

Santa Barbara County Education Office

BOARD BOOK and AGENDA



February 2023



SANTA BARBARA COUNTY BOARD OF EDUCATION

4400 Cathedral Oaks Road
P.O. Box 6307
Santa Barbara, CA 93160-6307

REGULAR MEETING

February 2, 2023 – 2:00 p.m.

AGENDA

The Santa Barbara County Board of Education is holding this meeting on Thursday, February 2, 2023 at the North County Liaison Office, 402 Farnel Road, Santa Maria, CA.

Online Viewing Option

Individuals who are unable to attend the board meeting in person may view the board meeting online by clicking on the link below or by copying and pasting it into a web browser:

<https://us02web.zoom.us/j/81869428839?pwd=Vjg2byszRkZiRiZRVs9leVUybmRiQT09>

Public Comment Procedure

Public comment may be made in person at the board meeting. Persons wishing to address the board are requested to complete a "Request to Address Board" form, available at the meeting room entrance, and deliver it to the secretary prior to the time the meeting is called to order. During the time for public comment specified on the agenda, the board will acknowledge requests to speak on agenda items as well as topics not on the agenda, but within the subject matter jurisdiction of the board. The total amount of time for public comments will be 15 minutes. The amount of time an individual speaker may speak is typically 5 minutes but may be adjusted upon consent of the board depending on the total number of persons wishing to be heard. If the speaker needs more time, they may submit written comments.

Interpretation/Interpretación

Spanish interpretation of the board meeting will be available at the meeting. Live simultaneous interpretation will also be provided for those viewing online. Se proporcionará interpretación al español para la reunión de la junta directiva. También se ofrecerá interpretación simultánea en directo para quienes lo vean a través de Internet.

Video Recording

The board meeting will be video recorded. The video recording will be made available online at <https://www.sbceo.org/board/materials>.

Assistance with Meeting

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact the superintendent's office at (805) 964-4711 or email afreedland@sbceo.org by 10:00 a.m. the day before the meeting. Notification at least 72 hours prior to the meeting will assist the superintendent in making suitable arrangements.

GENERAL FUNCTIONS

- 1. Call to Order**
- 2. Spanish Interpretation/Interpretación**

The president will announce that Spanish interpretation of the board meeting is available. La presidente anunciará que hay interpretación en español disponible durante la reunión de la junta directiva.

- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Changes to the Agenda**

The president will announce any additions, deletions, or changes in the order of business on the agenda at this time.

- 6. President and Board Comments**
- 7. Public Comments**

The total amount of time for public comments will be 15 minutes. The amount of time an individual speaker may speak is typically 5 minutes, however, with board consent, and depending on the number of persons wishing to be heard, the president may increase or decrease the time allowed for individual speakers. If the speaker needs more time, they may submit written comments.

PRESENTATIONS

8. Presentation on Allan Hancock College Rising Scholars Program
[Time Approximate: 2:15 p.m.]

Rising Scholars at Allan Hancock College is a support program of Hancock's Extended Opportunity Programs and Services (EOPS). The Rising Scholars team works directly with Central Coast youth, including Peter B. FitzGerald Community School students, to expand opportunities and build strong pathways to educational achievement. The team will provide a brief presentation about the program.

9. Student Advisory Council Presentation
[Time Approximate: 2:30 p.m.]

The superintendent will introduce some members of her Student Advisory Council, listed below. These students all attend high schools in the Santa Maria Joint Unified High School District. They will provide a brief report about topics discussed by the council.

- Jesse Jimenez, grade 11, Ernest Righetti High School
- Andrea Martinez De Jesus, grade 12, Santa Maria High School
- Teya Nastaskin, grade 11, Ernest Righetti High School
- Lisbeth Tovar, grade 12, Delta High School

SUPERINTENDENT'S REPORT

10. Superintendent's Report
(Attachment)

The superintendent's report is presented as an information item. The superintendent may also briefly report on the following items at the board meeting:

- Introduction of new Associate Superintendent of Administrative Services, Steven Torres
- Update on the Los Prietos Boys Camp transition to the Juvenile Justice Center in Santa Maria
- Update on the Welcome Every Baby (WEB) program
- Virtual board meetings after the end of California's COVID-19 State of Emergency, planned for February 28, 2023

CONSENT AGENDA

At this time, the board will consider all of the items below together and can act upon them with a single vote. These items are considered to be routine and do not require separate discussion. Individual consent items may be removed and considered separately at the request of a board member or staff. The superintendent recommends approval of all consent items.

- 11. Minutes of Meeting Held January 5, 2023**
(Attachment)

- 12. Registration of Credentials and Other Certification Documents: Issuance of Temporary County Certificates**
(Attachment)

Registration of credentials and other certification documents registered in the Santa Barbara County Education Office from December 7, 2022 to January 6, 2023, and the issuance of temporary county certificates for that same time period.

- 13. Acceptance of Donations**
(Attachment)

Acceptance of donations on the attached donations list for the following department:

- Teacher Programs and Support

- 14. Declaration of Surplus**
(Attachment)

Declaration of surplus on the attached surplus list for the following departments:

- Administrative Services
- Information Technology Services

Motion to approve all consent items:

MOVED:

SECONDED:

VOTE:

ACTION ITEMS

- 15. Recommended Approval of Santa Barbara County Education Office Comprehensive School Safety Plan**
(Attachment)

The superintendent recommends approval of the Santa Barbara County Education Office Comprehensive School Safety Plan for Juvenile Court and Community Schools, and Special Education.

MOVED:

SECONDED:

VOTE:

16. Board Policies, Reading and Adoption
(Attachment)

The following board policies are being presented for reading and adoption.

New board policies:

Board Policy (BP) Title	BP Number – Certificated Personnel	BP Number – Classified Personnel	BP Number – Management Personnel
Assignment	4113		
Demotion/Reassignment			4313.2
Temporary Modified/Light-Duty Assignment	4113.4	4213.4	4313.4
Transfers			4314
Early Retirement Option	4117.13		4317.13
Resignation	4117.2	4217.2	4317.2
Personnel Reduction	4117.3		
Dismissal/Suspension/Disciplinary Action	4118	4218.1	
Civil And Legal Rights	4119.1	4219.1	4319.1
Professional Standards	4119.21	4219.21	4319.21
Dress And Grooming	4119.22	4219.22	4319.22
Unauthorized Release Of Confidential Privileged Information	4119.23	4219.23	4319.23
Maintaining Appropriate Adult- Student Interactions	4119.24	4219.24	4319.24
Collective Bargaining Agreement	4141	4241	
Concerted Action/Work Stoppage	4141.6	4241.6	
Negotiations/Consultation	4143	4243	

Revised board policies:

- BP 4040 – Employee Use of Technology
- BP 5022 – Student and Family Privacy Rights
- BP 5030 – Student Wellness
- BP 5141.4 – Child Abuse Prevention and Reporting
- BP 5145.2 – Freedom of Speech and Expression
- BP 9270 – Conflict of Interest

MOVED:

SECONDED:

VOTE:

17. Reimburse Expenses for Board Member(s) to Attend the California County Boards of Education (CCBE) County Governance Workshop, March 2023

The board will consider whether to approve the reimbursement of actual and necessary expenses for a board member(s) to attend the California County Boards of Education (CCBE) County Governance Workshop, March 10-11, 2023, in Sacramento, in accordance with Board Policy 9250.

MOVED:

SECONDED:

VOTE:

18. Recommended Adoption of Resolution Recognizing a State of Emergency and Reauthorizing Teleconferenced Meetings
(Attachment)

In accordance with AB 361, Resolution No. 2315 recognizes a state of emergency and reauthorizes teleconferenced meetings for a period of thirty (30) days.

[Roll Call Vote:]

MOVED:

SECONDED:

VOTE:

INFORMATION ITEM

19. Personnel Report
(Attachment)

The classified personnel report is presented as an information item.

FUTURE AGENDA ITEMS

20. Future agenda items

ADJOURNMENT

21. Adjournment to the next regular meeting to be held March 2, 2023.

MOVED:

SECONDED:

VOTE:

Superintendent's Report



Santa Barbara County Education Office

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Susan C. Salcido, Superintendent of Schools

Santa Barbara County Board of Education Superintendent's Report February 2, 2023

Student Enrollment in SBCEO Schools and Programs

Juvenile Court and Community Schools (as of Jan. 18, 2023):

- FitzGerald Community School: 22
- Dos Puertas: 26
- Los Robles: 4

Early Care & Education (as of Jan. 18, 2023): 288 children in preschools and infant/toddler centers.

Special Education (as of Jan. 18, 2023): 879 children countywide, which is broken down into:

- JCCS: 11
- Early start (infants): 102
- Direct service districts: 101
- Regional:
 - TK-12 extensive support needs program: 59
 - Itinerant vision and deaf and hard of hearing program: 80
 - Preschool: 526

Education Spotlight

SBCEO hosted our first Education Spotlight on the topic of Fentanyl and its effects on youth. A big thanks to Bridget Baublits, Camie Barnwell, Alli Adam, Delaney Patrick, Anna Freedland, and Arlene Sherchan, who helped with planning and supporting our youth-focused panel, which consisted of:

- Melissa Wilkins, Division Chief of Alcohol & Drug Programs, Santa Barbara County Department of Behavioral Wellness
- Sr. Deputy George Hedricks, School Resource Deputy for the City of Goleta
- Dr. Carrick Adam, Pediatrician, Santa Barbara County Juvenile Justice Center
- Shanda Herrera, Principal, Pioneer Valley High School

Engagement/attendance as of Jan. 23, 2023:

- 55 YouTube livestream viewers (live during the webinar)
- 86 Zoom participants during the webinar

- Post-event YouTube views as of Jan. 23, 2023:
 - 63 on the [English video](#)
 - 11 on the [Spanish video](#)
 - 4 on the [Mixteco video](#)

Governor's Budget Proposal

The Governor released his budget proposal, and educator teams continue to process the proposal, consider implications and benefits. Please see the PowerPoint presentation that follows from Capitol Advisors, who presented at SBCEO on January 26, 2023. I will highlight several areas about the budget proposal during the County Board of Education meeting on February 2.

District News

National Bilingual Teacher of the Year: The National Association for Bilingual Education (NABE) has selected Sonia Águila-González as its 2023 Teacher of the Year. Aguila teaches second grade dual-language immersion (DLI) at the Canalino Elementary School in the Carpinteria Unified School District (CUSD). Sonia was the California Association for Bilingual Education (CABE) Teacher of the Year in 2022.

California Distinguished Schools: This year, the California Distinguished Schools program honored elementary schools based on overall performance of closing the achievement gap. Five schools in our county were selected. Mountain View, Kellogg and Foothill in Goleta Union School District, Cold Spring School and Peabody Charter School were all selected for this award and will be honored at a statewide celebration in the spring.

Lompoc Unified School District: Dr. Clara Finneran, superintendent, began her tenure with LUSD on January 17, 2023. Interim Superintendent Dr. Debbie Blow concluded her temporary role on Friday, January 20.

Buellton Union School District: On Friday, January 20, Buellton broke ground on their brand new pre-kindergarten building, with hopes of opening its doors to children in fall 2023.

Carpinteria Unified School District: The new **Summerland School** opened for students/staff to return on Thursday, January 5. Carpinteria Unified thanked the community for passing the \$90M bond in 2014 to modernize schools and rebuild Summerland School. The official opening ceremony is planned for Saturday, January 28 at 2 p.m. (community is invited).

SBCEO Employee Service Awards

Reminder for the SBCEO employee service awards recognition on February 28, 2023 at 3:30 p.m. via Zoom. Board members will be invited to attend.

Virtual Board Meetings

As a reminder, here are two changes in law regarding virtual participation rules for board meetings:

1. Assembly Bill 2449

This bill was signed by the governor on September 13, 2022, and went into effect on January 1, 2023. Changes to Cal. Gov. Code § 54953 will allow a board member to participate remotely in certain emergency situations without having to comply with the pre-COVID Brown Act notice requirements for teleconferenced meetings. The options for virtual participation added under this law will be in effect for three years.

Under the new law, a member can participate remotely in either of the following situations:

(1) if they notify the board of their need to be remote for “**just cause**” at the earliest possible opportunity (which may include at the start of the meeting), with a general description of the circumstances necessitating the remote participation. A board member may only use this option twice per year. “Just cause” is defined to mean a childcare or caregiving need, a contagious illness, a need related to a physical or mental disability, or travel on official business for a legislative body.

2) the member requests the ability to participate remotely due to “**emergency circumstances**” and the board takes action approve the request. “Emergency circumstances” are defined as a physical or family medical emergency that prevents in-person attendance. The member should provide a general description for their request without disclosing medical diagnoses. The request and approval should happen at the earliest possible opportunity but may occur at the beginning of the meeting.

In both circumstances, members are required to participate remotely via both audio and visual feeds. Additionally, if a board member will be participating remotely under this provision, then the public must also have the option to access and offer public comment remotely, with instructions identified on the agenda.

2. Formal End of State of Emergency Declaration

The state of emergency will formally end on February 28, 2023. Since the Fall of 2021, AB 361 gave boards and their committees the ability to conduct meetings virtually without following the pre-COVID Brown Act’s notice provisions, so long as the board passed a resolution every 30 days acknowledging the State of Emergency and that social distancing was recommended. When the State of Emergency ends on February 28, 2023, conducting a meeting virtually without a physical quorum will no longer be an option.

Santa Barbara County Announces Appointment of Assistant County Executive Officer

The County of Santa Barbara recently announced the appointment of Tanja Heitman as Assistant County Executive Officer. Tanja Heitman has been the Chief Probation Officer since December 2017. Per the press release that follows, "the Chief Probation Officer is appointed by the Santa Barbara Superior Court. Presiding Judge Pauline Maxwell will begin the process of finding a replacement for Heitman."

Curriculum and Instruction Division

Teacher Induction Program: The Teacher Induction Program (TIP) completed the first inquiry cycle for both year one and year two candidates. The Individualized Learning Plan (ILP) review team has been assembled to provide feedback, determine trends, and confirm candidates are meeting standards of growth and progress. Feedback from candidates and mentors shows that the flexible design, support, meetings, and assignments are responsive to the needs of program participants.

Teacher Programs and Support: 2023 Santa Barbara County Teacher of the Year, Joanna Hendrix was honored by the California Department of Education as a CA teacher of the year finalist. The process of choosing the **2024** Santa Barbara County Teacher of the Year is underway. The deadline for applications in Santa Barbara County is February 7, and the selection process will take place during the spring and will be announced in May.

Dashboard and Differentiated Assistance (DA): An analysis of state trends on dashboard results (from the 2021-22 school year, released in December) demonstrates patterns like those seen throughout Santa Barbara County's districts and charter schools. Ellen Barger and I met with each of the 10 districts that qualify for DA, and initial plans for data analysis and customized improvement work are taking place. District analysis includes determining which indicators are fundamentally the result of the pandemic, which outcomes were amplified or exacerbated by those conditions, and which represent more durable or longitudinal patterns and trends.

Curriculum and Content:

- AB 1703, The **CA Indian Education Act** encourages local educational agencies (LEA) to form California Indian Education Task Forces with California Indian tribes local to their region. The California Indian Education Task Forces are encouraged to discuss issues of mutual concern and to work to develop a shared understanding of accurate, high-quality curricular materials about the history, culture, and government of local tribes, and that include tribal experiences and perspectives and teach about the history, culture, and government of local tribes. SBCEO is coordinating the effort on behalf of all LEAs by meeting with local tribal leaders throughout the county to co-create our local task force.

- SBCEO is writing a grant application with two other county offices of education to coordinate and lead the statewide communities of practice and professional learning for **mathematics, science, and computer science** for grades 4-12.
- We continue to offer professional learning in Spanish for elementary teachers in **Dual Language Immersion** programs, especially in the areas of reading and writing. We are also engaged in customized professional learning for bilingual instructional assistants working in after school tutoring and classrooms at high school.

Student Events:

- The 53rd annual **Author Go Round** will be taking place in the SBCEO Auditorium, January 30 – February 3, with the final day offered as a virtual option for schools who cannot attend in person. Students interact with authors and illustrators about their books and about the writing process while engaging in a wide array of literary games and activities as well.
- The **Santa Barbara County Mock Trial Competition** takes place over two consecutive weekends, beginning Saturday, February 25 at the County Courthouse. Seven teams from 6 high schools will compete for individual awards and for the chance to represent our county at the state tournament at the end of March.

Universal Pre-Kindergarten (UPK): We have collected and have begun to analyze the needs assessment that each LEA submitted to the CDE in the fall. This is informing the emerging Communities of Practice with partners to customize supports and build communication tools for families to navigate the opportunities and systems and make the best choices for their needs. Additionally, we have identified the current TK teachers who do not have the required 24 units of ECE credits. We've set up partnerships with 3 community colleges to provide options for teachers to complete their units, and the grant we received allows us to pay for tuition, books, and fees.

On February 2, we are co-sponsoring with Gateway Educational Services and First 5 Santa Barbara County, an event for parents, caregivers and families with author and researcher Maya Payne Smart, who wrote ***Reading for our Lives: A Literacy Action Plan from Birth to Six***. Maya will share her strategies to help children thrive as readers. It will be at La Cumbre Junior High from 6:30 – 8:00 p.m., with free childcare. I look forward to seeking opportunities to expand countrywide.

Educational Services Division

Handle with Care: With the support of District Attorney John Savrnoch, Educational Services representatives will be presenting at the January Council of Law Enforcement Chiefs to promote SBCEO's Handle with Care program. This program is currently underway in Guadalupe, and with law enforcement support, we anticipate expanding the program to other communities.

Career Technical Education (CTE)

Apprenticeship Update: CTE anticipates the launch of the SBCEO Early Childhood Educator (ECE) Apprenticeship next month. The Program Standards are out for public review, and we expect to begin enrollment of ECE apprentices following the approval. Upon enrollment as an apprentice, individuals will obtain paid, relevant, on-the-job work experience, while also receiving the supplemental coursework needed to obtain the required credentials. We are targeting four occupations: Associate Teacher, Teacher, Master Teacher, and Site Supervisor.

We also plan to link a registered pre-apprenticeship program in Education to the apprenticeship. The pre-apprenticeship program will focus on the courses needed to become an Associate Teacher. We recently submitted a California Apprenticeship Initiative (CAI) planning grant to support the pre-apprenticeship, with a focus on building Education pathways in high schools within Santa Barbara County.

Industry Teacher Tours: The next round of Industry Teacher Tour Days, a collaboration with the Santa Maria Valley Chamber, is coming up in North County. CTE teachers from each specific sector visit three businesses to take a tour of each organization and learn more about what will prepare their students to be job ready. A lunch with networking time is also provided by the business and/or Chamber. The next Teacher Tour will be January 27, focused on the Health Science & Medical Technology sector. Marian Regional Medical Center, Preat Corporation, and CHC Telehealth will be hosting. The February 2 teacher tour will be focused on the Manufacturing/Engineering sector, with Arrow Screw Products, Hardy Diagnostics, Atlas Copco Mafi-Trench participating.

Children and Family Resource Services (CFRS)

New Program Staff: CFRS is hiring two additional Health Advocates for the Mental Health Student Services Act (MHSSA) grant within the Health Linkages Program. A program associate is also being hired in the Health Linkages Program to support the work of Medi-Cal outreach and enrollment. These are three new staff positions expanding the department.

Orthodontia Program: Our Orthodontia Program received \$1,061,339 in funding and donations associated with the Audacious Foundation to provide braces for 173 low-income students in Santa Barbara County schools. Screenings will take place in targeted schools throughout February and March.

Juvenile Court and Community Schools (JCCS)

Los Prietos Boys Camp: Four school staff spent the night at Los Prietos Boys Camp (LPBC) on Monday, January 9, 2023, due to the closure of Paradise Road and HWY 154. The school and Probation staff, and students, were evacuated the following morning. Students were transported to the Juvenile Justice Center (JJC) in Santa Maria for an interim period. Students and Probation staff were able to return to the camp on

January 18, 2023. School staff were able to return the following day. This was a multi-agency effort to ensure student and staff safety - many thanks to all for the advocacy and action.

My facilitation and/or attendance at recent countywide meetings and events (partial list):


- 1/3-9 Countywide Zoom meetings with private, public, and charter school leaders about the storm (road closures, weather, evacuation orders)
- 1/5 Santa Barbara County School Boards Association Executive Committee meeting
- 1/11 Meeting with new Santa Barbara Police Chief Kelly Gordon and superintendents of south county school districts and charter schools
- 1/12 KUHL radio live interview in Santa Maria
- 1/17 Student Advisory Council meeting (2 of 3)
- 1/18 Partners in Education Executive Committee meeting
- 1/19 Civil Grand Jury presentation, invited to share general information about SBCEO
- 1/19 Education Spotlight on the youth opioid and Fentanyl epidemic
- 1/20 Keynote speaker at the UCSB Gevirtz Graduate School of Education's annual fellowship reception
- 1/23-27 California County Superintendents Board Meeting & General Membership Meeting, and ACSA Superintendents' Symposium in Monterey





Upcoming presentations for the County Board of Education

March:

- Staffing shortages update - Mari Baptista & Amy Ramos
- Early Childhood Education - Christian Patterson & Janelle Willis
- Update from County Probation on JCCS
- Student Advisory Council participation

Budget Perspectives Workshop
2023-24 Governor's Budget

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Budget Perspectives Workshop 2023-24 Governor's Budget



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Initial Thoughts

- Governor Newsom dealing with his first budget deficit – unlike Jerry Brown, who used fiscal risks to lower expectations and spending, Newsom needs to deliver on recent initiatives
- Governor proposes to address the shortfall without dipping into budget reserves
- Most of the pain is outside of Proposition 98, for now ... a lot could change, in either direction, before a final budget (June)
- For K-12, biggest takeaway is an 8.13% COLA to LCFF and other programs
- Stays the course on rollout and implementation of ongoing programs – TK, ELO-P, Universal Meals, etc.
- Cut to Arts/Music/IM Discretionary Block Grant would eliminate a large portion of the funding available for rising STRS/PERS costs and other costs not addressed within LCFF
- First time in many years districts won't have new one-time funds to cushion local budgets

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Political Context


- California and national election cycle bucked expectations
- Governor Newsom – landslide re-election, needs success in California to bolster national reputation
- Race for Feinstein seat already heating up
- Legislature – many new members, possibility of more battles within Democratic super-majority
- Legislative leadership in transition
- Federal stalemate - don't expect help from D.C.

