

# Agenda

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## **SUTTER COUNTY BOARD OF EDUCATION**

### **Regular Meeting**

Wednesday, September 13, 2017 - 5:30 p.m.  
Sutter County Superintendent of Schools Office  
970 Klamath Lane – Board Room  
Yuba City, CA 95993

#### *Public Hearings:*

- *General Waiver Request – Educational Interpreter Required Skill Level per CDE Regulations*
- *Sunshine 2017-2018 Initial Bargaining Proposals – Sutter County*
- *Sufficiency of Textbooks and/or Instructional Materials*

A full Board packet is available for review at the Sutter County Superintendent of Schools Office Reception Desk, 970 Klamath Lane, Yuba City, CA (8:00 a.m. – 5:00 p.m., Monday through Friday, excluding legal holidays) and the Sutter County Superintendent of Schools' website: [www.sutter.k12.ca.us](http://www.sutter.k12.ca.us).

Members of the public wishing to address the Board on specific agenda items, or any item of interest that is within the subject matter jurisdiction of the Board, will be given an opportunity to do so. At the discretion of the Board President, time limits may be imposed upon such presentations.

*The California Government Code, Section 54954.2 (a)(2) states, “No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.”*

#### **5:30 p.m.** 1.0 Call to Order

2.0 Pledge of Allegiance

3.0 Roll Call of Members:

Victoria Lachance, President  
Jim Richmond, Vice President  
June McJunkin, Member  
Karm Bains, Member  
Ronald Turner, Member

4.0 Items of Public Interest to Come to the Attention of the Board

Members of the public are given an opportunity to address the Board regarding items not listed on the agenda. No action will be taken.

5.0 Approve Minutes of the August 9, 2017 Regular Meeting of the Sutter County Board of Education Meeting **[ACTION ITEM]**

The minutes of the August 9, 2017 regular meeting of the Sutter County Board of Education are presented for approval.

6.0 Camptonville Academy Community Options for Resources in Education (C.O.R.E.) Aerospace STEM Academy – Chris Mahurin

Chris Mahurin, Director, Camptonville Academy Community Options for Resources in Education (C.O.R.E.), will give a presentation to the Board on the C.O.R.E. Aerospace STEM Academy.

7.0 Public Hearing for General Waiver for Educational Interpreter Required Skill Level – Wendy Bedard

Members of the public may address the Board relative to the waiver request for the required skill level of educational interpreters.

8.0 Approve General Waiver Request for Educational Interpreter Required Skill Level - Wendy Bedard – **[ACTION ITEM]**

This waiver will allow for an intensive structured opportunity to support this Educational Interpreter to achieve skills needed to become certified at the required 4.0 level, while allowing students continued access to instruction with an interpreter who is continuing to refine their skills under a remediation plan to complete the minimum requirements.

9.0 Public Hearing to Sunshine Bargaining Proposals – Sutter County Superintendent of Schools Staff Association (CTA) and Sutter County Superintendent of Schools for CTA – 2017-2018 – Wendy Bedard

Pursuant to Government Code Section 3547, the initial negotiations proposals of the exclusive representative union shall be “sunshined” for public comment. CTA Local Chapter and Sutter County Superintendent of Schools are presenting proposals for the 2017/2018 school year for sunshining.

10.0 Disclosure of Collective Bargaining Agreement for Sutter County Superintendent of Schools Employee Association (CSEA), Chapter #634 Barbara Henderson

The disclosure of Collective Bargaining Agreement is a statement of costs associated with the agreement with the Sutter County Superintendent of Schools Employee Association (CSEA), Chapter #634, for July 1, 2016 through June 30, 2017.

11.0 Public Hearing on Sufficiency of Textbooks and/or Instructional Materials – Christine McCormick

Education Code Section 60119 requires a public hearing to encourage participation by parents/guardians, teachers, members of the community, and bargaining unit leaders who are interested in addressing the Board regarding sufficiency of textbooks or instructional materials for county-operated programs.

12.0 Adopt Resolution No. 17-18-II – Sufficiency of Instructional Materials 2016-2017 – Christine McCormick - **[ACTION ITEM]**

Resolution No. 17-18-II states the sufficiency of textbooks and/or instructional materials for students in county-operated programs are being presented for adoption.

13.0 Business Services Report

13.1 Monthly Financial Report – August 2017- Barbara Henderson

13.2 Sutter County Investment Statement – July 2017 –  
Barbara Henderson

13.3 Donations – Linda Protine

14.0 First Reading – Board Policies – Wendy Bedard and Dr. Christine McCormick

The following Board Policies are being presented for their first reading:

BP 1312.1 – Complaints Concerning Employees

B/AR 1312.1 – Complaints Concerning Employees

BP 1312.3 – Uniform Complaint Procedures

B/AR 1312.3 – Uniform Complaint Procedures

BP 0410 – Nondiscrimination in Programs and Activities

BP 5145.2 – Freedom of Speech/Expression

B/AR 5145.2 – Freedom of Speech/Expression

BP 5143.3 – Nondiscrimination/Harassment

B/AR 5143.3 – Nondiscrimination/Harassment

15.0 First Reading – Board Bylaws – Dr. Baljinder Dhillon

The following Board Bylaws are being presented for their first reading:

BB 9321 – Closed Session

BB 9500 – County Superintendent’s Remuneration

16.0 Facilities Update – James Peters

James Peters will give a facilities update to the Board

17.0 Superintendent's Salary Schedule 2017-18 – Victoria Lachance and Jim Richmond

The Board will review the Superintendent Salary Committee report and may take action on the recommendation to grant an increase in salary to the Superintendent. This increase would be retro to July 1, 2016.

18.0 Items from the Superintendent/Board

19.0 Adjournment

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, please provide a written request to: Dr. Baljinder Dhillon, Superintendent, Sutter County Superintendent of Schools Office, 970 Klamath Lane, Yuba City, CA 95993, at least three working days prior to any public meeting.

BOARD AGENDA ITEM: Approve Minutes of the August 9, 2017 Regular Board Meeting

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

Maggie Nicoletti

SUBMITTED BY:

Dr. Baljinder Dhillon

PRESENTING TO BOARD:

Dr. Baljinder Dhillon

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BACKGROUND AND SUMMARY INFORMATION:

The minutes of the regular meeting of the Sutter County Board of Education held August 9, 2017, are presented for approval.

**Unapproved  
SUTTER COUNTY BOARD OF EDUCATION MINUTES  
Regular Meeting  
August 9, 2017**

1.0 Call to Order

A regular meeting of the Sutter County Board of Education was called to order by President Lachance at 5:30 p.m., August 9, 2017, at the Sutter County Superintendent of Schools Office, 970 Klamath Lane, Yuba City, California.

2.0 Pledge of Allegiance

The Pledge of Allegiance was led by Victoria Lachance.

3.0 Roll call of Members

Victoria Lachance, President – Present  
Jim Richmond, Vice President – Present  
Karm Bains, Member – Present  
June McJunkin, Member – Present  
Ronald Turner, Member – Present

Dr. Baljinder Dhillon, Ex-officio Secretary – Present  
Staff Members Present: Dr. Christine McCormick, Maria Crocker, Eric Pomeroy, Linda Protine, Wendy Bedard, James Peters and Maggie Nicoletti

4.0 Items of Public Interest to come to the attention of the Board

None

5.0 Approve Minutes of the July 12, 2017 Regular Meeting of the Sutter County Board of Education

A motion was made to approve the minutes of the July 12, 2017, Regular Meeting of the Sutter County Board of Education.

MOTION:	June McJunkin	SECONDED:	Ron Turner
ACTION:	Motion Carried		
AYES:	4 (McJunkin, Turner, Richmond and Lachance)		
NOES:	0		
ABSENT:	0	ABSTAIN:	1 (Bains)

6.0 Adult Charter School

Eric Pomeroy stated that research for a charter school is a lengthy process and he, Chris McCormick and Barbara Henderson signed up for a three day training class in Sacramento to find out the ins and outs of opening a charter. They will also attend a Charter School “Boot Camp”. The cost for opening a charter school could be up to \$300,000.00 to \$500,000.00 and a petition would need to be signed first. There has been discussion on how many students might attend the adult charter school and Eric shared the number of students attending adult charter schools in Butte and Yolo Counties. Bal said the Board would be updated after the training. Eric stated that Adult Ed will be starting three new classes. Jim asked how the Industrial Careers program went and Eric said it went very well.

7.0 Approval of Annual Declaration of Need for Fully Qualified Educators (2017-2018)

The Declaration of Need for Fully Qualified Educators must be approved and on file with the Commission on Teacher Credentialing before emergency permits can be issued to the Sutter County Superintendent of Schools Office.

A motion was made to approve the annual Declaration of Need for Fully Qualified Educators for 2017-2018.

MOTION: Karm Bains                      SECONDED: June McJunkin  
ACTION: Motion Carried  
AYES: 5 (Lachance, McJunkin, Richmond, Turner and Bains)  
NOES: 0  
ABSENT: 0                                      ABSTAIN: 0

8.0 Quarterly Report on Williams/Uniforms Complaints (April 1, 2017 – June 30, 2017)

Dr. Christine McCormick reported there were no complaints filed during the period April 1, 2017 through June 30, 2017.

9.0 Biennial Review of the Conflict of Interest Code

A motion was made to approve changes made to the Conflict of Interest Code.

MOTION: June McJunkin                SECONDED: Karm Bains  
ACTION: Motion Carried  
AYES: 5 (Lachance, McJunkin, Richmond, Turner and Bains)  
NOES: 0  
ABSENT: 0                                      ABSTAIN: 0

10.0 Resolution No. 17-18-I Adopting Conflict of Interest Code

A motion was made to adopt Resolution No. 17-18-I Conflict of Interest Code. Roll call vote reflected the following:

McJunkin, aye; Bains, aye; Lachance, aye; Richmond, aye; Turner, aye.

MOTION: Ron Turner                      SECONDED: Jim Richmond  
ACTION: Motion Carried  
AYES: 5 (Lachance, McJunkin, Richmond, Turner and Bains)  
NOES: 0  
ABSENT: 0                                      ABSTAIN: 0

11.0 Facilities Goals Update/Discussion

James Peters addressed the Board regarding goals that were referred to in the Board's 2017-18 Strategic Plan. Jim Richmond stated it was basically to ensure that our buildings and classrooms were in good repair. James asked if regular updates would be pertinent to the Board. The Board agreed that regular updates would be great; people do ask them what is going on when they see work happening at the county office and at the school sites. June said the Board needs to know when and what money is being set aside for. James stated that SCSOS owns 27 other buildings throughout the county and he will keep the Board apprised of what is happening. At the moment, he is trying to finish the projects that are already in process. Jim asked for an update on Shady Creek and James reported that they are 50% - 60% done with the refrigerator project

(they are looking for roofing material to cover the refrigerator). James further stated that PG&E did not show up to check the new solar panels when they were scheduled to do so and that leaves SCSOS in a difficult spot with school starting; we may need to wait until Labor Day weekend to have the panels checked by PG&E. Ron asked for a list of current classroom conditions/situations on the various campuses.

12.0 Business Services Report

Maria Crocker reviewed the July 2017 Financial Report with the Board. She stated that changes are very minimal.

13.0 Items from the Superintendent/Board

Dr. Dhillon updated the Board on hiring new employees for the new school year; Special Ed still has one opening and there are a few openings for para educators. The SCSOS Countywide In-Service is being held on Monday, August 14<sup>th</sup> and Bal hopes all the Board Members will be able to attend. There will be two guest speakers.

Sylvester White, audience member, introduced himself. He and his family are new to the area and his son will be in tenth grade at River Valley High School. He stated he is interested in learning about our educational community.

14.0 Adjournment

A motion was made to adjourn the meeting at 5:59 p.m.

MOTION: Karm Bains

SECONDED: June McJunkin

ACTION: Motion Carried

AYES: 5 (Richmond, Turner, McJunkin, Lachance and Bains)

NOES: 0

ABSENT: 0

ABSTAIN: 0



BOARD AGENDA ITEM: C.O.R.E. Aerospace STEM Academy

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation  
Information
- Public Hearing
- Other (specify)

PREPARED BY:

Chris Mahurin

SUBMITTED BY:

Dr. Baljinder Dhillon

PRESENTING TO BOARD:

Chris Mahurin

BACKGROUND AND SUMMARY INFORMATION:

Chris Mahurin, Director, Camptonville Academy Community Options for Resources in Education (C.O.R.E.), will give a presentation to the Board on the C.O.R.E. Aerospace STEM Academy

BOARD AGENDA ITEM: Public Hearing – General Waiver Request – Educational Interpreters

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Wendy Bedard

Reports/Presentation

SUBMITTED BY:

Information

Wendy Bedard

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Wendy Bedard

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BACKGROUND AND SUMMARY INFORMATION:

The California Code of Regulations requires the governing Board to hold a public hearing when considering approval of a General Waiver Request under Title 5: Education, Sections 3051.16 and 3065 in regards to the required skill level certification of Educational Interpreters providing services to deaf and hard of hearing pupils.

# SUTTER COUNTY BOARD OF EDUCATION

## **NOTICE OF PUBLIC HEARING**

*The Sutter County Board of Education hereby gives notice that a Public Hearing will be held as follows:*

### TOPIC OF HEARING:

The California Code of Regulations requires the governing board to hold a public hearing when considering approval of a General Waiver Request under Title 5: Education, Sections 3051.16 and 3065 in regards to the required skill level certification of Educational Interpreters providing services to deaf and hard of hearing pupils.

The approval of the waiver will allow one Educational Interpreter to continue to provide services to students through June 30, 2018, under a remediation plan to complete the minimum requirements. This interpreter recently scored 3.8 out of 4.0 on the EIPA interpreter assessment.

HEARING DATE: September 13, 2017

TIME: 5:30 p.m.

LOCATION: Sutter County Superintendent of Schools  
970 Klamath Lane, Yuba City, CA

For additional information, contact:  
Dr. Baljinder Dhillon, Sutter County Superintendent of Schools  
970 Klamath Lane, Yuba City, California  
(530) 822-2900

Posted: August 30, 2017

BOARD AGENDA ITEM: Approval of “General Waiver Request” for Educational Interpreter

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Wendy Bedard

Reports/Presentation

SUBMITTED BY:

Information

Wendy Bedard

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Wendy Bedard

Barbara Hickman

BACKGROUND AND SUMMARY INFORMATION:

Title 5, California Code of Regulations, Section 3051.16(b) states:

*An educational interpreter shall be certified by the national Registry of Interpreters for the Deaf (RID), or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the Educational Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation-Interpreter and Receptive (ESSE-I/R), or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI) assessment. If providing Cued Language transliteration, a transliterator shall possess Testing/Evaluation and Certification Unit (TECUnit) certification, or have achieved a score of 4.0 or above on the EIPA - Cued Speech.*

Our extensive recruiting efforts have yielded limited candidates to work with our Deaf and Hard of Hearing (DHH) population. Therefore, we have recruited within and encouraged a current Para-Educator with Signing Skills to work toward becoming a certified interpreter. This employee scored 3.8 on the EIPA (Interpreter Assessment) in September, 2016. He is not able to take the assessment again for a few months. Therefore, in order to employ him in the Interpreter capacity, we must apply for a waiver through the State Department of Education to allow Mr. O'Campo time to prepare and pass the Interpreter Assessment at the required 4.0 Level.

This waiver will allow for an intensive structured opportunity to support this Educational Interpreter to achieve skills needed to become certified at the required 4.0 level, while allowing students continued access to instruction with an interpreter who is continuing to refine his skills under a remediation plan to complete the minimum requirements.

## **Sutter County Superintendent of Schools**

### **General Waiver, Educational Interpreter - "Attachment"**

#### **Employee: David O'Campo**

#### **Employment History with Sutter County Superintendent of Schools:**

Hire Date: 8/3/2015 – Para-Educator with Signing Skills

Promotion: 8/10/2017 – Educational Interpreter (elementary level)

**Current Skill Level:** EIPA 3.8 (Assessment Date: 9/12/2016)  
EIPA 2.9 (Assessment Date: 9/8/2014)

#### **Training and Experience:**

- Para-Educator in a DHH program for two (2) years;
- American Sign Language Courses, Yuba College, ASL 2 and ASL 3;
- Attended Trix Bruce Workshop – the Non Manual Markers (June, 2017);
- Attended various workshops for Interpreters throughout employment with Sutter County Superintendent of Schools;
- Received mentoring from Trix Bruce November, 2015 through March, 2016;
- Volunteer/community involvement at various events;
- Observed Sutter County Superintendent of Schools Interpreters throughout the 2016-2017 school year;
- Interpreted at Extra Curricular Activities.

