MINUTES
AMADOR COUNTY OFFICE OF EDUCATION
BOARD OF TRUSTEES
Wednesday, February 10, 2021
IMMEDIATELY FOLLOWING ACUSD MEETING

Meeting Location: Amador County Administration Building, 810 Court St, Jackson, CA

NOTE: Due to COVID-19 this meeting will be available to the public via Zoom and following the meeting recorded audio will be available on our website. Zoom offers closed captioning during live conferences for disabled persons. To access the meeting online join the Zoom meeting via https://us02web.zoom.us/j/87936470379?pwd=WDJXQ21OeW1aZmJ5NG0vWGZtUzFpdz09
Meeting ID: 879 3647 0379
Passcode: 021021
One tap mobile +16699009128,,87936470379#
Directions for accessing the meeting will be included on our webpage with the meeting link https://amadorcoe.org/minutes-agendas/

NOTE: A copy of the Board agenda and backup materials is available for inspection and review on the Amador County Office of Education Website at www.amadorcoe.org. An audio recording of the Board Meeting is made. If you are in need of a hard copy of the agenda, please email dlasiich@acusd.org

Board of Trustees meetings are meetings of the Board in public, as per the Brown Act open meeting law. All five Board Members may not have discussion outside an open meeting. This meeting is their opportunity to have discussion in order to conduct their business. Board Meetings are not meetings for the public to interact informally with the Board. Members of the public may speak formally to the Board by completing a speaker card and giving it to the Board Clerk or Communication Specialist.

If a person or group of persons disrupt the orderly conduct of a meeting, the legislative body has a right to order those persons removed from the meeting. If order still cannot be restored after removal of the individuals disrupting the meeting, members of the legislative body can order the room cleared and continue with the meeting. (Government Code §54957.9; Penal Code §8403; Elections Code §18340; Acosta v. City of Costa Mesa (9th Cir. 2013) 718 F.3d 800; White v. City of Norwalk (9th Cir. 1990) 900F.2d 1421, 1425.)

OUR UNITY OF PURPOSE: We work as a cohesive Governance Team through discussions, actions and decisions that are thoughtful, respectful, and sensitive. We support one another in and away from the Board Room through active listening, vulnerability and honesty. We make policy decisions that ensure equitable support to increase student achievement and foster social, emotional, and physical well-being for all students.

OUR MISSION: Enriched by the diversity and deep traditions of our unique community, Amador County Public Schools will prepare, support, and inspire each student to achieve career and college success in a rapidly evolving world through highly engaging teaching, rigorous learning and innovative pathways supported by strong partnerships in a safe, caring and collaborative environment.

1.0 CALL TO ORDER 8:03 PM

The Board may not take action on any item which is not on this agenda, except when (1) an emergency situation exists, (2) there is need to take immediate action and the need for the action came after posting, or (3) the item was posted for a prior meeting within specified time limits. [Government Code §54954.2]
2.0 BOARD MEMBERS
[X] Kandi Thompson, Board President
[X] Deborah Pulskamp, Board Clerk
[X] James Marzano
[X] Julia Burns
[X] James Whitaker
[ ] Ian McMahan, Amador High School, Student Board Member
[ ] Kate Johnson, Argonaut High School, Student Board Member

3.0 ROLL TAKEN BY THE SECRETARY TO THE GOVERNING BOARD

4.0 ADDITIONS/DELETIONS OR CORRECTIONS TO THE AGENDA
There were none.

5.0 PRESENTATION AND RECOGNITION

5.1 Resolution: ACOE 20/21-010 February 2021 as National Teen Dating Violence Awareness and Prevention Month (Mr. Snider)
This resolution declares the month of February 2021, as “National Teen Dating Violence Awareness and Prevention Month.”
Board Member Whitaker motioned to approve and Board Member Marzano seconded. The motion passed 5-0.

5.2 Resolution: ACOE 20/21-011 Recognizing and Honoring February 2021 as Black History Month (Mr. Snider)
ACOE is honored to support and recognize February, 2021 as Black History Month.
Board Member Marzano motioned to approve and Board Member Burns seconded. The motion passed 5-0.

6.0 EMPLOYEE ORGANIZATIONS
6.1 Special Educators of Amador County (SEAC)
6.2 California School Employees Association (CSEA)
Megan Mathison, CSEA #827 Chapter President, spoke to the Board and thanked them for the COVID stipend and how the chapter appreciated it. She also gave update on negotiations and also expressed that programs are running smoothly.

