: Aislyane CHAPPELL Grade 4 during 2012 to 2013

Name of Parent (or Legal Guardian): Randy/Randi Chappell Telephone: (760) 417-0187  
(760) 429-5742

Address of Parent: 2600 shadow Mountain Drive Lake Isabella, CA 93240

School District of Residence: Kernville Union

School District of Parent's Primary Place of Employment: Sierra Sands Unified School District

Name of Parent's Primary Place of Employment: Burroughs-SSUSD / 152 <sup>Step-mother</sup> <sup>Father</sup>

Address of Parent's Primary Place of Employment: 500 E. French Ave Ridgecrest CA 93555

Work Hours and Days: M - F 7am - 3pm Telephone: 760-375-4476

☐ Attach Proof of Physical Employment within the Sierra Sands Unified School District territory. The evidence may be a paycheck stub or letter from employer on business letterhead. The evidence must list the actual address within the District's boundaries. Stubs or letters listing only a P.O. Box will not be accepted.

☒ Yes. ☐ No. Parents agree to provide own transportation. (District does not provide home to school transportation)  
(If your child receives special education transportation, please provide a copy of the IEP.)

I declare under penalty of perjury that the information submitted is accurate to the best of my knowledge. I further acknowledge the Sierra Sands Unified School District may deny this request to establish residency pursuant to the California Education Code. I understand that my primary place of employment must be physically within the boundaries of the Sierra Sands Unified School District for my child to be granted residency status. I agree that I will immediately notify the Sierra Sands Unified School District if I am no longer physically employed within its boundaries. I acknowledge that the Sierra Sands Unified School District may request proof of employment at any time during my child's enrollment within the Sierra Sands Unified School District, and I agree to cooperate with any such request.

Signature [Signature] Print Name Randy Chappell Date 25 APR 2012 Relationship Father

☐ I have completed and signed the attached authorization for release of school record information.

\*\*\*\*\*

For District Use Only

District of Residence  
Request Approved ☒ [Signature] Date 6/12/12  
Signature

Request Denied ☐ Signature Date

District of Requested Attendance  
Request Approved ☒ [Signature] Date 4-25-12  
Signature

Request Denied ☐ Signature Date

12. CONSENT CALENDAR

12.6 Approval of Recommendations for Expulsion, Expulsion Cases #12 1112, #13 1112

BACKGROUND INFORMATION: Education code requires the board to take final action on recommendations for expulsion.

CURRENT CONSIDERATIONS: Board approval is requested for the following expulsion cases:

Expulsion Case #12 1112: As recommended by an administrative hearing panel, student is expelled for the remainder of the spring 2011-12 semester and the 2012-13 fall semester. During the term of expulsion, student is referred to the Ridgecrest Learning Center.

Expulsion Case #13 1112: As stated in a stipulated expulsion agreement, student is expelled for the remainder of the 2011-12 spring semester and the 2012-13 fall semester. During the period of expulsion, the student is referred to the Ridgecrest Learning Center.

FINANCIAL CONSIDERATIONS: None.

SUPERINTENDENT'S RECOMMENDATION: Approve the recommendation for expulsion, Expulsion Cases #12 1112, and #13 1112, as presented.