#### **Professional Development / Remediation Plan for 2017-2018:**

David will receive individual mentoring and professional development activities by a Certified Interpreter. This work will include meeting with a mentor on a regular basis focusing on skill development, peer mentoring, job shadowing other certified interpreters, attending deaf community events.

David will work with the mentor to film samples of his work, self-assess the skill domains, and determine the root causes of issues with skills. Professional development activities will be developed for David to complete.

David will participate in group training sessions, workshops, conferences and any other organized professional development activities as they become available throughout the year.

#### **Specific Areas of Focus:**

(based on EIPA assessment feedback)

- Use additional process time to analyze the source message. Focus on identifying implicit information in the source message that needs to be explicit in the target message.
- Identify topical boundaries and shifts in topics. While sentence-level pausing was evident, awareness and marking of the teacher's shifts in topics was frequently not evident. Focus on the educator's curricular goals and ensure that these are clearly marked and emphasized.
- Spatial organization (building a visual scaffold for your interpretation), particularly in incorporating classifiers in an area identified for further development. This will assist with the ability to accurately render a model presentation of a specific topical focal point. Continue to develop familiarity with a variety of classifiers and be sure to label classifiers with either a sign or fingerspelling.
- Fairly good use of fingerspelling was noted. Continue to develop analysis of lesson content for key terms that need to be finger spelled.

**Official Document:**

**EIPA Diagnostic Center  
Boys Town National Research Hospital  
555 North 30th Street  
Omaha, Nebraska 68131**

**Candidate: DAVID OCAMPO**

**Record ID: 23745**

**Assessment Date: 9/12/2016**

**Last 4 digits of SSN: 7533**

**Stimuli Materials Selected: Elementary B; ASL B**

**State of Employment: CA**

**Overall Assessment Score: EIPA Score  
3.8**

The EIPA Diagnostic Center, Boys Town National Research Hospital / Lied Learning & Technology Center certifies that the above candidate has completed an EIPA assessment. They have been rated, using EIPA Proficiency Guidelines, and have received the score as indicated above.



*Frances J. Beauvage*  
Frances J. Beauvage  
EIPA Dx Center

Record ID: 23745

Candidate: DAVID OCAMPO

Date: 9/12/2016

Location: CA

Stimuli Materials Selected: Elementary B; ASL B

**Assessment Scores:**

Roman I	Roman II	Roman III	Roman IV	EIPA Score
4.3	2.4	5.0	3.5	3.8

**Comments:**

The candidate may want to develop and implement a Professional Development Plan focusing on the following linguistic and/or interpreting features:

- \*\* Use additional process time to analyze the source message. Focus on identifying implicit information in the source message that needs to be explicit in the target message.
- \*\* Identify topical boundaries and shifts in topics. While sentence-level pausing was evident, awareness and marking of the teacher's shifts in topics was frequently not evident. Focus on the educator's curricular goals and ensure that these are clearly marked and emphasized.
- \*\* Spatial organization (building a visual scaffold for your interpretation), particularly in incorporating classifiers, is an area identified for further development. This will assist with your ability to accurately render a 'model representation' of a specific topical focal point. Continue to develop familiarity with a variety of classifiers and be sure to label classifiers with either a sign or fingerspelling.
- \*\* Fairly good use of fingerspelling was noted. Continue to develop analysis of lesson content for key terms that need to be fingerspelled. It's important to fingerspell not only identified key vocabulary items, but also words within a lesson that may appear in print (tests, chapter readings, quizzes, worksheets) as well as rare words, content-specific items and words used for teaching English grammar.

**Please Note:**

This evaluation is for the grade level and language/sign system noted above. This evaluation does not imply skills at other levels or using another language or sign system. This evaluation may not accurately reflect an interpreter's performance for grade levels other than that indicated. A re-evaluation would be recommended when changing grade levels or target sign system or language.

Agenda Item No. 9.0

BOARD AGENDA ITEM: Public Hearing to Sunshine Bargaining Proposals – Sutter County Superintendent of Schools Staff Association (CTA) And Sutter County Superintendent of Schools for CTA 2017/18

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

Staff Association – CTA  
Sutter County Superintendent of  
Schools

SUBMITTED BY:

Staff Association – CTA  
Sutter County Superintendent of  
Schools

PRESENTING TO BOARD:

Mike Greer, CTA President

Wendy Bedard, HR Director

BACKGROUND AND SUMMARY INFORMATION:

Pursuant to Government Code Section 3547, the initial negotiations proposals of the Exclusive representative union shall be “sunshined” for public comment. CTA local Chapter and Suter County Superintendent of Schools are presenting proposals for the 2017/2018 school year for sunshining.



# SUTTER COUNTY BOARD OF EDUCATION

## NOTICE OF PUBLIC HEARING

The Sutter County Board of Education hereby gives notice that a Public Hearing will be held as follows:

### TOPIC OF HEARING:

Sunshine 2017/2018 Initial Bargaining Proposals – Sutter County Superintendent of Schools Staff Association (certificated) and Sutter County Superintendent of Schools

HEARING DATE: September 13, 2017

TIME: 5:30 p.m.

LOCATION: Board Room  
Sutter County Superintendent of Schools  
970 Klamath Lane  
Yuba City, CA 95993

Copies of the proposals are available for review at the Superintendent of Schools Office.

*For additional information, contact Dr. Baljinder Dhillon, Sutter County Superintendent of Schools, 970 Klamath Lane, Yuba City, California. (530) 822-2900*

Posted: 8/30/17

**SUTTER COUNTY SUPERINTENDENT OF SCHOOLS  
FOR NEGOTIATIONS WITH**

**SUTTER COUNTY SUPERINTENDENT OF SCHOOLS STAFF ASSOCIATION  
(CTA)**

**2017-2018 PROPOSAL**

**SALARY**

**ARTICLE 29, COMPENSATION**

The Superintendent proposes a fair and equitable salary and benefit "total compensation" package that aligns with current funding levels.

**BENEFITS**

**ARTICLE 27, HEALTH BENEFITS**

The Superintendent proposes a fair and equitable salary and benefit "total compensation" package that aligns with current funding levels.

**RE-OPENERS:**

The Superintendent agrees to open all articles for discussion and possible revision.

<b>ARTICLE NUMBER</b>	<b>ARTICLE TITLE</b>
1	Agreement
2	Recognition
3	Definitions
4	Blank Article
5	Negotiations Procedures
6	Grievance Procedures
7	Professional Dues/Fees/Payroll Deductions
8	Association Rights
9	Reassignment and Transfer
10	Procedures for Evaluation
11	Personnel Files
12	Complaints Concerning Unit Members
13	Personal and Academic Freedom
14	Para-Educators and Student Teachers
15	ROP Teachers' Work Conditions
16	Work Conditions
17	PAR
18	Safety
19	Specialized Health Care
20	Leaves
21	Trainings and Conferences
22	Class Size
23	Travel and Reimbursement
24	Extended School Year
25	Permanent Status
26	Retiree Health Benefits
27	Health Benefits
28	Part-Time Employee Work Conditions
29	Compensation
30	Blank Article
31	Staff Development Program

All Addendums and Appendixes as necessary

Page 2 – Signature Page  
2017-18 Proposal  
Sutter County Superintendent of Schools  
For negotiations with  
Sutter County Superintendent of Schools Staff Association (CTA)

*Wendy Bedard*

SUTTER COUNTY SUPERINTENDENT OF SCHOOLS  
"Superintendent"

9/7/17

DATE

Sutter County Superintendent of Schools Staff Association

**Sunshine Proposal for 2017-2018 School Year**

September 5, 2017

Dear Board Members,

The existing contract between the Sutter County Superintendent of Schools and the Sutter County Superintendent of Schools Staff Association expired on June 30<sup>th</sup>, 2017. It is our intent to review the full contract, including Articles 27 (Health Benefits), 29 (Compensation), and bargain in good faith with the designees of the Superintendent.



**Lynnette Ristine, Lead Negotiator**

**Sutter County Superintendent of Schools Staff Association**

Agenda Item No. 10.0

BOARD AGENDA ITEM: Disclosure of Collective Bargaining Agreement for Sutter County Superintendent of Schools Employee Association (CSEA), Chapter #634

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Barbara Henderson

Reports/Presentation

SUBMITTED BY:

Information

Barbara Henderson

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Barbara Henderson

BACKGROUND AND SUMMARY INFORMATION:

The disclosure of Collective Bargaining Agreement is a statement of costs associated with the agreement with the Sutter County Superintendent of Schools Employee Association (CSEA), Chapter #634 for July 1, 2016 through June 30, 2017.

**DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**

In Accordance with AB 1200 (Statutes of 1991, Chapter 1213) and GC 3547.5

Sutter County Superintendent of Schools

School District

Name of Bargaining Unit: California Schools Employee Association, Chapter #634 (CSEA)

Certificated \_\_\_\_\_ Classified X

The proposed agreement covers the period beginning July 1, 2016 and ending June 30, 2017 and will be acted upon by the Governing Board at its meeting on

September 13, 2017

**A. Proposed Change in Compensation**

Compensation	Cost Prior to Proposed Agreement	Fiscal Impact of Proposed Agreement		
		Current Year Increase/Decrease 2016-17	Year 2 Increase/Decrease 2017-18	Year 3 Increase/Decrease 2018-19
1. <b>Salary Schedule</b>	\$ 5,906,084	\$ 177,183 3.00%	\$ 153,558 2.60%	\$ 153,558 2.60%
2. <b>Other Compensation</b> Stipends, Bonuses, etc.	\$ 287,452.00	\$ 12,500.00 0.21%	\$ 35,093.50 12.21%	\$ 35,093.50 12.21%
Description of Other Compensation				
3. <b>Statutory Benefits</b> STRS, PERS, FICA, WC, UI, Medicare, etc.	\$ 1,522,991	\$ 45,998.01 3.02%	\$ 46,493.73 3.05%	\$ 46,923.30 3.08%
4. <b>Health/Welfare Plans</b>	\$ 150,146	\$ - 0.00%	\$ - 0.00%	\$ - 0.00%
5. <b>Total Compensation</b> Add items 1 thru 4 to equal 5	\$ 7,866,673	\$ 235,681 3.00%	\$ 235,145 2.99%	\$ 235,575 2.99%
6. <b>Step and Column</b> Due to movement plus any changes due to the settlement. This is a subset of Item No. 1		\$ -		
7. <b>Total Number of Represented Employees</b> (Use FTEs if appropriate)		171.4	171.4	171.4
8. <b>Total Compensation Cost for Average Employee</b>	\$ 45,897	\$ 1,375 3.00%	\$ 1,372 2.99%	\$ 1,374 2.99%

\* Includes PERS employer contribution rate increases.

Disclosure of Collective Bargaining Agreement  
Page 2

9. Were any additional steps, columns, or ranges added to the schedules? If yes, please explain.

No

10. Are staffing adjustments necessary for the district to implement the proposed agreement? If yes, please provide details.

No

11. Describe any contingency language included in the proposed agreement (e.g. reopeners, etc.).

None

12. Will this agreement create, increase, or decrease deficit spending in the current or subsequent two years?

No.

13. Please identify the source of funding for the proposed agreement for the current year.

Increased costs will be absorbed by programs by either decreasing expenditures or increasing revenue.

14. If this is a single-year agreement, how will the ongoing cost of the proposed agreement be funded in subsequent years (i.e. what will allow the district to afford this contract beyond the current year)?

15. If this is a multi-year agreement, what is the source of funding, including assumptions used, to fund these obligations in subsequent years?

General Fund unrestricted for programs that are not self balancing.

16. Based on the district's multi-year projection, do unrestricted reserves continue to remain at, or above, the State's required minimum reserve level in the current and two subsequent years? If no, how does the district plan to restore its unrestricted reserves?

Yes

17. Other

Changes to the health and welfare policy has increased net pension liability for Other Post Employment Benefits by \$1.3 million.

18. Assumptions

Salary increase for 16-17 was 3% off the salary schedule and 2.6% on the schedule, starting 17-18. In addition, para ed's received a vacation day increase to match the other members of the bargaining unit, starting 17-18. The two costs together equal 3%. In addition, three stipends were increased retroactive to 16-17 and two stipends were increased effective 17-18. All of the supporting documentation and spreadsheets are available at the county office.

**B. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**

	<b>Column 1 Latest Board- Approved Budget Before Settlement 2016-17 Budget</b>	<b>Column 2 Adjustments as a Result of Settlement</b>	<b>Column 3 Other Revisions</b>	<b>Column 4 Total Current Budget (Columns 1+2+3)</b>
REVENUES				
LCFF (8010-8099)	\$ 9,493,615		\$ -	\$ 9,493,615
Remaining Revenues (8100-8799)	\$ 29,857,668		\$ -	\$ 29,857,668
<b>TOTAL REVENUES</b>	<b>\$ 39,351,283</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 39,351,283</b>
EXPENDITURES				
1000 Certificated Salaries	8,239,407		\$ -	\$ 8,239,407
2000 Classified Salaries	10,401,518	189,683	\$ -	\$ 10,591,201
3000 Employee Benefits (Stat.)	4,520,424	\$ 45,998	\$ -	\$ 4,566,422
Health & Welfare	1,907,096	\$ -	\$ -	\$ 1,907,096
4000 Books and Supplies	1,093,206		\$ -	\$ 1,093,206
5000 Services and Operating Expenses	\$ 10,435,282		\$ -	\$ 10,435,282
6000 Capital Outly	1,906,882		\$ -	\$ 1,906,882
7000 Other	5,010,428		\$ -	\$ 5,010,428
<b>TOTAL EXPENDITURES</b>	<b>\$ 43,514,243</b>	<b>\$ 235,681</b>	<b>\$ -</b>	<b>\$ 43,749,924</b>
OPERATING SURPLUS (DEFICIT)	\$ (4,162,960)	\$ (235,681)	\$ -	\$ (4,398,641)
OTHER SOURCES AND TRANSFERS IN	\$ 4,229,885	\$ -	\$ -	\$ 4,229,885
OTHER USES AND TRANSFERS OUT	(1,508,264.00)	\$ -	\$ -	\$ (1,508,264)
CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE	<b>(1,441,339)</b>	<b>\$ (235,681)</b>	<b>\$ -</b>	<b>\$ (1,677,020)</b>
BEGINNING BALANCE	\$ 8,177,329		\$ -	\$ 8,177,329
<b>ENDING BALANCE</b>	<b>\$ 6,735,990</b>	<b>\$ (235,681)</b>	<b>\$ -</b>	<b>\$ 6,500,309</b>



BOARD AGENDA ITEM: Public Hearing on Sufficiency of Textbooks or Instructional Materials or Both

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

Angie Gresham

SUBMITTED BY:

Christine McCormick

PRESENTING TO BOARD:

Christine McCormick

BACKGROUND AND SUMMARY INFORMATION:

Education Code Section 60119 requires the governing board to hold a public hearing to encourage participation by parents, teachers, and members of the community interested in the affairs for the County Office of Education, and bargaining unit leaders, to make a determination as to whether each pupil has sufficient textbooks or instructional materials or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education:

- Mathematics
- Science
- History-Social Science
- English/Language Arts, including English Language Development

This public hearing must be held before the eight week of school (between the first day that students attend school and the eight week from that day).

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# SUTTER COUNTY BOARD OF EDUCATION

## NOTICE OF PUBLIC HEARING

*The Sutter County Board of Education hereby gives notice that a Public Hearing will be held as follows:*

### TOPIC OF HEARING:

Education Code Section 60119 requires the governing board to hold a public hearing to encourage participation by parents, teachers, and members of the community interested in the affairs of the County Office of Education, and bargaining unit leaders, and shall make a determination through a resolution, as to whether each pupil has sufficient textbooks or instructional materials, or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education:

- (i) Mathematics
- (ii) Science
- (iii) History - Social Science
- (iv) English/Language Arts, including English Language Development

HEARING DATE: September 13, 2017

TIME: 5:30 p.m.

LOCATION: Sutter County Superintendent of Schools Office  
970 Klamath Lane, Yuba City, CA

For additional information, contact:  
Dr. Bal Dhillon, Sutter County Superintendent of Schools  
970 Klamath Lane, Yuba City, California  
(530) 822-2900.