7.0 PUBLIC COMMENTS
Public comments regarding Discussion/Action Items will be addressed during this time. Due to Zoom limitations, all public comments should be addressed at this time. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits. Individual speakers shall be allowed three minutes to address the Board on non-agenda items. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the Board president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. NOTE: If you wish to address the Board please complete a speaker card and give it to the Board Clerk or Communications Specialist.

8.0 CONSENT AGENDA
The Board of Trustees received these items under separate cover as an addendum. Public copy available during regular Board meeting and on the district website.
Board Member Whitaker motioned to approve and Board Member Marzano seconded. The motion passed 5-0.

The Board may not take action on any item which is not on this agenda, except when (1) an emergency situation exists, (2) there is need to take immediate action and the need for the action came after posting, or (3) the item was posted for a prior meeting within specified time limits.
[Government Code §54954.2]
8.1 Minutes
8.1a Board Meeting: 1-27-21

8.2 Business (Mr. Critchfield)
8.2a Warrants issued between: 1-27-21 – 1-28-21 $552,201.14

9.0 DISCUSSION/ACTION ITEMS
9.1 Updates to Health and Safety Plan during COVID-19 for a Safe Return to School (Mr. Snider)
The updates presented at this time included the addition of a section for social-emotional wellness and mental health, a section with criteria that would trigger a consideration for individual schools to shift to distance learning due to staffing shortages as opposed to the entire district, updating the quarantine period from 14 days to 10 days per new CDC guidelines, and removing the word “cloth” from face coverings since any face covering is appropriate.
This is a companion to the health and safety plan that was presented on the district side tonight. Mr. Snider read over actual verbiage that was cleaned up on the district side. Board Member Marzano had comment on page 22 that needs to be corrected on both sides. Board Member Burns moved to approve and Board Clerk Pulskamp seconded. The motion passed 5-0.

10.0 INFORMATIONAL ONLY
10.1 Personnel
10.1a Personnel Items approved by COE Superintendent February 10, 2021

11.0 REPORTS
11.1 Report from Superintendent (Dr. Russell)
Dr. Russell reported out on adding two hours a day to some programs and also students in the Workability program are required to have a work permit.

11.2 Reports and Remarks from Board Members

12.0 NEXT MEETING
ACOE Regular Meeting: Wednesday, February 24, 2021, tentatively scheduled to be held at the Amador County Administration Building, 810 Court St., Jackson, CA. Open Session will tentatively start at 3:30 PM. ACOE is scheduled to go first.

13.0 ADJOURNMENT 8:13 PM
* The Amador County Office of Education complies with the Americans with Disabilities Act. Should you require special accommodations, or more information about accessibility, please contact the Superintendent’s Office by calling (209) 257-5330. All efforts will be made for reasonable accommodations.

* Any writings or documents that are provided to the governing board in open session will be made available for public inspection at the meeting or at the Amador County Public Schools District Office located at 217 Rex Avenue, Jackson, CA during normal business hours. Please note that business hours have changed due to COVID-19. If you are need of a hard copy of the agenda, please email Debra Lasich at dlasich@acusd.org