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

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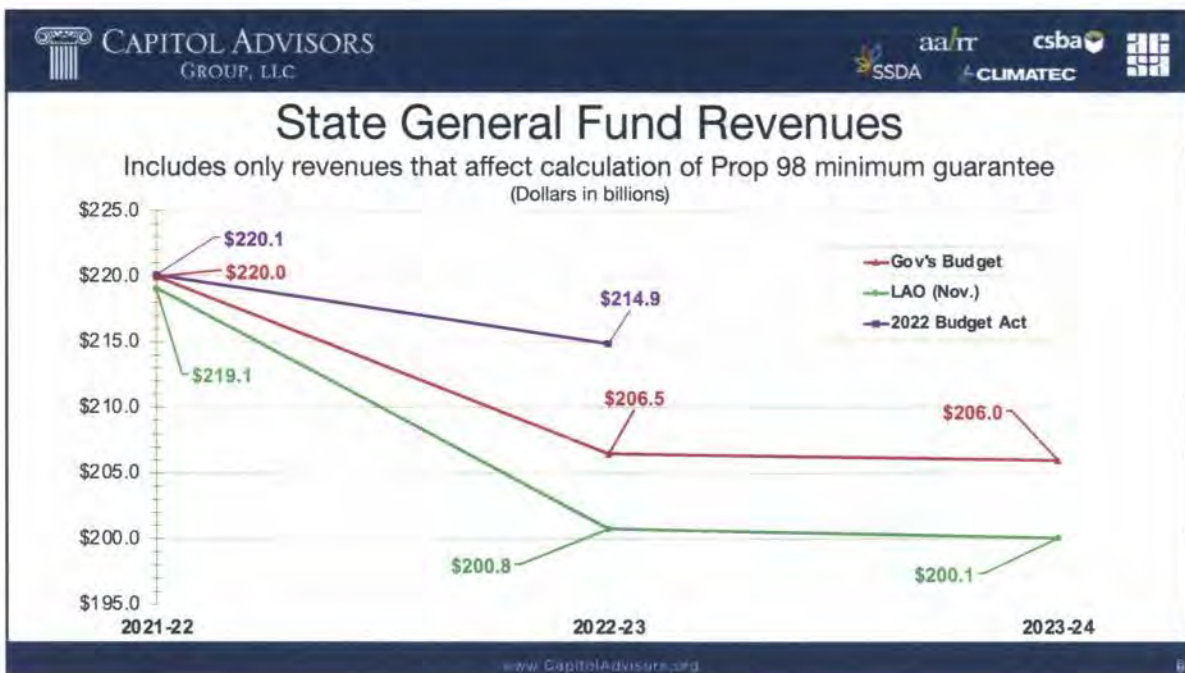





Fiscal Conditions

- Period of unprecedented General Fund (GF) revenue growth is clearly over
- State revenue projected about \$30 billion lower over budget period compared to 2022 Budget Act
 - Much of this due to lower capital gains
- DOF longer-term forecast projects slow revenue growth, assumes no recession
- Despite many challenges, labor market is strong
 - Unemployment rate fell to record low in September 2022
 - California recovered all non-farm Pandemic induced job losses as of October 2022
 - But wage growth slower than expected
- Inflation reached a 40-year high of 8.5% in March 2022, but Fed Reserve interest rate hikes are cooling down the economy a bit
- Fed Reserve policies and other factors have led to stock market volatility and risks of a recession
- Looming debt ceiling fight could cause economic chaos

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GF Revenues, Expenditures and Reserves

- \$231.7 billion in total available 2023-24 GF resources
 - \$210.2 billion total 2022-23 revenues/transfers plus prior year balance of \$21.5 billion
- 2023-24 total GF expenditures are \$223.6 billion, leaving a fund balance of \$8.1 billion
- By end of 2023-24, \$22.4 billion in BSA, \$3.8 billion in discretionary reserve (SFEU), \$900 million in Safety Net Reserve = total GF reserves of about \$27.1 billion
- BSA now at constitutional trigger (10% of GF revenues) requiring \$951 million for infrastructure in 2023-24

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Proposition 98

(Dollars in billions)



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Proposition 98

- 2023-24 Guarantee is \$108.8 billion, a decrease of about \$1.5 billion compared to Guarantee in 2022 Budget Act
 - For comparison, the Guarantee in the 2022 Budget Act was \$16.7 billion higher than the Guarantee in the 2021 Budget Act
- Over the three-year budget period the Guarantee is lower by \$4.7 billion compared to the 2022 Budget Act
- The Test 1 percentage continues to be rebenchmarked based on enrollment increases from expanded TK – 2021-22 (38.02%), 2022-23 (38.31%), and 2023-24 (38.65%)
- 2023-24 K-12 share of Prop 98 is \$95.8 billion

Public School System Stabilization Account

- Includes a total of \$8.5 billion in the Prop 98 reserve at the end of 2023-24, including a balance of \$3.3 billion at the end of 2020-21 and the following deposits in each of the three budget years:
 - \$3.7 billion in 2021-22
 - \$1.1 billion in 2022-23
 - \$365 million in 2023-24
- Due to lower capital gains in the current and budget years, the reserve total is \$1 billion less compared to the 2022 Budget Act
- School district reserve cap continues to be triggered in 2023-24
 - Local reserve cap triggered when PSSSA balance is at least 3% of the K-12 share of Prop 98 (balance of \$8.1 billion in 2022-23 far exceeds 3%)

Budget Perspectives Workshop 2023-24 Governor's Budget

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Prop 98 Reserve Withdrawals

- Only two options for Prop 98 reserve withdrawals
 - Governor declares a budget emergency (discretionary)
 - Triggered by formula (mandatory)
- A withdrawal from the reserve is required if Prop 98 growth is insufficient to cover the prior year guarantee (back out reserve deposits and account for "spike protection") adjusted for student attendance and inflation (higher of COLA or per capita personal income)
- "Spike protection" currently dominates the formula, but remember these numbers will be adjusted throughout the three-year budget period and spike protection will likely not be as big a factor in future years

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Prop 98 Reserve Withdrawal Formula

	2021-22 Fiscal Year	2022-23 Fiscal Year	2023-24 Fiscal Year
Prop 98 Guarantee (January Budget)	\$110.4 billion	\$107.0 billion	\$108.8 billion
Spike Protection	-\$25.5 billion	-\$9.8 billion	
Prop 98 Reserve Deposit	-\$3.7 billion	-\$1.1 billion	
Subtotal	\$81.2 billion	\$96.1 billion	
Inflation & Growth Adjustment	\$8.8 billion	\$7.0 billion	
Adjusted Prop 98 Guarantee	\$90.0 billion	\$103.1 billion	

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Budget Perspectives Workshop 2023-24 Governor's Budget

K-12 Spending Overview

- Governor provides 8.13% COLA for LCFF and other ongoing programs and avoids major cuts
 - \$4.2 billion for LCFF COLA
 - \$669 million COLA for select categorical programs, including SPED, child nutrition, CSPP, etc
- \$941 million ongoing for Arts & Music Initiative/Prop 28 (on top of Prop 98)
- \$855 million ongoing for TK expansion and TK staff
- \$300 million ongoing for an equity multiplier to LCFF
- \$3.5 million ongoing for Narcan at middle and high schools
- Provides relatively little new one-time spending, including:
 - \$250 million one-time for literacy coaches
 - \$100 million for cultural experiences for high school seniors (about \$200/high school senior)
- \$1.2 billion reduction in current year to Arts/Music/IM Discretionary Block Grant
- \$100 million reduction to 2023-24 GF resources for SFP (now at \$2 billion)


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


LCFF – Statutory COLA and Funding

- Reminder – Statutory COLA based on federal data (implicit price deflator) for state and local governments
- For 2023-24, compare prior year data (defined as the average from 2nd quarter of 2021 through the 1st quarter of 2022) with current data (Q2 of 2022 through Q1 of 2023) and calculate percent change
- We are still waiting for data from Q4 of 2022 (soon) and Q1 of 2023 (late April)
- DOF estimates COLA for 2023-24 at 8.13% (LAO estimate is 8.73%)
- Administration relies on resources available from smaller reserve deposits, cut to Arts/Music Block Grant and other one-time funds to provide the COLA


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


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Accountability Reform

- Governor proposes policy changes to “strengthen the ties between the three elements of California’s accountability system: the LCAP, the California School Dashboard, and the Statewide System of Support”
- Proposals include (note – revisions possible prior to final Budget):
 - Requiring LEAs to include specific actions and funding to address low school-level student group Dashboard performance in LCAP and budget, with ongoing evaluations that include parent and community input
 - Improving LCAP planning and transparency by informing the community on how to use the Dashboard and other local data
 - Strengthening support for LEAs and schools generating equity multiplier funding through the creation of one or more Equity Leads
- Additional details expected in forthcoming budget TBL





County Office of Education LCFF Entitlement

- Alternative Education Grant
 - Base Grant per ADA (with 8.13% COLA) = \$14,903
 - Supplemental Grant = 35% of Base Grant per unduplicated students, plus juvenile court school students
 - Concentration Grant = 35% of Base Grant per unduplicated student (beyond 50%), plus 50% of juvenile court school enrollment
- Operations Grant
 - \$871,406 (with 8.13% COLA) for each COE, plus:
 - \$334,462 per each school district in the county, and;
 - A per ADA amount based on county-wide ADA, ranging from \$108.14/ADA in the smallest counties to \$68.28/ADA in the largest

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Funding Maintained for Recent Investments





- No major changes in funding to the following programs or program expansions:
 - ELO-P
 - Universal School Meals
 - Transportation
 - Learning Recovery Block Grant
 - College and Career Pathways
 - Community Schools
 - Literacy Initiatives (except increase for Literacy Coaches)
 - Educator Workforce
- Background on some of these programs can be found in the Appendix

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Stand-Alone Categorical Programs

<p><u>Proposed for Ongoing Funding (no COLA)</u></p> <ul style="list-style-type: none"> After School Education & Safety Program (\$794.6 million) Career Technical Education Incentive Grant (\$300 million) K-12 Strong Workforce Program (\$163.5 million) State Assessment Program (\$98.5 million + \$26.6 million federal) California Partnership Academies (\$21.4 million) County Office Fiscal Oversight (\$7.5 million) College Planning and Preparation Website (\$26 million) California School Information Services (\$6.5 million) Specialized Secondary Education Grants (\$4.9 million) Agricultural Education Incentive Program (\$6.1 million) Teacher Dismissal (\$300,000) 	<p><u>Proposed for Ongoing Funding (8.13% COLA)</u></p> <ul style="list-style-type: none"> Special Education: (\$5.53 billion + \$1.37 billion federal) Child Nutrition (\$1.46 billion + \$3.5 billion federal) Adult Education Block Grant (\$651.7 million + \$106.4 million federal) Mandate Block Grant: (\$258.2 million) Foster Youth Programs: (\$32 million) American Indian Education Centers (\$5.2 million) American Indian Early Childhood Education Program (\$696,000)
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Arts/Discretionary Block Grant

- To cover costs for LCFF in 2022-23 and 2023-24, budget proposes reduction of \$1.2 billion from the Arts, Music, Instructional Materials Discretionary Block Grant
 - Implementing the reduction may require Legislature to take early action
- With proposed reduction, Block Grant funding would be approximately \$2.3 billion (approximately \$1.75 billion already out the door)
- Application of Prop 28 “supplement not supplant” language to this Block Grant funding may need to be clarified

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Prop 28 – Arts & Music Funding


- Budget provides \$941 million (roughly 1% of prior year adjusted Prop 98 Guarantee) on top of Prop 98 to account for passage of Prop 28, and beginning in 2024-25 Prop 98 will be rebenchd to include Prop 28 funding
- Funding will go out to all LEAs, based on the sum of the following for each of an LEA's schools:
 - 70% based on the school's share of total statewide enrollment in the previous year
 - 30% based on the school's share of total statewide enrollment of economically disadvantaged students
- LEAs must then allocate funding to each of their schools using same breakdown
- Schoolsite principals must develop an expenditure plan for the funds





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


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Transitional Kindergarten, cont.

- LEAs required to offer TK to all children turning five between September 2 and April 2 beginning in 2023-24 school year
- \$690 million in 2023-24 for estimated TK ADA expansion to reflect two additional months of eligibility (Feb 2 to April 2) – brings total TK ADA expansion funding to just under \$1.3 billion (via rebenching of Prop 98)
- \$165 million in 2023-24 to continue supporting 1:12 average adult-to-student ratios across TK classrooms
 - **DOF states that required budget appropriation for the shift to 1:10 is unfunded, leaving 1:12 ratio applicable for 2023-24**


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
Transitional Kindergarten Reminders


- Teacher Qualifications
 - To receive apportionment for a TK classroom, teacher must demonstrate subject matter competence by August 1, 2023 (if the teacher was first assigned to a TK classroom after July 1, 2015) through one of the following:
 - At least 24 units in early childhood education, or childhood development, or both
 - Classroom experience with preschool age children that is comparable to 24 units
 - A child development teacher permit, or an early childhood education specialist credential, issued by the Commission on Teacher Credentialing
- Class Size
 - Maintain an average TK class enrollment of not more than 24 pupils for each schoolsite


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
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School Employer Pension Costs

- Governor's budget does not include any relief for school employers in 2023-24

CalSTRS

Fiscal Year	Contribution Rate**
2021-22	16.92%
2022-23	19.1%
2023-24	19.1%*

CalPERS

Fiscal Year	Contribution Rate
2021-22	22.91%
2022-23	25.37%
2023-24	27.0%*
2024-25	28.1%*


* Latest projected rates based on most recent projections





** CalSTRS Board now allowed to adjust employer contribution rate up or down by up to 1% each year, but no higher than 20.25% and no lower than 8.25%

School Facilities

- Governor proposes additional \$2 billion one-time GF (\$100 million less than intent language in 2022 Budget Act) for the State School Facilities Program (SFP) in 2023-24
- No mention of the \$875 million one-time GF in 2024-25
- \$30 million one-time Prop 98 for the Charter School Facilities Grant Program (commonly referred to as SB 740 program)
 - Planned investment agreed to in the 2022-23 budget deal
- School Bond Bills
 - SB 28 (Glazer)
 - AB 247 (Muratsuchi)

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

ENERGY / INFRASTRUCTURE IN CA K-12

- **Current Landscape**
 - Construction Challenges: Cost Escalations, Supply Chain, Change Orders
 - Utility Pressures: Rate Increases, Outages
 - 2021 to 2022 - PG&E up **17.6%**, SCE up **14.1%**, SDG&E up **25.1%**
- **Trending Now**
 - NEM 3.0: April 14, 2023
 - ESSER Deadlines: Sept 30, II – 2023, III – 2024, Modifications / Extensions
 - Title 24 / Electrification
 - One-Time Funding into Long-Term Impact

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ENERGY FUNDING TRENDS IN K-12

Aging Infrastructure / Equity / Budget Relief

- **Federal**
 - ESSER: HVAC / IAQ / Outdoor Learning Areas / Field Improvements / Sports LED Lighting
 - BIL: \$500M Nationally, Underprivileged, Show Hardship
 - IRA: Direct-Pay Incentives for Districts (6-40%)
- **State**
 - Agencies: CARB, CEC, CPUC, DWR, Regional Air Boards...
- **Utilities / Private Sector / Energy-as-a-Service / District Capital / Bonds**



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What's Next

- Budget committee hearings
- Action on proposed cut to Arts/Music Block Grant?
- Delayed tax filings will impact data for May Revision
- May Revision on or before May 15
- May Revision workshop
- Final budget deal by June 30
- Budget Act workshops in late June/early July

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Thank You





- Please feel free to use the content
- Send any questions to:
 - Michele Milliken: michele@capitoladvisors.org

See you in May!


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


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Learning Recovery Emergency Block Grant (2022-23)

- \$7.9 billion LRE Block Grant distributed to all LEAs based on 2021-22 P2 ADA multiplied by unduplicated pupil percentage
- \$2,396 per-unit funding rate
- Available for learning recovery initiatives through 2027-28 school year
- Not fully discretionary, must be used to:
 - Increase instructional learning time
 - Implement or expand learning supports to close learning gaps
 - Integrate pupil supports and staff support/training to address other barriers to learning
 - Provide access to instruction for credit-deficient pupils to graduate or improve college eligibility
 - Provide additional academic services to pupils such as diagnostic, progress monitoring, and benchmark assessments of pupil learning


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


Community Schools (2021-22 & 2022-23)

- \$1.1 billion one-time funding in 2022-23 budget, to be allocated beginning in 2023-24, to expand access to the community schools program to every eligible LEA interested in applying on behalf of high-needs schools
- \$2.8 billion one-time funding in 2021-22 budget, available over multiple years
- TBL authorized up to \$140 million of this funding to be allocated to COEs serving at least two qualifying grantees to coordinate county-level governmental, community-based organizations, and other external partnerships to support community school implementation


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

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


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


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

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COUNTY EXECUTIVE OFFICE
105 E. Anapamu St., Fourth Floor, Santa Barbara CA 93101
(805) 568-3400 FAX (805) 568-3414

PRESS RELEASE

January 17, 2023

News Media Contact:

Kelsey Gerckens Buttitta
Communications Manager/Public Information Officer
Cell: (805) 319-9155
Email: Kbuttitta@countyofsb.org

SANTA BARBARA COUNTY ANNOUNCES APPOINTMENT OF ASSISTANT COUNTY EXECUTIVE OFFICER

(SANTA BARBARA, Calif.) – County Executive Officer Mona Miyasato announced today that she has appointed Chief Probation Officer Tanja Heitman as an Assistant County Executive Officer to oversee and coordinate the County's health and human service and public safety departments.

This is a new, restructured position that combines many of the key duties performed by Assistant County Executive Officer Terri Nisich, who will be retiring in March 2023, and a vacant position once filled by Barney Melekian, who left the County in March 2021 to become the City of Santa Barbara's interim Police Chief. Heitman will begin her new job at the end of March 2023.

"As the County intensifies a focus on data and outcomes, integration of service for clients and the relationship of our safety net services and our justice system, Chief Heitman is uniquely qualified to take on this new role. She is a proven leader, collaborator and policy expert who can continue the important work already in progress by our departments and advance areas of shared goals," said County Executive Officer Mona Miyasato.

Heitman has been Santa Barbara County's Chief Probation Officer since December 2017. She began her career with Santa Barbara County Probation in 1990 as a juvenile institutions officer at the Santa Barbara Juvenile Hall. Heitman has been instrumental in the planning and implementation of realignment and juvenile justice reforms in Santa Barbara County working collaboratively with the Sheriff's Office, the Court, the Offices of the District Attorney and Public Defender, and local community-based groups.

"I have had the opportunity to oversee many changes within the Probation Department but also have been able to be a part of a growing collaboration with all of the criminal justice partner agencies," said Tanja Heitman. "Throughout my time as Chief, it was apparent that the success of the criminal justice system was becoming increasingly reliant on the work of other departments such as Behavioral Wellness, Social Services, Public Health and Housing and Community Development. On the horizon are many initiatives such as Cal-Aim and Care Court, that will bring opportunities for Public Safety and Health and Human Services to join forces to ensure we maximize our potential and successfully leverage available funds for the benefit of our community. I look forward to being a part of this synergy between departments while supporting the Board of Supervisors and CEO Miyasato as we promote well-being for our community."

-MORE-

Miyasato added, "I also want to acknowledge the monumental achievements of Terri Nisich, who has been an Assistant CEO for the past 15 years, and with the County since August 2002. She has been a consummate problem solver, and the force behind much of the County's successes, big and small, during her tenure. Everyone in our community owes her a great debt of gratitude for her work, which has been largely behind the scenes but critical in keeping the County functioning effectively."

The Chief Probation Officer is appointed by the Santa Barbara Superior Court. Presiding Judge Pauline Maxwell will begin the process of finding a replacement for Heitman.

###

Consent Agenda



SANTA BARBARA COUNTY BOARD OF EDUCATION

4400 Cathedral Oaks Road
P.O. Box 6307
Santa Barbara, CA 93160-6307

REGULAR MEETING

January 5, 2023 – 2:00 p.m.

MINUTES

The Santa Barbara County Board of Education held this meeting on Thursday, January 5, 2023, as a hybrid meeting due to weather conditions. Additionally, Resolution No. 2313, adopted by the board on December 9, 2022, recognized a state of emergency and reauthorized teleconferenced meetings for a period of thirty days, per AB 361.

UNAPPROVED

GENERAL FUNCTIONS

1. Call to Order

The regular meeting of the County Board of Education was called to order at 2:05 p.m. by Board President Frost.

2. Spanish Interpretation/Interpretación

Spanish interpretation of the board meeting was announced.

3. Pledge of Allegiance

Board Member Howell led the Pledge of Allegiance.

4. Roll Call

Board Members Present

Marybeth Carty
Maggi Daane
Michelle de Werd
Nadra Ehrman
Judith Frost
Joe Howell
Bruce Porter

Staff Members Present

Susan Salcido, superintendent
Austin Payne, legal counsel
Anna Freedland, executive assistant

Mari Baptista	Debbie Breck	Debra Hood	Janelle Willis
Ellen Barger	Kirsten Escobedo	Luis Medina	
Camie Barnwell	Matt Evans	Christian Patterson	
Bridget Baublits	Nicole Evenson	Amy Ramos	

Others Present

Hugo Santos-Gomez, interpreter
Stephen Watson, interpreter

5. Changes to the Agenda

None.

6. President and Board Comments

The president and board members commented on various matters, including:

- Wishing everyone a happy new year
- The recent rainstorm and the superintendent's communication with schools and districts to plan for potential impacts
- The recent rainstorm and thanking the superintendent and staff for pivoting the board meeting to hybrid due to the weather conditions
- The recent Santa Barbara County School Boards Association Executive Committee meeting
- An upcoming workshop for county board members in March 2023 in Sacramento

7. Public Comments

None.

SUPERINTENDENT'S REPORT

8. Superintendent's Report

The superintendent's report was included in the board book and was presented as an information item. Dr. Salcido highlighted the optional tour of Allan Hancock College's new Fine Arts Complex. Board Member Daane also commented on the new Complex. The superintendent also shared the following information:

- New Superintendent in Lompoc Unified School District – Dr. Salcido reached out to the new, incoming superintendent of Lompoc Unified School District, Dr. Clara Finneran, who will begin on January 17
- Interim Associate Superintendent of Administrative Services – The superintendent welcomed back Debbie Breck to SBCEO who is serving as a Limited Term (or Interim) Associate Superintendent of Administrative Services

CONSENT AGENDA

The board approved all consent agenda items:

9. Minutes of Meeting Held December 9, 2022

10. Registration of Credentials and Other Certification Documents: Issuance of Temporary County Certificates

Registration of credentials and other certification documents registered in the Santa Barbara County Education Office from November 7, 2022 to December 6, 2022, and the issuance of temporary county certificates for that same time period.

11. Acceptance of Donations

Acceptance of donations for the following department:

- Special Education

12. Declaration of Surplus

Declaration of surplus for the following department:

- Information Technology Services

Motion to approve all consent items:

MOVED: Mr. Howell

SECONDED: Mrs. Daane

VOTE: Passed 7-0

ACTION ITEMS

13. Recommended Approval of Potential Funding from Department of Social Services for Early Care and Education Program

SBCEO's Early Care and Education (ECE) program applied for funding from the California Department of Social Services (CDSS), Child Care and Development

Division (CCDD), called the General Child Care and Development (CCTR) Expansion Funds. The funds are to provide direct services for children from birth to age three and children that are school-age for full-day, full-year services. The CDSS requires board approval prior to the issuance of an award. Awards will be announced in spring 2023. The board approved the California Department of Social Services General Child Care and Development Expansion Funds (CCTR), should SBCEO receive funding.

MOVED: **Mrs. Daane**

SECONDED: **Mrs. de Werd**

VOTE: **Passed 7-0**

14. Recommended Adoption of Resolution Recognizing a State of Emergency and Reauthorizing Teleconferenced Meetings

In accordance with AB 361, the board adopted Resolution No. 2314 recognizing a state of emergency and reauthorizing teleconferenced meetings for a period of thirty (30) days.

Ayes: 7

Noes: 0

Absent: 0

Abstain: 0

MOVED: **Mrs. Carty**

SECONDED: **Mrs. Daane**

VOTE: **Passed 7-0-0-0**

INFORMATION ITEMS

15. Personnel Report

The certificated and classified personnel reports were presented as an information item.

16. Williams/Valenzuela Uniform Complaints Quarterly Report

The Williams/Valenzuela Uniform Complaints Quarterly Report indicating no complaints filed for the period of September 16, 2022 through December 15, 2022, for Juvenile Court and Community Schools, and Special Education was presented to the board as an information item.

17. Early Childhood Education Needs Survey Results

In October 2022, the Early Care and Education program conducted a survey of child care organizations across Santa Barbara County to highlight the disparities between the need for child care spaces and the lack of available staff. The results of the survey were presented as an information item.

FUTURE AGENDA ITEMS

18. Future agenda items

The following were mentioned as potential future agenda items:

- Presentation by Janelle Willis and/or Christian Patterson about the Early Care and Education program and Local Planning Council
- Update on an initiative in the juvenile justice system and how it relates to the Los Prietos Boys Camp closure
- Circumstances that would allow virtual board meetings once the COVID-19 state of emergency has ended
- Update on the Welcome Every Baby (WEB) program

ADJOURNMENT

19. Adjournment

The meeting was adjourned at 2:44 p.m. to the next regular meeting to be held February 2, 2023 at the North County Office, 402 Farnel Road, Santa Maria.