Posted: 08/30/17

BOARD AGENDA ITEM: Adopt Resolution for Sufficiency of Instructional Materials in  
Science, History/Social Science, Mathematics, and  
English/Language Arts

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

Angie Gresham

SUBMITTED BY:

Christine McCormick

PRESENTING TO BOARD:

Christine McCormick

BACKGROUND AND SUMMARY INFORMATION:

After the public hearing on the sufficiency of textbooks and/or instructional materials, the board will be asked to adopt a resolution to make a determination as to whether each pupil has sufficient textbooks or instructional materials, or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education.

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**SUTTER COUNTY BOARD OF EDUCATION  
SUTTER COUNTY SUPERINTENDENT OF SCHOOLS**

**RESOLUTION NUMBER 17-18-II**

**SUFFICIENCY OF INSTRUCTIONAL MATERIALS  
2017-18**

**Whereas**, the governing board of Sutter County Superintendent of Schools, in order to comply with the requirements of *Education Code* Section 60119 held a public hearing on September 13, 2017, at 5:30 p.m., which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

**Whereas**, the governing board provided at least 10 days notice of the public hearing posted in at least three public places within the county that stated the time, place, and purpose of the hearing, and;

**Whereas**, the governing board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

**FOR A FINDING OF SUFFICIENT INSTRUCTIONAL MATERIALS SCIENCE,  
HISTORY-SOCIAL SCIENCE, MATH AND READING FOR SPECIAL EDUCATION**

**Whereas**, information provided at the public hearing and to the governing board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the district/county office of education, and;

**Whereas**, the definition of "sufficient textbooks or instructional materials" means that each student, including each English learner, has a standards-aligned textbook and/or instructional materials to use in class and to take home, which may include materials in a digital format but shall not include photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage, and;

**Whereas**, the definition of "sufficient textbooks or instructional materials" also means that all students who are enrolled in the same course within the Sutter County Superintendent of Schools, have standards-aligned textbooks or instructional materials from the same adoption cycle, and;

**Whereas**, sufficient textbooks and instructional materials were provided to each student, including English learners that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:

## **Special Education**

Science: K–Grade 5 uses *Pearson Scott Foresman California*. Grade K-8 uses Unique Learning System Online Curriculum. Grade 6 uses *Holt, Rinehart and Winston, California Earth Science*. Grade 7 uses *Holt, Rinehart and Winston California Life Science*. Grade 8 uses *Holt, Rinehart and Winston California Physical Science*.

Science: Grades 9 – 12 uses *McDougal Littell, Biology 2008*.

Science: Grades 9 – 12 uses *Pearson-Prentice Hall, Chemistry 2007-CA Edition*.

Science: Grades 9 – 12 uses Earth Science, Holt, Reinhart & Winston.

Science: Grades 9 – 12 uses Physical Science with Earth Science, Glencoe-McGraw Hill.

Science: Grades 9 – 12 uses Biology, Sixth Edition, Benjamin Cummings, Pearson Education, Inc.

Science: Grades 9-12 uses Unique Learning System, Online Curriculum

History/Social Studies: Grade 12 uses *Holt, Rinehart, and Winston, 2003, Economics* and *Prentice Hall, 2006, American Government*.

History/Social Studies: Grade 11 uses *McDougal Littell, 2003, The Americans*.

History/Social Studies: Grade 10 uses *McDougal Littell, 2006, Modern World History*.

History/Social Studies: Grade 7-12 uses Unique Learning Systems, Online Curriculum

History/Social Studies: Grade 8 uses *Teachers' Curriculum Institute, 2005, History Alive!, The United States Through Industrialism*.

History/Social Studies: Grade 7 uses *Teachers' Curriculum Institute, 2005, History Alive!, The Medieval World and Beyond*.

History/Social Studies: Grade K-6 uses Unique Learning System, Online Curriculum

History/Social Studies: Grade 6 uses *Teachers' Curriculum Institute, 2004, History Alive!, The Ancient World*.

History/Social Studies: Grade 5 uses *Scott Foresman, 2006, Our Nation*.

History/Social Studies: Grade 4 uses *Scott Foresman, 2006, Our California*.

History/Social Studies: Grade 3 uses *Scott Foresman, 2006, Our Communities*.

History/Social Studies: Grade 2 uses *Scott Foresman*, 2006, Then and Now.

History/Social Studies: Grade 1 uses *Scott Foresman*, 2006, Time and Place.

History/Social Studies: Grade K uses *Scott Foresman*, 2006, Learn and Work.

Mathematics curriculum for Grade K-6 Unique Learning System, Online Curriculum

Mathematics curriculum for K-5 enVision Math, *Scott Foresman-Addison Wesley*, 2009.

Mathematics curriculum for Grade 6 Course 1: Numbers to Algebra, *Holt, Rinehart, and Winston*, 2008.

Mathematics curriculum for Grade 6-8 Unique Learning System, Online Curriculum

Mathematics curriculum for Grade 7 Course 2: Pre- Algebra I, *Holt, Rinehart, and Winston*, 2008.

Mathematics curriculum for Grade 8 Course 1: Algebra 1, *Holt, Rinehart, and Winston*, 2008.

Mathematics curriculum for Grades 9 – 12 California Algebra Readiness, *Pearson-Prentice Hall*.

Mathematics curriculum for Grades 9 – 12 California Pre-Algebra, *Pearson-Prentice Hall*.

Mathematics curriculum for Grades 9 – 12 Algebra 1 – Classics, *Smith Charles, Pearson-Prentice Hall*.

Mathematics curriculum for Grades 9 – 12 California Geometry, *Pearson-Prentice Hall*.

Mathematics curriculum for Grades 9 – 12 Beginning Algebra with Applications, *Houghton Mifflin*.

Mathematics curriculum for Grades 9 – 12 Algebra 1, *McDougal Littell*.

Mathematics curriculum for Grades 9 – 12 Geometry: Concepts and Skills, *McDougal Littell*.

Mathematics curriculum for Grade 9-12 Unique Learning System, Online Curriculum

English/Language Arts, including the English language development component of an adopted program: K-Grade 6 uses *Houghton-Mifflin Reading Program*. Grades 7-12 uses *High Point Intervention*. K-Grade 12 uses Unique Learning System, Online Curriculum

Intervention: Reading, Writing, & Language for Grades 9-12 uses *Hampton-Brown*, 2009, Edge

**FOR A FINDING OF SUFFICIENT INSTRUCTIONAL MATERIALS SCIENCE,  
HISTORY-SOCIAL SCIENCE, MATH AND READING FOR  
FEATHER RIVER ACADEMY**

**Feather River Academy**

Science: Grades 7-12 uses *Holt, Rinehart and Winston*, Holt Science Spectrum Physical Science. Grades 9-12 uses *Holt, Rinehart and Winston*, Holt Biology California.

History/Social Studies: Grade 7 uses *Teachers' Curriculum Institute*, 2005, History Alive!, The Medieval World and Beyond. Grade 8 uses *Teachers' Curriculum Institute*, 2005, History Alive!, The United States Through Industrialism. Grades 10 uses *McDougal Littell*, Modern World History. Grade 11 uses *McDougal Littell*, The Americans. Grade 12 uses *Prentice Hall*, American Government. Grade 12 uses *Holt, Rinehart and Winston*, Economics.

Mathematics: Grades 7-8 uses *McDougal-Littell*, Pre-Algebra. Grades 9-12 *McDougal-Little*, Algebra1.

English/Language Arts: Grades 9 uses *Holt, Rinehart and Winston*, for Literature and Language Arts, Third Course. Grades 9-12 uses *Holt, Rinehart and Winston*, 2003, Literature and Language Arts, Fourth Course. Grades 9-12 uses *Holt, Rinehart and Winston*, 2003, Literature and Language Arts, Fifth Course.

Intervention: Reading, Writing, & Language for Grades 9-12 uses *Hampton-Brown*, 2009, Edge.

**FOR A FINDING OF SUFFICIENT INSTRUCTIONAL MATERIALS SCIENCE,  
HISTORY-SOCIAL SCIENCE, MATH AND READING FOR  
SUTTER COUNTY OPPORTUNITY**

**Opportunity**

Science: Grade 7 uses *Holt, Rinehart and Winston*, California Life Science.  
Science: Grade 8 uses *Holt, Rinehart and Winston*, California Physical Science.

Mathematics curriculum for Grade 8 Course 1: Algebra 1, *Holt, Rinehart, and Winston*, 2008.

History/Social Studies: Grade 7 uses *Teachers' Curriculum Institute*, 2005, History Alive!, The Medieval World and Beyond.

History/Social Studies: Grade 8 uses *Teachers' Curriculum Institute*, 2005, History Alive!, The United States Through Industrialism.

English/Language Arts: Grade 7 uses *Holt, Rinehart and Winston, 2003*, for Literature and Language Arts, First Course.

English/Language Arts: Grade 8 uses *Holt, Rinehart and Winston, 2003*, for Literature and Language Arts, Second Course.

Intervention: Reading, Writing, & Language for Grades 9-12 uses *Hampton-Brown, 2009*, Edge.

**Therefore**, it is resolved that for the 2017-18 school year, the Sutter County Superintendent of Schools Office has provided each student with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

**PASSED AND ADOPTED** at a regular meeting of the Sutter County Board of Education on the 13<sup>th</sup> day of September 2017, by the following vote:

McJunkin \_\_\_\_\_, Bains \_\_\_\_\_, Lachance \_\_\_\_\_, Richmond \_\_\_\_\_, Turner \_\_\_\_\_

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent: \_\_\_\_\_

\_\_\_\_\_  
Victoria Lachance, President  
Sutter County Board of Education

\_\_\_\_\_  
Dr. Baljinder Dhillon, Ex-officio  
Sutter County Board of Education



BOARD AGENDA ITEM: Business Services Report

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

Action

Reports/Presentation

Information

Public Hearing

Other (specify)

PREPARED BY:

Yosa Figueroa

SUBMITTED BY:

Barbara Henderson

PRESENTING TO BOARD:

Barbara Henderson

BACKGROUND AND SUMMARY INFORMATION:

The monthly financial report for August will be reviewed.

**Summary Report of Revenues, Expenditures and Changes in Fund Balance  
(Unrestricted and Restricted Combined)  
August 2017**

Description	Account Codes	Original Budget	Operating Budget	Actuals to Date	Projected Yr Totals	Difference (Col D - B)	2017-18 % Actuals as a % of Budget
		7/1/17 (A)	7/15/17 (B)	8/15/17 (C)	8/15/17 (D)	(E)	
<b>A. Revenues</b>							
1) Local Control Funding Formula	8010-8099	\$ 9,496,131	\$ 9,496,131	\$ 374,740	\$ 9,496,131	-	A 3.9%
2) Federal Revenues	8100-8299	\$ 4,740,118	\$ 4,740,118	\$ 813,333	\$ 4,895,922	155,804	B 17.2%
3) Other State Revenues	8300-8599	\$ 9,541,116	\$ 9,541,116	\$ 389,804	\$ 9,657,035	115,919	C 4.1%
4) Other Local Revenues	8600-8799	\$ 12,109,699	\$ 12,109,699	\$ 286,033	\$ 12,131,782	22,083	D 2.4%
<b>TOTAL REVENUES</b>		<b>\$ 35,887,064</b>	<b>\$ 35,887,064</b>	<b>\$ 1,863,910</b>	<b>\$ 36,180,870</b>	<b>\$ 293,806</b>	<b>5.2%</b>
<b>B. Expenditures</b>							
1. Certificated Salaries	1000-1999	\$ 8,385,290	\$ 8,385,290	\$ 273,568	\$ 8,385,290	-	E 3.3%
2. Classified Salaries	2000-2999	\$ 11,670,530	\$ 11,670,530	\$ 573,071	\$ 11,721,015	50,485	F 4.9%
3. Employee Benefits	3000-3999	\$ 6,799,575	\$ 6,799,575	\$ 320,774	\$ 6,808,243	8,668	G 4.7%
4. Books and Supplies	4000-4999	\$ 939,371	\$ 964,271	\$ 52,503	\$ 1,027,365	63,094	H 5.4%
5. Services, Other Operation	5000-5999	\$ 5,108,842	\$ 5,127,988	\$ 533,512	\$ 5,150,532	22,544	I 10.4%
6. Capital Outlay	6000-6999	\$ 407,282	\$ 407,282	\$ 1,412	\$ 461,047	53,765	J 0.3%
7. Other Outgo	7100-7299	\$ 205,669	\$ 205,669	\$ -	\$ 205,669	-	K 0.0%
8. Direct Support/Indirect	7300-7399	\$ (91,919)	\$ (91,919)	\$ (4,173)	\$ (91,919)	-	L 4.5%
9. Debt Service	7400-7499	\$ -	\$ -	\$ -	\$ -	-	M 0.0%
<b>TOTAL EXPENDITURES</b>		<b>\$ 33,424,640</b>	<b>\$ 33,468,686</b>	<b>\$ 1,750,666</b>	<b>\$ 33,667,242</b>	<b>198,556</b>	<b>5.2%</b>
Excess ( Deficiency) of Revenues Over Expenditures Before Other Financing Sources and Uses (A5-B9)							
		\$ 2,462,424	\$ 2,418,378	\$ 113,244	\$ 2,513,628	\$ 95,250	4.5%
<b>D. Other Financing Sources/Uses</b>							
1. Transfers In	8910-8979	\$ 120,463	\$ 120,463	\$ -	\$ 120,463	-	N 0.0%
2. Transfer Out	7610-7629	\$ 2,520,846	\$ 2,520,846	\$ -	\$ 2,520,846	-	O 0.0%
3. Contributions	8980-8999	\$ -	\$ -	\$ -	\$ -	-	P 0.0%
<b>Total, Other Fin Sources/Uses</b>		<b>\$ (2,400,383)</b>	<b>\$ (2,400,383)</b>	<b>\$ -</b>	<b>\$ (2,400,383)</b>	<b>\$ -</b>	<b>0.0%</b>
<b>E. Net Change to Fund Balance</b>							
		<b>\$ 62,041</b>	<b>\$ 17,995</b>	<b>\$ 113,244</b>	<b>\$ 113,245</b>	<b>\$ 95,250</b>	
<b>F. Fund Balance (Fund 01 only)</b>							
1. Beginning Balance		\$ 7,114,507	\$ 7,114,507	\$ 7,114,507	\$ 7,114,507	-	
2. Adjustments/Restatements		\$ -	\$ -	\$ -	\$ -		
<b>Ending Balance</b>		<b>\$ 7,176,548</b>	<b>\$ 7,132,502</b>	<b>\$ 7,227,751</b>	<b>\$ 7,227,752</b>	<b>\$ 95,250</b>	
<b>G. Components of Ending Fund Balance</b>							
Designated Amounts	9711-9730	\$ 13,247	\$ 13,247		\$ 13,247	\$ -	
Legally Restricted	9740-9760	\$ 2,670,033	\$ 2,670,033		\$ 3,250,823	\$ -	
Assigned	9780	\$ 2,189,623	\$ 2,189,623		\$ 2,250,838	\$ -	
Restricted Economic Uncertainty	9789	\$ 2,241,604	\$ 2,241,604		\$ 1,712,845	\$ -	
Unassigned/Unappropriated	9790	\$ -	\$ -		\$ -	\$ -	