[Government Code §54954.2]
**Payroll 2/1/2021-2/16/2021: 12,843.08**

**WARRANTS**

<table>
<thead>
<tr>
<th>Warrant #</th>
<th>Description</th>
<th>District</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>60055927</td>
<td>CVT-CALIFORNIA'S VALUED TR</td>
<td>3</td>
<td>2/4/2021</td>
<td>56,097.00</td>
</tr>
<tr>
<td>60055928</td>
<td>LOWES</td>
<td>3</td>
<td>2/4/2021</td>
<td>916.65</td>
</tr>
<tr>
<td>60055929</td>
<td>SUNBELT STAFFING LLC</td>
<td>3</td>
<td>2/4/2021</td>
<td>3,750.00</td>
</tr>
<tr>
<td>60055930</td>
<td>TUOLUMNE JPA WORKERS COMP</td>
<td>3</td>
<td>2/4/2021</td>
<td>11,312.00</td>
</tr>
<tr>
<td>60055931</td>
<td>OFFICE DEPOT</td>
<td>3</td>
<td>2/4/2021</td>
<td>322.42</td>
</tr>
<tr>
<td>60055932</td>
<td>S &amp; S WORLDWIDE INC</td>
<td>3</td>
<td>2/4/2021</td>
<td>726.82</td>
</tr>
<tr>
<td>60055933</td>
<td>SYSCO FOOD SERV.OF CENTRAL</td>
<td>3</td>
<td>2/4/2021</td>
<td>785.37</td>
</tr>
<tr>
<td>60055934</td>
<td>CITY OF JACKSON</td>
<td>3</td>
<td>2/4/2021</td>
<td>564.74</td>
</tr>
<tr>
<td>60055935</td>
<td>ERIC DANIEL ROUEN</td>
<td>3</td>
<td>2/4/2021</td>
<td>1,600.00</td>
</tr>
<tr>
<td>60055936</td>
<td>PACIFIC GAS &amp; ELECTRIC CO</td>
<td>3</td>
<td>2/4/2021</td>
<td>1,241.80</td>
</tr>
<tr>
<td>60055937</td>
<td>VOLCANO TELEPHONE CO</td>
<td>3</td>
<td>2/4/2021</td>
<td>52.85</td>
</tr>
<tr>
<td>60055938</td>
<td>CUSTODIO, DONNA</td>
<td>3</td>
<td>2/4/2021</td>
<td>173.33</td>
</tr>
<tr>
<td>60055939</td>
<td>VOLCANO TELEPHONE CO</td>
<td>3</td>
<td>2/4/2021</td>
<td>118.43</td>
</tr>
<tr>
<td>60055940</td>
<td>GEOCON CONSULTANTS INC</td>
<td>3</td>
<td>2/4/2021</td>
<td>2,467.50</td>
</tr>
<tr>
<td>60055941</td>
<td>SILVER CREEK INDUSTRIES IN</td>
<td>3</td>
<td>2/4/2021</td>
<td>35,364.35</td>
</tr>
<tr>
<td>60056017</td>
<td>AMADOR STEEL AND SUPPLY</td>
<td>3</td>
<td>2/11/2021</td>
<td>119.34</td>
</tr>
<tr>
<td>60056018</td>
<td>DUERR EVALUATION RESOURCES</td>
<td>3</td>
<td>2/11/2021</td>
<td>958.80</td>
</tr>
<tr>
<td>60056019</td>
<td>HAYES, ANGELA</td>
<td>3</td>
<td>2/11/2021</td>
<td>76.16</td>
</tr>
<tr>
<td>60056020</td>
<td>KRUSE, ANDREA</td>
<td>3</td>
<td>2/11/2021</td>
<td>77.39</td>
</tr>
<tr>
<td>60056021</td>
<td>TUCKER, ALYSSA</td>
<td>3</td>
<td>2/11/2021</td>
<td>78.40</td>
</tr>
<tr>
<td>60056022</td>
<td>AMERICAN RIVER CONSTRUCTIO</td>
<td>3</td>
<td>2/11/2021</td>
<td>140,038.89</td>
</tr>
<tr>
<td>60056023</td>
<td>MARTIN, MICHAEL</td>
<td>3</td>
<td>2/11/2021</td>
<td>2,100.58</td>
</tr>
<tr>
<td>60056024</td>
<td>ELIZABETH SWASON</td>
<td>3</td>
<td>2/11/2021</td>
<td>5,000.00</td>
</tr>
<tr>
<td>60056025</td>
<td>ENTERPRISE FM TRUST</td>
<td>3</td>
<td>2/11/2021</td>
<td>3,406.02</td>
</tr>
<tr>
<td>60056026</td>
<td>HUNT &amp; SONS INC</td>
<td>3</td>
<td>2/11/2021</td>
<td>39.61</td>
</tr>
<tr>
<td>60056027</td>
<td>LOWES</td>
<td>3</td>
<td>2/11/2021</td>
<td>635.17</td>
</tr>
<tr>
<td>60056028</td>
<td>SUNBELT STAFFING LLC</td>
<td>3</td>
<td>2/11/2021</td>
<td>4,687.50</td>
</tr>
<tr>
<td>60056029</td>
<td>OFFICE DEPOT</td>
<td>3</td>
<td>2/11/2021</td>
<td>48.29</td>
</tr>
<tr>
<td>60056030</td>
<td>SYSCO FOOD SERV.OF CENTRAL</td>
<td>3</td>
<td>2/11/2021</td>
<td>279.57</td>
</tr>
<tr>
<td>60056031</td>
<td>BECKER, JOSEPH</td>
<td>3</td>
<td>2/11/2021</td>
<td>717.75</td>
</tr>
<tr>
<td>60056032</td>
<td>MATT GOUGH</td>
<td>3</td>
<td>2/11/2021</td>
<td>37.80</td>
</tr>
<tr>
<td>60056033</td>
<td>CALIFORNIA DESIGN WES</td>
<td>3</td>
<td>2/11/2021</td>
<td>8,753.69</td>
</tr>
</tbody>
</table>

|                   |                                       |          |            | 282,548.22 |