MOVED: Ms. Ehrman

SECONDED: Mrs. Daane

VOTE: Passed 7-0

Judith Frost, President
County Board of Education

Dr. Susan Salcido, Secretary
County Board of Education

**Registration of Credentials or Other Certification Documents
Issuance of Temporary County Certificates
December 7, 2022 - January 6, 2023**

<u>Name</u>	<u>Type of Credential / Permit</u>
-------------	------------------------------------

Expiration Date: 2023

Franceso Alayza	30-Day Substitute Teaching Permit
Frances Anderson	30-Day Substitute Teaching Permit
Gladys Arambula	Short-Term Staff Permit
Derek Batty	Crosscultural, Language, & Academic Devel Permit
Tonya Bosch	School Nurse Services Credential
Erik Bravo	Short-Term Staff Permit
Avian Brown	30-Day Substitute Teaching Permit
Sally Buchanan	Teaching Permit for Statutory Leave
Jason Carlson	Crosscultural, Language, & Academic Devel Permit
Virginia Carrillo	Short-Term Staff Permit
Alvaro Casillas	30-Day Substitute Teaching Permit
Brady Cerda	Career Technical Education Teaching Credential
Goncalo Fino	30-Day Substitute Teaching Permit
Adriana Franco	Short-Term Staff Permit
Janet Freitas	Multiple Subject Teaching Credential
Rosa Gallegos	Short-Term Staff Permit
Joshua Gordillo	30-Day Substitute Teaching Permit
Marina Grimmett	30-Day Substitute Teaching Permit
Amy Guerra	Specialist Instruction Credential (Agriculture)
Alexander Guy	Provisional Internship Permit
Esmerald Guzman	30-Day Substitute Teaching Permit
Kathryn Hahka	30-Day Substitute Teaching Permit
Cheryl Hayes	Short-Term Staff Permit
Dalila Hernandez	Bilingual Authorization Permit
Ramiro Hernandez	30-Day Substitute Teaching Permit
Heather Hewson	30-Day Substitute Teaching Permit
Jensen Jeung	30-Day Substitute Teaching Permit

County Board of Education**February 2, 2023**

Rachel	Jutkowitz	30-Day Substitute Teaching Permit
Nathan	Lahr	30-Day Substitute Teaching Permit
Jesus	Llamas	30-Day Substitute Teaching Permit
Clarissa	Melgoza	30-Day Substitute Teaching Permit
Erin	Mitchell	Provisional Internship Permit
Mariah	Morales	Short-Term Staff Permit
Beatriz	Nunez	Short-Term Staff Permit
Sara	Ovadia	30-Day Substitute Teaching Permit
Guillermo	Padilla	30-Day Substitute Teaching Permit
Cierra	Pope	30-Day Substitute Teaching Permit
Madison	Smoak	30-Day Substitute Teaching Permit
Connor	Thurston	Single Subject Teaching Credential
Daniel	Torres	Provisional Internship Permit
David	Truax	30-Day Substitute Teaching Permit
Consuelo	Valencia	30-Day Substitute Teaching Permit
Kirsten	Von Meter	30-Day Substitute Teaching Permit
Ashley	Warwick	30-Day Substitute Teaching Permit
Lisa	Wickenden	Short-Term Staff Permit
Jacques	Wolf	30-Day Substitute Teaching Permit

Expiration Date: 2024

John	Adams	30-Day Substitute Teaching Permit
Sara	Alter	30-Day Substitute Teaching Permit
Melissa	Armstrong	30-Day Substitute Teaching Permit
Aniesa	Ballinger	30-Day Substitute Teaching Permit
Lyn	Bean	30-Day Substitute Teaching Permit
Shannon	Bettencourt	Multiple Subject Teaching Credential
Creed	Borden	30-Day Substitute Teaching Permit
Genezar	Cardoso	30-Day Substitute Teaching Permit
Peter	Casey	30-Day Substitute Teaching Permit
Maureen	Claffey	30-Day Substitute Teaching Permit
D'Arcy	Cornwall	30-Day Substitute Teaching Permit
Timothy	Costa	30-Day Substitute Teaching Permit
Ezra	Danley	30-Day Substitute Teaching Permit
Karina	Esparza	30-Day Substitute Teaching Permit

Elisia	Estrada	30-Day Substitute Teaching Permit
Linda	Fimlaid	30-Day Substitute Teaching Permit
Megan	Fleming	30-Day Substitute Teaching Permit
Sara	Gallon	30-Day Substitute Teaching Permit
Vicky	Giese	Teaching Permit for Statutory Leave
Crystina	Giuffrida	30-Day Substitute Teaching Permit
Tania	Griffith	30-Day Substitute Teaching Permit
Kelee	Harding	Multiple Subject Teaching Credential
Troy	Hinshaw	30-Day Substitute Teaching Permit
Maria	Hummer	30-Day Substitute Teaching Permit
Anna	Jenne	30-Day Substitute Teaching Permit
Kelly	Jones	30-Day Substitute Teaching Permit
Ian	Ladner	30-Day Substitute Teaching Permit
Tiffany	Lei	30-Day Substitute Teaching Permit
Sophia	Little	30-Day Substitute Teaching Permit
Michael	Mangino	30-Day Substitute Teaching Permit
Grace	Martinez	30-Day Substitute Teaching Permit
Benjamin	McClintic	30-Day Substitute Teaching Permit
Susan	McIntyre	Single Subject Teaching Credential
Diane	Morales	30-Day Substitute Teaching Permit
Megan	Morawitz	30-Day Substitute Teaching Permit
Dove	Okonina	30-Day Substitute Teaching Permit
Bret	Patterson	Administrative Services Credential
Colleen	Pederson	30-Day Substitute Teaching Permit
Maria	Perez	30-Day Substitute Teaching Permit
Patricia	Perez	30-Day Substitute Teaching Permit
Alicia	Pischke	30-Day Substitute Teaching Permit
Michele	Pittenger	30-Day Substitute Teaching Permit
Tanna	Price	Pupil Personnel Services Credential
Jose	Ramos	30-Day Substitute Teaching Permit
Joanna	Ritter	30-Day Substitute Teaching Permit
Briana	Rodriguez	30-Day Substitute Teaching Permit
Michael	Sarar	30-Day Substitute Teaching Permit
Alexandra	VanAntwerp	30-Day Substitute Teaching Permit
Edmond	Viau	30-Day Substitute Teaching Permit
Julia	Weidner	30-Day Substitute Teaching Permit

Expiration Date: 2025

Angelique Cannon	Career Technical Education Teaching Credential
Noe Gomez	Career Technical Education Teaching Credential
Ronny Mendez	Single Subject Teaching Credential
Whitney Norton	Multiple Subject Teaching Credential
Elea Panofsky	Education Specialist Instruction Credential
Ann Wirtz	Single Subject Teaching Credential

Expiration Date: 2026

Heather Allen	Administrative Services Credential
Jesus Campos	Administrative Services Credential
Mayada Hatamleh	Single Subject Teaching Credential
Ebony Young	Child Development Site Supervisor Permit

Expiration Date: 2027

Elisia Ahn	Child Development Teacher Permit
Zaira Chairez	Pupil Personnel Services Credential
Michelle Clayton	Single Subject Teaching Credential
Whitney Danielson	Multiple Subject Teaching Credential
Michael Eckberg	Career Technical Education Teaching Credential
Monica Galindo	Pupil Personnel Services Credential
Danielle Garren	Single Subject Teaching Credential
Shannon Gurnee	Multiple Subject Teaching Credential
Armando Gutierrez	Single Subject Teaching Credential
Justin Howe	Single Subject Teaching Credential
William Jones	Single Subject Teaching Credential
Jacob Lebell	Multiple Subject Teaching Credential
Jherre Madlock	Education Specialist Instruction Credential
Kelly O'donnell	Multiple Subject Teaching Credential
Olga Ortiz	Child Development Site Supervisor Permit
Paul Pasternak	Education Specialist Instruction Credential

Israel	Quinones	Single Subject Teaching Credential
Janisha	Rangel	Child Development Associate Teacher Permit
Alma	Rivera	Child Development Associate Teacher Permit
Nancy	Servin	Single Subject Teaching Credential
Debra	Tursick	Education Specialist Instruction Credential
Maria	Vaca	Child Development Assistant Permit
Gloria	Velez	Child Development Associate Teacher Permit
Jordan	Williams	Single Subject Teaching Credential
Lilyanna	Zmijak	Speech-Language Pathology Services Credential

Expiration Date: 2028

Lauren	Aranguren	Single Subject Teaching Credential
Sarah	Ashton	Career Technical Education Teaching Credential
Sarah	Ashton	Single Subject Teaching Credential
Laura	Baines	Single Subject Teaching Credential
Leticia	Barajas	Multiple Subject Teaching Credential
Sarah	Bautista	Administrative Services Credential
Katie	Blackwell	Single Subject Teaching Credential
Patricia	Boyer	Multiple Subject Teaching Credential
Patrick	Bunnemeyer	Education Specialist Instruction Credential
Donna	Burnett	Multiple Subject Teaching Credential
Jose	Caballero	Single Subject Teaching Credential
Lindsay	Carucci	Education Specialist Instruction Credential
Rajni	Chaudhari	Multiple Subject Teaching Credential
Tina	Christen	Administrative Services Credential
Tina	Christen	Multiple Subject Teaching Credential
Tina	Christen	Specialist Instruction Credential in Special Education
Barbara	Conway	Multiple Subject Teaching Credential
Celeste	Darga	Administrative Services Credential
Celeste	Darga	Multiple Subject Teaching Credential
Michelle	Day	Education Specialist Instruction Credential
Karan	Demchak	Child Development Program Director Permit
Kelly	Dooly	Multiple Subject Teaching Credential
Rhonda	Du Par	Single Subject Teaching Credential
Rhonda	Du Par	Multiple Subject Teaching Credential

Jennifer	Edmonston	Multiple Subject Teaching Credential
Tara	Enrico	Pupil Personnel Services Credential
Isabel	Esparza	Multiple Subject Teaching Credential
Desirae	Felix	Multiple Subject Teaching Credential
Carol	Forhan	Child Development Master Teacher Permit
Erin	Galbraith	Pupil Personnel Services Credential
Elaine	Gay	Multiple Subject Teaching Credential
Veronica	Gines	Single Subject Teaching Credential
Robert	Goettler	Single Subject Teaching Credential
Kari	Hall	Pupil Personnel Services Credential
Kari	Hall	Single Subject Teaching Credential
Todd	Heil	Single Subject Teaching Credential
Janet	Hollister	Single Subject Teaching Credential
Melanie	Honeycutt	Single Subject Teaching Credential
Robert	Jimenez	Multiple Subject Teaching Credential
Hector	Jimenez	Single Subject Teaching Credential
Richard	Johnston	Single Subject Teaching Credential
Emily	Jones	Speech-Language Pathology Services Credential
Lisa	Koppenjan	Single Subject Teaching Credential
Cara	Leach	Multiple Subject Teaching Credential
Elizabeth	Lomeli	Single Subject Teaching Credential
Elizabeth	Lomeli	Multiple Subject Teaching Credential
Gloria	Lopez	Multiple Subject Teaching Credential
Jose	Marquez	Single Subject Teaching Credential
Caroline	Marsh	Multiple Subject Teaching Credential
Karen	Meyer	Multiple Subject Teaching Credential
William	Meyer	Single Subject Teaching Credential
Sean	Montgomery	Multiple Subject Teaching Credential
Mazda	Mousavi	Single Subject Teaching Credential
Lisa	Nakasone	Multiple Subject Teaching Credential
Erik	Nielsen	Pupil Personnel Services Credential
Luke	Ohrn	Single Subject Teaching Credential
Melissa	Oneal	Speech-Language Pathology Services Credential
David	Ortiz	Administrative Services Credential
Lisa	Padway	Education Specialist Instruction Credential
Robin	Palmerston	Standard Secondary Teaching Credential
Eleni	Pantages	Single Subject Teaching Credential

Patricia	Pine	Multiple Subject Teaching Credential
Thomas	Prato	Single Subject Teaching Credential
Shawna	Ray	Multiple Subject Teaching Credential
Michael	Regan	Single Subject Teaching Credential
Felicia	Roggero	Administrative Services Credential
Felicia	Roggero	Multiple Subject Teaching Credential
Laurie	Schmidt	Multiple Subject Teaching Credential
Chris	Siebuhr	Multiple Subject Teaching Credential
Sonia	Sparre	Multiple Subject Teaching Credential
Carol	Starbuck	Pupil Personnel Services Credential
Michelle	Sullivan	Multiple Subject Teaching Credential
Barbara	Tang	Multiple Subject Teaching Credential
Barbara	Tang	Specialist Instruction Credential (Reading)
Samantha	Van Patten	Single Subject Teaching Credential
Matthew	Whitney	Single Subject Teaching Credential
Jeffrey	Whittaker	Multiple Subject Teaching Credential
Lara	Willbanks	Single Subject Teaching Credential
Derrick	Wong	Multiple Subject Teaching Credential
Dovas	Zaunis	Single Subject Teaching Credential
Ronald	Zecher	Child Development Program Director Permit

Certificates of Competence

Tina	Christen	Crosscultural, Language, & Academic Devel Cert
Tina	Christen	Educator Authorization

Waivers

Liliana	Flores	Bilingual, Crosscultural, Lang, & Academic Devel Cert
Marjorie	Ledgerwood	Adapted Physical Education Added Authorization
Kimberly	Long	30-Day Substitute Teaching Permit

<u>Name</u>	<u>Type of Credential / Permit</u>
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Temporary County Certificates

Megan	Conley	Pupil Personnel Services Credential
Christina	Corona	Short-Term Staff Permit
Lindsey	Cypert	Substitute Teaching Permit for Prospective Teachers
Liza	Mabansag	School Nurse Services Credential
Janna	Mackiewicz	Short-Term Staff Permit
Ana	Olen	Provisional Internship Permit
Laura	Ramsey	Short-Term Staff Permit
Jo-Ann	Street	30-Day Substitute Teaching Permit
Tonya	Troup	Short-Term Staff Permit



Santa Barbara County Education Office

4400 Cathedral Oaks Rd, PO Box 6307, Santa Barbara, CA 93160-6307

Telephone: (805) 964-4711 • FAX: (805) 964-4712 • sbceo.org

Susan C. Salcido, Superintendent of Schools

Santa Barbara County Board of Education
Recommended Approval for Acceptance of Donations
February 2, 2023

Teacher Programs and Support

A Salute to Teachers event

- \$500 from Cottage Health
- \$2,500 from UCLA Health
- \$2,500 from Santa Barbara County Air Pollution Control District
- \$5,000 from Rusty's Pizza Parlors, Inc.

Teachers Network Grants

- \$1,500 from Altrusa International Foundation, Santa Maria

Bill Cirone Heart of Education Award (Grant)

- \$250 from The Cirone Family Trust



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Susan C. Salcido, Superintendent of Schools

Santa Barbara County Board of Education
Recommended Approval for Declaration of Surplus
February 2, 2023

Administrative Services

- SB 21291 – Samsung Galaxy S10e Cell Phone

Information Technology Services

- SB 2006 – Toshiba CB35-B3340 Chromebook Intel Celeron

The value of items listed above does not exceed \$25,000.

Action Items

Santa Barbara County Education Office Overview of the Comprehensive School Safety Plan

The SBCEO is fully committed to providing a school environment where students and staff learn and work free from crime and violence, intimidation, threats, harassment, and fear; the elimination of these negative factors provides the most favorable conditions in which to learn.

Background and Purpose of Education Code 32280

It is the intent of the Legislature that all California public schools, with transitional kindergarten to 12 grades, inclusive, operated by school districts, in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence, develop a comprehensive school safety plan that addresses the safety concerns identified through a systematic planning process. For the purposes of this section, law enforcement agencies include local police departments, county sheriffs' offices, school district police or security departments, probation departments, and district attorneys' offices. For purposes of this section, a "safety plan" means a plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus.

In creating the Santa Barbara County Education Office (SBCEO) Comprehensive Safe School Plan, the Juvenile Court and Community Schools and Special Education believe that students cannot benefit fully from an educational program unless they attend school regularly in an environment that is free from physical and psychological harm. Furthermore, the SBCEO believes that the leadership in providing safe schools, establishing behavior standards, and improving student attendance must come primarily from each district, local school sites, site level administrators and staff. The leadership for the plan should be continuous to support comprehensive efforts at each school to assist students in becoming self directed and responsible for their own behavior. The SBCEO believes that there is substantial benefit our students can derive from regular attendance in a safe and orderly school environment, and securing this assurance justifies our high priority and commitment of personnel and fiscal resources toward this endeavor.

Accordingly, with Education Code 32282 the SBCEO Comprehensive School Safety Plan will provide school programs a positive learning environment through the implementation of:

- Appropriate rules, regulations, and discipline policies that are well publicized, consistently enforced, and nondiscriminatory, and that take into consideration the due process all students are entitled to receive.
- Appropriate professional development that emphasizes the importance of treating students, parents/guardians, and coworkers respectfully.
- Appropriate professional development activities that include safe school strategies, current laws affecting school safety, and crisis response.
- Effective counseling and guidance services that include personal counseling, peer programs and educational counseling.

- The Annual Notification to Students and Parents/Guardians that explain codes of conduct, including information on such topics as student rights and responsibilities, unacceptable behavior, and procedures for due process and appeals.
- Plans for dealing with potential disruptive conflict situations, including procedures for referrals to law enforcement agencies for serious offenses.
- Programs and strategies that develop a student's sense of family and school connectedness, self-esteem, personal and social responsibility, character, and ability to resolve conflict in a positive, constructive way.
- A system of referrals to appropriate agencies for services that students and families need and that schools are unable to provide.

The SBCEO Comprehensive School Safety Plan incorporates the following Key Elements (EC 35294.2):

- 1.0 Student Rights and Responsibilities
 - o Student code of conduct and discipline policy (EC 35291 and 35291.5)
 - o Policies pursuant to EC 48615 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations
 - o Child abuse reporting consistent with Penal Code 11164
- 2.0 Staff Safety
 - o Procedures for notifying teachers and counselors of dangerous students pursuant to EC 49079
 - o Home visit best practices
- 3.0 Harassment, Discrimination, and Bullying Prevention
 - o Policies pursuant to EC32261(d) and 48900(r) non-discrimination and harassment including sexual harassment, and bullying
 - o Bullying prevention interventions and toolkit
 - o Incident action steps, reporting forms, and interview forms
- 4.0 Internet Safety and Digital Citizenship
 - o Student technology acceptable use agreement
 - o Policy on student use of technology
- 5.0 Crisis Preparedness, Intervention, and Response
 - o Procedures for safe ingress and egress of students, parents/guardians, and employees
 - o Crisis preparedness
 - Evacuation plans and drills (Earthquake, fire, and lockdown)
 - Emergency response supplies
 - Communication protocols for staff, students, and parents/guardians
- 6.0 Suicide Prevention and Response
 - o Suicide prevention and resources
 - o Keep safe - suicide risk assessment
- 7.0 Community Partnerships
 - o Including law enforcement, Juvenile Probation, Behavioral Wellness, Child Welfare Services, and community volunteers
- 8.0 Site Specific Resources and Plans
 - o Incident command flow charts
 - o Site crisis preparedness information and drill schedules
 - o Site safety plans outlining individual classroom or program needs
 - o Staff and student emergency cards

Accordingly, with Assembly Bill (AB) 1432 (Chapter 797/2014) the Santa Barbara County Education Office, Juvenile Court and Community Schools and Special Education will:

- Annually, train all SBCEO mandated reporters of suspected child abuse on mandated reporting functions and responsibilities within the required timelines for both existing and new employees.

The entire Comprehensive School Safety Plan can be accessed at:

<https://tinyurl.com/mrxx6z55>

Human Resources-Related Board Policies for the Santa Barbara County Board of Education 2022-2023

Red = revised from current

Blue = new

Beige highlight = policies that went to Board Policy Committee on 1/19/23 & County Board on 2/2/23

8/22	10/22	1/23	TBD	TBD	Policy #	Title
X					4000	<u>Concepts And Roles</u>
X					4020	<u>Drug And Alcohol-Free Workplace</u>
X					4030	<u>Nondiscrimination In Employment</u>
X					4033	<u>Lactation Accommodation</u>
		X			4040	<u>Acceptable Use Agreement</u>
						CERTIFICATED
X					4100	<u>Certificated Personnel</u>
	X				4111	<u>Recruitment And Selection</u>
	X				4111.2	<u>Legal Status Requirement</u>
	X				4112.2	<u>Certification</u>
	X				4112.21	<u>Interns</u>
	X				4112.8	<u>Employment Of Relatives</u>
	X				4112.9	<u>Employee Notifications</u>
		X			4113	<u>Assignment</u>
		X			4113.4	<u>Temporary Modified/Light-Duty Assignment</u>
X					4113.5	<u>Working Remotely</u>
			X		4114	<u>Transfers</u>
X					4115	<u>Evaluation/Supervision</u>
			X		4116	<u>Probationary/Permanent Status</u>
		X			4117.13	<u>Early Retirement Option</u>
		X			4117.2	<u>Resignation</u>
		X			4117.3	<u>Personnel Reduction</u>
		X			4118	<u>Dismissal/Suspension/Disciplinary Action</u>
		X			4119.1	<u>Civil And Legal Rights</u>
X					4119.11	<u>Sexual Harassment</u>
		X			4119.21	<u>Professional Standards</u>
		X			4119.22	<u>Dress And Grooming</u>
		X			4119.23	<u>Unauthorized Release Of Confidential Privileged Information</u>
		X			4119.24	<u>Maintaining Appropriate Adult-Student Interactions</u>
X					4119.25	<u>Political Activities Of Employees</u>

Human Resources-Related Board Policies for the Santa Barbara County Board of Education 2022-2023

			X		4119.41	Employees With Infectious Disease
			X		4119.42	Exposure Control Plan For Bloodborne Pathogens
			X		4119.43	Universal Precautions
			X		4121	Temporary/Substitute Personnel
X					4131	Staff Development
			X		4132	Publication Or Creation Of Materials
			X		4135	Soliciting And Selling
X					4136	Nonschool Employment
			X		4140	Bargaining Units
		X			4141	Collective Bargaining Agreement
		X			4141.6	Concerted Action/Work Stoppage
		X			4143	Negotiations/Consultation
			X		4143.1	Public Notice - Personnel Negotiations
X					4144	Complaints
X					4151	Employee Compensation
X					4154	Health And Welfare Benefits
				X	4156.2	Awards And Recognition
				X	4156.3	Employee Property Reimbursement
				X	4157	Employee Safety
				X	4158	Employee Security
				X	4159	Employee Assistance Programs
X					4161	Leaves
					4161.9	Catastrophic Leave Program
						CLASSIFIED
X					4200	Classified Personnel
	X				4211	Recruitment And Selection
	X				4211.2	Legal Status Requirement
	X				4212.8	Employment Of Relatives
	X				4212.9	Employee Notifications
		X			4213.4	Temporary Modified/Light-Duty Assignment
X					4213.5	Working Remotely
X					4215	Evaluation/Supervision
			X		4216	Probationary/Permanent Status
		X			4217.2	Resignation
		X			4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
		X			4219.1	Civil And Legal Rights

Human Resources-Related Board Policies for the Santa Barbara County Board of Education 2022-2023

X				4219.11	Sexual Harassment
		X		4219.21	Professional Standards
		X		4219.22	Dress And Grooming
		X		4219.23	Unauthorized Release Of Confidential/Privileged Information
		X		4219.24	Maintaining Appropriate Adult-Student Interactions
X				4219.25	Political Activities Of Employees
			X	4219.41	Employees With Infectious Disease
			X	4219.42	Exposure Control Plan For Bloodborne Pathogens
			X	4219.43	Universal Precautions
			X	4222	Teacher Aides/Paraprofessionals
				4227	Temporary Athletic Team Coaches
X				4231	Staff Development
			X	4232	Publication Or Creation Of Materials
			X	4235	Soliciting And Selling
X				4236	Nonschool Employment
			X	4240	Bargaining Units
		X		4241	Collective Bargaining Agreement
		X		4241.6	Concerted Action/Work Stoppage
		X		4243	Negotiations/Consultation
			X	4243.1	Public Notice - Personnel Negotiations
X				4244	Complaints
X				4251	Employee Compensation
X				4254	Health And Welfare Benefits
			X	4256.2	Awards And Recognition
			X	4256.3	Employee Property Reimbursement
			X	4257	Employee Safety
			X	4258	Employee Security
			X	4259	Employee Assistance Programs
X				4261	Leaves
			X	4261.3	Professional Standards
		X		4261.9	Catastrophic Leave Program
					MANAGEMENT
X				4300	Administrative And Supervisory Personnel
	X			4301	Administrative Staff Organization
	X			4311	Recruitment And Selection
	X			4311.2	Legal Status Requirement

Human Resources-Related Board Policies for the Santa Barbara County Board of Education 2022-2023

	X			4312.1	Contracts
	X			4312.8	Employment Of Relatives
	X			4312.9	Employee Notifications
		X		4313.2	Demotion/Reassignment
		X		4313.4	Temporary Modified/Light-Duty Assignment
X				4313.5	Working Remotely
		X		4314	Transfers
X				4315	Evaluation/Supervision
		X		4317.13	Early Retirement Option
		X		4317.2	Resignation
		X		4319.1	Civil And Legal Rights
X				4319.11	Sexual Harassment
		X		4319.21	Professional Standards
		X		4319.22	Dress And Grooming
		X		4319.23	Unauthorized Release Of Confidential/Privileged Information
		X		4319.24	Maintaining Appropriate Adult-Student Interactions
X				4319.25	Political Activities Of Employees
			X	4319.41	Employees With Infectious Disease
			X	4319.42	Exposure Control Plan For Bloodborne Pathogens
			X	4319.43	Universal Precautions
X				4331	Staff Development
			X	4332	Publication or Creation of Materials
			X	4335	Soliciting And Selling
X				4336	Nonschool Employment
			X	4340	Bargaining Units
X				4344	Complaints
X				4351	Employee Compensation
X				4354	Health And Welfare Benefits
			X	4356.2	Awards And Recognition
			X	4356.3	Employee Property Reimbursement
			X	4357	Employee Safety
			X	4358	Employee Security
			X	4359	Employee Assistance Programs
X				4361	Leaves
			X	4361.9	Catastrophic Leave Program

New Board Policies



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – ASSIGNMENT

BP 4113

In order to serve the best interests of students and the educational program, the County Superintendent of Schools or designee assigns certificated personnel to positions for which they are qualified pursuant to their certification, preparation, professional experience, and aptitude.

Teachers may be assigned to any program within the SBCEO in accordance with the collective bargaining agreement or Board policy.

Assignment to Courses/Classes

The County Superintendent or designee shall assign teachers based on the grade level and subject matter authorized by their credentials.

When there is no credential authorization requirement for teaching an elective course, the County Superintendent or designee shall select the credentialed teacher whose knowledge and skills best prepare the teacher to provide instruction in that subject.

When specifically authorized by law or regulation, the County Superintendent or designee may, with the teacher's consent, assign a teacher to a position outside the teacher's credential authorization in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing's (CTC) Administrator's Assignment Manual. Such assignments shall be annually approved by the County Superintendent. In such cases, the County Superintendent or designee shall reference in SBCEO records the statute or regulation under which the assignment is authorized.

If at any time a certificated employee is required by the SBCEO to accept an assignment which the employee believes is not legally authorized by the employee's credential, the employee shall notify the County Superintendent or designee, in writing, of the misassignment. Within 15 working days, the County Superintendent or designee shall notify the employee of the legality of the assignment. No adverse action shall be taken against an employee who files a notice of misassignment. (Education Code 44258.9)

Vacancies and Misassignments

Annually, the SBCEO shall review potential misassignments and vacant positions throughout the SBCEO. Upon receiving notification from CTC of the availability of data regarding potential misassignments and vacant positions in the SBCEO, the County Superintendent or designee shall review the data within 60 days. When necessary, the County Superintendent or designee may respond by submitting additional documentation showing that an employee is legally authorized for an assignment and/or that a position



identified as vacant was miscoded and a legally authorized employee is assigned to the position. (Education Code 44258.9)

If the SBCEO subsequently receives, within 90 days of CTC's initial notification, a notification indicating that a certificated employee in the SBCEO is assigned to a position for which the employee has no legal authorization, the SBCEO shall correct the assignment within 30 calendar days. (Education Code 44258.9)

The SBCEO shall serve as the monitoring authority for teacher assignments in any charter school it has authorized, in accordance with Education Code 44258.9-44258.10.