**Explanation of Differences**  
**Net Change in Current Year Budget August Board Report 07/16 - 08/15 2017**

	<u>Amount</u>	<u>Explanation of Differences</u>
<b>A</b> <a href="#"><u>Local Control Funding Formula (8010-8099)</u></a>	<u>\$ -</u>	
<b>B</b> <a href="#"><u>Federal Revenues (8100-8299)</u></a>		
One Stop	\$ 12,244	<i>Refining Workforce Innovation and Opportunity Act budget to match estimated actuals</i>
Intervention & Prevention Programs (IPP)	\$ 35,000	<i>Establishing Homeless Children Education budget to match new award</i>
Special Education Local Plan Area (SELPA)	\$ 108,560	<i>Refining Medi-Cal budget to match estimated award</i>
	<u>\$ 155,804</u>	
<b>C</b> <a href="#"><u>Other State Revenues (8300-8599)</u></a>		
Intervention & Prevention Programs (IPP)	\$ 65,919	<i>Establishing Tobacco-Use Prevention Education budge to account for new grant, and adjusting Foster Youth budget to match estimated award</i>
Feather River Academy (FRA)	\$ 50,000	<i>Establishing California Multi-Tiered System of Support budget to match estimated award</i>
	<u>\$ 115,919</u>	
<b>D</b> <a href="#"><u>Other Local Revenues (8600-8799)</u></a>		
Feather River Academy (FRA)	\$ 22,083	<i>Increasing Northern California STREAM Pathways Consortium budget to match estimated award</i>
	<u>\$ 22,083</u>	
<b>E</b> <a href="#"><u>Certificated Salaries (1000-1999)</u></a>	<u>\$ -</u>	
<b>F</b> <a href="#"><u>Classified Salaries (2000-2999)</u></a>		
One Stop	\$ 5,502	<i>Refining Workforce Innovation and Opportunity Act budget to match estimated actuals</i>
Intervention & Prevention Programs (IPP)	\$ 44,983	<i>Establishing Tobacco-Use Prevention Education and Homeless Children Education budget to match new awards</i>
	<u>\$ 50,485</u>	
<b>G</b> <a href="#"><u>Employee Benefits (3000-3999)</u></a>		
Various departments	\$ 8,668	<i>Refining budget to match estimated actuals, including Tobacco-Use Prevention Education and Homeless Children Education grants</i>
	<u>\$ 8,668</u>	
<b>H</b> <a href="#"><u>Books and Supplies (4000-4999)</u></a>		
County Office	\$ 7,000	<i>Refining budget to cover district facility fees, Laserfiche, and other miscellaneous expenses</i>
Special Education	\$ 24,000	<i>Refining Medi-Cal budget to cover purchase of new computers and laptops</i>
One Stop	\$ 2,646	<i>Refining Workforce Innovation and Opportunity Act budget to match estimated actuals</i>
Intervention & Prevention Programs (IPP)	\$ 5,365	<i>Establishing Tobacco-Use Prevention Education and Homeless Children Education budget to match new awards</i>
Student Support Services	\$ (1,000)	<i>Refining budget to match estimated actuals</i>
Feather River Academy (FRA)	\$ 24,583	<i>Refining California Multi-Tiered System of Supports and Northern California STREAM Pathways budget to match estimated award</i>
Various departments	\$ 500	<i>Net miscellaneous adjustments</i>
	<u>\$ 63,094</u>	
<b>I</b> <a href="#"><u>Services, Other Operations (5000-5999)</u></a>		
County Office	\$ (7,052)	<i>Decreasing budget to cover Laserfiche expense and other miscellaneous adjustments</i>
Intervention & Prevention Programs (IPP)	\$ 2,530	<i>Refining budget to match estimated actuals, including new Homeless Children Education grant, and other miscellaneous adjustments</i>
Student Support Services	\$ 1,000	<i>Refining budget to match estimated actuals</i>

**Explanation of Differences  
 Net Change in Current Year Budget August Board Report 07/16 - 08/15 2017**

	<u>Amount</u>	<u>Explanation of Differences</u>
Feather River Academy (FRA)	\$ 19,953	<i>Net of increasing budget form establishing California Multi-Tiered System of Supports initiative grant and other miscellaneous adjustments</i>
Infant Program	\$ 5,799	<i>Refining budget to match estimated actuals</i>
Various departments	\$ 314	<i>Net miscellaneous adjustments</i>
	<u>\$ 22,544</u>	
<b>J</b> <u>Capital Outlay (6000-6999)</u>		
Special Education Local Plan Area (SELPA)	\$53,765	<i>Moving budget form ending fund balance to cover awning project at River Valley High School</i>
	<u>\$ 53,765</u>	
<b>K</b> <u>Other Outgo (7100 - 7299)</u>		
	<u>\$ -</u>	
<b>L</b> <u>Direct Support / Indirect (7300-7399)</u>		
	<u>\$ -</u>	
<b>M</b> <u>Debt Services (7400 - 7499)</u>		
	<u>\$ -</u>	
<b>N</b> <u>Transfers In (8910-8979)</u>		
	<u>\$ -</u>	
<b>O</b> <u>Transfers Out (7610-7629)</u>		
	<u>\$ -</u>	
<b>P</b> <u>Contributions (8980-8999)</u>		
	<u>\$ -</u>	
 Net Change in Current Year Budget	 <u>\$ 95,250</u>	

BOARD AGENDA ITEM: Investment Statements

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

Barbara Henderson

SUBMITTED BY:

Barbara Henderson

PRESENTING TO BOARD:

Barbara Henderson

BACKGROUND AND SUMMARY INFORMATION:

The Investment Statement as of July 31, 2017 from the County Treasurer will be presented.

Steven L. Harrah, CPA

Treasurer-Tax Collector



Christina N. Hernandez

Assistant Treasurer-Tax Collector

August 15, 2017

To: Sutter County Board of Supervisors  
Sutter County Pooled Money Investment Board

Re: Sutter County Investment Portfolio Report for July 31, 2017

Attached is a copy of Sutter County's Investment Portfolio as of July 31, 2017. This following schedule includes all short-term, mid-term and long-term investments held at the conclusion of business on the final day of the month.

As Treasurer-Tax Collector, I certify that this document reflects the government agencies' pooled investments and that all investments are in compliance with the County of Sutter Investment Policy.

The combined funds in the county treasury total \$244,192,997 and will provide sufficient cash flow liquidity to meet estimated pooled treasury expenditures for the next six months.

Invested treasury funds total \$237,151,413 with \$25,904,305 under the management of the Local Agency Investment Fund and California Asset Management Program. The Bank of New York, which provides third-party safekeeping services to Sutter County, furnishes market value data. The dollar-weighted average maturity of invested funds is 1,141 days.

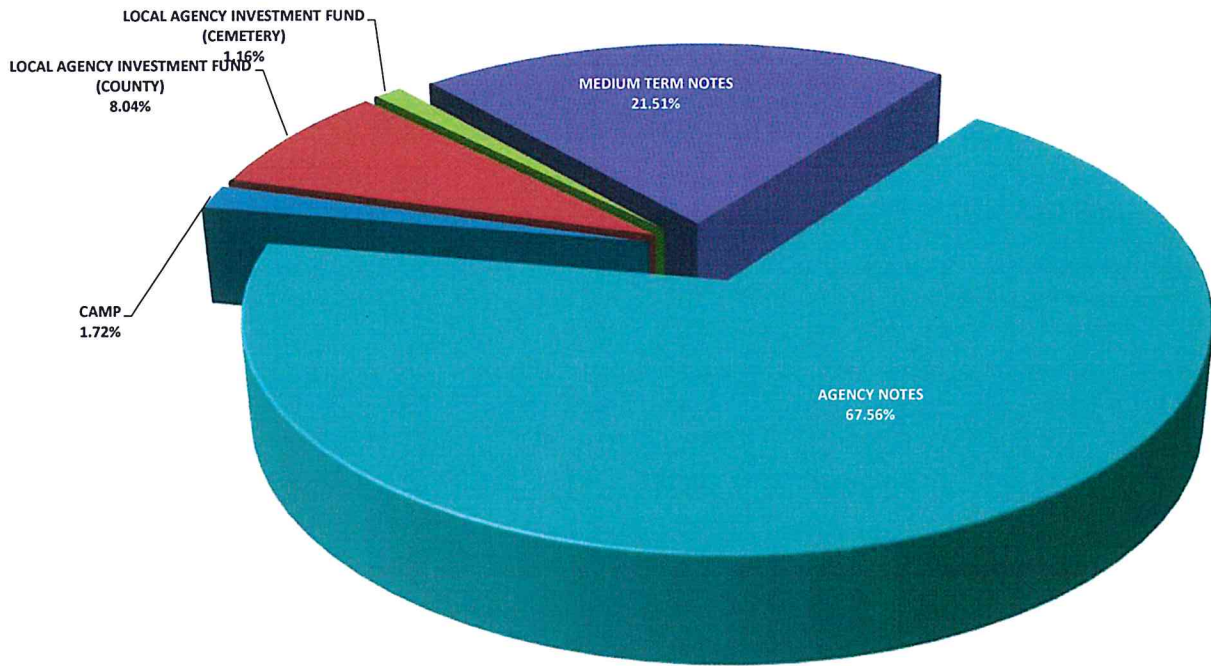
Investments are selected based on criteria contained in the Sutter County Investment Policy, which emphasizes safety, liquidity, yield and diversification. Therefore, the interest rates will fluctuate and the types of investments will vary depending upon county needs and market availability on a particular day.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steven L. Harrah".

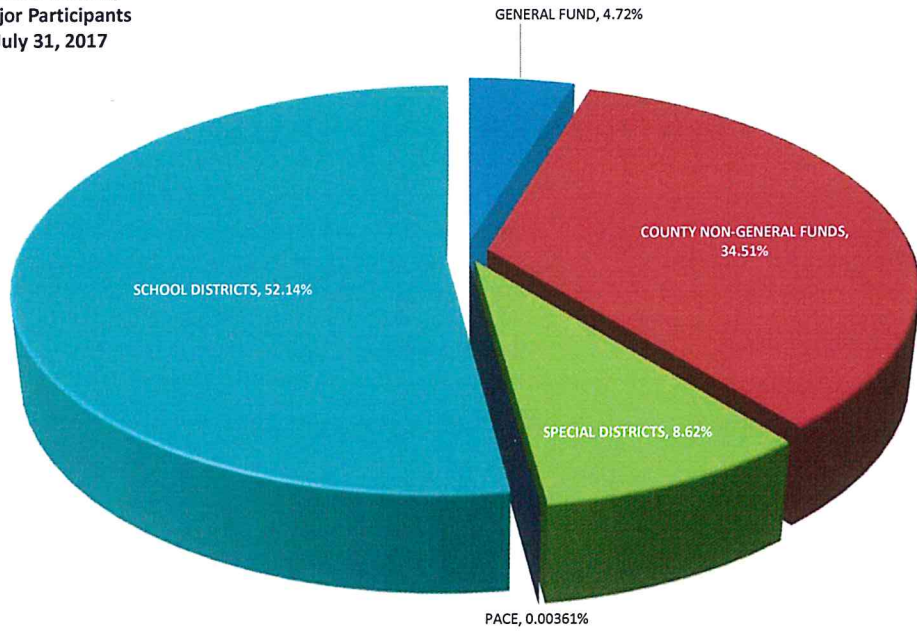
Steven L. Harrah, CPA  
Treasurer-Tax Collector

**Sutter County Pooled Investment Portfolio  
July 31, 2017**

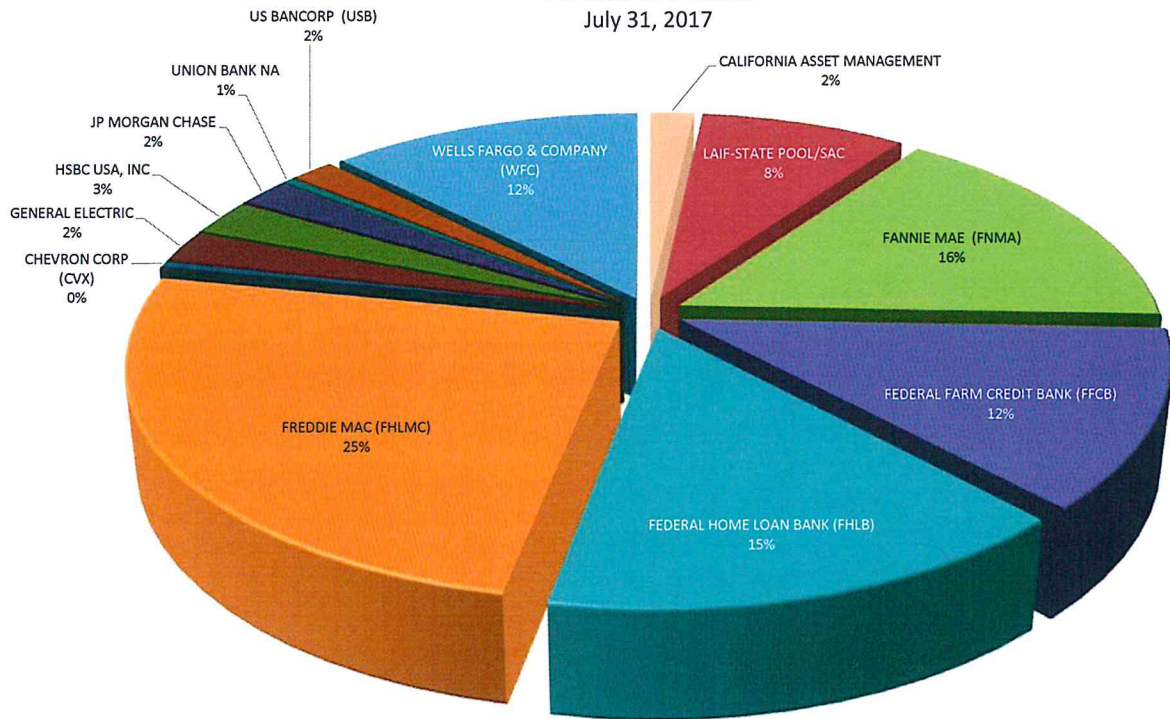


	<u>BOOK VALUE</u>	<u>PERCENTAGE OF MANAGED PORTFOLIO</u>	<u>INVESTED % OF POOLED PORTFOLIO</u>	<u>AVERAGE DAYS TO MATURITY</u>	<u>AVERAGE YIELD</u>
CAMP	\$4,086,189.23	1.72%	1.74%	1	1.05%
LOCAL AGENCY INVESTMENT FUND (COUNTY)	19,077,040.38	8.04%	8.14%	1	1.05%
LOCAL AGENCY INVESTMENT FUND (CEMETERY)	2,741,075.12	1.16%	-	1	1.05%
MEDIUM TERM NOTES	51,022,425.53	21.51%	21.77%	978	2.03%
AGENCY NOTES	<u>160,224,683.00</u>	<u>67.56%</u>	<u>68.35%</u>	<u>1,364</u>	<u>1.43%</u>
<b>TOTAL MANAGED INVESTMENTS</b>	<b>\$237,151,413.26</b>	<b>100.00%</b>		<u>1,217</u>	<u>1.57%</u>
LESS: LAIF FUNDS NOT POOLED	<u>2,741,075.12</u>	<u>1.16%</u>			
<b>TOTAL POOLED INVESTMENTS</b>	<b><u>\$234,410,338.14</u></b>	<b><u>98.84%</u></b>	<b><u>100.00%</u></b>	<u>1,216</u>	<u>1.57%</u>