If there are any questions regarding any of the payments, please contact
Jared Critchfield @ 257-5375 or Nancy Kohlman @ 257-5333
FEBRUARY 24, 2021

AGENDA ITEM #: 10.1

SUBJECT: Board Policy Update – Discussion/Action

BACKGROUND INFORMATION:
Multiple board policy updates are done each year. The policy presented for updating at this time is in the area of Educational Services. The description summarizes the changes made to the policy.

Board Policy 1312.3 - Uniform Complaint Procedures
Policy updated to reflect the relationship between the state uniform complaint procedures (UCP) and NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026) regarding Title IX complaints of sexual harassment. Policy also reflects NEW STATE REGULATIONS (Register 2020, No. 21) which limit the applicability of the UCP for complaints regarding special education and child nutrition programs, add procedures for addressing complaints regarding health and safety deficiencies in license-exempt California State Preschool Programs (CSPP), and delete the referral of complaints of fraud to the California Department of Education (CDE). The list of programs subject to the UCP revised and reorganized to more directly reflect CDE's 2020-21 Federal Program Monitoring (FPM) instrument.

FISCAL IMPLICATIONS: None

RECOMMENDATION: The Superintendent recommends that the Board approve the Board Policy update.

PRESENTED BY: Sean Snider, Assistant Superintendent, Educational Services
UNIFORM COMPLAINT PROCEDURES

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

Complaints Subject to Uniform Complaint Procedures (UCP)

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

1. Any complaint alleging district violation of applicable state or federal laws or regulations governing any program subject to the UCP which is offered by the district, including adult education programs; After-School Education and Safety programs; agricultural career technical education; American Indian education centers and early childhood education program assessments; bilingual education; California Peer Assistance and Review programs for teachers; state career technical and technical education, career technical, and technical training programs; federal career technical education; child care and development programs; child nutrition programs; compensatory education; consolidated categorical aid programs; Economic Impact Aid; the federal Every Student Succeeds Act; migrant education; Regional Occupational Centers and Programs; school safety plans; special education programs; California State Preschool Programs; Tobacco Use Prevention Education programs; and any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code 64000.

(cf. 3553 – Free and Reduced Price Meals)
(cf. 3555 – Nutrition Program Compliance)
(cf. 5141.4 – Child Abuse Prevention and Reporting)
(cf. 5148 – Child Care and Development)
(cf. 5148.2 – Before/After School Programs)
(cf. 6139 – Individualized Education Program)
(cf. 6171 – Title I Programs)
(cf. 6174 – Education for English Learners)
(cf. 6175 – Migrant Education Program)
(cf. 6178 – Career Technical Education)
(cf. 6178.1 – Work-Based Learning)
(cf. 6178.2 – Regional Occupational Center/Program)
(cf. 6200 – Adult Education)

2. Any complaint, by a student, employee, or other person participating in a district program or activity, alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) in district programs and activities, including in those
UNIFORM COMPLAINT PROCEDURES (continued)

Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

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

4. Any complaint alleging district noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school of previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board-imposed graduation requirements (Education Code 46015)

(cf. 3260 - Fees and Charges)
(cf. 3320 - Claims and Actions Against the District)

5. Any complaint alleging district noncompliance with applicable requirements of Education Code 52060-52077 related to the implementation of the local control and accountability plan, including the development of a local control funding formula budget overview for parents/guardians (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)
UNIFORM COMPLAINT PROCEDURES (continued)

7. Any complaint alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council, as required for the consolidated application for specified federal and/or state categorical funding—(Education Code 64000-64001, 65000-65001)

(cf. 0420 - School Plans/Site Councils)

8. Any complaint, by or on behalf of a student who is a foster youth as defined in Education Code 51225.2, alleging district noncompliance with any requirement applicable to the student regarding placement decisions; the responsibilities of the district's educational liaison to the student; the award of credit for coursework satisfactorily completed in another school, or district, or county; school or records transfer; or the grant of an exemption from Board-imposed graduation requirements—(Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