Any complaint alleging teacher misassignment or vacancy shall be filed and addressed through the SBCEO's procedures specified in AR 1312.4 - Williams Uniform Complaint Procedures.

The school accountability report card for each school shall include any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period. (Education Code 33126)

Equitable Distribution of Qualified and Experienced Teachers

The County Superintendent or designee shall identify and address the equitable distribution of highly qualified and experienced teachers among SBCEO programs, including those with higher than average levels of low-income, minority, and/or academically underperforming students. The County Superintendent or designee shall annually maintain a report with comparisons of teacher qualifications across SBCEO schools, including the number of teachers serving under a provisional internship permit, short-term staff permit, intern credential, emergency permit, or credential waiver.

Strategies for ensuring equitable access to experienced teachers may include, but are not limited to, incentives for voluntary transfers, provision of professional development, and/or programs to recruit and retain effective teachers.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal

20 USC 6311
20 USC 6312
20 USC 6601-6651

Description

State plan
Local educational agency plan
Teacher and Principal Training and Recruiting Fund

Management Resources

California Department of Education
Publication

Description

Every Student Succeeds Act 2016-17 School Year Transition Plan,
April 2016



California Department of Education
Publication
Commission on Teacher Credentialing
Publication
Commission on Teacher Credentialing
Publication
U.S. Department of Education Guidance

Website
Website
Website
Website

State

5 CCR 80003-80005
5 CCR 80020-80020.5
5 CCR 80335
5 CCR 80339-80339.6
Ed. Code 33126
Ed. Code 35035
Ed. Code 35186
Ed. Code 37616
Ed. Code 44225.6
Ed. Code 44250-44277
Ed. Code 44314
Ed. Code 44824
Ed. Code 44955
Gov. Code 3543.2

California State Plan to Ensure Equitable Access to Excellent Educators

The Administrator's Assignment Manual. rev. September 2007

Administrator's Assignment Manual - Updates and Revisions, May 2014

Improving Teacher Quality State Grants: ESEA Title II, Part A , rev. October 5, 2006

U.S. Department of Education

CSBA

Commission on Teacher Credentialing

California Department of Education

Description

Credential authorizations
Additional assignment authorizations
Performance of unauthorized professional services
Unauthorized certificated employee assignment
School accountability report card
Powers and duties of the superintendent; transfer authority
Complaints regarding teacher vacancy or misassignment
Notice of public hearing on year-round schedule
Commission report to the legislature re: teachers
Credentials and assignment of teachers
Subject matter programs, approved subjects
Assignment of teachers to weekend classes
Reduction in number of permanent employees
Scope of representation

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

BOARD POLICY – DEMOTION, REASSIGNMENT

BP 4313.2

The County Superintendent or designee may authorize the demotion or reassignment of any administrative or supervisory employee when such action is determined to be in the best interest of the SBCEO.

The County Superintendent or designee shall ensure that the SBCEO complies with all applicable statutory deadlines and due process procedures when an employee is to be demoted or reassigned.

Policy Reference Disclaimer:

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Management Resources

Court Decision
Court Decision

Court Decision

Court Decision
Court Decision

Description

Skelly v. California Personnel Board, (1975) 15 Cal.3d 194
Schultz v. Regents of the University of California, (1984) 160 Cal. App. 3d 768
Jefferson v. Compton Unified School District, (1993) 14 Cal. App. 4th 32
Hentschke v. Sink, (1973) 34 Cal. App. 3d 19
Ellerbroek v. Saddleback Valley Unified School District, (1981) 125 Cal. App 3d 348

State

Ed. Code 35031
Ed. Code 44660-44665

Ed. Code 44850.1
Ed. Code 44896
Ed. Code 44897
Ed. Code 44951

Description

Term of employment
Evaluation and assessment of performance of certificated employees
No tenure in administrative or supervisory position
Transfer of administrator or supervisor to teaching position
Classification of administrator or supervisor to a teaching position
Continuation in position unless notified, administrative or supervisory personnel
Definitions (including disciplinary action, cause)
Notification of charges, classified employees

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL – CERTIFICATED EMPLOYEES

BOARD POLICY – TEMPORARY MODIFIED, LIGHT-DUTY ASSIGNMENT BP 4113.4

The County Board of Education and the County Superintendent of Schools recognize that, when employees have temporarily disabling medical conditions, temporary modified or light-duty assignments can allow the SBCEO to continue to use their valuable knowledge, skills, and abilities while minimizing time away from work. Temporary modified/light-duty assignments may also serve to facilitate the employee's transition back to the employee's regular duties or full-time work.

Any employee may request a modified or light-duty assignment when the employee has a temporary medical condition which prevents the performance of the essential functions of the employee's current assignment or position. The County Superintendent or designee shall determine, on a case-by-case basis, whether a suitable temporary position currently exists to accommodate the physical restrictions specified by the employee's medical provider.

An employee's initial assignment to a temporary modified or light-duty position shall be for a limited duration, not to exceed 30 days. At the end of the initial assignment, the employee may request that the County Superintendent or designee extend the assignment. When requesting any such extension, the employee shall submit documentation from the employee's medical provider verifying that the employee is still temporarily disabled and is not medically able to return to regular assignment. Temporary assignments generally shall not exceed 90 days, but may be extended at the discretion of the County Superintendent or designee for an additional 90 days upon verification by the employee's medical provider that such an extension will allow the employee to return to unrestricted regular duties. An employee who rejects a temporary modified/light-duty assignment may be subject to a loss of workers' compensation benefits in accordance with SBCEO's insurance policy.

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Federal

29 USC 2601-2654
42 USC 12101-12213

Description

Family Care and Medical Leave Act
Equal opportunity for individuals with disabilities

Management Resources

Court Decision
Website
Website

Description

Raine v. City of Burbank, (2006) 135 Cal.App.4th 1215
[U.S. Equal Employment Opportunity Commission](#)
[California Department of Fair Employment and Housing](#)

State

Ed. Code 44984
Ed. Code 45192

Description

Required rules for industrial accident and illness leave
Industrial accident and illness leave for classified employees



Gov. Code 12900-12996
Gov. Code 12945.1-12945.2

Fair Employment and Housing Act
California Family Rights Act

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL – CLASSIFIED EMPLOYEES

BOARD POLICY – TEMPORARY MODIFIED, LIGHT-DUTY ASSIGNMENT BP 4213.4

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Federal

29 USC 2601-2654
42 USC 12101-12213

Description

Family Care and Medical Leave Act
Equal opportunity for individuals with disabilities

Management Resources

Court Decision
Website
Website

Description

Raine v. City of Burbank, (2006) 135 Cal.App.4th 1215
[U.S. Equal Employment Opportunity Commission](#)
[California Department of Fair Employment and Housing](#)

State

Ed. Code 44984

Description

Required rules for industrial accident and illness leave



Ed. Code 45192
Gov. Code 12900-12996
Gov. Code 12945.1-12945.2

Industrial accident and illness leave for classified employees
Fair Employment and Housing Act
California Family Rights Act

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

BOARD POLICY – TEMPORARY MODIFIED, LIGHT-DUTY ASSIGNMENT BP 4313.4

The County Board of Education and the County Superintendent of Schools recognize that, when employees have temporarily disabling medical conditions, temporary modified or light-duty assignments can allow the SBCEO to continue to use their valuable knowledge, skills, and abilities while minimizing time away from work. Temporary modified/light-duty assignments may also serve to facilitate the employee's transition back to the employee's regular duties or full-time work.

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Federal

29 USC 2601-2654
42 USC 12101-12213

Description

Family Care and Medical Leave Act
Equal opportunity for individuals with disabilities

Management Resources

Court Decision
Website
Website

Description

Raine v. City of Burbank, (2006) 135 Cal.App.4th 1215
[U.S. Equal Employment Opportunity Commission](#)
[California Department of Fair Employment and Housing](#)

State

Description

Temporary Modified, Light-Duty Assignment – Board Policy 4313.4



Ed. Code 44984
Ed. Code 45192
Gov. Code 12900-12996
Gov. Code 12945.1-12945.2

Required rules for industrial accident and illness leave
Industrial accident and illness leave for classified employees
Fair Employment and Housing Act
California Family Rights Act

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL – CERTIFICATED EMPLOYEES

BOARD POLICY – EARLY RETIREMENT OPTION

BP 4117.13

When it is beneficial to the SBCEO, the County Superintendent of Schools or designee may offer certificated employees the option to retire early in accordance with law.

Two Years of Service Credit Retirement Incentive

As an incentive to early retirement for certificated employees participating in the State Teachers' Retirement System (STRS), the County Superintendent of Schools or designee may offer such employees an additional two years of service credit. (Education Code 22714, 44929)

Before taking formal action to approve this service incentive, the County Superintendent of Schools or designee shall determine that encouraging early retirement would be in the best interest of the SBCEO due to the curtailment of services or changes in the manner in which services are performed and that the retirement will result in a net savings to the SBCEO. The County Superintendent of Schools or designee shall demonstrate and certify that the formal action taken would result in a net savings to the SBCEO. (Education Code 22714, 44929)

The County Superintendent of Schools or designee may also consider the impact of the early retirement option on the staffing needs of SBCEO programs.

To be eligible for the two years of service credit option, the employee must have five or more years of service credit and must retire during a period of 60 to 120 days after the County Superintendent of Schools or designee takes formal action to implement the option. (Education Code 22714)

In providing the early retirement option, the SBCEO shall meet all conditions as specified in Education Code 22714 and 44929.

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Management Resources

CA State Teachers' Retirement System
Publication
Court Decision

Website

Description

Retirement Incentive Program, Frequently Asked Questions

United Teacher of Los Angeles v. Los Angeles Unified School
District (1994) 24 Cal.App. 4th 1510

[California State Teachers' Retirement System](#)



State

Ed. Code 22714

Ed. Code 44929

Description

Service credit under STRS; additional two years

Service credit under STRS; additional two years

ADOPTED BY COUNTY BOARD:

Pending

REVISED:



PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

BOARD POLICY – TRANSFERS

BP 4314

The County Board of Education and the County Superintendent of Schools recognize the importance of placing employees in positions that best utilize their skills and talents, help improve student achievement, and provide the most benefit to the SBCEO.

The County Superintendent or designee shall approve the transfer or rotation of administrative or supervisory personnel to the same position at another location for reasons including, but not limited to, the need to improve student achievement and operational efficiency, utilize the skills and talents of the employee more effectively, provide opportunities for professional growth, provide an opportunity for evaluating employees in different school settings or locations, and best accommodate the overall needs of the SBCEO.

The County Superintendent or designee shall establish procedures to enable administrative or supervisory personnel to request a transfer to a vacant position.

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Management Resources

Court Decision

Description

Hentschke v. Sink, (1973) 34 Cal. App. 3d 19

State

Ed. Code 35031

Ed. Code 35035

Ed. Code 44850.1

Ed. Code 44896

Ed. Code 44897

Ed. Code 44951

Description

Term of employment

Powers and duties of the superintendent; transfer authority

No tenure in administrative or supervisory position

Transfer of administrator or supervisor to teaching position

Classification of administrator or supervisor to a teaching position

Continuation in position unless notified, administrative or supervisory personnel

Ed. Code 45101

Definitions (including disciplinary action, cause)

Ed. Code 45113

Notification of charges, classified employees

ADOPTED BY COUNTY BOARD:

Pending

REVISED:



PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

BOARD POLICY -- **EARLY RETIREMENT OPTION**

BP 4317.13

When it is beneficial to the SBCEO, the County Superintendent of Schools or designee may offer certificated employees the option to retire early in accordance with law.

Two Years of Service Credit Retirement Incentive

As an incentive to early retirement for certificated employees participating in the State Teachers' Retirement System (STRS), the County Superintendent of Schools or designee may offer such employees an additional two years of service credit. (Education Code 22714, 44929)

Before taking formal action to approve this service incentive, the County Superintendent of Schools or designee shall determine that encouraging early retirement would be in the best interest of the SBCEO due to the curtailment of services or changes in the manner in which services are performed and that the retirement will result in a net savings to the SBCEO. The County Superintendent of Schools or designee shall demonstrate and certify that the formal action taken would result in a net savings to the SBCEO. (Education Code 22714, 44929)

The County Superintendent of Schools or designee may also consider the impact of the early retirement option on the staffing needs of SBCEO programs.

To be eligible for the two years of service credit option, the employee must have five or more years of service credit and must retire during a period of 60 to 120 days after the County Superintendent of Schools or designee takes formal action to implement the option. (Education Code 22714)

In providing the early retirement option, the SBCEO shall meet all conditions as specified in Education Code 22714 and 44929.

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Management Resources

CA State Teachers' Retirement System
Publication
Court Decision

Website

Description

Retirement Incentive Program, Frequently Asked Questions

United Teacher of Los Angeles v. Los Angeles Unified School
District (1994) 24 Cal.App. 4th 1510

[California State Teachers' Retirement System](#)

State

Description

Early Retirement Option– Board Policy 4317.13



Ed. Code 22714
Ed. Code 44929

Service credit under STRS; additional two years
Service credit under STRS; additional two years

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – RESIGNATION

BP 4117.2

Any SBCEO employee who desires to resign their position shall submit, in writing, a letter of resignation which indicates the date which the employee intends as their last day at work. The County Board of Education and the County Superintendent of Schools encourage employees to provide advance notice that is appropriate for the position they hold.

The County Superintendent of Schools authorizes the designee to accept an employee's written resignation and to set its effective date. Once the Superintendent or designee has accepted and set an effective date for this resignation, the resignation may not thereafter be withdrawn by the employee.

The effective date of the resignation shall be a date not later than the close of the school year during which the resignation is received. However, an employee and the County Superintendent or designee may agree that a resignation will be accepted at a mutually agreed upon date not later than two years beyond the close of the school year during which the resignation is received. (Education Code 44930, 45201)

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Management Resources

Court Decision

Description

American Federation of Teachers, Local #1050 v. Board of Education of Pasadena Unified School District, (1980) 107 Cal.App.3d 829

State

5 CCR 80303

5 CCR 80304

Ed. Code 35161

Ed. Code 44420

Description

Reports of change in employment status, alleged misconduct

Notice of sexual misconduct

Board delegation of any powers or duties

Failure to fulfill contract as ground for suspension of diplomas and certificates

Ed. Code 44433

Unauthorized departure from service as unprofessional conduct

Ed. Code 44930

Acceptance and date of resignation

Ed. Code 45201

Power to accept resignation

ADOPTED BY COUNTY BOARD:

Pending

REVISED:



PERSONNEL - CLASSIFIED EMPLOYEES

BOARD POLICY – RESIGNATION

BP 4217.2

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Management Resources

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5 CCR 80303
5 CCR 80304
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Ed. Code 44420

Description

Reports of change in employment status, alleged misconduct
Notice of sexual misconduct
Board delegation of any powers or duties
Failure to fulfill contract as ground for suspension of diplomas and certificates
Unauthorized departure from service as unprofessional conduct
Acceptance and date of resignation
Power to accept resignation

Ed. Code 44433
Ed. Code 44930
Ed. Code 45201

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

BOARD POLICY – RESIGNATION

BP 4317.2

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American Federation of Teachers, Local #1050 v. Board of Education of Pasadena Unified School District, (1980) 107 Cal.App.3d 829

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5 CCR 80303

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Ed. Code 35161

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Description

Reports of change in employment status, alleged misconduct

Notice of sexual misconduct

Board delegation of any powers or duties

Failure to fulfill contract as ground for suspension of diplomas and certificates

Ed. Code 44433

Unauthorized departure from service as unprofessional conduct

Ed. Code 44930

Acceptance and date of resignation

Ed. Code 45201

Power to accept resignation

ADOPTED BY COUNTY BOARD:

Pending

REVISED:



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – PERSONNEL REDUCTION

BP 4117.3

The County Board of Education and the County Superintendent of Schools or designee may reduce the number of probationary and permanent certificated employees when, in its opinion, any of the following conditions makes such reduction necessary:

1. Average daily attendance (ADA) in all of the classrooms in the SBCEO program during the first six months of the school year have declined below the level for the same period in either of the previous two school years. (Education Code 44955)
2. A particular kind of service is to be reduced or discontinued not later than the beginning of the following school year. (Education Code 44955)
3. Attendance in the SBCEO program will decline in the following year as a result of the termination of an interdistrict tuition agreement. (Education Code 44955)
4. An amendment of state law requires modification of the curriculum. (Education Code 44955)
5. During the time period between five days after the enactment of the Budget Act and August 15 of that fiscal year, the County Superintendent of Schools or designee determines that SBCEO's total revenue limit per ADA for the fiscal year of that Budget Act has not increased by at least two percent. (Education Code 44955.5)

Determination of the Order of Layoffs

When it is necessary to reduce the number of certificated employees for any of the reasons listed above, the services of employees shall be terminated in the inverse of the order in which they were employed by the SBCEO in probationary status, except as otherwise authorized by law. (Education Code 44844, 44955)

The County Superintendent or designee shall maintain the seniority list for this purpose and shall make it available upon request.

Unless otherwise provided by law, a permanent employee shall have the right to be retained over a probationary employee or any employee with less seniority if the position is one for which the employee is certificated and competent to render service. (Education Code 44955)

To determine the order of termination between employees who first rendered paid service on the same date, the County Superintendent or designee shall rank order those employees solely on the basis of the needs of the SBCEO and students. Upon the request



of an employee whose order of termination is to be determined based on such ranking, the County Superintendent or designee shall furnish the employee, no later than five days prior to the commencement of the administrative hearing on the layoff, a written statement of the specific criteria used in determining the order of termination and the application of the criteria in ranking the employee relative to the other employees in the group. (Education Code 44955)

The SBCEO may deviate from terminating certificated employees in order of seniority for either of the following reasons: (Education Code 44955, 44956)

1. To fill a demonstrated specific need for personnel to teach a specific course or courses of study, or to provide services authorized by a services credential with a specialization in either student personnel services or health for a school nurse, when the certificated employee has the necessary special training and experience which others with more seniority do not possess
2. To maintain or achieve compliance with constitutional requirements related to equal protection of the law

Notice and Hearing Rights

When it becomes necessary to reduce the number of permanent and/or probationary employees pursuant to Education Code 44955 as specified in items #1-4 above, the SBCEO shall give notice to the affected employees, no later than March 15, stating the reasons for the action and the employees' right to a hearing. The SBCEO shall adhere to the notice, hearing, and layoff procedures in Education Code 44949, 44955, and other applicable provisions of law.

When an employee has requested a hearing before an administrative law judge regarding the reduction or discontinuation of services, the County Superintendent shall make a final decision regarding the sufficiency of the cause and disposition of the layoff upon receipt of the administrative law judge's proposed decision. None of the findings, recommendations, or determinations of the administrative law judge shall be binding on the County Superintendent. (Education Code 44949)

The County Superintendent or designee may conduct its own hearing, adopt the administrative law judge's proposed decision, refer the case back to the administrative law judge for additional evidence, or reject or modify the proposed decision and make its own determination based upon its review of the record.

Following a final decision, the County Superintendent or designee shall give final notice, in the manner specified, to the affected employees before May 15 unless the parties agree otherwise in accordance with procedures required by law. (Education Code 44955)

When layoffs become necessary pursuant to Education Code 44955.5 as specified in item



#5 above, layoff proceedings shall be carried out as required by law but in accordance with a schedule of notice and hearing adopted by the County Superintendent. (Education Code 44955.5)

Reappointment

If the number of employees is increased or the discontinued service reestablished, permanent certificated employees shall have the right to reappointment, in order of seniority, for 39 months from the date of termination. Probationary certificated employees shall have the same right for 24 months after being terminated, subject to the prior reappointment rights of permanent employees. (Education Code 44846, 44956, 44957)

During the period of the preferred right to reappointment, permanent certificated employees shall, in the order of original employment, be offered first opportunity for substitute service during the absence of any employee who has been granted a leave of absence or who is temporarily absent from duty. Such substitute service may be terminated upon the return to duty of the other employee. Such substitute service shall not affect the retention of the employees' previous classification and rights. Probationary certificated employees shall have the same right to substitute service during the period of preferred right to reappointment to the extent required by law, subject to the rights of permanent certificated employees. (Education Code 44918, 44956, 44957)

Before reappointing any certificated employee to teach a subject which the employee has not previously taught and for which the employee does not have a teaching credential or which is not within the employee's major area of postsecondary study, the County Superintendent or designee shall require the employee to pass a subject matter competency test in the appropriate subject. (Education Code 44956)

Reappointed certificated employees shall not be subject to any requirements that were not imposed on employees who continued in service. Their period of absence shall be treated as a leave of absence and not considered a break in the continuity of their service. (Education Code 44956, 44957)

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Management Resources

Court Decision
Court Decision

Court Decision
Court Decision

Court Decision

Description

Moreland Teachers Assoc. v. Kurze, (1980) 109 Cal.App.3d 648
King v. Berkeley Unified School District, (1979) 89 Cal.App.3d 1016
Forker v. Board of Trustees, (1984) 160 Cal.App.3d 13
Cousins v. Weaverville Elementary School District, (1994) 24 Cal.App.4th 1846
California Teachers Association v. Vallejo City Unified School District, (2007) 149 Cal.App.4th 135



Court Decision

Website

State

22 CCR 1089-1
Ed. Code 44830
Ed. Code 44949
Ed. Code 44955
Ed. Code 44955.5
Ed. Code 44956-44959.5
Gov. Code 3543.2
Unemp. Ins. Code 1089

Bakersfield Elementary Teachers Association v. Bakersfield City
School District, (2006) 145 Cal.App.4th 1260

CSBA

Description

Notification of unemployment insurance benefits
Employment of certificated persons
Dismissal of probationary employees
Reduction in number of permanent employees
Termination of certificated employees
Rights of employees
Scope of representation
Notification of unemployment insurance benefits

ADOPTED BY COUNTY BOARD:

Pending

REVISED:



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – DISMISSAL, SUSPENSION, DISCIPLINARY ACTION

BP 4118

The County Board of Education and the County Superintendent of Schools expect all employees to perform their jobs satisfactorily, exhibit professional and appropriate conduct, and serve as positive role models both at school and in the community. A certificated employee may be disciplined for conduct or performance in accordance with law, the applicable collective bargaining agreement, Board policy, and administrative regulation. Disciplinary action shall be based on the particular facts and circumstances involved and the severity of the conduct or performance. An employee's private exercise of personal beliefs and activities, including religious, political, cultural, social, or other beliefs or activities, or lack thereof, shall not be grounds for disciplinary action against the employee, provided that the beliefs or activities do not involve coercion of students or any other violation of law, Board policy, or administrative regulation.

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

Disciplinary actions may include, but are not limited to, verbal warnings, written warnings, reassignment, suspension, freezing or reduction of wages, compulsory leave, or dismissal.

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

Suspension/Dismissal Procedures

The County Superintendent's designee shall notify the County Superintendent whenever there is cause to suspend or dismiss an employee pursuant to Education Code 44932 or 44933.