**Sutter County  
Pooled Treasury  
Major Participants  
July 31, 2017**



**Sutter County  
Portfolio at a Glance  
July 31, 2017**





**SUTTER COUNTY POOLED TREASURY  
INVESTMENT PORTFOLIO  
July 31, 2017**



TREASURY NUMBER	INSTITUTION/BRANCH	BOOK VALUE	MARKET VALUE	PAR VALUE	DATE INVESTED	DATE MATURES	TOTAL DAYS INVESTED	YIELD	RATE
2017-000	CALIFORNIA ASSET MANAGEMENT	\$4,086,189.23	\$4,086,189.23	\$4,086,189.23	N/A	N/A	N/A	1.0500%	1.0500%
2017-000	LAIF-STATE POOL/SAC	19,077,040.38	19,077,040.38	19,077,040.38	N/A	N/A	N/A	1.0510%	1.0510%
2017-000	LAIF-STATE POOL/SAC (Cemetery)	2,741,075.12	2,741,075.12	2,741,075.12	N/A	N/A	N/A	1.0510%	1.0510%
	<b>TOTAL MANAGED FUNDS</b>	<u>25,904,304.73</u>	<u>25,904,304.73</u>	<u>25,904,304.73</u>					
<b>AGENCY NOTES</b>									
2013-031	FEDERAL HOME LOAN BANK (FHLB)	1,999,897.04	1,996,500.00	2,000,000.00	04/11/13	04/11/18	1,826	1.0100%	1.0000%
2013-054	FEDERAL HOME LOAN BANK (FHLB)	4,000,000.00	3,991,040.00	4,000,000.00	05/16/13	05/16/18	1,826	1.0000%	1.0000%
2015-119	FEDERAL HOME LOAN BANK (FHLB)	2,284,211.88	2,282,582.85	2,285,714.28	10/29/15	10/29/20	1,827	1.2500%	1.2500%
2016-014	FEDERAL FARM CREDIT BANK (FFCB)	4,000,000.00	3,976,160.00	4,000,000.00	02/24/16	02/24/20	1,461	1.4000%	1.4000%
2016-015	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,992,740.00	2,000,000.00	02/23/16	05/23/19	1,185	1.2500%	1.2500%
2016-017	FANNIE MAE (FNMA)	4,000,000.00	3,992,600.00	4,000,000.00	03/15/16	03/15/21	1,826	1.4000%	1.4000%
2016-024	FANNIE MAE (FNMA)	1,999,208.65	1,996,300.00	2,000,000.00	03/15/16	03/15/21	1,826	1.4254%	1.4000%
2016-035	FREDDIE MAC (FHLMC)	2,000,000.00	1,991,000.00	2,000,000.00	03/30/16	03/30/21	1,826	1.2500%	1.2500%
2016-043	FREDDIE MAC (FHLMC)	4,000,000.00	3,957,040.00	4,000,000.00	04/28/16	04/28/21	1,826	1.2500%	1.2500%
2016-046	FEDERAL HOME LOAN BANK (FHLB)	4,000,000.00	3,916,040.00	4,000,000.00	04/26/16	04/26/21	1,826	1.7000%	1.7000%
2016-048	FREDDIE MAC (FHLMC)	4,000,000.00	3,964,440.00	4,000,000.00	04/28/16	04/28/21	1,826	1.2500%	1.2500%
2016-049	FEDERAL FARM CREDIT BANK (FFCB)	4,000,000.00	3,977,960.00	4,000,000.00	04/12/16	04/12/21	1,826	1.6800%	1.6800%
2016-052	FEDERAL HOME LOAN BANK (FHLB)	4,000,000.00	3,941,360.00	4,000,000.00	04/20/16	04/20/21	1,826	1.6250%	1.6250%
2016-054	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,985,740.00	2,000,000.00	04/14/16	04/13/20	1,460	1.4000%	1.4000%
2016-064	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,973,240.00	2,000,000.00	05/03/16	05/03/21	1,826	1.7000%	1.7000%
2016-070	FANNIE MAE (FNMA)	4,000,000.00	3,995,440.00	4,000,000.00	05/25/16	05/25/21	1,826	1.5000%	1.5000%
2016-072	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,974,480.00	2,000,000.00	05/12/16	05/12/21	1,826	1.6400%	1.6400%
2016-075	FANNIE MAE (FNMA)	4,000,000.00	3,995,440.00	4,000,000.00	05/25/16	05/25/21	1,826	1.5000%	1.5000%
2016-077	FREDDIE MAC (FHLMC)	4,000,000.00	3,994,480.00	4,000,000.00	06/09/16	06/09/21	1,826	1.2500%	1.2500%
2016-088	FREDDIE MAC (FHLMC)	1,000,000.00	998,110.00	1,000,000.00	06/30/16	06/30/21	1,826	1.0000%	1.0000%
2016-090	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,983,220.00	2,000,000.00	06/29/16	06/29/20	1,461	1.4200%	1.4200%
2016-092	FANNIE MAE (FNMA)	5,006,799.56	4,881,800.00	5,000,000.00	06/30/16	06/30/21	1,826	1.3029%	1.6250%
2016-094	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,990,260.00	2,000,000.00	07/05/16	07/05/18	730	0.7800%	0.7800%
2016-097	FEDERAL HOME LOAN BANK (FHLB)	2,000,000.00	1,984,660.00	2,000,000.00	07/13/16	10/13/20	1,553	1.3750%	1.3750%
2016-101	FREDDIE MAC (FHLMC)	4,000,000.00	3,959,600.00	4,000,000.00	07/27/16	07/27/21	1,826	1.0000%	1.0000%
2016-102	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,989,360.00	2,000,000.00	07/14/16	07/14/21	1,826	1.4800%	1.4800%
2016-103	FANNIE MAE (FNMA)	4,000,000.00	3,967,800.00	4,000,000.00	07/28/16	07/28/21	1,826	1.0000%	1.0000%
2016-104	FANNIE MAE (FNMA)	4,000,000.00	4,000,080.00	4,000,000.00	07/20/16	07/20/21	1,826	0.8500%	0.8500%
2016-111	FREDDIE MAC (FHLMC)	3,000,000.00	2,990,040.00	3,000,000.00	08/16/16	08/16/21	1,826	1.1250%	1.1250%
2016-115	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,960,240.00	2,000,000.00	08/16/16	08/16/21	1,826	1.4400%	1.4400%
2016-116	FREDDIE MAC (FHLMC)	2,000,000.00	1,966,940.00	2,000,000.00	08/30/16	08/27/21	1,823	1.3500%	1.3500%
2016-117	FREDDIE MAC (FHLMC)	4,002,171.70	3,986,720.00	4,000,000.00	08/16/16	08/16/21	1,826	1.0004%	1.1250%
2016-122	FREDDIE MAC (FHLMC)	4,000,000.00	3,951,400.00	4,000,000.00	09/13/16	09/13/21	1,826	1.2500%	1.2500%
2016-125	FREDDIE MAC (FHLMC)	2,000,000.00	1,979,420.00	2,000,000.00	09/29/16	09/29/21	1,826	1.2500%	1.2500%
2016-126	FANNIE MAE (FNMA)	2,000,000.00	1,960,680.00	2,000,000.00	09/29/16	09/29/21	1,826	1.6000%	1.6000%
2016-132	FREDDIE MAC (FHLMC)	2,000,000.00	1,979,420.00	2,000,000.00	09/29/16	09/29/21	1,826	1.2500%	1.2500%

**SUTTER COUNTY POOLED TREASURY  
INVESTMENT PORTFOLIO  
July 31, 2017**



TREASURY NUMBER	INSTITUTION/BRANCH	BOOK VALUE	MARKET VALUE	PAR VALUE	DATE INVESTED	DATE MATURES	TOTAL DAYS INVESTED	YIELD	RATE
2016-133	FREDDIE MAC (FHLMC)	2,000,000.00	1,984,940.00	2,000,000.00	09/29/16	09/29/21	1,826	1.6500%	1.6500%
2016-134	FANNIE MAE (FNMA)	2,000,000.00	1,950,940.00	2,000,000.00	09/30/16	09/30/21	1,826	1.6250%	1.6250%
2016-140	FREDDIE MAC (FHLMC)	1,000,000.00	977,240.00	1,000,000.00	10/28/16	10/28/21	1,826	1.6500%	1.6500%
2016-142	FANNIE MAE (FNMA)	2,000,000.00	1,967,680.00	2,000,000.00	10/28/16	10/30/19	1,097	1.1250%	1.1250%
2016-148	FREDDIE MAC (FHLMC)	2,000,000.00	1,985,720.00	2,000,000.00	10/21/16	10/28/21	1,833	1.0000%	1.0000%
2016-149	FREDDIE MAC (FHLMC)	4,000,000.00	3,973,160.00	4,000,000.00	11/04/16	11/04/21	1,826	1.1000%	1.1000%
2016-151	FEDERAL HOME LOAN BANK (FHLB)	4,000,000.00	3,988,600.00	4,000,000.00	11/04/16	11/04/21	1,826	1.1000%	1.1000%
2016-152	FEDERAL HOME LOAN BANK (FHLB)	2,965,000.00	2,937,188.30	2,965,000.00	11/23/16	11/23/21	1,826	1.3000%	1.3000%
2016-153	FEDERAL HOME LOAN BANK (FHLB)	2,000,000.00	1,970,920.00	2,000,000.00	11/23/16	11/23/21	1,826	1.6500%	1.6500%
2016-161	FEDERAL HOME LOAN BANK (FHLB)	1,999,533.21	1,970,720.00	2,000,000.00	11/30/16	11/26/21	1,822	1.6553%	1.6500%
2016-163	FREDDIE MAC (FHLMC)	2,000,000.00	1,986,080.00	2,000,000.00	12/09/16	12/09/21	1,826	1.5000%	1.5000%
2016-166	FEDERAL HOME LOAN BANK (FHLB)	1,993,740.60	1,991,780.00	2,000,000.00	11/16/16	05/15/20	1,276	1.3025%	1.0000%
2016-168	FREDDIE MAC (FHLMC)	4,000,000.00	3,995,000.00	4,000,000.00	12/14/16	12/14/21	1,826	1.8500%	1.8500%
2016-169	FEDERAL FARM CREDIT BANK (FFCB)	1,995,334.06	1,993,740.00	2,000,000.00	11/29/16	11/29/21	1,826	1.7600%	1.8125%
2016-172	FEDERAL FARM CREDIT BANK (FFCB)	1,992,534.50	1,993,740.00	2,000,000.00	11/29/16	11/29/21	1,826	1.7600%	1.1844%
2016-174	FEDERAL FARM CREDIT BANK (FFCB)	1,000,000.00	994,740.00	1,000,000.00	12/01/16	06/01/21	1,643	2.0000%	2.0000%
2016-175	FREDDIE MAC (FHLMC)	1,999,057.50	1,996,620.00	2,000,000.00	12/16/16	12/16/21	1,826	1.7705%	1.7500%
2016-178	FEDERAL HOME LOAN BANK (FHLB)	2,000,000.00	2,000,100.00	2,000,000.00	12/06/16	12/06/21	1,826	2.0500%	2.0500%
2016-180	FEDERAL HOME LOAN BANK (FHLB)	1,987,194.30	2,008,600.00	2,000,000.00	12/02/16	11/29/21	1,823	2.0199%	1.8750%
2017-013	FANNIE MAE (FNMA)	2,000,000.00	2,000,060.00	2,000,000.00	02/28/17	02/28/22	1,826	2.3000%	2.3000%
2017-022	FANNIE MAE (FNMA)	2,000,000.00	2,003,580.00	2,000,000.00	03/29/17	03/29/22	1,826	2.1700%	2.1700%
2017-033	FREDDIE MAC (FHLMC)	4,000,000.00	4,000,840.00	4,000,000.00	04/13/17	04/13/22	1,826	1.5000%	1.5000%
2017-053	FREDDIE MAC (FHLMC)	2,000,000.00	1,997,520.00	2,000,000.00	05/17/17	05/17/22	1,826	1.5000%	1.5000%
		160,224,683.00	159,074,841.15	160,250,714.28					
<b>MEDIUM TERM NOTES</b>									
2012-147	GENERAL ELECTRIC	2,000,000.00	2,002,760.00	2,000,000.00	12/26/12	12/07/17	1,807	1.7200%	1.7200%
2012-148	JP MORGAN CHASE	2,003,463.44	2,000,440.00	2,000,000.00	12/26/12	08/15/17	1,693	1.5200%	2.0000%
2013-012	JP MORGAN CHASE	1,750,360.38	1,752,187.50	1,750,000.00	01/30/13	01/25/18	1,821	1.7737%	1.8000%
2013-050	JP MORGAN CHASE	999,775.47	998,720.00	1,000,000.00	05/15/13	05/15/18	1,826	1.6796%	1.6796%
2013-118	UNION BANK NA	1,008,537.74	1,010,290.00	1,000,000.00	10/29/13	09/26/18	1,793	2.0100%	2.6250%
2014-081	US BANCORP (USB)	2,009,066.93	2,018,440.00	2,000,000.00	07/18/14	04/25/19	1,742	1.9650%	2.2000%
2015-061	WELLS FARGO & COMPANY (WFC)	3,000,000.00	3,016,020.00	3,000,000.00	06/01/15	01/30/20	1,704	2.1500%	2.1500%
2015-098	WELLS FARGO & COMPANY (WFC)	4,000,000.00	3,994,440.00	4,000,000.00	09/25/10	09/25/20	1,827	2.0000%	2.0000%
2015-103	WELLS FARGO & COMPANY (WFC)	4,041,122.45	4,067,680.00	4,000,000.00	09/23/15	07/22/20	1,764	2.2700%	2.6000%
2015-115	WELLS FARGO & COMPANY (WFC)	2,000,000.00	1,989,460.00	2,000,000.00	10/16/15	10/16/20	1,827	1.7500%	1.7500%
2015-137	GENERAL ELECTRIC	3,270,980.85	3,266,400.00	3,000,000.00	11/16/15	01/08/20	1,514	2.0824%	5.5000%
2015-157	WELLS FARGO & COMPANY (WFC)	3,004,117.08	3,040,410.00	3,000,000.00	12/28/15	12/07/20	1,806	2.5100%	2.5500%
2016-078	WELLS FARGO & COMPANY (WFC)	2,000,000.00	1,985,720.00	2,000,000.00	06/07/16	06/07/21	1,826	2.0000%	2.0000%
2016-110	WELLS FARGO & COMPANY (WFC)	2,004,422.20	1,978,400.00	2,000,000.00	07/25/16	07/26/21	1,827	2.0459%	2.1000%
2016-119	HSBC USA, INC	2,000,000.00	2,002,480.00	2,000,000.00	08/19/16	08/19/21	1,826	2.1000%	2.1000%
2016-155	WELLS FARGO & COMPANY (WFC)	4,979,337.63	4,980,650.00	5,000,000.00	11/03/16	03/06/19	853	1.6700%	1.6690%

SUTTER COUNTY POOLED TREASURY  
 INVESTMENT PORTFOLIO  
 July 31, 2017



TREASURY NUMBER	INSTITUTION/BRANCH	BOOK VALUE	MARKET VALUE	PAR VALUE	DATE INVESTED	DATE MATURES	TOTAL DAYS INVESTED	YIELD	RATE
2016-184	HSBC USA, INC	4,000,000.00	4,003,960.00	4,000,000.00	12/16/16	12/16/21	1,826	2.2500%	2.2500%
2016-187	US BANCORP (USB)	2,003,627.91	2,018,380.00	2,000,000.00	12/16/16	01/29/21	1,505	2.2990%	2.3500%
2017-002	CHEVRON CORP (CVX)	992,986.95	1,001,750.00	1,000,000.00	01/09/17	05/16/21	1,588	2.2790%	2.1000%
2017-009	WELLS FARGO & COMPANY (WFC)	1,954,626.50	1,978,400.00	2,000,000.00	01/23/17	07/26/21	1,645	2.6601%	2.1000%
2017-071	WELLS FARGO & COMPANY (WFC)	2,000,000.00	1,998,140.00	2,000,000.00	06/27/17	06/27/22	1,826	1.9933%	1.9933%
		<u>51,022,425.53</u>	<u>51,105,127.50</u>	<u>50,750,000.00</u>					
		<u>237,151,413.26</u>	<u>236,084,273.38</u>	<u>236,905,019.01</u>				<u>1.5683%</u>	<u>1.6156%</u>
								AVERAGE	

BOARD AGENDA ITEM: Donations

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Maggie Navarro

Reports/Presentation

SUBMITTED BY:

Information

Linda Protine

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Linda Protine

BACKGROUND AND SUMMARY INFORMATION:

<u>Donor</u>	<u>Value</u>	<u>Purpose</u>
Yuba County Charter	\$3430.00	For Career and College Readiness
Total	\$3430.00	

	<u>17-18 Year</u>	<u>Current Period</u>	<u>To Date</u>
Total Donations-Cash	\$0.00	\$0.00	\$0.00
Total Donations-Value	\$0.00	\$3430.00	\$3430.00
<b>Total donations</b>	<b>\$0.00</b>	<b>\$3430.00</b>	<b>\$3430.00</b>



Equipment list

Donations from Yuba County Charter prep school

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QTY	Equipment description		Value
18	construction tool belts	\$25 ea.	\$450
7	9" hand levels	\$5 ea.	\$35
3	16oz framing hammers	\$ 20ea.	\$60
1	10# demolition hammer	\$15	\$ 15
15	Hard hats	\$5 ea.	\$75
1	paslode ram set	\$75	\$75
3	Dremal Scroll saw	\$100ea.	\$300
2	Jorgensen square box miter	\$ 75ea.	\$150
1	6" garden hoe	\$ 10	\$10
1	16" garden rake	\$10	\$10
2	spade shovel	\$10ea.	\$20
1	Ingersoll rand compressor	\$450	\$450
3	pipe clamps 36"	\$ 35ea.	\$105
1	Invicta planer wood	\$ 400	\$400
1	powermatic tablesaw	\$450	\$450
1	Delta shaper table	\$250	\$250
1	craftsman oscillating spindle sander	\$100	\$ 100
1	craftsman 16" scroll saw	\$50	\$50
1	10" ryobi table saw	\$ 75	\$75
1	dust collection unit	\$ 200	\$ 200
		Total	\$ 3,430

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BOARD AGENDA ITEM: First Reading – Board Policies

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Wendy Bedard & Dr. Chris McCormick

Reports/Presentation

SUBMITTED BY:

Information

Wendy Bedard & Dr. Chris McCormick

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Wendy Bedard & Dr. Chris McCormick

-

BACKGROUND AND SUMMARY INFORMATION:

The following policies are being presented for a first reading by the Sutter County Board of Education:

BP 1312.1 – Complaints Concerning Employees  
B/AR 1312.1 – Complaints Concerning Employees  
BP 1312.3 – Uniform Complaint Procedures  
BP/AR 1312.3 – Uniform Complaint Procedures  
BP 0410 – Nondiscrimination in Programs & Activities

BP 5145.2 – Freedom of Speech/Expression  
B/AR 5145.2 – Freedom of Speech/Expression  
BP 5143.3 – Nondiscrimination/Harassment  
B/AR 5143.3 – Nondiscrimination/Harassment

## **Complaints Concerning Employees**

The Governing Board accepts responsibility for providing a means by which the public can hold employees accountable for their actions. The Board desires that complaints be resolved expeditiously without disrupting the educational process.