9. Any complaint, by or on behalf of a student who transfers into the district after the second year of high school and is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student currently enrolled in the district, a child of a military family as defined in Education Code 49701, or a migrant student as defined in Education Code 54441, or by or on behalf of an immigrant student participating in a newcomer program as defined in Education Code 51225.2 in the third or fourth year of high school, alleging district noncompliance with any requirement applicable to the student regarding the grant of an exemption from Board-imposed graduation requirements—(Education Code 51225.1)

(cf. 6173 - Education for Homeless Children)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)

10. Any complaint, by or on behalf of a student who is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student, a child of a military family as defined in Education Code 49701, a migrant child as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2, alleging district noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, district, or country—(Education Code 51225.2)
UNIFORM COMPLAINT PROCEDURES (continued)

11. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

12. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

13. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

1. Accommodations for pregnant and parenting students (Education Code 46015)

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

2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)

(cf. 6200 - Adult Education)

3. After School Education and Safety programs (Education Code 8482-8484.65)

(cf. 5148.2 - Before/After School Programs)

4. Agricultural career technical education (Education Code 52460-52462)

5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)

(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)

6. Child care and development programs (Education Code 8200-8498)

(cf. 5148 - Child Care and Development)

7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)

9. Course periods without educational content, when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met (Education Code 51228.1-51228.3)

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

11. Educational and graduation requirements for students in foster care, homeless students, students from military families, students formerly in a juvenile court school, migrant students, and immigrant students participating in a newcomer program (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

12. Every Student Succeeds Act (Education Code 52059; 20 USC 6301 et seq.)

13. Local control and accountability plan (Education Code 52075)

14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
(cf. 6142.7 - Physical Education and Activity)

16. Student fees (Education Code 49010-49013)
(cf. 3260 - Fees and Charges)

17. Reasonable accommodations to a lactating student (Education Code 222)

18. Regional occupational centers and programs (Education Code 52300-52334.7)
(cf. 6178.2 - Regional Occupational Center/Program)

19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
(cf. 0420 - School Plans/Site Councils)

20. School safety plans (Education Code 32280-32289)
(cf. 0450 - Comprehensive Safety Plan)

21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
(cf. 0420 - School Plans/Site Councils)

22. State preschool programs (Education Code 8235-8239.1)
(cf. 5148.3 - Preschool/Early Childhood Education)

23. State preschool health and safety issues in license-exempt programs (Education Code 8235.5)

24. Any other complaint as specified in a district policy

25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

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

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

UNIFORM COMPLAINT PROCEDURES (continued)

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

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

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

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

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district and county office's UCP but shall be referred to the specified agency: (5 CCR 4611) investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, Protective Services Division, and/or the appropriate law enforcement agency. (5 CCR 4611)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator. (5 CCR 4611)

3. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

4. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education, or a due process hearing order shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

5. Any complaint alleging noncompliance of the district or county office's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)

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

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

In addition, any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments, or health and safety violations in any license-exempt California State Preschool Program shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 8235.5, 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)
Legal Reference:

**EDUCATION CODE**
- 200-262.4 Prohibition of discrimination
- 8200-8498 Child care and development programs
- 8500-8538 Adult basic education
- 18100-18203 School libraries
- 32289 School safety plan, uniform complaint procedures
- 35186 Williams uniform complaint procedures
- 44500-44508 California Peer Assistance and Review Program for Teachers
- 46015 Parental leave for students
- 48853-48853.5 Foster youth
- 48985 Notices in language other than English
- 49010-49014 Student fees
- 49060-49079 Student records, especially:
  - 49069.5 Records of foster youth
- 49490-49590 Child nutrition programs
- 51210 Courses of study grades 1-6
- 51222 Physical education, elementary schools
- 51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements
- 51226-51226.1 Career technical education
- 51228.1-51228.3 Course periods without educational content
- 52059.5 Statewide system of support
- 52060-52077 Local control and accountability plan, especially:
  - 52075 Complaint for lack of compliance with local control and accountability plan requirements
- 52160-52178 Bilingual education programs
- 52300-52490 Career technical education