When the County Superintendent or designee finds that there is cause to suspend or dismiss an employee pursuant to Education Code 44932 or 44933, they may formulate a written statement of charges specifying instances of behavior and the acts or omissions constituting the charge, the statutes and rules that the employee is alleged to have violated when applicable, and the facts relevant to each charge. The County Superintendent or designee shall also review any duly signed and verified written statement of charges filed by any other person. (Education Code 44934, 44934.1)

Based on the written statement of charges, the County Superintendent or designee may give notice to the employee of the intention to suspend or dismiss the employee at the expiration of 30 days from the date the notice is served. (Education Code 44934, 44934.1)



Prior to serving a suspension or dismissal notice that includes a charge of unsatisfactory performance, the County Superintendent or designee shall give the employee written notice of the unsatisfactory performance that specifies the nature of the unsatisfactory performance with such specific instances of behavior and with such particularity as to furnish the employee an opportunity to correct the faults and overcome the grounds for any unsatisfactory performance charges and, if applicable, that includes the evaluation made pursuant to Education Code 44660-44665. The written notice of the unsatisfactory performance shall be provided at least 90 days prior to the filing of the suspension or dismissal notice or prior to the last one-fourth of the school days in the year. (Education Code 44938)

Prior to serving a suspension or dismissal notice that includes a charge of unprofessional conduct, the County Superintendent or designee shall give the employee written notice that describes the nature of the unprofessional conduct with such specific instances of behavior and with such particularity as to furnish the employee an opportunity to correct the faults and overcome the grounds for any unprofessional conduct charges and, if applicable, that includes the evaluation made pursuant to Education Code 44660-44665. The written notice of the unprofessional conduct shall be provided at least 45 days prior to the filing of the suspension or dismissal notice. (Education Code 44938)

Except for notices that only include charges of unsatisfactory performance, the written suspension or dismissal notice may be served at any time of year. Such notice shall be served upon the employee personally if given outside of the instructional year or, if given during the instructional year, may be served personally or by registered mail to the employee's last known address. Notices with a charge of unsatisfactory performance shall be given only during the instructional year of the school site where the employee is physically employed and may be served personally or by registered mail to the employee's last known address. (Education Code 44936)

If an employee has been served notice and demands a hearing pursuant to Government Code 11505 and 11506, the County Superintendent or designee shall either rescind its action or schedule a hearing on the matter. (Education Code 44941, 44941.1, 44943, 44944)

Pending suspension or dismissal proceedings for an employee who is charged with egregious misconduct, immoral conduct, conviction of a felony or of any crime involving moral turpitude, incompetency due to mental disability, or willful refusal to perform regular assignments without reasonable cause as prescribed by SBCEO rules and regulations, the County Superintendent or designee may, if it deems it necessary, immediately suspend the employee from assigned duties. If the employee files a motion with the Office of Administrative Hearings for immediate reversal of the suspension based on a cause other than egregious misconduct, the County Superintendent or designee may file a written response before or at the time of the hearing. (Education Code 44939, 44939.1, 44940)



When a suspension or dismissal hearing is to be conducted by a Commission on Professional Competence, the County Superintendent or designee shall, no later than 45 days before the date set for the hearing, select one person with a currently valid credential to serve on the Commission. The appointee shall not be an employee of the SBCEO and shall have at least three years' experience within the past 10 years at the same grade span or assignment as the employee, as defined in Education Code 44944. (Education Code 44944)

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State	Description
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80304	Notice of sexual misconduct
CA Constitution Article 1, Section 1	Inalienable rights
Ed. Code 44008	Effect of termination of probation
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 44425	Conviction of a sex or narcotic offense
Ed. Code 44660-44665	Evaluation and assessment of performance of certificated employees
Ed. Code 44830.1	Criminal record summary certificated employees
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more
Ed. Code 44929.23	Districts with less than 250 ADA
Ed. Code 44930-44988	Resignations, dismissals and leaves of absence
Ed. Code 45055	Drawing of warrants for teachers
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 51530	Advocacy or teaching of communism
Gov. Code 1028	Advocacy of communism
Gov. Code 11505-11506	Hearing
Gov. Code 3543.2	Scope of representation
H&S Code 11054	Schedule I; substances included
H&S Code 11055	Schedule II; substances included
H&S Code 11056	Schedule III; substances included
H&S Code 11357-11361	Marijuana
H&S Code 11363	Peyote
H&S Code 11364	Opium
H&S Code 11370.1	Possession of controlled substances with a firearm
Pen. Code 11165.2-11165.6	Child abuse or neglect; definitions
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 187	Murder
Pen. Code 291	School employees arrest for sex offense
Pen. Code 667.5	Prior prison terms; enhancement of prison terms
Federal	Description
U.S. Constitution	Amendment 1, Free exercise, free speech, and establishment clauses



Management Resources

Commission on Teacher Credentialing
 Publication
 Court Decision
 Court Decision

 Court Decision
 Website
 Website
 Website

 Website
 Website
 Website

Description

California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2007
 Kennedy v. Bremerton (2022) 142 S.Ct. 2407
 Crowl v. Commission on Professional Competence, (1990) 225 Cal. App. 3d 334
 Morrison v. State Board of Education (1969) 1 Cal.3d 214
[Office of the Attorney General](#)
[Office of Administrative Hearings](#)
[Department of General Services, About Teacher Dismissal Case Type](#)
[CSBA District and County Office of Education Legal Services](#)
[Commission on Teacher Credentialing](#)
[CSBA](#)

ADOPTED BY COUNTY BOARD:
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PERSONNEL – CLASSIFIED EMPLOYEES

BOARD POLICY – DISMISSAL, SUSPENSION, DISCIPLINARY ACTION (MERIT SYSTEM)

BP 4218.1

The County Board of Education and the County Superintendent of Schools expect all employees to perform their jobs satisfactorily and exhibit professional and appropriate conduct. A classified employee may be disciplined for unprofessional conduct or unsatisfactory performance in accordance with law, any applicable collective bargaining agreement, and the rules of the personnel commission.

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

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

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

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

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

A permanent classified employee shall be subject to suspension, demotion, or dismissal only for one or more of the causes designated by rule of the personnel commission. (Education Code 45302, 45304)

When such serious disciplinary action is being contemplated against an employee, the SBCEO shall adhere to disciplinary procedures developed by the personnel commission. Due process shall be afforded to the employee, including proper notice, an opportunity for the employee to meet with a designated SBCEO official ("Skelly officer") or to respond in writing to the charges, and an opportunity to appeal the SBCEO's decision with the personnel commission in accordance with Education Code 45305-45307. If the matter is



addressed in a hearing before the personnel commission, the decision of the personnel commission shall be final.

However, if the matter involves an allegation of egregious misconduct as defined in Education Code 44932 and involves a witness who is a minor, the matter shall be referred to an administrative law judge to determine whether sufficient cause exists for disciplinary action against the employee. The ruling of the administrative law judge shall be binding on the SBCEO and the employee. (Education Code 45312)

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State	Description
CA Constitution Article 1, Section 1	Inalienable rights
Civ. Code 1286.2	<u>Grounds for vacating decision of arbitrator</u>
Ed. Code 11500-11506	<u>Programs to encourage parent involvement</u>
Ed. Code 35161	Board delegation of any powers or duties
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44031	Personnel file contents and inspection
Ed. Code 44940	Compulsory leave of absence for certificated persons
Ed. Code 44940.5	Procedures when employees are placed on compulsory leave of absence
Ed. Code 44990-44994	Testimony of minor witnesses at dismissal or suspension hearings
Ed. Code 45101	Definitions; disciplinary action and cause
Ed. Code 45109	Fixing of duties
Ed. Code 45123	Employment after conviction of controlled substance offense
Ed. Code 45124	Dismissal of sexual psychopath
Ed. Code 45202	Transfer of accumulated sick leave and other benefits
Ed. Code 45240-45320	Merit system
Ed. Code 45302-45307	Suspension, dismissal, or other disciplinary action; classified employees
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 54957	Complaints against employees; right to open session
H&S Code 11054	Schedule I; substances included
H&S Code 11055	Schedule II; substances included
H&S Code 11056	Schedule III; substances included
H&S Code 11357-11361	Marijuana
H&S Code 11363	Peyote
H&S Code 11364	Opium
H&S Code 11370.1	Possession of controlled substances with a firearm
Pen. Code 11165.2-11165.6	Child abuse or neglect; definitions
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 187	Murder
Pen. Code 667.5	Prior prison terms; enhancement of prison terms
Pen. Code 830.32	School district and community college police
Veh. Code 1808.8	School bus drivers; dismissal for safety-related cause

Federal

Description

Dismissal, Suspension, Disciplinary Action (Merit System) – Board Policy 4218.1



42 USC 12101-12213
U.S. Constitution

Americans with Disabilities Act
Amendment 1, Free exercise, free speech, and establishment clauses

Management Resources

CA School Personnel Comm Association
Publication

Court Decision
Court Decision

Court Decision

Court Decision

Court Decision

Court Decision
Website
Website
Website

Website
Website

Description

Merit Rules and Regulations: CSPCA Recommended Personnel Policies and Procedures Manual for California School Merit Systems, 2014

Kennedy v. Bremerton (2022) 142 S.Ct. 2407

California School Employees Association v. Personnel Commission (1970) 3 Cal.3d 139

California School Employees Association v. Bonita Unified School District (2008) No. B200141

California School Employees v. Livingston Union School District (2007) 149 Cal. App. 4th 391

CSEA v. Foothill Community College District (1975) 52 Cal. App. 3rd 150

Skelly v. California Personnel Board (1975) 15 Cal.3d 194

Office of the Attorney General

Office of Administrative Hearings

Department of General Services, About Teacher Dismissal Case Type

CSBA District and County Office of Education Legal Services

California School Personnel Commissioners Association

ADOPTED BY COUNTY BOARD:
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Pending



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – CIVIL AND LEGAL RIGHTS

BP 4119.1

The County Board of Education and the County Superintendent of Schools believe that the personal life of an employee is not an appropriate concern of the SBCEO, except as it may directly relate to the performance of the employee's duties.

SBCEO employees may engage in private, personal activities, including the exercise of their religious, political, cultural, social or other beliefs or activities, during personal time including when employees are not on duty or engaged in the supervision or instruction of students.

The SBCEO shall make no inquiry concerning the personal values, attitudes, and beliefs of SBCEO employees or their sexual orientation or political or religious affiliations, beliefs, or opinions except when authorized by law. In addition, no SBCEO employee shall be required to provide critical appraisals of other individuals with whom the employee has a familial relationship. However, the SBCEO reserves the right to access any publicly available information about any employee.

No employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in conduct authorized under Education Code 48907 or 48950.

When necessary to protect the health, welfare, or safety of students and staff, school officials may search SBCEO property under an employee's control.

Whistleblower Protection

An employee shall have the right to disclose to a school administrator, a member of the County Board of Education, the County Superintendent of Schools, or the Superintendent of Public Instruction any improper governmental activity by the SBCEO or an SBCEO employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. When the employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation of or noncompliance with a state or federal rule or regulation, the employee has the right to disclose such information to a government or law enforcement agency or to refuse to participate in any such activity. (Education Code 44112, 44113; Labor Code 1102.5)

The County Superintendent or designee shall prominently display in lettering larger than size 14 point type a list of employees' rights and responsibilities under the whistleblower laws, including the telephone number of the whistleblower hotline maintained by the office of the California Attorney General. (Labor Code 1102.7, 1102.8)



No employee shall use or attempt to use official authority status or influence to intimidate, threaten, coerce, or command, or attempt to intimidate, threaten, coerce, or command, another employee for the purpose of interfering with that employee's right to disclose improper governmental activity. (Education Code 44113)

An employee who has disclosed improper governmental activity and believes that acts or attempted acts of reprisal have subsequently occurred shall file a written complaint in accordance with the SBCEO's complaint procedures. After filing a complaint with the SBCEO, the employee may also file a copy of the complaint with local law enforcement and/or seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against the employee, in accordance with Education Code 44114.

Protection Against Liability

No employee shall be liable for harm caused by the employee's act or omission when acting within the scope of employment or SBCEO responsibilities, the employee's act or omission is in conformity with federal, state, and local laws, SBCEO policy, or administrative regulation, and the employee's act or omission is in furtherance of an effort to control, discipline, expel, or suspend a student or to maintain order or control in the classroom or school. (20 USC 7946)

The protection against liability shall not apply when: (20 USC 7946)

1. The employee acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to rights or safety of the individual harmed.
2. The employee caused harm by operating a motor vehicle or other vehicle requiring license or insurance.
3. The employee was not properly licensed, if required, by state law for such activities.
4. The employee was found by a court to have violated a federal or state civil rights law.
5. The employee was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the employee has been convicted in a court.
7. The misconduct involved a sexual offense for which the employee has been convicted in a court.



8. The misconduct occurred during background investigations, or other actions, involved in the employee's hiring.

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State	Description
CA Constitution Article 1, Section 1	Inalienable rights
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 44040	Discrimination based on employee's appearance before certain boards or committees
Ed. Code 44110-44114	Reporting by school employees of improper governmental activity
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 49091.24	Teacher rights to refuse evaluation/survey of personal life
Ed. Code 7050-7058	Political activities of school officers and employees
Gov. Code 12650-12656	False claims actions
Gov. Code 12940-12953	Discrimination prohibited; unlawful practices
Gov. Code 3540.1	Public employment; definitions
Gov. Code 3543.5	Interference with employee's rights prohibited
Gov. Code 815.3	Intentional torts
Gov. Code 820-823	Tort claims act
Gov. Code 825.6	Indemnification of public entity
Lab. Code 1102.5-1106	Whistleblower protections
Federal	Description
18 USC 16	Crime of violence; definition
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 7941-7948	Teacher liability protection
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
U.S. Constitution	Amendment 1, Free exercise, free speech, and establishment clauses
Management Resources	Description
Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision	New Jersey v. T.L.O. (1985) 469 U.S. 325
Court Decision	Garcetti v. Ceballos (2006) 547 U.S. 410
Court Decision	Hartnett v. Crosier (2012) 205 Cal.App.4th 685
Court Decision	Johnson v. Poway Unified School District (2011) 658 F.3d 954
Court Decision	O'Conner v. Ortega (1987) 480 U.S. 709
Court Decision	Ohton v. CSU San Diego (2007) 56 Cal.Rptr.3d 111
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Office of the Attorney General</u>

ADOPTED BY COUNTY BOARD:
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Pending



PERSONNEL - CLASSIFIED EMPLOYEES

BOARD POLICY – CIVIL AND LEGAL RIGHTS

BP 4219.1

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No employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in conduct authorized under Education Code 48907 or 48950.

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The County Superintendent or designee shall prominently display in lettering larger than size 14 point type a list of employees' rights and responsibilities under the whistleblower laws, including the telephone number of the whistleblower hotline maintained by the office of the California Attorney General. (Labor Code 1102.7, 1102.8)



No employee shall use or attempt to use official authority status or influence to intimidate, threaten, coerce, or command, or attempt to intimidate, threaten, coerce, or command, another employee for the purpose of interfering with that employee's right to disclose improper governmental activity. (Education Code 44113)

An employee who has disclosed improper governmental activity and believes that acts or attempted acts of reprisal have subsequently occurred shall file a written complaint in accordance with the SBCEO's complaint procedures. After filing a complaint with the SBCEO, the employee may also file a copy of the complaint with local law enforcement and/or seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against the employee, in accordance with Education Code 44114.

Protection Against Liability

No employee shall be liable for harm caused by the employee's act or omission when acting within the scope of employment or SBCEO responsibilities, the employee's act or omission is in conformity with federal, state, and local laws, SBCEO policy, or administrative regulation, and the employee's act or omission is in furtherance of an effort to control, discipline, expel, or suspend a student or to maintain order or control in the classroom or school. (20 USC 7946)

The protection against liability shall not apply when: (20 USC 7946)

1. The employee acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to rights or safety of the individual harmed.
2. The employee caused harm by operating a motor vehicle or other vehicle requiring license or insurance.
3. The employee was not properly licensed, if required, by state law for such activities.
4. The employee was found by a court to have violated a federal or state civil rights law.
5. The employee was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the employee has been convicted in a court.
7. The misconduct involved a sexual offense for which the employee has been convicted in a court.
8. The misconduct occurred during background investigations, or other actions, involved in the employee's hiring.



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State

CA Constitution Article 1, Section 1
Ed. Code 200-262.4
Ed. Code 44040

Ed. Code 44110-44114
Ed. Code 48907

Ed. Code 48950
Ed. Code 49091.24
Ed. Code 7050-7058
Gov. Code 12650-12656
Gov. Code 12940-12953
Gov. Code 3540.1
Gov. Code 3543.5
Gov. Code 815.3
Gov. Code 820-823
Gov. Code 825.6
Lab. Code 1102.5-1106

Description

Inalienable rights
Prohibition of discrimination
Discrimination based on employee's appearance before certain boards or committees
Reporting by school employees of improper governmental activity
Exercise of free expression; time, place and manner rules and regulations
Speech and other communication
Teacher rights to refuse evaluation/survey of personal life
Political activities of school officers and employees
False claims actions
Discrimination prohibited; unlawful practices
Public employment; definitions
Interference with employee's rights prohibited
Intentional torts
Tort claims act
Indemnification of public entity
Whistleblower protections

Federal

18 USC 16
20 USC 1681-1688

20 USC 7941-7948
42 USC 12101-12213
42 USC 2000d-2000d-7
42 USC 2000e-2000e-17
U.S. Constitution

Description

Crime of violence; definition
Title IX of the Education Amendments of 1972; discrimination based on sex
Teacher liability protection
Americans with Disabilities Act
Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended
Amendment 1, Free exercise, free speech, and establishment clauses

Management Resources

Court Decision
Court Decision
Court Decision
Court Decision
Court Decision
Court Decision
Website
Website

Description

Kennedy v. Bremerton (2022) 142 S.Ct. 2407
New Jersey v. T.L.O. (1985) 469 U.S. 325
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ADOPTED BY COUNTY BOARD:
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PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

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Ed. Code 44110-44114	Reporting by school employees of improper governmental activity
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 49091.24	Teacher rights to refuse evaluation/survey of personal life
Ed. Code 7050-7058	Political activities of school officers and employees
Gov. Code 12650-12656	False claims actions
Gov. Code 12940-12953	Discrimination prohibited; unlawful practices
Gov. Code 3540.1	Public employment; definitions
Gov. Code 3543.5	Interference with employee's rights prohibited
Gov. Code 815.3	Intentional torts
Gov. Code 820-823	Tort claims act
Gov. Code 825.6	Indemnification of public entity
Lab. Code 1102.5-1106	Whistleblower protections
Federal	Description
18 USC 16	Crime of violence; definition
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 7941-7948	Teacher liability protection
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
U.S. Constitution	Amendment 1, Free exercise, free speech, and establishment clauses
Management Resources	Description
Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision	New Jersey v. T.L.O. (1985) 469 U.S. 325
Court Decision	Garcetti v. Ceballos (2006) 547 U.S. 410
Court Decision	Hartnett v. Crosier (2012) 205 Cal.App.4th 685
Court Decision	Johnson v. Poway Unified School District (2011) 658 F.3d 954
Court Decision	O'Conner v. Ortega (1987) 480 U.S. 709
Court Decision	Ohton v. CSU San Diego (2007) 56 Cal.Rptr.3d 111
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Office of the Attorney General</u>

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – PROFESSIONAL STANDARDS

BP 4119.21

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Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members



7. Willfully disrupting SBCEO or school operations by loud or unreasonable noise or other action
 8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on SBCEO or affiliated district property, or at a school-sponsored activity
 9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
 10. Divulging confidential information about students, SBCEO employees, or SBCEO operations to persons or entities not authorized to receive the information
 11. Using SBCEO equipment or other SBCEO resources for the employee's own commercial purposes or for political activities
 12. Using SBCEO equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity
- Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the County Superintendent or designee may monitor employee usage of SBCEO technological resources at any time without the employee's consent.
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5 CCR 80303
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Description

Reports of change in employment status, alleged misconduct
Rules of conduct for professional educators
[Educational equity; prohibition of discrimination on the basis of sex](#)
Employee code of conduct; interaction with students
Reports and review of alleged misconduct
Parent/Guardian notifications
Child Abuse and Neglect Reporting Act

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CLASSIFIED EMPLOYEES

EXHIBIT – PROFESSIONAL STANDARDS **CODE OF ETHICS OF THE EDUCATION PROFESSION** **Preamble**

BP 4119.21

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurturing of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

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The educator strives to help each student realize their potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning
2. Shall not unreasonably deny the student access to varying points of view
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress
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5. Shall not intentionally expose the student to embarrassment or disparagement
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7. Shall not use professional relationships with students for private advantage



8. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law

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In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

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ADOPTED BY COUNTY BOARD:

Pending

REVISED:



PERSONNEL - CLASSIFIED EMPLOYEES

EXHIBIT – PROFESSIONAL STANDARDS **CODE OF ETHICS OF THE EDUCATION PROFESSION** **Preamble**

BP 4219.21

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PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

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WestEd Publication

Code of Ethics of the Education Profession, 1975

WestEd

CSBA

Council of Chief State School Officers

Commission on Teacher Credentialing

California Teachers Association

California School Employees Association

California Federation of Teachers

California Department of Education

Association of California School Administrators

Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003

State

5 CCR 80303

5 CCR 80331-80338

Ed. Code 200-262.4

Ed. Code 44050

Ed. Code 44242.5

Ed. Code 48980

Pen. Code 11164-11174.4

Description

Reports of change in employment status, alleged misconduct

Rules of conduct for professional educators

Educational equity; prohibition of discrimination on the basis of sex

Employee code of conduct; interaction with students

Reports and review of alleged misconduct

Parent/Guardian notifications

Child Abuse and Neglect Reporting Act



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – DRESS AND GROOMING

BP 4119.22

The County Board of Education and the County Superintendent of Schools believe that appropriate dress and grooming by SBCEO employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and do not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

The SBCEO shall allow employees to appear and dress in a manner consistent with their gender identity or gender expression. (Government Code 12949)

The SBCEO shall not discriminate against employees based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Government Code 12926)

The SBCEO shall not dismiss an employee, discriminate against an employee in compensation or in terms, conditions, or privileges of employment, or refuse to hire a job applicant on the basis of religious dress or grooming practices. (Government Code 12926, 12940)

This policy shall be presented to employees upon employment, through the employee handbook or other appropriate means, and may be periodically reviewed with all employees as necessary.

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Management Resources

CA Dept of Fair Employment and Housing
Publication

Court Decision

Court Decision

Court Decision

Court Decision

Public Employment Relations Board
Decision

Description

Transgender Rights in the Workplace

San Mateo City School District v. PERB (1983) 33 Cal. 3d 850

Finot v. Pasadena Board of Education (1967) 250 Cal.App.2d 189

East Hartford Education Assn. v. Board of Education (2d Cir. 1977) 562 F. 2d 856

Domico v. Rapides Parish School Board (5th Cir. 1982) 675 F.2d 100

Santa Ana Unified School District (1998) 22 PERC P29, 136



Public Employment Relations Board
Decision
Website
Website

State

Ed. Code 35160
Ed. Code 35160.1
Gov. Code 12926
Gov. Code 12940
Gov. Code 12949
Gov. Code 3543.2

Inglewood United School District (1985) 10 PERC P17, 000

[California Public Employment Relations Board](#)
[California Department of Fair Employment and Housing](#)

Description

Authority of governing boards
Broad authority of school districts
Definitions
Unlawful discriminatory employment practices
Dress standards, consistency with gender identity
Scope of representation

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CLASSIFIED EMPLOYEES

BOARD POLICY – DRESS AND GROOMING

BP 4219.22

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Pending



PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

BOARD POLICY – DRESS AND GROOMING

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[California Department of Fair Employment and Housing](#)

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Authority of governing boards
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Unlawful discriminatory employment practices
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ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – UNAUTHORIZED RELEASE OF CONFIDENTIAL PRIVILEGED INFORMATION

BP 4119.23

The County Board of Education and the County Superintendent of Schools recognize the importance of keeping confidential information confidential. Staff shall maintain the confidentiality of information acquired in the course of their employment. Confidential/privileged information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

An employee shall not disclose confidential information acquired by being present during a closed session to a person not entitled to receive such information, unless the County Board of Education or Personnel Commission authorizes disclosure of that information. (Government Code 54963)

Confidential information means a communication made in a closed session that is specifically related to the basis for the County Board of Education or the Personnel Commission to meet lawfully in closed session. (Government Code 54963)

An employee who willfully discloses confidential information acquired during a closed session may be subject to disciplinary action if the employee has received training or notice as to the requirements of this policy. (Government Code 54963)

The County Superintendent of Schools or designee shall provide all employees who attend closed sessions a copy of this policy. New employees who may attend closed sessions shall also receive a copy of this policy.

The SBCEO shall not take disciplinary action against any employee for disclosing confidential information acquired in a closed session, nor shall the disclosure be considered a violation of the law or Board policy, when the employee is: (Government Code 54963)

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a County Board of Education or Personnel Commission action that has been the subject of deliberation during a closed session
2. Expressing an opinion concerning the propriety or legality of County Board of Education or Personnel Commission action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action



3. Disclosing information that is not confidential

Other Disclosures

An employee who willfully releases confidential/privileged information about the SBCEO, students or staff shall be subject to disciplinary action.

No employee shall disclose confidential information acquired in the course of the employee's official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the employee.

Any action by an employee which inadvertently or carelessly results in release of confidential/privileged information shall be recorded, and the record shall be placed in the employee's personnel file. Depending on the circumstances, the County Superintendent or designee may deny the employee further access to any privileged information and shall take any steps necessary to prevent any further unauthorized release of such information.

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Federal
20 USC 1232g

Description
Family Educational Rights and Privacy Act (FERPA) of 1974

Management Resources
Website

Description
CSBA

State
Ed. Code 35010
Ed. Code 35146
Ed. Code 35160
Ed. Code 44031
Ed. Code 44932
Ed. Code 44933
Ed. Code 45113
Ed. Code 49060-49079
Gov. Code 1098
Gov. Code 54950-54963
Gov. Code 6250-6270

Description
Control of district; prescription and enforcement of rules
Closed sessions regarding suspensions
Authority of governing boards
Personnel file contents, inspection
Grounds for dismissal of permanent employees
Other grounds for dismissal
Notification of charges, classified employees
Student records
Disclosure of confidential information
The Ralph M. Brown Act
California Public Records Act

ADOPTED BY COUNTY BOARD: Pending
REVISED:



PERSONNEL - CLASSIFIED EMPLOYEES

BOARD POLICY – UNAUTHORIZED RELEASE OF CONFIDENTIAL, PRIVILEGED INFORMATION

BP 4219.23

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Description
Control of district; prescription and enforcement of rules
Closed sessions regarding suspensions
Authority of governing boards
Personnel file contents, inspection
Grounds for dismissal of permanent employees
Other grounds for dismissal
Notification of charges, classified employees
Student records
Disclosure of confidential information
The Ralph M. Brown Act
California Public Records Act

ADOPTED BY COUNTY BOARD: Pending
REVISED:



PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

BOARD POLICY – UNAUTHORIZED RELEASE OF CONFIDENTIAL, PRIVILEGED INFORMATION

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Description
Control of district; prescription and enforcement of rules
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The Ralph M. Brown Act
California Public Records Act

ADOPTED BY COUNTY BOARD: Pending
REVISED:



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – MAINTAINING APPROPRIATE ADULT-STUDENT INTERACTIONS

BP 4119.24

The County Board of Education and the County Superintendent of Schools desire to provide a positive school environment that protects the safety and well-being of SBCEO students. The County Superintendent expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting. Such adults shall not engage in unlawful or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Employees are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

Any employee who has been identified as mandated reporter, who observes or has knowledge of another employee's violation of this policy shall report the information to the County Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the County Superintendent or designee. The County Superintendent or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. The County Superintendent or designee may also notify law enforcement as appropriate.