The Superintendent or designee shall develop regulations which permit the public to submit complaints against Sutter County Superintendent of Schools' (SCSOS) employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved.

(cf. 1312.2 - Complaints Concerning Instructional Material)  
(cf. 1312.3 - Uniform Complaint Procedures)

The Board prohibits retaliation against complainants. The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. The County Office will not investigate anonymous complaints unless it so desires.

### Legal References:

#### *EDUCATION CODE*

33308.1 Guidelines on procedure for filing child abuse complaints  
35146 Closed sessions  
44031 Personnel file contents and inspection  
44811 Disruption of public school activities  
44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)  
48987 Child abuse guidelines

#### *GOVERNMENT CODE*

54957 Closed session; complaints re employees  
54957.6 Closed session; salaries or fringe benefits

#### *PENAL CODE*

273 Cruelty or unjustifiable punishment of child  
11164-11174.3 Child Abuse and Neglect Reporting Act

#### *WELFARE AND INSTITUTIONS CODE*

300 Minors subject to jurisdiction of juvenile court

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*Series 1000 – Community Relations*

BP 1312.1

Management Resources:

*CDE LEGAL ADVISORIES*

0910.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site (LO:4-93)



## **Complaints Concerning Employees**

The Superintendent or designee shall determine whether a complaint should be considered a complaint against Sutter County Superintendent of Schools (SCSOS) and/or an individual employee, and whether it should be resolved by the county's process for complaints concerning personnel and/or other county procedures.

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

To promote prompt and fair resolution of the complaint, the following procedures shall govern the resolution of complaints against SCSOS employees:

1. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns.
2. If a complainant is unable or unwilling to resolve the complaint directly with the employee, he/she may submit an oral or written complaint to the employee's immediate supervisor.
3. All complaints related to SCSOS personnel other than administrators shall be submitted in writing to the immediate supervisor. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Complaints related to an administrator shall be initially filed in writing with the Superintendent or designee. Complaints related to the Superintendent shall be initially filed in writing with the Board.
4. When a written complaint is received, the employee shall be notified within five days or in accordance with collective bargaining agreements.
5. A written complaint shall include:
  - a. The full name of each employee involved
  - b. A brief but specific summary of the complaint and the facts surrounding it
  - c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter

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*Series 1000 – Community Relations*

BP 1312.1

6. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days.
7. Both the complainant and the employee against whom the complaint was made may appeal a decision by the immediate supervisor to the Superintendent or designee, who shall attempt to resolve the complaint to the satisfaction of the person involved within 30 days. Parties should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Board regarding the complaint.
8. Before any Board consideration of a complaint, the Superintendent or designee shall submit to the Board a written report concerning the complaint, including but not limited to:
  - a. The full name of each employee involved
  - b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a response
  - c. A copy of the signed original complaint
  - d. A summary of the action taken by the Superintendent or designee, together with his/her specific finding that the problem has not been resolved and the reasons
9. The Board may uphold the Superintendent's decision without hearing the complaint.
10. All parties to a complaint may be asked to attend a Board meeting in order to clarify the issue and present all available evidence.
11. A closed session may be held to hear the complaint in accordance with law.
12. The decision of the Board shall be final.

Any complaint of child abuse or neglect alleged against a SCSOS employee shall be reported to the appropriate local agencies in accordance with law, Board policy and administrative regulation.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

*Series 1000 – Community Relations*

BP 1312.3

### **Uniform Complaint Procedures (UCP)**

The County Board of Education recognizes its role in developing policies to comply with applicable state and federal laws and regulations governing the County Office of Education's (COE) educational programs. The County Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the County Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and incorporates any County Superintendent approved procedures implementing this policy.

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

1. Any complaint alleging COE violation of applicable state or federal law or regulations governing adult education programs, after school education and safety programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, special education programs, consolidated categorical aid programs, or any other COE-implemented program which is listed in Education Code 64000(a) (5 CCR 4610).
2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any person participating in COE programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610).
3. Any complaint alleging COE noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222).

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

*Series 1000 – Community Relations*

BP 1312.3

4. Any complaint alleging COE noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, as defined in Education Code 49010 (5 CCR 4610).
5. Any complaint, by or on behalf of any student who is a foster youth, alleging COE noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the COE's educational liaison to the student, the award of credit for coursework satisfactorily completed in another public school, school transfer, or the grant of an exemption from any additional graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2).
6. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a or a former juvenile court school student as defined in Education Code 51225.2, alleging COE noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another public school or the grant of an exemption from any additional graduation requirements (Education Code 51225.1, 51225.2).
7. Any complaint alleging COE noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3).
8. Any complaint alleging COE noncompliance with the physical education instructional minutes requirements for students in elementary school (Education Code 51210, 51223).
9. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy (5 CCR 4621).
10. Any other complaint as specified in a County Board policy or a County Superintendent policy.

All complainants shall be protected from retaliation and the confidentiality of the parties involved shall be protected as required by law.

*Series 1000 – Community Relations*

BP 1312.3

Records of all UCP complaints and the investigations of those complaints are to be maintained in accordance with applicable law and County Superintendent policies and procedures.

### **Non-UCP Complaints**

The following complaints shall not be subject to the COE's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the County Superintendent's Williams Uniform Complaint Procedures shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

#### Legal References:

##### *EDUCATION CODE*

200-262.4 Prohibition of discrimination  
222 Reasonable accommodations; lactating students  
8200-8498 Child care and development programs  
8500-8538 Adult basic education  
18100-18203 School libraries  
32289 School safety plan, uniform complaint procedures  
35186 Williams uniform complaint procedures  
48853-48853.5 Foster youth  
48985 Notices in language other than English  
49010-49013 Student fees  
49060-49079 Student records

*Series 1000 – Community Relations*

BP 1312.3

49069.5 Rights of parents  
49490-49590 Child nutrition programs  
51210 Courses of study grades 1-6  
51223 Physical education, elementary schools  
51225.1-51225.2 Foster youth and homeless children; course credits; graduation requirements  
51228.1-51228.3 Course periods without educational content  
52060-52077 Local control and accountability plan, especially  
52075 Complaint for lack of compliance with local control and accountability plan requirements  
52160-52178 Bilingual education programs  
52300-52490 Career technical education  
52500-52616.24 Adult schools  
52800-52870 School-based program coordination  
54400-54425 Compensatory education programs  
54440-54445 Migrant education  
54460-54529 Compensatory education programs  
56000-56867 Special education programs  
59000-59300 Special schools and centers  
64000-64001 Consolidated application process

*GOVERNMENT CODE*

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

*PENAL CODE*

422.55 Hate crime; definition  
422.6 Interference with constitutional right or privilege

*CODE OF REGULATIONS, TITLE 5*

3080 Application of section  
4600-4687 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs

*UNITED STATES CODE, TITLE 20*

1221 Application of laws  
1232g Family Educational Rights and Privacy Act  
1681-1688 Title IX of the Education Amendments of 1972

*Series 1000 – Community Relations*

BP 1312.3

6301-6577 Title I basic programs  
6801-6871 Title III language instruction for limited English proficient and immigrant students  
7101-7184 Safe and Drug-Free Schools and Communities Act  
7201-7283g Title V promoting informed parental choice and innovative programs  
7301-7372 Title V rural and low-income school programs  
12101-12213 Title II equal opportunity for individuals with disabilities

*UNITED STATES CODE, TITLE 29*

794 Section 504 of Rehabilitation Act of 1973

*UNITED STATES CODE, TITLE 42*

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended  
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964  
6101-6107 Age Discrimination Act of 1975

*CODE OF FEDERAL REGULATIONS, TITLE 28*

35.107 Nondiscrimination on basis of disability; complaints

*CODE OF FEDERAL REGULATIONS, TITLE 34*

99.1-99.67 Family Educational Rights and Privacy Act  
100.3 Prohibition of discrimination on basis of race, color or national origin  
104.7 Designation of responsible employee for Section 504  
106.8 Designation of responsible employee for Title IX  
106.9 Notification of nondiscrimination on basis of sex  
110.25 Notification of nondiscrimination on the basis of age

*Management Resources:*

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
Dear Colleague Letter: Title IX Coordinators, April 2015  
Questions and Answers on Title IX and Sexual Violence, April 2014  
Dear Colleague Letter: Bullying of Students with Disabilities, August 2013  
Dear Colleague Letter: Sexual Violence, April 2011  
Dear Colleague Letter: Harassment and Bullying, October 2010  
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

*Series 1000 – Community Relations*

BP 1312.3

*U.S. DEPARTMENT OF JUSTICE PUBLICATIONS*

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

*WEB SITES*

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

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

Family Policy Compliance Office: <http://familypolicy.ed.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice: <http://www.justice.gov>



*Series 1000 – Community Relations*

AR 1312.3

### **Uniform Complaint Procedures (UCP)**

Except as the Governing Board may otherwise specifically provide in other county policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning Employees)  
(cf. 1312.2 - Complaints Concerning Instructional Materials)  
(cf. 1312.4 - Williams Uniform Complaint Procedures)  
(cf. 4030 - Nondiscrimination in Employment)

### **Compliance Officers**

The County Office designates the individual(s) identified below as the employee(s) responsible for coordinating the county's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee(s) to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure county compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)

Human Resources Director  
970 Klamath Lane  
Yuba City, CA 95993  
(530) 822-2900

Asst. Superintendent, Educational Services  
970 Klamath Lane  
Yuba City, CA 95993  
(530) 822-2900

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

*Series 1000 – Community Relations*

AR 1312.3

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent or the Superintendent's designee to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the County Office issues its final written decision, whichever occurs first.

### **Notifications**

The County's UCP policy and administrative regulation shall be posted in all county office locations. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the County's UCP, including information regarding unlawful student fees, local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth, homeless students, and former juvenile court school students to students, employees, parents/guardians, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 48853, 48853.5, 49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3260 - Fees and Charges)

*Series 1000 – Community Relations*

AR 1312.3

(cf. 5145.6 - Parental Notifications)  
(cf. 6173 - Education for Homeless Children)  
(cf. 6173.1 - Education for Foster Youth)  
(cf. 6173.3 - Education for Juvenile Court School Students)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the County web site and may be provided through county-supported social media, if available.

(cf. 1113 - District and School Web Sites)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the county's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular school speak a single primary language other than English, the County's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the County shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).

4. Include statements that:
  - a. The County Office has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
  - c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
  - d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, County staff shall assist him/her in the filing of the complaint.
  - e. If a complaint is not filed in writing but the County receives notice of any allegation that is subject to the UCP, the County Office shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the County will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.
  - f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the county's educational program, including curricular and extracurricular activities.

*Series 1000 – Community Relations*

AR 1312.3

- g. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
- h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the county liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between districts.
- i. A foster youth, homeless student, or former juvenile court school student who transfers into a district high school or between district high schools as applicable shall be notified of the county's responsibility to:
  - (1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed
  - (2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency
  - (3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1
- j. The complainant has a right to appeal the county's decision to the CDE by filing a written appeal within 15 calendar days of receiving the county's decision.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with the CDE in the same manner as the complainant, if he/she is dissatisfied with the county's decision.

- k. The appeal to the CDE must include a copy of the complaint filed with the County office and a copy of the county's decision.
- l. Copies of the county's UCP are available free of charge.

*Series 1000 – Community Relations*

AR 1312.3

### **County Office Responsibilities**

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the county's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the County Office shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

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

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

### **Filing of Complaints**

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, County office staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging county office violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement

*Series 1000 – Community Relations*

AR 1312.3

related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)

3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her that the request may limit the county's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the County office shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

## **Mediation**

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

*Series 1000 – Community Relations*

AR 1312.3

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the county's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the County office shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the County office shall then continue with subsequent steps specified in this administrative regulation.

### **Investigation of Complaint**

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses



*Series 1000 – Community Relations*

AR 1312.3

privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the County's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

Similarly, a respondent's refusal to provide the County's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the County office shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the county to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

### **Report of Findings**

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

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

*Series 1000 – Community Relations*

AR 1312.3

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

In resolving any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent also shall be sent the county's decision and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

### **Final Written Decision**

The County's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent. (5 CCR 4631)

In consultation with legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the county's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the County office shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
  - a. Statements made by any witnesses
  - b. The relative credibility of the individuals involved
  - c. How the complaining individual reacted to the incident
  - d. Any documentary or other evidence relating to the alleged conduct

*Series 1000 – Community Relations*

AR 1312.3

- e. Past instances of similar conduct by any alleged offenders
  - f. Past false allegations made by the complainant
2. The conclusion(s) of law
  3. Disposition of the complaint
  4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education
  - b. The type, frequency, and duration of the misconduct
  - c. The relationship between the alleged victim(s) and offender(s)
  - d. The number of persons engaged in the conduct and at whom the conduct was directed
  - e. The size of the school, location of the incidents, and context in which they occurred
  - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent

*Series 1000 – Community Relations*

AR 1312.3

- b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
  - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the County's decision to the CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the County's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

### **Corrective Actions**

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or County environment may include, but are not limited to, actions to reinforce County office policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

*Series 1000 – Community Relations*

AR 1312.3

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team

*Series 1000 – Community Relations*

AR 1312.3

6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the County office shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The County office may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the county does not tolerate it, and how to report and respond to it.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the County office shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the County shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

### **Appeals to the California Department of Education**

Any complainant who is dissatisfied with the County's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the County's final written decision, he/she, in the same manner as the complainant, may file an appeal with the CDE.

*Series 1000 – Community Relations*

AR 1312.3

The complainant or respondent shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the County's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the County office, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the County's uniform complaint procedures
7. Other relevant information requested by the CDE

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*Series 0000 – Philosophy, Goals, Objectives and Comprehensive Plans*      BP 0410

### **Nondiscrimination in Programs and Activities**

The Governing Board is committed to providing equal opportunity for all individuals in education. County programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

- (cf. 4030 - Nondiscrimination in Employment)
- (cf. 4032 - Reasonable Accommodation)
- (cf. 4033 - Lactation Accommodation)
- (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
- (cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)
- (cf. 5131.2 - Bullying)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 6145.2 - Athletic Competition)
- (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
- (cf. 6164.6 - Identification and Education Under Section 504)
- (cf. 6178 - Career Technical Education)
- (cf. 6200 - Adult Education)

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

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

- (cf. 1330 - Use of Facilities)



*Series 0000 – Philosophy, Goals, Objectives and Comprehensive Plans*      BP 0410

All allegations of unlawful discrimination in county programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the county's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups and, as applicable, to the public. As appropriate, such notification shall be posted at the county schools office and other prominent locations and shall be posted on the County's web site and, when available, county-supported social media.