**UNIFORM COMPLAINT PROCEDURES** (continued)

Legal Reference continued:
- 52500-52616.24 Adult schools
- 53410-54425 Compensatory education programs
- 54440-54445 Migrant education
- 54460-54529 Compensatory education programs
- 56000-56867 Special education programs
- 59000-59300 Special schools and centers
- 64000-64001 Consolidated application process; school plan for student achievement
- 65000-65001 School site councils

**GOVERNMENT CODE**
- 11135 Nondiscrimination in programs or activities funded by state
- 12900-12996 Fair Employment and Housing Act

**HEALTH AND SAFETY CODE**
- 1596.792 California Child Day Care Act; general provisions and definitions
- 1596.7925 California Child Day Care Act; health and safety regulations

**PENAL CODE**
- 422.55 Hate crime; definition
422.6  Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 2
11023  Harassment and discrimination prevention and correction
CODE OF REGULATIONS, TITLE 5
3200-3205 Special education compliance complaints
4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures
4690-4694 Complaints regarding health and safety issues in license-exempt preschool programs
4900-4965 Nondiscrimination in elementary and secondary education programs
15580-15584 Child nutrition programs complaint procedures
2080  Applicability of uniform complaint procedures to complaints regarding students with disabilities
UNITED STATES CODE, TITLE 20
1221  Application of laws
1232g  Family Educational Rights and Privacy Act
1681-1688  Title IX of the Education Amendments of 1972
6301-6576  Title I Improving the Academic Achievement of the Disadvantaged
6801-7014  Title III language instruction for limited English proficient and immigrant students
UNITED STATES CODE, TITLE 29
794  Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107  Age Discrimination Act of 1975
11431-11435 McKinney-Vento Homeless Assistance Act
12101-12213  Title II equal opportunity for individuals with disabilities
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference continued:
99.1-99.67  Family Educational Rights and Privacy Act
100.3  Prohibition of discrimination on basis of race, color or national origin
104.7  Designation of responsible employee for Section 504
106.1-106.82  Nondiscrimination on the basis of sex in education programs, especially:
106.8  Designation of responsible employee for Title IX
106.9  Notification of nondiscrimination on basis of sex
110.25  Notification of nondiscrimination on the basis of age
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Sample UCP Board Policies and Procedures
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter, September 22, 2017
Dear Colleague Letter: Title IX Coordinators, April 2015
Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
Dear Colleague Letter: Harassment and Bullying, October 2010
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
Policy
adopted: May 9, 2018
revised: August 24, 2019

AMADOR COUNTY UNIFIED SCHOOL DISTRICT
Jackson, California
AGENDA ITEM #: 10.2

SUBJECT:  
Board Bylaw 9250: Remuneration, Reimbursement and Other Benefits

BACKGROUND INFORMATION:  
On November 18, 2020, the Board of Trustees approved a new composition of the Amador County SELPA Governing Board to include the members of the ACOE/ACUSD Board of Trustees, the District Superintendent and the County Office of Education Superintendent. While discussing this agenda item, the Board had related discussion to increase the remuneration of the Board due to the additional responsibility of serving on the SELPA Board. The Board approved a subcommittee to study this issue and bring back a recommendation to the full Board. Board Members Thompson and Marzano agreed to serve on this subcommittee with support from Superintendent Slavensky.

The Board subcommittee met on November 30, 2020 and February 4, 2021. Legal counsel was sought on various related questions. Education Code section 35120(a)(5) provides a maximum monthly contribution for board members of school districts with an ADA of 10,000 or less (but greater than 1,000) of $240. However, Section 35120(e) allows this compensation to be increased annually above the statutory limits, provided the increase does not exceed 5% of the present monthly compensation. Section 35120(e) provides:

On an annual basis, the governing board may increase the compensation of individual board members beyond the limits delineated in this section, in an amount not to exceed 5 percent based on the present monthly rate of compensation. An increase made pursuant to this subdivision shall be effective upon approval by the governing board. (Emphasis added.)

Based on the history in Amador County Public Schools wherein a remuneration increase has not been made, the subcommittee recommends the following:

• Increase the ACUSD Board of Trustees monthly remuneration from $240 to $252.
• Increase the ACOE Board of Trustees monthly remuneration from $160 to $168.
• Advise the Amador County SELPA Board to consider the addition of remuneration in its bylaws in the amount of $124 per meeting.

FISCAL IMPLICATIONS:  
Total annual cost not to exceed $29,000, funded by the general fund.