The SBCEO's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or SBCEO web sites. (Education Code 44050)



Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Examples of employee conduct that can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

1. Initiating inappropriate physical contact
2. Being alone with a student outside of the view of others
3. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent
4. Maintaining personal contact with a student that has no legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent/guardian or the program manager

When communicating electronically with students, employees shall use SBCEO equipment or technological resources when available. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The County Superintendent or designee may monitor employee usage of SBCEO technology at any time without advance notice or consent.

5. Creating or participating in social networking sites for communication with students, other than those created by the SBCEO, without the prior written approval of the program manager or designee
6. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business
7. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
8. Addressing a student in an overly familiar manner, such as by using a term of endearment
9. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
10. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
11. Transporting a student in a personal vehicle without prior authorization



12. Encouraging students to confide their personal or family problems and/or relationships
13. Disclosing personal, family, or other private matters to students or sharing personal secrets with students

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State	Description
5 CCR 80303	Reports of change in employment status, alleged misconduct
5 CCR 80304	Notice of sexual misconduct
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44050	Employee code of conduct; interaction with students
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 44940	Compulsory leave of absence for certificated persons
Ed. Code 48980	Parent/Guardian notifications
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CLASSIFIED EMPLOYEES

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Child Abuse and Neglect Reporting Act

ADOPTED BY COUNTY BOARD:
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PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

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1. Initiating inappropriate physical contact
2. Being alone with a student outside of the view of others
3. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent
4. Maintaining personal contact with a student that has no legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent/guardian or the program manager

When communicating electronically with students, employees shall use SBCEO equipment or technological resources when available. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The County Superintendent or designee may monitor employee usage of SBCEO technology at any time without advance notice or consent.

5. Creating or participating in social networking sites for communication with students, other than those created by the SBCEO, without the prior written approval of the program manager or designee
6. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business
7. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
8. Addressing a student in an overly familiar manner, such as by using a term of endearment
9. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
10. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose



11. Transporting a student in a personal vehicle without prior authorization
12. Encouraging students to confide their personal or family problems and/or relationships
13. Disclosing personal, family, or other private matters to students or sharing personal secrets with students

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

5 CCR 80303
5 CCR 80304
Ed. Code 44030.5
Ed. Code 44050
Ed. Code 44242.5
Ed. Code 44940
Ed. Code 48980
Pen. Code 11164-11174.3

Description

Reports of change in employment status, alleged misconduct
Notice of sexual misconduct
Reporting change in employment status due to alleged misconduct
Employee code of conduct; interaction with students
Reports and review of alleged misconduct
Compulsory leave of absence for certificated persons
Parent/Guardian notifications
Child Abuse and Neglect Reporting Act

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – COLLECTIVE BARGAINING AGREEMENT

BP 4141

The County Board of Education and the County Superintendent of Schools recognize that collective bargaining agreements are legally binding, bilateral agreements with the exclusive representatives of employees pertaining to terms and conditions of employment. The County Superintendent is committed to carrying out the provisions of each agreement and expects the agreements to be consistently and uniformly administered.

Following adoption of the collective bargaining agreement, the County Superintendent or designee shall review related Board policies and recommend to the Board any action needed to maintain consistency with the agreement. Whenever a Board policy or Personnel Commission rule conflicts with a provision in the collective bargaining agreement, the agreement shall be binding for those employees covered by the terms of the agreement. Whenever a law conflicts with a provision in the collective bargaining agreement, the law will prevail as to those employees for whom the law applies.

Upon request by the Public Employment Relations Board, the County Superintendent or designee shall provide, within 15 days of the request, a copy of the written agreement and any amendments. (8 CCR 32120)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Management Resources

Website
Website
Website
Website
Website

Description

[State Mediation and Conciliation Service \(SMCS\)](#)
[CSBA](#)
[Center for Collaborative Solutions](#)
[California Public Employment Relations Board](#)
[California Public Employee Relations](#)

State

8 CCR 31001-32997
Ed. Code 35035
Ed. Code 35036
Ed. Code 35160
Ed. Code 35160.1
Ed. Code 45220-45320
Gov. Code 3540-3549.3

Description

Regulations of employee relations boards
Powers and duties of the superintendent; transfer authority
Voluntary transfers
Authority of governing boards
Broad authority of school districts
Merit system, classified employees
Educational Employment Relations Act

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CLASSIFIED EMPLOYEES

BOARD POLICY – COLLECTIVE BARGAINING AGREEMENT

BP 4241

The County Board of Education and the County Superintendent of Schools recognize that collective bargaining agreements are legally binding, bilateral agreements with the exclusive representatives of employees pertaining to terms and conditions of employment. The County Superintendent is committed to carrying out the provisions of each agreement and expects the agreements to be consistently and uniformly administered.

Following adoption of the collective bargaining agreement, the County Superintendent or designee shall review related Board policies and recommend to the Board any action needed to maintain consistency with the agreement. Whenever a Board policy or Personnel Commission rule conflicts with a provision in the collective bargaining agreement, the agreement shall be binding for those employees covered by the terms of the agreement. Whenever a law conflicts with a provision in the collective bargaining agreement, the law will prevail as to those employees for whom the law applies.

Upon request by the Public Employment Relations Board, the County Superintendent or designee shall provide, within 15 days of the request, a copy of the written agreement and any amendments. (8 CCR 32120)

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Management Resources

Website
Website
Website
Website
Website

Description

[State Mediation and Conciliation Service \(SMCS\)](#)
[CSBA](#)
[Center for Collaborative Solutions](#)
[California Public Employment Relations Board](#)
[California Public Employee Relations](#)

State

8 CCR 31001-32997
Ed. Code 35035
Ed. Code 35036
Ed. Code 35160
Ed. Code 35160.1
Ed. Code 45220-45320
Gov. Code 3540-3549.3

Description

Regulations of employee relations boards
Powers and duties of the superintendent; transfer authority
Voluntary transfers
Authority of governing boards
Broad authority of school districts
Merit system, classified employees
Educational Employment Relations Act

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY – CONCERTED ACTION, WORK STOPPAGE

BP 4141.6

The County Board of Education and the County Superintendent of Schools recognize the importance of maintaining ongoing positive relations with employees and engaging in fair, respectful negotiations with employee organizations. The County Superintendent desires to reach agreement on employment contracts in a manner that prevents disruption to school operations and minimizes impact on student achievement.

The County Superintendent recognizes that advance planning is necessary to ensure that, in the event of a work stoppage, strike, or other concerted employee activity, students continue to receive educational services to which they are entitled. The County Superintendent or designee shall develop a written plan which shall include strategies for the provision of internal and external communications, preservation of student and staff safety, maintenance of SBCEO operations, and appropriate student instruction and supervision during a work slowdown or stoppage. Days of instruction lost due to a work stoppage may be made up following the end of the normal school year.

If an employee organization gives notice that it intends to strike, the County Superintendent or designee shall notify the Public Employment Relations Board, Employment Development Department, employees in the striking unit, other SBCEO employees, parents/guardians, students, law enforcement, the media, and others as appropriate.

Employees should be held accountable for their behavior during any labor dispute. The SBCEO may take disciplinary action against any employee who engages in an unlawful concerted action or in unlawful behavior in an otherwise protected activity, taking into account the seriousness of the behavior and the SBCEO's efforts to rebuild relations following the withholding of services by employees.

However, the SBCEO shall not discontinue or threaten to discontinue employer contributions for health care or other medical coverage for any employee or their enrolled dependents for the duration of the employee's participation in an authorized strike, as defined in Government Code 3141 and specified in the accompanying administrative regulation.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Management Resources

Public Employment Relations Board
Decision

Public Employment Relations Board
Decision

Description

Konocti Unified School District, 1982, PERB Dec. No. 217, 6 PERC
13152

Fresno Unified School District, 1982, PERB Dec. No. 208, 6 PERC
13110



Website
Website
Website

State

Ed. Code 35204
Ed. Code 35205
Ed. Code 37200-37202
Gov. Code 3140-3142
Gov. Code 3540-3549.3
Gov. Code 3543.5-3543.6
Gov. Code 3548-3548.8

State Mediation and Conciliation Service (SMCS)

CSBA

California Public Employment Relations Board

Description

Contract with attorney in private practice
Contract for legal services
School calendar
Public Employee Health Protection Act
Educational Employment Relations Act
Unfair labor practices
Impasse procedures

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CLASSIFIED EMPLOYEES

BOARD POLICY – CONCERTED ACTION, WORK STOPPAGE

BP 4241.6

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However, the SBCEO shall not discontinue or threaten to discontinue employer contributions for health care or other medical coverage for any employee or their enrolled dependents for the duration of the employee's participation in an authorized strike, as defined in Government Code 3141 and specified in the accompanying administrative regulation.

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These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**Management Resources**

Public Employment Relations Board
Decision
Public Employment Relations Board
Decision
Website
Website
Website

State

Ed. Code 35204
Ed. Code 35205
Ed. Code 37200-37202
Gov. Code 3140-3142
Gov. Code 3540-3549.3
Gov. Code 3543.5-3543.6
Gov. Code 3548-3548.8

Description

Konocti Unified School District, 1982, PERB Dec. No. 217, 6 PERC
13152
Fresno Unified School District, 1982, PERB Dec. No. 208, 6 PERC
13110
State Mediation and Conciliation Service (SMCS)
CSBA
California Public Employment Relations Board

Description

Contract with attorney in private practice
Contract for legal services
School calendar
Public Employee Health Protection Act
Educational Employment Relations Act
Unfair labor practices
Impasse procedures

ADOPTED BY COUNTY BOARD:
REVISED:

Pending



PERSONNEL - CERTIFICATED EMPLOYEES

BOARD POLICY –NEGOTIATIONS, CONSULATATION

BP 4143

The County Board of Education and the County Superintendent of Schools recognize its responsibility to represent the public's interests in the collective bargaining process. In ratifying agreements on employee contracts, the County Superintendent shall balance the needs of staff and the priorities of the SBCEO in order to provide students with a high-quality instructional program based on a sound, realistic budget.

The County Superintendent or shall establish a bargaining team to assist in analyzing contract provisions and conducting contract negotiations. The County Superintendent shall provide its negotiator(s) with expected outcomes and clear parameters for acceptable contract provisions which promote the realization of SBCEO's goals and priorities.

The County Superintendent and its bargaining team shall negotiate in good faith with exclusive employee representatives on wages, hours of employment, and other terms and conditions of employment identified in law as being within the scope of representation. (Government Code 3543.2)

When the SBCEO intends to make any change to matters within the scope of representation, it shall give reasonable written notice of its intent to the exclusive representative for the purpose of providing the exclusive representative a reasonable amount of time to negotiate with the SBCEO regarding the proposed changes. (Government Code 3543.2)

A reasonable number of representatives of the employee organization shall have the right to receive reasonable periods of released time without loss of SBCEO compensation when meeting and negotiating and/or for the processing of grievances. (Government Code 3543.1)

The County Superintendent and its bargaining team shall establish standards of conduct pertaining to the negotiations process for members of the bargaining team. Certain meetings related to negotiations shall not be open to the public in accordance with Government Code 3549.1 and 54957.6, except as otherwise required by law. Matters discussed in these meetings shall be kept in strict confidence in accordance with law.

The County Superintendent and its negotiator(s) shall not knowingly provide the employee organization with inaccurate information regarding the financial resources of the SBCEO. (Government Code 3543.5)

The County Superintendent shall monitor the progress of negotiations and carefully consider how proposed contract provisions would affect the SBCEO's short- and long-term fiscal, programmatic, instructional, and personnel goals.



The County Superintendent or designee shall keep the public informed about the progress of negotiations and the ways in which negotiations may affect SBCEO goals unless otherwise agreed upon by the SBCEO and exclusive representative.

Once the final terms of the agreement have been ratified by the membership of the employee organization, the contract shall be presented to the County Superintendent for acceptance.

Any agreement adopted by the County Superintendent may be for a term not to exceed three years. (Government Code 3540.1)

In the event of an impasse in negotiations, the SBCEO shall participate in good faith in mediation and fact-finding procedures pursuant to Government Code 3548-3548.8. (Government Code 3543.5)

Following adoption of the collective bargaining agreement, any subsequent amendments shall be executed in writing and ratified by the County Superintendent or designee and the employees' exclusive representative.

Consultation

The exclusive representative of certificated staff may consult with the County Superintendent or designee on the definition of educational objectives, the determination of the content of courses and curriculum, and the selection of textbooks.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Management Resources

Public Employment Relations Board
Decision
Website
Website
Website
Website
Website

Description

Berkeley Council of Classified Employees v. Berkeley Unified School District, (2008) PERB Decision No. 1954
[State Mediation and Conciliation Service \(SMCS\)](#)
[CSBA](#)
[Center for Collaborative Solutions](#)
[California Public Employment Relations Board](#)
[California Public Employee Relations](#)

State

Ed. Code 44987
Ed. Code 45210
Gov. Code 3540-3549.3

Description

Service as officer of employee organization (certificated)
Service as officer of employee organization (classified)
Educational Employment Relations Act

ADOPTED BY COUNTY BOARD:

Pending

REVISED:



PERSONNEL - CLASSIFIED EMPLOYEES

BOARD POLICY – NEGOTIATIONS CONSULTATION

BP 4243

The County Board of Education and the County Superintendent of Schools recognize its responsibility to represent the public's interests in the collective bargaining process. In ratifying agreements on employee contracts, the County Superintendent shall balance the needs of staff and the priorities of the SBCEO in order to provide students with a high-quality instructional program based on a sound, realistic budget.

The County Superintendent or shall establish a bargaining team to assist in analyzing contract provisions and conducting contract negotiations. The County Superintendent shall provide its negotiator(s) with expected outcomes and clear parameters for acceptable contract provisions which promote the realization of SBCEO's goals and priorities.

The County Superintendent and its bargaining team shall negotiate in good faith with exclusive employee representatives on wages, hours of employment, and other terms and conditions of employment identified in law as being within the scope of representation. (Government Code 3543.2)

When the SBCEO intends to make any change to matters within the scope of representation, it shall give reasonable written notice of its intent to the exclusive representative for the purpose of providing the exclusive representative a reasonable amount of time to negotiate with the SBCEO regarding the proposed changes. (Government Code 3543.2)

A reasonable number of representatives of the employee organization shall have the right to receive reasonable periods of released time without loss of SBCEO compensation when meeting and negotiating and/or for the processing of grievances. (Government Code 3543.1)

The County Superintendent and its bargaining team shall establish standards of conduct pertaining to the negotiations process for members of the bargaining team. Certain meetings related to negotiations shall not be open to the public in accordance with Government Code 3549.1 and 54957.6, except as otherwise required by law. Matters discussed in these meetings shall be kept in strict confidence in accordance with law.

The County Superintendent and its negotiator(s) shall not knowingly provide the employee organization with inaccurate information regarding the financial resources of the SBCEO. (Government Code 3543.5)



The County Superintendent shall monitor the progress of negotiations and carefully consider how proposed contract provisions would affect the SBCEO's short- and long-term fiscal, programmatic, instructional, and personnel goals.

The County Superintendent or designee shall keep the public informed about the progress of negotiations and the ways in which negotiations may affect SBCEO goals unless otherwise agreed upon by the SBCEO and exclusive representative.

Once the final terms of the agreement have been ratified by the membership of the employee organization, the contract shall be presented to the County Superintendent for acceptance.

Any agreement adopted by the County Superintendent may be for a term not to exceed three years. (Government Code 3540.1)

In the event of an impasse in negotiations, the SBCEO shall participate in good faith in mediation and fact-finding procedures pursuant to Government Code 3548-3548.8. (Government Code 3543.5)

Following adoption of the collective bargaining agreement, any subsequent amendments shall be executed in writing and ratified by the County Superintendent or designee and the employees' exclusive representative.

Consultation

The exclusive representative of certificated staff may consult with the County Superintendent or designee on the definition of educational objectives, the determination of the content of courses and curriculum, and the selection of textbooks.

Policy Reference Disclaimer:

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Management Resources

Public Employment Relations Board
Decision
Website
Website
Website
Website
Website

Description

Berkeley Council of Classified Employees v. Berkeley Unified School District, (2008) PERB Decision No. 1954
[State Mediation and Conciliation Service \(SMCS\)](#)
[CSBA](#)
[Center for Collaborative Solutions](#)
[California Public Employment Relations Board](#)
[California Public Employee Relations](#)

State

Ed. Code 44987
Ed. Code 45210
Gov. Code 3540-3549.3

Description

Service as officer of employee organization (certificated)
Service as officer of employee organization (classified)
Educational Employment Relations Act



ADOPTED BY COUNTY BOARD:
REVISED:

Pending

Revised Board Policies



PERSONNEL - ALL EMPLOYEES

BOARD POLICY – ACCEPTABLE USE AGREEMENT

BP 4040

The County Board of Education and the County Superintendent of Schools recognize that technological resources enhance employee performance by offering effective tools to assist in providing a quality instructional program; facilitating communications with parents/guardians, students, and the community; supporting SBCEO office and program operations; and improving access to and exchange of information. The County Superintendent of Schools or designee expect all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.

Employees shall be responsible for the appropriate use of technology and shall use SBCEO technology primarily for purposes related to their employment.

SBCEO technology includes, but is not limited to, computers, the SBCEO's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through SBCEO-owned or personally owned equipment or devices.

The County Superintendent or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of SBCEO technology. Upon employment and whenever significant changes are made to the SBCEO's Acceptable Use Agreement, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement.

Employees shall not use SBCEO technology to access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or unethical or that promotes any activity prohibited by law, Board policy, or administrative regulations.

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)

The County Superintendent or designee shall ensure that all SBCEO sites with Internet access that qualify for E-rate discounts have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 7131; 47 USC 254)



The County Superintendent or designee shall annually notify employees in writing that they have no reasonable expectation of privacy in the use of any equipment or other technological resources provided by or maintained by the SBCEO, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, even when provided their own password. To ensure proper use, the County Superintendent or designee may monitor employee usage of SBCEO technology at any time without advance notice or consent and for any reason allowed by law.

In addition, employees shall be notified that records maintained on any personal device or messages sent or received on a personal device that is being used to conduct SBCEO business may be subject to disclosure, pursuant to a subpoena or other lawful request.

Employees shall report any security problem or misuse of SBCEO technology to the County Superintendent or designee.

Inappropriate use of SBCEO technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Gov. Code 3543.1
Gov. Code 6250-6270
Pen. Code 502
Pen. Code 632
Veh. Code 23123
Veh. Code 23123.5
Veh. Code 23125

Description

Rights of employee organizations
California Public Records Act
Computer Crimes, remedies
Eavesdropping on or recording confidential communications
Wireless telephones in vehicles
Mobile communication devices; text messaging while driving
Wireless telephones in school buses

Federal

20 USC 7101-7122
20 USC 7131
47 CFR 54.520

Description

Student Support and Academic Enrichment Grants
Internet Safety
Internet safety policy and technology protection measures, E-rate discounts

Management Resources

Court Decision
Court Decision
Website
Website
Website
Website
Website

Description

City of Ontario v. Quon et al. (2010) 000 U.S. 08-1332
City of San Jose v. Superior Court (2017) 2 Cal.5th 608
[Federal Communications Commission](#)
[American Library Association](#)
[California Department of Education](#)
[CSBA](#)
[U.S. Department of Education](#)

ADOPTED BY COUNTY BOARD:

September 7, 2017

REVISED:

Pending



Current Version

PERSONNEL

BP 4040

POLICY -- EMPLOYEE USE OF TECHNOLOGY

The County Board recognizes that technological resources can enhance employee performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, students, and the community, supporting the County Education Office and school operations, and improving access to and exchange of information. Employees may be issued County-owned electronic devices or may use County-owned electronic devices issued to other employees to allow them to use the County Education Office's technological resources for work-related business. The County Board expects all employees to learn to use these devices to assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these devices.

Employees shall be responsible for the appropriate use of County-owned electronic devices and the County Education Office's technological resources and shall use them for purposes related to their employment.

Employees shall be notified that computer files and electronic communications, including email and voice mail, are not private. Technological resources shall not be used to transmit confidential information about students, employees, or County Education Office operations without authority, and without appropriate procedures to protect the confidentiality of the information.

Online/Internet Services

To ensure proper use each employee who uses a County-owned electronic device shall sign a form consenting to the following without further notice or consent: (i) the County Superintendent or designee accessing and possessing the County-owned electronic device used by the employee; (ii) the County Superintendent or designee reviewing, copying and otherwise taking physical possession of and using all electronic devices and stored information; (iii) the County Superintendent or designee monitoring at any time, all electronic communications sent to or received by the employee on the County-owned electronic device, including but not limited to the accessing of email and stored files, (iv) the County Superintendent or designee accessing, monitoring and/or deleting any work or classroom-related websites, blogs, forums, or similar online communications that violate the Employee Responsible Use Agreement including disclosing to the County Superintendent or designee all passwords necessary to access and monitor employee usage of technological resources on County-owned electronic devices.

The County Superintendent or designee shall establish administrative regulations and an Employee Responsible Use Agreement which outlines employee obligations and responsibilities related to the use of County-owned electronic devices and County technology. The County Superintendent or designee also may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the employee's user privileges, confiscation of device(s), disciplinary action, and/or legal action in accordance with law, board policy, and administrative regulations.

The County Superintendent or designee shall provide copies of related policies, regulations, and guidelines to all employees who use the County-owned electronic devices and technological resources. Employees shall be required to acknowledge in writing that they have read and understood the County Education Office's Employee Responsible Use Agreement.

ADOPTED BY COUNTY BOARD:

September 7, 2017



STUDENTS

Clean

BOARD POLICY – STUDENT AND FAMILY PRIVACY RIGHTS

BP 5022

The County Board of Education respects the rights of students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information.

The County Superintendent of Schools or designee may collect, disclose, or use students' personal information for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following: (20 USC 1232h)

1. College or other postsecondary education recruitment or military recruitment
2. Book clubs, magazines, and programs providing access to low-cost literary products
3. Curriculum and instructional materials used by elementary and secondary schools
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
5. The sale by students of products or services to raise funds for school-related or education-related activities
6. Student recognition programs

The County Superintendent or designee is prohibited from collecting, disclosing, or using a student's individually identifiable information, including their name, parent/guardian's name, home or other physical address, telephone number, or social security number, for the purpose of marketing or selling that information or providing the information to others for that purpose.

However, the County Education Office shall not use surveys to collect social security numbers or the last four digits of social security numbers, or information or documents regarding citizenship or immigration status, of students or their families. (Education Code 234.7, 49076.7)

The County Superintendent or designee may consult with parents/guardians regarding

the development of regulations pertaining to other uses of personal information, which shall, at a minimum, address the following: (20 USC 1232h)

1. Arrangements for protecting student privacy when collecting, disclosing, or using students' individually identifiable information for any purpose
2. Arrangements to protect student privacy in the administration of surveys that may request information about the personal beliefs and practices of students and their families
3. The rights of parents/guardians to inspect the following, and any applicable procedures for granting reasonable access to the following in a reasonable period of time:
 - a. Survey instruments requesting information about their personal beliefs and practices or those of their children
 - b. Instructional materials used as part of their children's educational curriculum
4. Any nonemergency physical examinations or screenings that the school may administer

The County Superintendent or designee shall notify parents/guardians of the adoption or continued use of the County Education Office's policy pertaining to the rights specified in items #1-4 above. (20 USC 1232h)

Policy Reference Disclaimer:

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Federal	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1232h	Protection of pupil rights
Management Resources	Description
Website	U.S. Department of Education, Family Policy Compliance Office
Website	CSBA
Website	California Department of Education
State	Description
Ed. Code 234.7	Student protections related to immigration and citizenship status
Ed. Code 49076.7	Student records; data privacy; social security numbers
Ed. Code 49450-49458	Physical examinations
Ed. Code 49602	Confidentiality of personal information received during counseling
Ed. Code 51101	Parents Rights Act of 2002
Ed. Code 51513	Test, questionnaire, survey, or examination concerning personal beliefs
Ed. Code 51514	Nonremoval of survey questions pertaining to sexual orientation

Ed. Code 51938

or gender identity
Sexual Health and HIV/AIDS Prevention Education Act; notice
and parental excuse

ADOPTED BY COUNTY BOARD: December 2, 2004
REVISED:

STUDENTS

Marked

POLICY—STUDENT AND FAMILY PRIVACY RIGHTS

BP 5022

This policy applies to students enrolled in programs operated by the Santa Barbara County Education Office (SBCEO), which includes students who receive special education and related services, students in juvenile court schools, and students in county community schools.