(cf. 1113 - District and School Web Sites)  
(cf. 5145.6 - Parental Notifications)

The county's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

### **Access for Individuals with Disabilities**

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

(cf. 6163.2 - Animals at School)

The Superintendent or designee shall ensure that the County provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, notetakers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the

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*Series 0000 – Philosophy, Goals, Objectives and Comprehensive Plans*      BP 0410

Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)  
(cf. 9320 - Meetings and Notices)  
(cf. 9322 - Agenda/Meeting Materials)

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

(title or position)  
(address)  
(telephone number)  
(email)

Legal References:

*EDUCATION CODE*

200-262.4 Prohibition of discrimination  
48985 Notices to parents in language other than English  
51007 Legislative intent: state policy

*GOVERNMENT CODE*

11000 Definitions  
11135 Nondiscrimination in programs or activities funded by state  
11138 Rules and regulations  
12900-12996 Fair Employment and Housing Act  
54953.2 Brown Act compliance with Americans with Disabilities Act

*PENAL CODE*

422.55 Definition of hate crime  
422.6 Interference with constitutional right or privilege

*CODE OF REGULATIONS, TITLE 5*

4600-4687 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs

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*Series 0000 – Philosophy, Goals, Objectives and Comprehensive Plans* BP 0410

*UNITED STATES CODE, TITLE 20*

1400-1482 Individuals with Disabilities in Education Act  
1681-1688 Discrimination based on sex or blindness, Title IX  
2301-2415 Carl D. Perkins Vocational and Applied Technology Act  
6311 State plans  
6312 Local education agency plans

*UNITED STATES CODE, TITLE 29*

794 Section 504 of the Rehabilitation Act of 1973

*UNITED STATES CODE, TITLE 42*

2000d-2000d-7 Title VI, Civil Rights Act of 1964  
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended  
2000h-2000h-6 Title IX  
12101-12213 Americans with Disabilities Act

*CODE OF FEDERAL REGULATIONS, TITLE 28*

35.101-35.190 Americans with Disabilities Act  
36.303 Auxiliary aids and services

*CODE OF FEDERAL REGULATIONS, TITLE 34*

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI  
104.1-104.39 Section 504 of the Rehabilitation Act of 1973  
106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:  
106.9 Dissemination of policy

Management Resources:

*CSBA PUBLICATIONS*

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016  
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014  
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

*CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS*

California Law Prohibits Workplace Discrimination and Harassment

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*Series 0000 – Philosophy, Goals, Objectives and Comprehensive Plans* BP 0410

*U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS*  
Examples of Policies and Emerging Practices for Supporting Transgender Students,  
May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Notice of Non-Discrimination, January 1999

Protecting Students from Harassment and Hate Crime, January 1999

Nondiscrimination in Employment Practices in Education, August 1991

*U.S. DEPARTMENT OF JUSTICE PUBLICATIONS*

2010 ADA Standards for Accessible Design, September 2010

Accessibility of State and Local Government Websites to People with Disabilities, June  
2003

*WORLD WIDE WEB CONSORTIUM PUBLICATIONS*

Web Content Accessibility Guidelines, December 2008

*WEB SITES*

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

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

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Safe Schools Coalition: <http://www.casafeschools.org>

Pacific ADA Center: <http://www.adapacific.org>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act:

<http://www.ada.gov>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

*Series 5000 – Students*

## **Freedom of Speech/Expression**

### **Students**

Students shall have the right to exercise freedom of speech and of the press in official school publications, except for expression that is obscene, libelous, slanderous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school. (Education Code 48907)

Official school publications includes material produced by students in journalism, newspaper, yearbook, or writing classes and distributed to the student body either for a fee or free. (Education Code 48907)

Each principal shall develop a school publications code outlining the responsibility of student journalists, editors, and publication advisors.

All student submissions shall be held to professional standards of English and journalism. (Education Code 48907)

If the principal considers material submitted for publication to violate Education Code 48907, he/she shall notify the student, without undue delay, and give specific reasons why the submitted material may not be published. Absent extraordinary circumstances, such notice should be given in sufficient time to allow the student time to either modify the material or to seek review of the principal's determination from the Superintendent or designee. Prior to any restriction of student speech, school officials shall consider any feasible alternative options to restricting the speech.

To the extent that the principal or designee believes that the school should be disassociated from a particular idea or opinion, the principal may require student articles to include disclaimers.

### **Distribution of Printed Materials and Petitions by Students**

The principal or designee may provide bulletin boards on which students and student organizations may post materials of general interest. Students also may post or distribute handbills, leaflets, and other printed material, whether produced within or outside of the school. Students may collect signatures on petitions concerning school or non-school issues.

(cf. 1325 - Advertising and Promotion)  
(cf. 6145.5 - Student Organizations and Equal Access)

Printed materials or petitions may be distributed only:

1. Before or after school or during lunch time
2. In locations that do not obstruct the normal flow of traffic within the school or at entrances

No student shall use coercion to induce any other student or person to accept printed matter or to sign a petition. No funds shall be collected for any material distributed.

(cf. 5131 - Conduct)

#### Clothing, Buttons, and Badges

Buttons, badges, armbands, and clothing bearing slogans or sayings may be worn unless their message falls into the categories prohibited by law and Board policy. No employee shall interfere with this practice on the grounds that the message may be controversial or unpopular with students or faculty.

(cf. 5131.4 - Student Disturbances)

(cf. 5132 - Dress and Grooming)

(cf. 5136 - Gangs)

(cf. 5144 - Discipline)

*Series 5000 – Students*

### **Freedom of Speech/Expression Students**

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

(cf. 6142.3 - Civic Education)  
(cf. 6144 - Controversial Issues)

#### **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 LEA or school Internet web sites and online media shall generally be afforded the same protections as in print media.

(cf. 1113 - District and School Web Sites)  
(cf. 6163.4 - Student Use of Technology)

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)

(cf. 5145.7 - Sexual Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)

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)

### 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 Superintendent or designee shall document the impact the expression had or could be expected to have on the school program.

(cf. 5131 - Conduct)

#### Legal Reference:

##### EDUCATION CODE

48907 Exercise of free expression; rules and regulations

48950 Speech and other communication

51520 Prohibited solicitations on school premises

##### UNITED STATES CODE, TITLE 20

4071-4074 Equal Access Act

##### CALIFORNIA CONSTITUTION

Article 1, Section 2 Freedom of speech and expression

##### U.S. CONSTITUTION

Amendment 1 Freedom of speech and expression

##### COURT DECISIONS

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

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

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

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

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

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

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

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

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

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

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

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

#### Management Resources:

##### CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

Limitations on Student Expression in School-Sponsored Publications, March 4, 1988

##### WEB SITES

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

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

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Policy Approved:

Sutter County Board of Education



*Series 5000 – Students*

**Nondiscrimination/Harassment  
Students**

The County Office of Education designates the individual(s) identified below as the employee(s) responsible for coordinating efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Dr. Baljinder Dhillon, Superintendent  
970 Klamath Lane  
Yuba City, CA 95993  
530-822-2900

(cf. 1312.1 - Complaints Concerning Employees)  
(cf. 1312.3 - Uniform Complaint Procedures)

**Measures to Prevent Discrimination**

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the schools nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public, posting them on the web site and other prominent locations and providing easy access to them through social media, when available.

(cf. 1113 - School Web Sites)  
(cf. 1114 - Social Media)

2. Provide to students a handbook that contains age-appropriate information that clearly describes the nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

3. Annually notify all students and parents/guardians of the school's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the county office will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

4. The Superintendent or designee shall ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular school speak a single primary language other than English, the policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the county office shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

5. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines to provide a discrimination-free environment for all students, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

6. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is

safe to do so. (Education Code 234.1)

7. At the beginning of each school year, inform each principal or designee of the responsibility to provide appropriate assistance or resources to protect students' privacy rights and ensure their safety from threatened or potentially discriminatory behavior.

#### Enforcement of Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond

3. Disseminating and/or summarizing the policy and regulation regarding unlawful discrimination

4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to students, parents/guardians, and the community

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

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 5144 - Discipline)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

#### Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

#### Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

Regardless of whether they are sexual in nature, acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited. Examples of types of conduct which are prohibited and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the bathroom that corresponds to his/her gender identity
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection of a student's asserted gender identity, denial of access to

facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the county office shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is his/her private information and the county office shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the county office has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the county office shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the county office pursuant to 34 CFR 99.31. Any employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to an employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this procedure, and shall inform the student that honoring the student's request may limit the ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The county office shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to Records)  
(cf. 3580 - Records)

2. Determining a Student's Gender Identity: The compliance officer shall accept the student's assertion of his/her gender identity and begin to treat the student consistent with his/her gender identity unless personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify and

develop strategies for ensuring that the student's access to education programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action could be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the county office maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as outdoor science camps, physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the county office shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the county office shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, cabin assignments and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Co-curricular Activities)  
(cf. 6145.2 - Athletic Competition)  
(cf. 6153 - School-Sponsored Trips)  
(cf. 7110 - Facilities Master Plan)

5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed pursuant to a court order. However, at the written request of a student or, if appropriate, his/her parents/guardians, the county office shall use the student's preferred name and pronouns consistent with his/her gender identity on all other -related documents. Such preferred name may be added to the student's record and official documents as

permitted by law.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

6. Names and Pronouns: If a student so chooses, personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official record. However, inadvertent slips or honest mistakes by personnel in the use of the student's name and/or consistent pronouns shall not constitute a violation of this administrative regulation or the accompanying policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress Code)



*Series 5000 – Students*

**Nondiscrimination/Harassment  
Students**

This policy shall apply to all acts related to school activity or to school attendance occurring within a school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 6164.6 - Identification and Education Under Section 504)

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

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

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

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

(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 1330 - Use of Facilities)  
(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)  
(cf. 6145 - Extracurricular and Co-curricular Activities)  
(cf. 6145.2 - Athletic Competition)  
(cf. 6164.2 - Guidance/Counseling Services)

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

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

(cf. 4118 - Suspension/Disciplinary Action)  
(cf. 4119.21/4219.21/4319.21 - Professional Standards)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))  
(cf. 5145.2 - Freedom of Speech/Expression)

#### Record-Keeping

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

(cf. 3580 - District Records)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence

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#### Policy Approved:

Sutter County Board of Education

48900.4 Suspension or expulsion for threats or harassment  
48904 Liability of parent/guardian for willful student misconduct  
48907 Student exercise of free expression  
48950 Freedom of speech  
48985 Translation of notices  
49020-49023 Athletic programs  
51500 Prohibited instruction or activity  
51501 Prohibited means of instruction  
60044 Prohibited instructional materials  
CIVIL CODE  
1714.1 Liability of parents/guardians for willful misconduct of minor  
PENAL CODE  
422.55 Definition of hate crime  
422.6 Crimes, harassment  
CODE OF REGULATIONS, TITLE 5  
432 Student record  
4600-4687 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs  
UNITED STATES CODE, TITLE 20  
1681-1688 Title IX of the Education Amendments of 1972  
12101-12213 Title II equal opportunity for individuals with disabilities  
UNITED STATES CODE, TITLE 29  
794 Section 504 of Rehabilitation Act of 1973  
UNITED STATES CODE, TITLE 42  
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended  
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964  
6101-6107 Age Discrimination Act of 1975  
CODE OF FEDERAL REGULATIONS, TITLE 28  
35.107 Nondiscrimination on basis of disability; complaints  
CODE OF FEDERAL REGULATIONS, TITLE 34  
99.31 Disclosure of personally identifiable information  
100.3 Prohibition of discrimination on basis of race, color or national origin  
104.7 Designation of responsible employee for Section 504  
106.8 Designation of responsible employee for Title IX  
106.9 Notification of nondiscrimination on basis of sex  
COURT DECISIONS  
Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567  
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

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Policy Approved:

Sutter County Board of Education

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

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

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

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

BOARD AGENDA ITEM: First Reading – Board Bylaws

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

Maggie Nicoletti

SUBMITTED BY:

Dr. Baljinder Dhillon

PRESENTING TO BOARD:

Dr. Baljinder Dhillon

BACKGROUND AND SUMMARY INFORMATION:

The following Board Bylaws are being presented for a first reading by the Sutter County Board of Education:

- BB 9321 – Closed Session
- BB 9500 – County Superintendent’s Remuneration

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Sutter County Board of Education**

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**Closed Session**

The County Board of Education is committed to complying with state open meeting laws and modeling transparency in the conduct of its business. The County Board shall hold a closed session only for purposes authorized by law. A closed session may be held during a regular, special, or emergency meeting in accordance with law.

Each agenda shall contain a general description of each closed session item to be discussed at the meeting, as required by law. (Government Code 54954.2)

The County Board shall disclose in open session the items to be discussed in closed session. In the closed session, the County Board may consider only those matters covered in its statement.

The County Board shall not disclose any information that is protected by state or federal law. In addition, no victim or alleged victim of sexual misconduct or child abuse shall be identified in any County Board agenda, notice, announcement, or report required by the Brown Act, unless the identity of the person has previously been publicly disclosed. (Government Code 54957.7, 54961)

A County Board member shall not disclose confidential information received in a closed session unless the County Board authorizes the disclosure of that information. (Government Code 54963)

After each closed session, but before adjourning the meeting, the County Board shall reconvene in open and, when applicable, report closed session actions, the votes or abstentions thereon, and other disclosures required by Government Code 54957.1. (Government Code 54957.7)

**Matters Related to Students**

The County Board shall meet in closed session to consider the appeal of an expulsion of a student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the County Board may meet in closed session for the purpose of deliberations. (Education Code 48920)

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Sutter County Board of Education**

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Agenda items related to student matters shall briefly describe the reason for the closed session, such as "student expulsion hearing," without violating the confidentiality rights of individual students. The student shall not be named on the agenda, but a number may be assigned to the student in order to facilitate record keeping. The agenda shall also state that the Education Code requires closed sessions in these cases in order to prevent the disclosure of confidential student record information.

Actions related to student matters shall be taken in open session and shall be a matter of public record. No information shall be released in violation of student privacy rights provided in law. (Education Code 35146, 48918; 20 USC 1232)

OPTION 1: In an expulsion action, the student's name and the cause for expulsion shall be disclosed in open session.

OPTION 2: In an expulsion action, the student's name shall not be disclosed, but the cause for the expulsion shall be disclosed in open session.

The County Board shall meet in closed session to address any student matter over which it has statutory authority, when the matter may involve disclosure of confidential student information.

**Conference with Real Property Negotiator**

The County Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the County Board or county office of education (COE) in order to grant its negotiator authority regarding the price and terms of payment for the property. (Government Code 54956.8)

Before holding the closed session, the County Board shall hold an open and public session to identify its negotiator(s) and the property under negotiation and to specify the person(s) with whom the negotiator may negotiate. (Government Code 54956.8)

For purposes of real property transactions, negotiators may include members of the County Board. (Government Code 54956.8)

Agenda items related to real property negotiations shall specify the negotiator attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed

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Sutter County Board of Education**

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session. The agenda shall also specify the name of the negotiating parties and the street address of the real property under negotiation. If there is no street address, the agenda item shall specify the parcel number or another unique reference of the property. The agenda item shall also specify whether instruction to the negotiator will concern price, terms of payment, or both. (Government Code 54954.5)

Approval of an agreement concluding real estate negotiations shall be reported after the agreement is final. If the County Board renders the agreement final, it shall report that approval, the votes or abstentions thereon, and the substance of the agreement in open session at the public meeting during which the closed session is held. If final approval rests with the other party, the County Superintendent or designee shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the COE of its approval. (Government Code 54957.1)

**Pending Litigation**

Based on the advice of its legal counsel, the County Board may hold a closed session to confer with or receive advice from its legal counsel regarding a pending litigation when a discussion of the matter in open session would prejudice the COE or the County Board's position in the litigation. For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Litigation is considered "pending" in any of the following circumstances: (Government Code 54956.9)

1. Litigation to which the COE or County Board is a "party" has been initiated formally. (Government Code 54956.9(a))
2. A point has been reached where, in the County Board's opinion based on the advice of its legal counsel regarding the "existing facts and circumstances," there is a "significant exposure to litigation" against the County Board or COE, or the County Board is meeting solely to determine whether, based on existing facts or circumstances, a closed session is authorized. (Government Code 54956.9(b))

Existing facts and circumstances for these purposes are limited to the following: (Government Code 54956.9)

- a. Facts and circumstances that might result in litigation against the County Board or COE but which the County Board believes are not yet known to potential plaintiffs



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Sutter County Board of Education**

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and which do not need to be disclosed.