RECOMMENDATION:  
The Superintendent recommends that the Board approve the subcommittee’s recommendation.

PRESENTED BY:  
Dr. Steve Russell, County Superintendent of Schools
Compensation

Each member of the Board of Trustees may receive the maximum monthly compensation as provided for in Education Code 35120.

On an annual basis, the Board may increase the compensation of Board members beyond the limit delineated in Education Code 35120 in an amount not to exceed five percent based on the present monthly rate of compensation. (Education Code 35120)

Board members are not required to accept payment for meetings attended.

Any member who does not attend all Board meetings during the month is eligible to receive only a percentage of the monthly compensation equal to the percentage of meetings he/she attended, unless otherwise authorized by the Board in accordance with law. (Education Code 35120) Board members do not receive compensation for agenda setting meetings or committee meetings.

A member may be compensated for up to two missed meetings per year for designated services for the district at the time of the meeting that he/she was absent or because of illness, jury duty, vacation, family business, or a hardship deemed acceptable by the Board. (Education Code 35120) Beyond two missed meetings, members may be compensated through a resolution of the Board.

Student Board members shall receive no compensation for meetings attended. (Education Code 35012)

(cf. 9150 - Student Board Members)

Whenever a quorum of Board members serves as another legislative body which will meet simultaneously or in serial order to a Board meeting, the Board clerk or a member of the Board shall verbally announce the amount of any additional compensation or stipend that each member will be entitled to receive as a result of convening the simultaneous or serial meeting. (Government Code 54952.3)

Reimbursement of Expenses

Board members shall be reimbursed for actual and necessary expenses incurred when performing authorized services for the district. Expenses for travel, telephone, business meals, or other authorized purposes shall be in accordance with policies established for district personnel and at the same rate of reimbursement.

(cf. 1160 - Political Processes)

(cf. 3100 - Budget)

(cf. 3350 - Travel Expenses)

(cf. 3513.1 - Cellular Phone Reimbursement)

Board members shall be reimbursed for travel expenses incurred when performing services directed by the Board. (Education Code 35044)

(cf. 9240 - Board Development)

Authorized purposes may include, but are not limited to, attendance at educational seminars or conferences designed to improve Board members’ skills and knowledge; participation in regional, state, or national organizations whose activities affect the district’s interests; attendance at district or community events; and meetings with state or federal officials on issues of community concern.

Personal expenses shall be the responsibility of individual Board members. Personal expenses include, but are not limited to, the personal portion of any trip, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the Board member on district-related business, personal use of an automobile, and personal losses and traffic violation fees incurred while on district business.

Any questions regarding the propriety of a particular type of expense should be resolved by the Superintendent or
Health and Welfare Benefits for Current Board Members

Board members may participate in the health and welfare benefits program provided for district employees.
(cf. 4154/4254/4354 - Health and Welfare Benefits)

Health and welfare benefits for Board members shall be no greater than that received by the district’s nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

The district shall pay the premiums required for Board members electing to participate in the district health and welfare benefits program to the same extent that it pays for district employees.

Health and welfare benefits provided to Board members shall be extended at the same level to their spouse/registered domestic partner and to their eligible dependent children as specified in law and the health plan.

Health and Welfare Benefits for Former Board Members

Former Board members may participate in the health and welfare benefits program provided for district employees under the conditions specified below.

Health and welfare benefits for former Board members shall be no greater than those received by district nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

Any former Board member leaving the Board after at least one term of office may participate in the health and welfare benefits program at his/her own expense if coverage is in effect at the time of retirement. (Government Code 53201)

Health and welfare benefits provided to a former Board member shall be extended, at his/her expense and at the same level, to his/her spouse/registered domestic partner and eligible dependent children as specified in law and the health plan.
CURRENT CONSIDERATIONS

**Certificated~ Resignation**
Garrett Gavalis, moderate/severe teacher, 1 FTE, Jackson Elementary, effective March 13, 2021

**Certificated~ Induction, Intern & CTE Mentors, $1,000 Stipend**
Michaelyn Lucas for Sarah Crowe, Induction, Jackson Elementary
Lisa Putney for Garrett Gavalis, Induction, Jackson Elementary ($600)

**Classified~ Increased Hours**
Andrea Kruse, Instructional Aide, increased from 6 hours to 7.5 hours/11 months, Argonaut Triglia, effective March 1, 2021

[Signature]
County Superintendent

2/24/2021
Date