The County Board of Education and County Superintendent of Schools recognize that personal information concerning students in County Education Office operated programs as referenced above and their families should be kept private in accordance with law. Upon approval by the County Superintendent, program staff may administer or distribute survey instruments to students that are designed for the purpose of collecting personal information related to surveys that are sanctioned by the California Department of Education and/or its agents. The County Superintendent or designee shall ensure that these instruments are administered in accordance with law and administrative regulation.

The County Superintendent or designee has consulted with parents/guardians regarding the development and implementation of this policy.

ADOPTED BY COUNTY BOARD: December 2, 2004



STUDENTS

Clean

BOARD POLICY – STUDENT WELLNESS

BP 5030

The County Board of Education recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The County Superintendent of Schools or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the County Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

School Wellness Council

The County Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, County Board members, program managers, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b; 7 CFR 210.31)

To fulfill this requirement, the County Superintendent or designee may appoint a school wellness council or other district committee and a program manager or wellness council coordinator. The council may include representatives of the groups listed above, as well as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

The County Superintendent or designee may make available to the public and school community a list of the names, position titles, and contact information of the wellness council members.

The wellness council may advise the district on health-related issues, activities, policies, and programs. At the discretion of the County Superintendent or designee, the duties of the council may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

Goals for Nutrition, Physical Activity, and Other Wellness Activities

The County Superintendent shall adopt specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing such goals, the County Superintendent or designee shall review and consider evidence-based strategies and techniques. (42 USC 1758b; 7 CFR 210.31)

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

The nutrition education program may include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education may be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

The County Superintendent or designee may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

Professional development may be regularly offered to program managers, and staff, as well as health education teachers, physical education teachers, and other staff as appropriate to enhance their knowledge and skills related to student health and wellness.

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The County Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

The County Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. The County Superintendent may promote work-site wellness programs and provide opportunities for regular physical activity among employees.

Nutrition Guidelines for All Foods Available at School

For all foods and beverages available on each campus during the school day, the district shall adopt nutrition guidelines which are consistent with 42 USC 1758, 1766, 1773, and

1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

In order to maximize the district's ability to provide nutritious meals and snacks, district schools may participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

The County Superintendent or designee shall provide access to free, potable water in the food service area during meal times in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and by serving water in an appealing manner.

The County Board believes that all foods and beverages sold to students at district schools, including those available outside the district's reimbursable food services program, should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutrition standards.

The County Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes.

The County Superintendent also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

To reinforce the district's nutrition education program, the County Board prohibits the marketing and advertising of foods and beverages that do not meet nutrition standards for the sale of foods and beverages on campus during the school day. (Education Code 49431.9; 7 CFR 210.31)

Program Implementation and Evaluation

The County Superintendent designates the individual identified below as the individual responsible for ensuring that each school site complies with the district's wellness policy. (42 USC 1758b; 7 CFR 210.31)

Bridget Baublits
Associate Superintendent, Educational Services

805-964-4711 extension 5265
bbaublits@sbceo.org

The County Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every three years. (42 USC 1758b; 7 CFR 210.31)

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The County Superintendent or designee shall invite feedback on district and school wellness activities from program managers, the wellness council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

The County Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness.

Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records
3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program
4. Extent to which foods and beverages sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutrition standards
5. Extent to which other foods and beverages that are available on campus during the school day, such as foods and beverages for classroom parties, school celebrations, and rewards/incentives, comply with nutrition standards
6. Results of the state's physical fitness test at applicable grade levels
7. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity

8. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program
9. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate
10. As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

In addition, the County Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.

The assessment results of both the district and state evaluations shall be submitted to the County Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

Notifications

The County Superintendent or designee shall inform the public about the content and implementation of the district's wellness policy and shall make the policy, and any updates to the policy, available to the public on an annual basis. The County Superintendent or designee shall also inform the public of the district's progress towards meeting the goals of the wellness policy, including the availability of the triennial district assessment. (Education Code 49432; 42 USC 1758b; 7 CFR 210.31)

The County Superintendent or designee may distribute this information through the most effective methods of communication, including district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and wellness and academic performance.

Each school may post a summary of nutrition and physical activity laws and regulations prepared by the CDE.

Records

The County Superintendent or designee shall retain records that document compliance with 7 CFR 210.31, including, but not limited to, the written student wellness policy, documentation of the triennial assessment of the wellness policy for each school site, and documentation demonstrating compliance with the community involvement requirements,

including requirements to make the policy and assessment results available to the public. (7 CFR 210.31)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal	Description
42 USC 1751-1769j	National School Lunch Program
42 USC 1758b	Local wellness policy
42 USC 1771-1793	Child Nutrition Act
42 USC 1773	School Breakfast Program
42 USC 1779	Rules and regulations, Child Nutrition Act
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 210.31	Wellness policy
7 CFR 220.1-220.22	National School Breakfast Program
Management Resources	Description
California Department of Education Publication	Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009
California Department of Education Publication	Health Framework for California Public Schools: Kindergarten through Grade 12, 2003
California Project Lean Publication	Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006
Center for Collaborative Solutions	Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security, Jan 2015
Centers for Disease Control & Prevention Publication	School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, rev. 2012
Court Decision	Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781
CSBA Publication	Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2012
CSBA Publication	School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006
CSBA Publication	Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009
CSBA Publication	Physical Education and California Schools, Policy Brief, rev. October 2007
CSBA Publication	Physical Activity and Physical Education in California Schools, Research Brief, April 2010
CSBA Publication	Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012
CSBA Publication	Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012
CSBA Publication	Integrating Physical Activity into the School Day, Governance Brief, April 2016
CSBA Publication	Increasing Access to Drinking Water in Schools, Policy Brief, April 2013
CSBA Publication	Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
Federal Register	Rules and Regulations, July 29, 2016, Vol. 81, Number 146, pages 50151-50170

National Assoc of State Boards of
Education Pub
U.S. Department of Agriculture
Publication

Website

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State

5 CCR 15500-15501

5 CCR 15510

5 CCR 15530-15535

5 CCR 15550-15565

Ed. Code 33350-33354

Ed. Code 38086

Ed. Code 49430-49434

Ed. Code 49490-49494

Ed. Code 49500-49505

Ed. Code 49510-49520

Ed. Code 49530-49536

Ed. Code 49540-49546

Ed. Code 49547-49548.3

Ed. Code 49550-49562

Ed. Code 49565-49565.8

Ed. Code 49570

Ed. Code 51210

Ed. Code 51210.1-51210.2

Ed. Code 51210.4

Ed. Code 51220

Ed. Code 51222

Ed. Code 51223

Ed. Code 51795-51798

Ed. Code 51880-51921

Fit, Healthy and Ready to Learn, rev. 2012

Dietary Guidelines for Americans, 2016

[U.S. Department of Agriculture, Healthy Meals Resource System](#)

[U.S. Department of Agriculture, Food Nutrition Service, wellness policy](#)

[Society for Nutrition Education](#)

[School Nutrition Association](#)

[National Association of State Boards of Education](#)

[National Alliance for Nutrition and Activity](#)

[Dairy Council of California](#)

[CSBA](#)

[Centers for Disease Control and Prevention](#)

[Center for Collaborative Solutions](#)

[California School Nutrition Association](#)

[California Project LEAN \(Leaders Encouraging Activity and Nutrition\)](#)

[California Healthy Kids Resource Center](#)

[California Department of Public Health](#)

[California Department of Education, Nutrition Services Division](#)

[Alliance for a Healthier Generation](#)

[Action for Healthy Kids](#)

Description

Food sales by student organizations

Mandatory meals for needy students

Nutrition education

School lunch and breakfast programs

CDE responsibilities re: physical education

Free fresh drinking water

Pupil Nutrition, Health, and Achievement Act of 2001

School breakfast and lunch programs

School meals

Nutrition

Child Nutrition Act

Child care food program

Comprehensive nutrition services

Meals for needy students

California Fresh Start pilot program

National School Lunch Act

Course of study for grades 1-6

Physical education, grades 1-6

Nutrition education

Course of study for grades 7-12

Physical education

Physical education, elementary schools

School instructional gardens

Comprehensive health education

ADOPTED BY COUNTY BOARD: March 6, 2008
REVISED:

STUDENTS

Marked

POLICY- STUDENT WELLNESS

BP 5030

The County Board of Education believes that the physical health and well being of its students are essential to their education. It also acknowledges the Federal mandates that the County Education Office provide instruction that enhances the health of its students. (42 USC 1751)

The Board is committed to a wellness program that:

1. promotes health, including nutrition as an integral component, in a continuum from Pre-Kindergarten through Grade Twelve;
2. follows a curriculum based on the California State Health Frameworks and other mandates;
3. incorporates the necessary instruction time into the school year;
4. provides training to certificated staff; and
5. engages SBCEO schools with the community.

The program addresses three components of health: health education, nutrition, and physical activity.

Health Education— Health and nutrition education designed to foster health literacy among students—the capacity of the individual to obtain, understand, interpret, and use basic health information and services to enhance personal health. Core health facts, concepts, and skills that can be taught and assessed as presented in the California State Health Framework and other resources.

Nutrition— Adequate and nourishing food that enables students to grow, learn and maintain health and provides a positive and immediate impact on student academic achievement. Good nutrition as an integral component of the pre-kindergarten through Grade Twelve curriculum, teaching, and assessments.

Physical Activity— Promoting lifelong engagement in activities that have a positive effect on cardiovascular and muscular-skeletal systems. Benefits of physical activity include:

- physical, emotional and intellectual well being;
- enhancement of learning and school achievement;
- reduction of stress and anxiety;
- development of healthy habits;
- promotion of lifelong fitness;

STUDENTS

POLICY - STUDENT WELLNESS

BP 5030

-2-

- ~~prevention of chronic diseases.~~

~~SBCEO programs will support and collaborate with individual school districts' policies that include the Federal Child Nutrition, Women, Infants and Children (WIC) Reauthorization Act of 2004 (note in 42 USC 1751).~~

~~Implementation will be achieved as follows:~~

- ~~1. SBCEO programs located on school district campuses will comply with the district's wellness policy and collaborate with the district to support and insure implementation within SBCEO's programs.~~
- ~~2. Each SBCEO program will develop internal protocols for professional development for staff around wellness policies.~~
- ~~3. Any categorical program operating outside of a district site will develop internal protocols to comply with this policy as it relates to the components of health for students and staff.~~
- ~~4. Monitoring of policy implementation — Within each program, the administrator or designee will establish a department wellness committee to ensure compliance with the district's and or County Education Office policy.~~

ADOPTED BY COUNTY BOARD:

March 6, 2008

STUDENTS

POLICY - STUDENT WELLNESS

BP 5030

-3-

BP 5030



STUDENTS

CLEAN

BOARD POLICY – CHILD ABUSE PREVENTION AND REPORTING

BP 5141.4

The County Board is committed to supporting the safety and well-being of County Education Office students and desires to facilitate the prevention of and response to child abuse and neglect. The County Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The County Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

Child Abuse Prevention

The County Education Office's instructional program may provide age-appropriate and culturally sensitive child abuse prevention curriculum, which explains students' rights to live free of abuse, includes instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, informs students of available support resources, and teaches students how to obtain help and disclose incidents of abuse.

The County Education Office's programs also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

The County Superintendent or designee may display posters, in areas on campus where students frequently congregate, notifying students of the appropriate telephone number to call to report child abuse or neglect. (Education Code 33133.5)

Child Abuse Reporting

The County Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

Procedures for reporting child abuse shall be included in the County Education Office comprehensive safety plan. (Education Code 32282)

County Education Office employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The County Superintendent or designee shall provide training regarding the duties of mandated reporters as required by law and as specified in the accompanying administrative regulation. (Education Code 44691; Penal Code 11165.7)

Policy Reference Disclaimer:

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Federal	Description
42 USC 11434a	McKinney-Vento Homeless Assistance Act; definitions
Management Resources	Description
California Department of Education Publication	Health Framework for California Public Schools, Kindergarten Through Grade Twelve
California Department of Education Publication	Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve
Court Decision	Camreta v. Greene (2011) 131 S.Ct. 2020
Website	U.S. Department of Health and Human Services, Child Welfare Information Gateway
Website	California Department of Social Services, Children and Family Services Division
Website	California Department of Education, Safe Schools
Website	California Attorney General's Office, Suspected Child Abuse Report Form
State	Description
5 CCR 4650	Filing complaints with CDE, special education students
Ed. Code 32280-32289	School safety plans
Ed. Code 33195	Heritage schools, mandated reporters
Ed. Code 33308.1	Guidelines on procedure for filing child abuse complaints
Ed. Code 44252	Teacher credentialing
Ed. Code 44691	Staff development in the detection of child abuse and neglect
Ed. Code 44807	Duty concerning conduct of students
Ed. Code 48906	Notification when student released to peace officer
Ed. Code 48987	Dissemination of reporting guidelines to parents
Ed. Code 49001	Prohibition of corporal punishment
Ed. Code 51220.5	Parenting skills education
Ed. Code 51900.6	Sexual abuse and sexual assault awareness and prevention
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act
Pen. Code 152.3	Duty to report murder, rape, or lewd or lascivious act
Pen. Code 273a	Willful cruelty or unjustifiable punishment of child; endangering life or health
Pen. Code 288	Definition of lewd or lascivious act requiring reporting
W&I Code 15630-15637	Dependent adult abuse reporting

ADOPTED BY COUNTY BOARD:	October 5, 1989
REVISED:	May 7, 1992
	April 7, 1994
	February 2, 2012
	September 7, 2017
	December 13, 2019



STUDENTS

MARKED

BOARD POLICY – CHILD ABUSE PREVENTION AND REPORTING

BP 5141.4

The County Board is committed to supporting the safety and well-being of County Education Office students and desires to facilitate the prevention of and response to child abuse and neglect. The County Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The County Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

Child Abuse Prevention

The County Education Office's instructional program ~~shall~~ may provide include age-appropriate and culturally sensitive child abuse prevention curriculum, ~~which~~. This curriculum ~~shall explain~~ students' rights to live free of abuse, ~~includes~~ instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, ~~informs~~ students of available support resources, and ~~teaches~~ students how to obtain help and disclose incidents of abuse.

The County Education Office's programs also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

~~The County Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the County Education Office's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.~~

The County Superintendent or designee may display posters, in areas on campus where students frequently congregate, notifying students of the appropriate telephone number to call to report child abuse or neglect. (Education Code 33133.5)

Child Abuse Reporting

The County Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

Procedures for reporting child abuse shall be included in the County Education Office

comprehensive safety plan. (Education Code 32282)

County Education Office employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The County Superintendent or designee shall provide training regarding the duties of mandated reporters as required by law and as specified in the accompanying administrative regulation. (Education Code 44691; Penal Code 11165.7)

"Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy."

Legal Reference:

Federal

42 USC 11434a

Management Resources

California Department of Education
Publication

California Department of Education
Publication

Court Decision

Website

Website

Website

Website

State

5 CCR 4650

Ed. Code 32280-32289

Ed. Code 33195

Ed. Code 33308.1

Ed. Code 44252

Ed. Code 44691

Ed. Code 44807

Ed. Code 48906

Ed. Code 48987

Ed. Code 49001

Ed. Code 51220.5

Ed. Code 51900.6

Pen. Code 11164-11174.3

Pen. Code 152.3

Pen. Code 273a

Pen. Code 288

W&I Code 15630-15637

Description

McKinney-Vento Homeless Assistance Act; definitions

Description

Health Framework for California Public Schools, Kindergarten
Through Grade Twelve

Health Education Content Standards for California Public Schools,
Kindergarten Through Grade Twelve

Camreta v. Greene (2011) 131 S.Ct. 2020

U.S. Department of Health and Human Services, Child Welfare
Information Gateway

California Department of Social Services, Children and Family
Services Division

California Department of Education, Safe Schools

California Attorney General's Office, Suspected Child Abuse
Report Form

Description

Filing complaints with CDE, special education students

School safety plans

Heritage schools, mandated reporters

Guidelines on procedure for filing child abuse complaints

Teacher credentialing

Staff development in the detection of child abuse and neglect

Duty concerning conduct of students

Notification when student released to peace officer

Dissemination of reporting guidelines to parents

Prohibition of corporal punishment

Parenting skills education

Sexual abuse and sexual assault awareness and prevention

Child Abuse and Neglect Reporting Act

Duty to report murder, rape, or lewd or lascivious act

Willful cruelty or unjustifiable punishment of child; endangering life
or health

Definition of lewd or lascivious act requiring reporting

Dependent adult abuse reporting

EDUCATION CODE

~~32280-32288 Comprehensive school safety plans~~
~~33195 Heritage schools, mandated reporters~~
~~33308.1 Guidelines on procedure for filing child abuse complaints~~
~~44252 Teacher credentialing~~
~~44691 Staff development in the detection of child abuse and neglect~~
~~44807 Duty concerning conduct of students~~
~~48906 Notification when student released to peace officer~~
~~48987 Dissemination of reporting guidelines to parents~~
~~49001 Prohibition of corporal punishment~~
~~51220.5 Parenting skills education~~
~~51900.6 Sexual abuse and sexual assault awareness and prevention~~

PENAL CODE

~~152.3 Duty to report murder, rape, or lewd or lascivious act~~
~~273a Willful cruelty or unjustifiable punishment of child; endangering life or health~~
~~288 Definition of lewd or lascivious act requiring reporting~~
~~11164-11174.3 Child Abuse and Neglect Reporting Act~~

WELFARE AND INSTITUTIONS CODE

~~15630-15637 Dependent adult abuse reporting~~

CODE OF REGULATIONS, TITLE 5

~~4650 Filing complaints with CDE, special education students~~

UNITED STATES CODE, TITLE 42

~~11434a McKinney-Vento Homeless Assistance Act; definitions~~

COURT DECISIONS

~~Camreta v. Greene (2011) 131 S.Ct. 2020~~

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

~~Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve~~
~~Health Framework for California Public Schools, Kindergarten Through Grade Twelve~~

WEB SITES

~~California Attorney General's Office, Suspected Child Abuse Report Form:~~
~~http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf~~
~~California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss/ap>~~
~~California Department of Social Services, Children and Family Services Division:~~
~~<http://www.childsworld.ca.gov>~~
~~U.S. Department of Health and Human Services, Child Welfare Information Gateway:~~
~~<https://www.childwelfare.gov/can>~~

ADOPTED BY COUNTY BOARD: October 5, 1989

REVISED: May 7, 1992
April 7, 1994
February 2, 2012
September 7, 2017
December 13, 2019



STUDENTS

Clean

BOARD POLICY – FREEDOM OF SPEECH AND EXPRESSION

BP 5145.2

The County Board of Education believes that free inquiry and exchange of ideas are essential parts of a democratic education. The County Board and the County Superintendent of Schools respect students' rights to express ideas and opinions, take stands on issues, and support causes, even when such speech is controversial or unpopular.

On-Campus Expression

Students shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications. (Education Code 48907)

Student expression on district or school Internet web sites and online media shall generally be afforded the same protections as in print media.

Students' freedom of expression shall be limited only as allowed by Education Code 48907, 48950, and other applicable state and federal laws.

Students are prohibited from making any expressions or distributing or posting any materials that are obscene, libelous, or slanderous. Students also are prohibited from making any expressions that so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of school rules, or substantial disruption of the school's orderly operation. (Education Code 48907)

The use of "fighting words" or epithets is prohibited in those instances where the speech is abusive and insulting, rather than a communication of ideas, and the speech is used in an abusive manner in a situation that presents an actual danger that it will cause a breach of the peace.

School officials shall not engage in prior restraint of material prepared for official school publications except insofar as the content of the material violates the law. (Education Code 48907)

The County Superintendent or designee shall not discipline any high school student solely on the basis of speech or other communication that would be constitutionally protected when engaged in outside of school, but may impose discipline for harassment, threats, or intimidation unless constitutionally protected. (Education Code 48950)

Off-Campus Expression

A student shall be subject to discipline for off-campus expression, including expression on off-campus Internet web sites, when such expression poses a threat to the safety of other students, staff, or school property, or substantially disrupts the educational program. The County Superintendent or designee shall document the impact the expression had or could be expected to have on the school program.

Policy Reference Disclaimer:

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Federal 20 USC 4071-4074	Description Equal Access Act
Management Resources	Description
Court Decision	Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503
Court Decision	Smith v. Novato Unified School District, (2007) 150 Cal.App.4th 1439
Court Decision	Muller v. Jefferson Lighthouse School, (1996) 98 F.3d 1530
Court Decision	Lovell v. Poway Unified School District, (1996) 90 F.3d 367
Court Decision	Leeb v. DeLong, (1988) 198 Cal.App.3d 47
Court Decision	Lavine v. Blaine School District, (2001, 9th Cir.) 257 F.3d 981
Court Decision	J.S. v. Bethlehem Area School District, (2000) 757 A.2d 412 (Pa. Commw. 2000)
Court Decision	Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562
Court Decision	Emmett v. Kirkland School District No. 415, (2000) 92 F.Supp. 2d 1088
Court Decision	Bright v. Los Angeles Unified School District, (1976) 18 Cal. 3d 350
Court Decision	Beussink v. Woodland R-IV School District, (1998) 30 F.Supp. 2d 1175
Court Decision	Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675
Website	CSBA
Website	California Department of Education
State	Description
CA Constitution Article 1, Section 2	Freedom of speech and expression
Ed. Code 48907	Students' exercise of free expression; rules and regulations
Ed. Code 48950	Freedom of speech and other communication
Ed. Code 51520	Prohibited solicitations on school premises

ADOPTED BY COUNTY BOARD:	July 3, 1975
REVISED:	June 7, 1984
	January 6, 1994
	April 7, 1994



STUDENTS

Marked

BOARD POLICY – FREEDOM OF SPEECH AND EXPRESSION

The County Board of Education believes that free inquiry and exchange of ideas are essential parts of a democratic education. The County Board of Education and the County Superintendent of Schools of Schools respect students' rights to express ideas and opinions, take stands on issues, and support causes, even when such speech is controversial or unpopular, whether controversial or not, through their speech, their writing, their clothing, and the printed materials they choose to post or distribute.

On-Campus Expression

Students shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications. (Education Code 48907)

Student expression on district or school Internet web sites and online media shall generally be afforded the same protections as in print media.

Students' freedom of expression shall be limited only as allowed by Education Code 48907, 48950, and other applicable state and federal laws.

Students are prohibited from making any expressions or distributing or posting any materials that are obscene, libelous, or slanderous. Students also are prohibited from making any expressions that so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of school rules, or substantial disruption of the school's orderly operation. (Education Code 48907)

The use of "fighting words" or epithets is prohibited in those instances where the speech is abusive and insulting, rather than a communication of ideas, and the speech is used in an abusive manner in a situation that presents an actual danger that it will cause a breach of the peace.

School officials shall not engage in prior restraint of material prepared for official school publications except insofar as the content of the material violates the law. (Education Code 48907)

The County Superintendent or designee shall not discipline any high school student solely on the basis of speech or other communication that would be constitutionally protected when engaged in outside of school, but may impose discipline for harassment, threats, or intimidation unless constitutionally protected. (Education Code 48950)

Off-Campus Expression

A student shall be subject to discipline for off-campus expression, including expression on off-campus Internet web sites, when such expression poses a threat to the safety of other students, staff, or school property, or substantially disrupts the educational program. The County Superintendent or designee shall document the impact the expression had or could be expected to have on the school program.

Policy Reference Disclaimer:

~~Student liberties of expression shall be limited only as allowed by law in order to maintain an orderly school environment and to protect the rights, health and safety of all members of the school community.~~

~~Students shall be free to post or distribute handbills, leaflets and other printed material, whether produced within or outside of the school. Students may collect signatures on petitions concerning either school or out-of-school issues. Students may not post or distribute materials regarding the meetings of non-curricular student-initiated groups.~~

~~The County Superintendent or designee will ensure that due process is followed when resolving disputes regarding student freedom of expression in accordance with administrative regulations.~~

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal

20 USC 4071-4074

Management Resources

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Website

Website

State

Description

Equal Access Act

Description

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Smith v. Novato Unified School District, (2007) 150 Cal.App.4th 1439

Muller v. Jefferson Lighthouse School, (1996) 98 F.3d 1530

Lovell v. Poway Unified School District, (1996) 90 F.3d 367

Leeb v. DeLong, (1988) 198 Cal.App.3d 47

Lavine v. Blaine School District, (2001, 9th Cir.) 257 F.3d 981

J.S. v. Bethlehem Area School District, (2000) 757 A.2d 412 (Pa. Commw. 2000)

Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562

Emmett v. Kirkland School District No. 415, (2000) 92 F.Supp. 2d 1088

Bright v. Los Angeles Unified School District, (1976) 18 Cal. 3d 350

Beussink v. Woodland R-IV School District, (1998) 30 F.Supp. 2d 1175

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

CSBA

California Department of Education

Description

CA Constitution Article 1, Section 2

Ed. Code 48907

Ed. Code 48950

Ed. Code 51520

Freedom of speech and expression

Students' exercise of free expression; rules and regulations

Freedom of speech and other communication

Prohibited solicitations on school premises

ADOPTED BY COUNTY BOARD:

REVISED:

July 3, 1975

June 7, 1984

January 6, 1994

April 7, 1994



BOARD BYLAW

BOARD POLICY – CONFLICT OF INTEREST

BP 9270

The County Board of Education desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the county education office (CEO) and the public. In accordance with law, County Board members, and all SBCEO employees designated by law, shall disclose any conflict of interest and, as necessary, shall abstain from participating in any decisions or discussions that could affect or be effected by those interests, especially, as prohibited by Government Code 1090, those interests related to contracts. The County Board shall consult legal counsel whenever an actual or potential conflict of interest arises.

The County Board shall adopt a resolution that specifies the terms of its conflict of interest code, designates any consultant positions required to complete conflict of interest reporting, and establishes disclosure categories required for each position. The conflict of interest code must be approved by the appropriate code reviewing body. Upon request by the code reviewing body, the County Board shall review the conflict of interest code and submit any changes to the code reviewing body.

When a change in the conflict of interest code is necessitated due to changed circumstances, such as the hiring of a new consultant in a position that is not already designated in the conflict of interest code or a change to an existing consultant's scope of work in a manner that changes the consultant's position to a designated position, the amended code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing the conflict of interest code, the County Board shall provide members of the community, the County Superintendent of Schools, CEO staff, and consultants of the County Board adequate notice and a fair opportunity to present their views. (Government Code 87311)

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

Conflict of Interest under the Political Reform Act

A County Board member shall not make, participate in making, or in any way use or attempt to use their official position to influence a governmental decision in which they know or have reason to know that they have a disqualifying conflict of interest. A conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect" on one or more

of the County Board member's "economic interests," unless the effect is indistinguishable from the effect on the public generally or the County Board member's participation is legally required. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A County Board member is involved in making a governmental decision when, acting within the authority of their office or position, they vote on a matter, appoint a person, obligate or commit the County Board to any course of action, or vote to enter into or approve any contractual agreement on behalf of the County Board. (2 CCR 18704)

A County Board member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the County Board shall abstain from voting on the matter. Although they may remain on the dais, if they do choose to stay their presence shall not be counted towards achieving a quorum for that matter. A County Board member with a disqualifying conflict of interest shall not be present during a closed session meeting of the County Board when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue. (2 CCR 18700)

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

County Board members shall not be financially interested in any contract made by the County Board and shall not be included in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids for such contracts. If a County Board member has such a financial interest, the County Board is barred from entering into the contract. (Government Code 1090; Klistoff v. Superior Court, (2007) 157 Cal.App. 4th 469)

A County Board member shall not be considered to be financially interested in a contract if their interest is a "noninterest" as defined in Government Code 1091.5.

A County Board member shall not be considered to be financially interested in a contract if they have only a "remote interest" in the contract as specified in Government Code 1091 and if the remote interest is disclosed during a County Board meeting and noted in the official County Board minutes. The affected County Board member shall not vote or debate on the matter or attempt to influence any other County Board member's vote. (Government Code 1091)

To avoid the appearance of impropriety, County Board members may decide not to participate in any discussion or action involving contracts where their interest is a "noninterest" or "remote interest" as described in Education Code 1091 and 1091.5.

Common Law Doctrine Against Conflict of Interest

A County Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties. The County Board shall consult legal counsel whenever an actual or potential conflict of interest arises.

County Board members shall abstain from voting on personnel matters that uniquely affect relatives. Relative means an adult who is related to the County Board member by blood, affinity, or adoptive relationship within the third degree.***

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

Rule of Necessity or Legally Required Participation

On a case-by-case basis and upon advice of legal counsel, a County Board member with a financial interest in a contract may participate in the making of the contract if the rule of necessity or legally required participation applies pursuant to Government Code 87101 and 2 CCR 18705.

Incompatible Offices and Activities

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

Gifts

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

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

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the County Board for its members. (Government Code 89506)

Honoraria

County Board members shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

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

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

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Management Resources

Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

CSBA Publication

Fair Political Practices Commission
 Publication

Institute For Local Government Publication

Institute for Local Government Publication

Website

Website

Website

Description

92 Ops.Cal.Atty.Gen. 26 (2009)
 92 Ops.Cal.Atty.Gen. 19 (2009)
 89 Ops.Cal.Atty.Gen. 217 (2006)
 86 Ops.Cal.Atty.Gen. 138(2003)
 85 Ops.Cal.Atty.Gen. 60 (2002)
 82 Ops.Cal.Atty.Gen. 83 (1999)
 81 Ops.Cal.Atty.Gen. 327 (1998)
 80 Ops.Cal.Atty.Gen. 320 (1997)
 69 Ops.Cal.Atty.Gen. 255 (1986)
 68 Ops.Cal.Atty.Gen. 171 (1985)
 65 Ops.Cal.Atty.Gen. 606 (1982)
 63 Ops.Cal.Atty.Gen. 868 (1980)
 Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655
 McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)
 Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511
 Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469
 Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261
 Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010
 Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005
 Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009
 Understanding the Basics of Public Service Ethics: Transparency Laws, 2009
[Institute for Local Government](#)
[Fair Political Practices Commission](#)
[CSBA](#)

State

2 CCR 18110-18997
 2 CCR 18700-18760
 2 CCR 18722-18740
 2 CCR 18753-18756
 Ed. Code 1006

Ed. Code 35107

Ed. Code 35230-35240

Ed. Code 35233

Description

[Regulations of the Fair Political Practices Commission](#)
[Conflicts of Interest](#)
[Disclosure of interests](#)
[Conflict of interest codes](#)
[Prohibition against school district employees serving on county board of education](#)
 School district employees
 Corrupt practices
 Prohibitions applicable to members of governing boards

Ed. Code 41000-41003	Moneys received by school districts
Ed. Code 41015	Investments
Fam. Code 297.5	Rights, protections, and benefits of registered domestic partners
Gov. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 1125-1129	Incompatible activities
Gov. Code 81000-91014	Political Reform Act of 1974
Gov. Code 82011	Code reviewing body
Gov. Code 82019	<u>Definition, designated employee</u>
Gov. Code 82028	Definition, gift
Gov. Code 82030	Definition, income
Gov. Code 82033	Definition, interest in real property
Gov. Code 82034	Definition, investment
Gov. Code 87100-87103.6	General prohibitions
Gov. Code 87200-87210	Disclosure
Gov. Code 87300-87313	<u>Conflict of interest code</u>
Gov. Code 87500	Statement of economic interests
Gov. Code 89501-89503	Honoraria and gifts
Gov. Code 89506	Ethics; travel
Gov. Code 91000-91014	Enforcement
Pen. Code 85-88	Bribes
Rev. & Tax Code 203	Taxable and exempt property - colleges

ADOPTED BY COUNTY BOARD: February 3, 1977

REVISED: July 5, 1984, March 7, 1985, December 5, 1985, December 4, 1986, 3, 1987, May 2, 1991, January 2, 1992, December 3, 1992, December 1, 1993, December 1, 1994, December 7, 1995, November 7, 1996, December 3, 1998, March 2, 2000, November 2, 2000, January 3, 2002, November 6, 2003, November 4, 2004, January 5, 2006, December 7, 2006, December 6, 2007, December 4, 2008, January 7, 2010, December 2, 2010, February 2, 2012, March 7, 2013, December 12, 2013, December 11, 2014, February 2, 2017, PENDING



BOARD BYLAW

EXHIBIT – CONFLICT OF INTEREST

BP 9270

RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

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

WHEREAS, the Santa Barbara County Board of Education has previously adopted a local conflict of interest code; and

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

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

WHEREAS, the County Board has recently reviewed its positions, and the duties of each position, and has determined that (changes/no changes) to the current conflict of interest code are necessary; and

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

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

PASSED AND ADOPTED THIS _____ day of _____, _____ at a meeting, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

Attest:

Secretary/President

Conflict of Interest Code of the Santa Barbara County Board of Education

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the County Board of Education's conflict of interest code.

County Board members and all other individuals in designated positions shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the appropriate code reviewing body. The County Board shall make the statements available for public review and inspection.

APPENDIX

Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose:
 - a. Interests in real property located entirely or partly within county boundaries, or within two miles of the county boundaries, or of any land owned or used by the County Board.
 - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the county, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the County Board, or manufacture or sell supplies, books, machinery, or equipment of the type used by the County Board.
2. Category 2: A person designated Category 2 shall disclose:
 - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
 - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs.
3. Category 3 Full Disclosure: Because it has been determined that the SBCEO's Board members and/or County Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:
 - a. Interests in real property located entirely or partly within county boundaries, or within two miles of county boundaries, or of any land owned or used by the SBCEO.
 - b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

Designated Position	Disclosure Category
Members, County Board of Education	3
Members, Personnel Commission	1
County Superintendent of Schools	3
Deputy Superintendent	3

Associate Superintendents	3
Legal Counsel	1
Consultants to the County Board	2
Administrator	3
Advisor	3
Controller	3
Coordinator	3
Director	3
Manager	3

Disclosures for Consultants

Consultants who are hired pursuant to Education Code 1042 may be designated individuals who are required to disclose financial interests as determined on a case-by-case basis. The determination shall be in writing and include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the County Board, makes a governmental decision pursuant to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the SBCEO to enter into, modify, or renew a contract that requires SBCEO approval
5. Grant SBCEO approval to a contract that requires SBCEO approval and in which the SBCEO is a party, or to the specifications for such a contract
6. Grant SBCEO approval to a plan, design, report, study, or similar item
7. Adopt or grant SBCEO approval of SBCEO policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the SBCEO, serves in a staff capacity with the SBCEO and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the SBCEO that would otherwise be performed by an individual holding a position specified in the SBCEO's conflict of interest code. (2 CCR 18700.3)

Exhibit Reference Disclaimer:

These references are not intended to be part of the exhibit itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this exhibit. Instead, they are provided as additional resources for those interested in the subject matter of the exhibit.

State	Description
2 CCR 18110-18997	<u>Regulations of the Fair Political Practices Commission</u>
2 CCR 18700-18760	<u>Conflicts of Interest</u>
2 CCR 18722-18740	<u>Disclosure of interests</u>
2 CCR 18753-18756	<u>Conflict of interest codes</u>
Ed. Code 1006	<u>Prohibition against school district employees serving on county board of education</u>
Ed. Code 35107	<u>School district employees</u>
Ed. Code 35230-35240	<u>Corrupt practices</u>
Ed. Code 35233	<u>Prohibitions applicable to members of governing boards</u>
Ed. Code 41000-41003	<u>Moneys received by school districts</u>
Ed. Code 41015	<u>Investments</u>
Fam. Code 297.5	<u>Rights, protections, and benefits of registered domestic partners</u>
Gov. Code 1090-1099	<u>Prohibitions applicable to specified officers</u>
Gov. Code 1125-1129	<u>Incompatible activities</u>
Gov. Code 81000-91014	<u>Political Reform Act of 1974</u>
Gov. Code 82011	<u>Code reviewing body</u>
Gov. Code 82019	<u>Definition; designated employee</u>
Gov. Code 82028	<u>Definition; gift</u>
Gov. Code 82030	<u>Definition; income</u>
Gov. Code 82033	<u>Definition; interest in real property</u>
Gov. Code 82034	<u>Definition; investment</u>
Gov. Code 87100-87103.6	<u>General prohibitions</u>
Gov. Code 87200-87210	<u>Disclosure</u>
Gov. Code 87300-87313	<u>Conflict of interest code</u>
Gov. Code 87500	<u>Statement of economic interests</u>
Gov. Code 89501-89503	<u>Honoraria and gifts</u>
Gov. Code 89506	<u>Ethics; travel</u>
Gov. Code 91000-91014	<u>Enforcement</u>
Pen. Code 85-88	<u>Bribes</u>
Rev. & Tax Code 203	<u>Taxable and exempt property - colleges</u>

Management Resources

	Description
Attorney General Opinion	63 Ops.Cal.Atty.Gen. 868 (1980)
Attorney General Opinion	65 Ops.Cal.Atty.Gen. 606 (1982)
Attorney General Opinion	68 Ops.Cal.Atty.Gen. 171 (1985)
Attorney General Opinion	69 Ops.Cal.Atty.Gen. 255 (1986)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 320 (1997)
Attorney General Opinion	81 Ops.Cal.Atty.Gen. 327 (1998)
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 83 (1999)
Attorney General Opinion	85 Ops.Cal.Atty.Gen. 60 (2002)
Attorney General Opinion	86 Ops.Cal.Atty.Gen. 138(2003)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 217 (2006)
Attorney General Opinion	92 Ops.Cal.Atty.Gen. 19 (2009)
Attorney General Opinion	92 Ops.Cal.Atty.Gen. 26 (2009)
Court Decision	Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261
Court Decision	Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Court Decision	Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511
Court Decision	McGee v. Balfour Beatty Construction, LLC, et al. (2016) 247 Cal. App. 4th 235
Court Decision	Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655
CSBA Publication	Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010
Fair Political Practices Commission Publication	Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005
Institute For Local Government Publication	Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009
Institute for Local Government Publication	Understanding the Basics of Public Service Ethics: Transparency Laws, 2009
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Institute for Local Government</u>
Website	<u>Fair Political Practices Commission</u>

APPROVED BY BOARD OF SUPERVISORS: August 6, 1984, March 25, 1985, January 21, 1986, January 12, 1987, February 1, 1988, June 25, 1991, January 28, 1992, January 5, 1993, January 4, 1994, January 24, 1995, January 16, 1996, January 21, 1997, February 9, 1999, April 4, 2000, January 2, 2001, February 19, 2002, March 2, 2004, January 18, 2005, February 28, 2006, February 6, 2007, February 26, 2008, February 17, 2009, March 2, 2010, February 1, 2011, June 18, 2013, February 10, 2015, April 11, 2017, PENDING

POLICY -- CONFLICT OF INTEREST

BP 9270

The Political Reform Act, Government Code Sections 81000 *et. seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Adm. Code Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. The terms of 2 Cal. Adm. Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and along with the attached Appendices "A" and "B" in which employees and officials are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Santa Barbara County Education Office.

Pursuant to Section 4 of the standard Code, designated employees and officials shall file statements of economic interest with the Santa Barbara County Education Office. Upon receipt of the statements of the County Superintendent of Schools and members of the County Board of Education, the County Education Office shall make and retain a copy and forward the originals of these statements to the Elections Division of the Santa Barbara County Clerk/Recorder. Statements for all other designated employees will be retained by the County Education Office.

BYLAWS

POLICY -- CONFLICT OF INTEREST

BP 9270

-2-

EXHIBIT "A"
DESIGNATED POSITIONS

- I. Persons occupying the following positions are designated employees and officials, and must disclose financial interests in Categories 1 and 2 defined in Exhibit "B".

Members, County Board of Education
Members, Personnel Commission
County Superintendent of Schools
Deputy Superintendent
Assistant Superintendents
Legal Counsel

- II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 2 of Exhibit "B".

None

- III. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 3 of Exhibit "B".

Administrator
Advisor
Controller
Coordinator
Director
Manager

- IV. Consultants are included in the list of designated positions and must disclose financial interests defined in Categories 1, 2, and 3 of Exhibit "B", subject to the following limitation:

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

BYLAWS

POLICY -- CONFLICT OF INTEREST

BP 9270

-3-

EXHIBIT "B"
DISCLOSURE CATEGORIES

CATEGORY 1

- A. Interests in real property which is located in whole or in part within the jurisdiction of the County Education Office if the fair market value of the interest is One Thousand Dollars (\$1,000.) or more.
- B. Investments in or income from business entities which are contractors or subcontractors which are or have been within the previous two-year period engaged in or in the foreseeable future may engage in the performance of building construction or design for the County Education Office.
- C. Investments in or income from persons or business entities engaged in the acquisition of or disposal of real property within the jurisdiction of the County Education Office.

CATEGORY 2

Investments in or income from business entities which within the last two years have contracted or in the future foreseeably may contract with the County Education Office to provide work, services, materials, machinery or equipment.

CATEGORY 3

Investments in or income from business entities which within the last two years have contracted or in the future foreseeably may contract with the County Education Office to provide work, services, materials, machinery or equipment of the type utilized by the department for which the designated employee is a manager or director.

BYLAWS

POLICY -- CONFLICT OF INTEREST

BP 9270

-4-

ADOPTED BY COUNTY BOARD:	February 3, 1977
REVISED:	July 5, 1984
APPROVED BY BOARD OF SUPERVISORS:	August 6, 1984
REVISED:	March 7, 1985
APPROVED BY BOARD OF SUPERVISORS:	March 25, 1985
REVISED:	December 5, 1985
APPROVED BY BOARD OF SUPERVISORS:	January 21, 1986
REVISED:	December 4, 1986
APPROVED BY BOARD OF SUPERVISORS:	January 12, 1987
REVISED:	December 3, 1987
APPROVED BY BOARD OF SUPERVISORS:	February 1, 1988
REVISED:	May 2, 1991
APPROVED BY BOARD OF SUPERVISORS:	June 25, 1991
REVISED:	January 2, 1992
APPROVED BY BOARD OF SUPERVISORS:	January 28, 1992
REVISED:	December 3, 1992
APPROVED BY BOARD OF SUPERVISORS:	January 5, 1993
REVISED:	December 1, 1993
APPROVED BY BOARD OF SUPERVISORS:	January 4, 1994
REVISED:	December 1, 1994
APPROVED BY BOARD OF SUPERVISORS:	January 24, 1995
REVISED:	December 7, 1995
APPROVED BY BOARD OF SUPERVISORS:	January 16, 1996
REVISED:	November 7, 1996
APPROVED BY BOARD OF SUPERVISORS:	January 21, 1997
REVISED:	December 3, 1998
APPROVED BY BOARD OF SUPERVISORS:	February 9, 1999
REVISED:	March 2, 2000
APPROVED BY BOARD OF SUPERVISORS:	April 4, 2000
REVISED:	November 2, 2000
APPROVED BY BOARD OF SUPERVISORS:	January 2, 2001
REVISED:	January 3, 2002
APPROVED BY BOARD OF SUPERVISORS:	February 19, 2002
REVISED:	November 6, 2003
APPROVED BY BOARD OF SUPERVISORS:	March 2, 2004
REVISED:	November 4, 2004
APPROVED BY BOARD OF SUPERVISORS:	January 18, 2005
REVISED:	January 5, 2006
APPROVED BY BOARD OF SUPERVISORS:	February 28, 2006
REVISED:	December 7, 2006
APPROVED BY BOARD OF SUPERVISORS:	February 6, 2007
REVISED:	December 6, 2007
APPROVED BY BOARD OF SUPERVISORS:	February 26, 2008
REVISED:	December 4, 2008
APPROVED BY BOARD OF SUPERVISORS:	February 17, 2009
REVISED:	January 7, 2010
APPROVED BY BOARD OF SUPERVISORS:	March 2, 2010
REVISED:	December 2, 2010
APPROVED BY BOARD OF SUPERVISORS:	February 1, 2011
REVISED:	February 2, 2012
APPROVED BY BOARD OF SUPERVISORS:	
REVISED:	March 7, 2013
APPROVED BY BOARD OF SUPERVISORS:	June 18, 2013
REVISED:	December 12, 2013
APPROVED BY BOARD OF SUPERVISORS:	
REVISED:	December 11, 2014

BYLAWS

POLICY -- CONFLICT OF INTEREST

BP 9270

-5-

APPROVED BY BOARD OF SUPERVISORS
REVISED:

February 10, 2015
February 2, 2017



Santa Barbara County Education Office

4400 Cathedral Oaks Rd, PO Box 6307, Santa Barbara, CA 93160-6307
Telephone: (805) 964-4711 • FAX: (805) 964-4712 • sbceo.org

Susan C. Salcido, Superintendent of Schools

Resolution No. 2315

Recognizing a State of Emergency and Reauthorizing Teleconferenced Meetings

WHEREAS, in response to the novel coronavirus ("COVID-19") pandemic, Governor Newsom adopted a series of Executive Orders allowing the legislative bodies of local governments to meet remotely via teleconference so long as other provisions of the Ralph M. Brown Act ("Brown Act") were followed; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361, which immediately amended the Brown Act allowing governing boards to continue holding virtual meetings outside the teleconferencing requirements of Government Code section 54953(b), if the board makes a finding that there is a proclaimed State of Emergency, and either (1) state or local officials have imposed or recommended social distancing measures, or (2) meeting in person would present imminent risks to the health or safety of attendees due to the emergency; and

WHEREAS, on March 4, 2020, Governor Newsom declared a statewide emergency arising from COVID-19 pursuant to Government Code section 8625; and

WHEREAS, on January 5, 2023, the Santa Barbara County Board of Education passed resolution No. 2314 authorizing virtual board meetings for at least 30 days; and

WHEREAS, AB 361 requires governing boards to make findings every 30 days that the board has reconsidered the circumstances of the State of Emergency and that either the State of Emergency continues to directly impact the ability of the members to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, social distancing measures continue to be recommended by the Santa Barbara County Public Health Department to mitigate the spread of COVID-19; and

WHEREAS, the Santa Barbara County Board of Education is committed to open and transparent governance in compliance with the Brown Act; and

WHEREAS, the Santa Barbara County Board of Education is conducting virtual meetings by way of telephonic and/or internet-based services as to allow members of the public to fully participate in meetings and offer public comment.

NOW THEREFORE, BE IT RESOLVED, by the Santa Barbara County Board of Education:

1. The Santa Barbara County Board of Education has reconsidered the circumstances of the State of Emergency and recognizes that the State of Emergency in the State of California continues to exist due to the COVID-19 pandemic;
2. The Santa Barbara County Board of Education recognizes that social distancing measures remain recommended by state and local officials;
3. The Santa Barbara County Board of Education authorizes the use of teleconferencing for all meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act, for a period of thirty (30) days from the adoption of this resolution, or such a time that the Governing Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3).

PASSED AND ADOPTED by the Santa Barbara County Board of Education on **February 2, 2023**, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA

COUNTY OF SANTA BARBARA

I, Dr. Susan Salcido, Clerk/Secretary of the Governing Board, do hereby certify that the foregoing is a full and correct copy of a resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date:

Clerk/Secretary of the Governing Board

Information Items

Santa Barbara County Board of Education

Classified Personnel Report

February 2, 2023

Appointments

Limited Term/Substitute

Hulsizer, Samantha
Paraeducator • Special Education • Various Sites
• Hourly as needed
January 3, 2023

Monroy, Jenny
Child Care Assistant • Early Care and Education • Various Sites
• Hourly as needed
January 13, 2023

Probationary

Holcombe, Kaitlyn
Educational Interpreter, American Sign Language, Waiver • Special Education • Tommie Kunst Jr. HS
75% • 10 months
January 10, 2023

Holmes, Rebecca
School District Financial Advisor • School Business Advisory Services • Cathedral Oaks
100% • 12 months
January 12, 2023

McCay, Brigid
Paraeducator • Special Education • Montecito Union School
81.25% • 10 months
January 3, 2023

Changes

Anniversary Increase

Cordero, Tracie
Classified Human Resources Specialist • Human Resources • Cathedral Oaks
100% • 12 months
January 1, 2023

Delgadillo, Fabian
Paraeducator • Special Education • Speech/Language Services, McClelland
75% • 10 months
January 1, 2023

Filomia, Andres
Paraeducator • Special Education • Hollister School
93.75% • 10 months
January 1, 2023

Garcia, Carmen
Child Care Assistant • Early Care and Education • Lompoc Cal-SAFE
75% • 12 months
January 1, 2023

Gomez Suarez, Isaac
Custodian • Internal Services • Operations North
37.5% • 12 months
January 1, 2023

Harris, Debora
Child Care Services Technician • Early Care and Education • Santa Maria - 2
100% • 12 months
January 1, 2023

La Riba, Walter
Information Technology Support Specialist - Bilingual • Partners In Education • Cathedral Oaks
100% • 12 months
January 1, 2023

Sagrero, Maria
Administrative Assistant • Internal Services • North County Office
100% • 12 months
January 1, 2023

Salazar, Eulogio
Custodian/Delivery Driver • Internal Services • Operations South
100% • 12 months
January 1, 2023

Longevity Increment

Flores, Anne
Administrative Assistant • Teacher Programs and Support • Cathedral Oaks
100% • 12 months
35 years
January 1, 2023

Probation to Permanent

Inzunza Aquino, Celina
Youth Support and Service Specialist • Transitional Youth Services • Hope Center
100% • 12 months
January 1, 2023

Ramirez, Raquel
Paraeducator • Special Education • Oakley Preschool
67.5% • 10 months
January 1, 2023

Reyes, Stephanie
Paraeducator • Special Education • Central Ave Preschool
67.5% • 10 months
January 1, 2023

Transfer

Garcia Mendoza, Adriana

January 9, 2023

Child Care Assistant • Early Care and Education • Learning Place State Preschool
75% • 10 months
From De Colores State Preschool

Separation

Released

Tadayon, Mohammad

December 30, 2022

Paraeducator • Special Education • Montecito Union School
81.25% • 10 months
Non completion of probation

Resignation

Davis, Misty

January 10, 2023

Paraeducator • Special Education • Allan Hancock Preschool
67.5% • Hourly as needed

Goksu, Sibel

January 17, 2023

Educational Data Analyst • Curriculum and Instruction • Curriculum and Instruction
100% • 12 months

Hulsizer, Samantha

December 29, 2022

Paraeducator • Special Education • Montecito Union School
81.25% • 10 months

Rodriguez, Alejandra

January 31, 2023

Child Care Services Technician • Early Care and Education • Early Care and Education - Hope Center 4
100% • 12 months

Velez, Emilio

January 20, 2023

Paraeducator • Special Education • Dos Puertas School
84.375% • 12 months
Accepted a Certificated position w/SBCEO