- b. Facts and circumstances including, but not limited to, an accident, disaster, incident, or transactional occurrence which might result in litigation against the County Board or COE, which are already known to potential plaintiffs and which must be publicly disclosed before the closed session or specified on the agenda.
  - c. The receipt of a claim pursuant to the Tort Claims Act or a written threat of litigation from a potential plaintiff. The claim or written communication must be available for public inspection.
  - d. A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the County Board.
  - e. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the County Board, provided that the employee receiving knowledge of the threat made a record of the statement before the meeting and the record is available for public inspection. Such record does not need to identify an alleged victim of tortious sexual conduct or anyone making a threat on his/her behalf or identify an employee who is the alleged perpetrator of any unlawful or tortious conduct, unless the identity of this person has been publicly disclosed.
3. Based on existing facts and circumstances, the County Board has decided to initiate or is deciding whether to initiate litigation. (Government Code 54956.9(c))

Before holding a closed session pursuant to the pending litigation exception, the County Board shall state on the agenda or publicly announce the subdivision of Government Code 54956.9 under which the closed session is being held. If authority is based on Government Code 54956.9(a), the County Board shall either state the title or specifically identify the litigation to be discussed or state that doing so would jeopardize the ability to effectuate service of process upon unserved parties or to conclude existing settlement negotiations to its advantage. (Government Code 54956.9)

Agenda items related to pending litigation shall be described as a conference with legal counsel regarding either "existing litigation" or "anticipated litigation." (Government Code 54954.5)

"Existing litigation" items shall identify the name of the case specified by either the claimant's name, names of parties, or case or claim number, unless the County Board states that to identify the case would jeopardize service of process or existing settlement negotiations. (Government Code 54954.5)

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Sutter County Board of Education**

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"Anticipated litigation" items shall state that there is significant exposure to litigation pursuant to Government Code 54956.9(b) and shall specify the potential number of cases. When the County Board expects to initiate a suit, items related to anticipated litigation shall state that the discussion relates to the initiation of litigation pursuant to Government Code 54956.9(c) and shall specify the potential number of cases. The agenda or an oral statement before the closed session may be required to provide additional information regarding existing facts and circumstances described in item #2b-e above. (Government Code 54954.5)

The County Board shall report the following actions related to pending litigation, and the votes or abstentions thereon, at the public meeting during which the closed session is held: (Government Code 54957.1)

1. Approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation. This report shall identify the adverse parties, if known, and the substance of the litigation.
2. Approval to legal counsel to initiate or intervene in a lawsuit. This report shall state that directions to initiate or intervene in the action have been given and that details will be disclosed to inquiring parties after the lawsuit is commenced unless doing so would jeopardize the ability to serve process on unserved parties or the ability of the COE to conclude existing settlement negotiations to its advantage.
3. Acceptance of a signed offer from the other party or parties which finalizes the settlement of pending litigation. This report shall state the substance of the agreement.

If approval is given to legal counsel to settle pending litigation and if final approval rests with the other party or with the court, the County Board shall report the fact of approval, the substance of the agreement, and the vote and abstentions thereon to persons who inquire once the settlement is final. (Government Code 54957.1)

**Review of Student Assessment Instruments**

The County Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the County Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617)

Agenda items related to the review of student assessment instruments shall state that

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Sutter County Board of Education**

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the County Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program and that Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.

At the public meeting during which the County Board holds a closed session to review student assessment instruments, the County Board shall confirm that this review was made. Any actions related to the review shall be taken in open session without revealing any proprietary or confidential information and shall be a matter of public record.

**Other Matters for Closed Session**

When appropriate, the County Board may also hold a closed session to discuss any of the following:

**1. Security Matters**

The County Board may meet in closed session with the Governor, Attorney General, district attorney, legal counsel, sheriff or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings; to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service; or to the public's right of access to public services or public facilities. (Government Code 54957)

The County Board may meet in closed session during an emergency meeting held pursuant to Government Code 54956.5 to meet with law enforcement officials for the emergency purposes specified in Government Code 54957 if agreed to by a two-thirds vote of the County Board members present. If less than two-thirds of the members are present, then the County Board must agree by a unanimous vote of the members present. (Government Code 54956.5)

Agenda items related to security matters shall specify the name of the law enforcement agency and the title of the officer, or name of applicable agency representative and title, with whom the County Board will consult. (Government Code 54954.5)

**2. Joint Powers Agency/Self-Insurance Authority Claims**

The County Board may meet in closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance

**Policies and Regulations Manual  
Sutter County Board of Education**

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***Series 9000 – Board Bylaws***

authority of which the COE is a member. (Government Code 54956.95)

Closed session agenda items related to liability claims shall specify the claimant's name and the name of the agency against which the claim is made. (Government Code 54954.5)

When the board of the JPA has so authorized and upon advice of legal counsel, the County Board may meet in closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the JPA. During the County Board's closed session, a County Board member serving on the JPA board may disclose confidential information acquired during a closed session of the JPA to other County Board members. (Government Code 54956.96)

The County Board member may also disclose the confidential JPA information to legal counsel in order to obtain advice on whether the matter has direct financial or liability implications for the County Board or COE. (Government Code 54956.96)

Closed session agenda items related to conferences involving a JPA shall specify the closed session description used by the JPA and the name of the County Board member representing the County Board on the JPA board. Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives shall also be included. (Government Code 54954.5)

The County Board shall report the disposition of joint powers agency or self-insurance claims and the votes or abstentions thereon at the public meeting during which the closed session is held. This report shall include the name of the claimant(s), the name of the agency claimed against, the substance of the claim, and the monetary settlement agreed upon by the claimant. (Government Code 54957.1)

**3. Review of Audit Report from California State Auditor's Office**

Upon receipt of a confidential final draft audit report from the California State Auditor's Office, the County Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any County Board meeting to discuss the report must be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

Closed session agenda items related to an audit by the California State Auditor's Office shall state "Audit by California State Auditor's Office." (Government Code 54954.5)

**Policies and Regulations Manual  
Sutter County Board of Education**

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***Series 9000 – Board Bylaws***

Legal Reference:

EDUCATION CODE

- 1040 Duties and responsibilities; county boards of education
- 1042 County boards; authority
- 1700 County school service fund
- 1703 Coordination services
- 1730 Supervision of instruction
- 1740 Supervision of attendance
- 1750 Supervision of health
- 1760 Provision of guidance services
- 35145 Public meetings
- 35146 Closed session (re student suspension)
- 48912 Governing board suspension
- 48918 Rules governing expulsion procedures; hearings and notice
- 49070 Challenging content of students records
- 60617 Meetings of governing board

GOVERNMENT CODE

- 815-818.9 California Government Tort Claims Act
- 3540-3549.3 Educational Employment Relations Act
- 6252-6270 California Public Records Act
- 54950-54963 The Ralph M. Brown Act

COURT DECISIONS

- Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners, (2003) 107 Cal.App.4th 860
- Bell v. Vista Unified School District, (2001) 82 Cal.App. 4th 672
- Furtado v. Sierra Community College District (1998) 68 Cal.App. 4th 876
- Gillespie v. San Francisco Public Library Commission (1998) 67 Cal.App.4th 1165
- Roberts v. City of Palmdale, (1993) 5 Cal.App. 4th 363
- Sacramento Newspaper Guild v. Sacramento County Board of Supervisors, (1968) 263 Cal.App. 2d 41

ATTORNEY GENERAL OPINIONS

- 94 Ops.Cal.Atty.Gen. 82 (2011)
- 86 Ops.Cal.Atty.Gen. 210 (2003)
- 85 Ops.Cal.Atty.Gen. 77 (2002)
- 78 Ops.Cal.Atty.Gen. 218 (1995)
- 59 Ops.Cal.Atty.Gen. 532 (1976)

Management Resources:

CSBA PUBLICATIONS

- The Brown Act: School Boards and Open Meeting Laws, 2014

**Policies and Regulations Manual  
Sutter County Board of Education**

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***Series 9000 – Board Bylaws***

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, 2003

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, rev. July 2010

Open and Public IV: A Guide to the Ralph M. Brown Act Supplement, September 2013

WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

League of California Cities: <http://www.cacities.org>

**Policies and Regulations Manual  
Sutter County Board of Education**

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***Series 9000 – Board Bylaws***

**County Superintendent's Remuneration**

The County Board of Education believes that the County Superintendent of Schools renders services that promote the success of students and of the educational programs of the county office of education, and that anyone occupying the position should be fairly compensated for his/her service. In accordance with law, the County Board shall fix the salary of the County Superintendent and may adopt a remuneration package that includes, but is not limited to, salary, allowances, health and welfare benefits, and other benefits as appropriate.

The Attorney General has opined that a County Board may increase or decrease the County Superintendent's salary at any point during the term for which the County Superintendent was elected, but that any salary decrease may not be retroactive. Due to the conflict recognized by the Attorney General between the California Constitution and Education Code 1207, prior to decreasing a County Superintendent's salary, the County Board should first contact legal counsel.

Any discussion and/or action take on the County Superintendent's remuneration shall take place in open session, at a regularly scheduled meeting of the County Board. (Government Code 54956)

Any changes to the County Superintendent's salary, financial remuneration, or any benefit, for any reason, may only be made upon approval of the County Board after discussion at a regularly scheduled meeting of the County Board. (Education Code 1209, Government Code 54956)

The County Superintendent shall receive reimbursement for his/her actual and necessary traveling expenses. (Education Code 1200, 1201)

Legal Reference:

EDUCATION CODE

1200-1209 Appointment, qualifications, salary and expenses of county superintendent

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

53243.3-53243.4 Abuse of office

54954 Time and place of regular meetings

54957 Closed session personnel matters

CALIFORNIA CONSTITUTION

Article 9, Section 3.1 County Superintendent qualifications and salaries

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**Bylaw Approved:  
Sutter County Board of Education**

**Policies and Regulations Manual  
Sutter County Board of Education**

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***Series 9000 – Board Bylaws***

COURT DECISIONS

Woodcock v. Dick, (1950) 36 Cal 2d 146

ATTORNEY GENERAL OPINIONS

61 Ops.Cal.Atty.Gen. 384 (1978)

62 Ops.Cal.Atty.Gen. 356 (1979)

Management Resources:

WEB SITES

CSBA, Governance Consulting Services: <http://www.csba.org>

California County Superintendents Educational Services Association:

<http://www.ccsesa.org>



BOARD AGENDA ITEM: Facilities Update

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

James Peters

SUBMITTED BY:

James Peters

PRESENTING TO BOARD:

James Peters

BACKGROUND AND SUMMARY INFORMATION:

Director of Facilities, Maintenance and Operations will share facilities updates with the Board and donation of office furniture received from Farm Credit West.

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## Facilities Projects – update September 13, 2017

### Deferred Maintenance and Facilities Projects currently **in progress**


#### Facilities Planning

1. Recalibrate 30-year deferred maintenance plan
  - In progress. Audits completed by EMG in August, data development underway. Once the data is received and verified, we will roll it into software that will automatically develop tracking and budget information.

#### Special Education

1. River Valley Shade Structure – Structure received, install scheduled for September 25-30
2. Construction of three offices and a conference room inside on newly placed portable at Live Oak High School (**new**)

#### Shady Creek – July 10-Sept 9

- 
1. New walk in refrigerator – Construction underway, anticipate completion by October 31<sup>st</sup>.
  2. Building for walk ins
  3. New emergency generator
  4. Commercial washer and dryer – Underway, anticipate completion by October 1, 2017
  5. Installation of new cooling ducting into Director and Coordinator offices - Complete
  6. Complete rehabilitation of exterior finish on Holland Hall cupola – Underway, completion by September 18<sup>th</sup>, 2017
  7. Rotary project – Construct decorative benches and fixtures for distribution throughout site – Completed August 2017

#### Klamath

1. Swap Special Education and External Business departments between Klamath and 300 – Complete August 2017
2. Receipt, lottery, and distribution of furniture donation from Farm Credit West (FCW) (**new**)– Begins September 18, out of FCW building by October 20, completed distribution by January 1, 2018

#### FRA

1. Move ROP into ISP wing and Lassen classroom – Complete August 2017
2. Paint in three rooms – Complete August 2017
3. Carpet in two rooms - Complete August 2017

300

1. Construction of storage solutions for Special Education CUM files, curriculum, and assessments (intend to use furniture from FCW).

#### Prop 39

1. Consortium project management – Ongoing until 2020- Serving Brittan, Browns, ENHS, Franklin, LOUSD, Marcum-Illinois, Nuestro, Pleasant Grove, SCSOS, Twin Rivers Charter, & Winship-Robbins.
2. Carport mounted full solar at Klamath – Substantially complete, interconnect with PG&E tentatively September 17, 2017

#### District Support

1. East Nicolaus High School -
  - a. Assist in remodel of Culinary Art classroom (consultation and training for admin and M&O staff, with light maintenance service provided by SCSOS). – Complete August 2017
  - b. Project development and implementation of Wood and welding shop upgrades – Underway, anticipate completion by January 2018.
2. Winship-Robbins – Underway
  - a. Full site Facilities & Maintenance assessment inspection, report and recommendations to Board -
  - b. Full site infrastructure (power, water, and waste) survey, location, map and condition assessment
  - c. Kitchen North wall rehabilitation, installation of FRP – Complete August 2017
  - d. Dedicated .10 FTE maintenance support

## **Deferred Maintenance and Facilities Projects currently in feasibility and planning**

### Facilities Planning

1. Development of 5 year Master plan

### Special Education

1. Yuba College – MOU between YCSOS and YCCD finalized, floor plan in revision with Architect

### Shady Creek

1. Installation of level pads and four (4) pre-fabricated metal structures
2. Installation of additional dry storage space
3. SCOEF project – construct new bird blind

### Klamath

1. HVAC controls at Klamath, Sierra, and FRA – In contract phase
2. Staff break room and park place countertop replacements
3. Construction of new building

### FRA

1. Staff break room and park place countertop replacements
2. Fleet parking lot reconfiguration and North gate

### Prop 39

1. HVAC controls at Klamath and Sierra – In contract phase
2. Roof mounted full solar at Sierra – Building reverse drafting complete, in review with PV engineer

### Over Crowding Project – Started September 2015, tentative completion by June 2018.

1. IT Server Closet – Scheduled to proceed in November (moved from September for FCW project)
2. IT remodel – Scheduled to proceed in November (moved from September for FCW project)
3. Business offices remodeled, MAA, Catherine, and Maria moved – Complete June 2017
4. Construction of partition walls to reconfigure old payroll for credential services and orientation
5. Move Payroll, Credential Services, Orientation Room
6. Modify partition walls as necessary in new External Business area

## District Support

1. Browns
  - a. Installation of cement walk and retaining wall at Kindergarten playground
  - b. Irrigation for Northwest grass areas of property
  - c. Complete boys and girls restroom remodel
  - d. Installation of permanent wall in place of curtain wall in classroom
  - e. Elevate and level depressed floor in library classroom
  - f. Open wall between library and computer lab for larger space
2. East Nicolaus High School
  - a. Assist in remodel of Culinary Art classroom (consultation and training for admin and M&O staff, with light maintenance service provided by SCSOS).
  - b. Assist in project development and implementation of Wood and welding shop upgrades
  - c. Construction of accessible ramp and landing at AG Building
3. Marcum-Illinois
  - a. Perform consultation for the construction of new 5000-7500 Ft<sup>2</sup> resource center for South Sutter Charter on M.I. campus
4. Pleasant Grove
  - a. Cut back rotted sheathing and rafter tails on bus barn and repair
  - b. Modify framing, install new single car garage door and opener – new
  - c. Installation of recessed field sockets for volley ball poles and net
  - d. Construction of access barrier in pass through in West campus fence
5. Winship-Robbins
  - a. Kitchen rehabilitation planning
  - b. Site infrastructure rehabilitation planning
  - c. Three-year painting plan implemented
  - d. Corporation yard creation, removal of old shed
  - e. Five-year facilities and maintenance plan creation and implementation
  - f. Professional development with site staff to formulate new culture and processes for the M&O staff

## Proposed new building on Harter Parkway

As people and positions change, history sometimes gets lost in the mix. The history and goal for construction of a new building on Harter Parkway is no exception. As I am aware that this questions comes up constantly, I would like to share the reasoning and goals that were the driving force of initiating a plan to help you answer.

### 1. Sierra - history

The Sierra Building was originally built for Guidera's Harley Davidson, as a heavy commercial space intended to receive, build and sell motorcycles. The building is a prefabricated steel building, dropped and set in place, and finished with stucco on the exterior. As the intent was to have a warehouse type purpose, the design called for roll-up utility doors all around the perimeter, and the interior surfaces were mostly unfinished.

The second owner replaced the roll up doors with storefront windows and did not ensure that the contractor rebuilt the envelope correctly. Interior partition walls, restrooms, and a drop ceiling was added, and the building was opened for light commercial/retail use. The current conditions are apparent that the second owner did not invest as much as they should have in this effort. We are the third owner.

### Conclusions

- The Sierra building consistently suffers from water intrusion and random odors from inside and out. Very heavy reconstruction will need to occur in the building if we intend to use it for teaching in the long term. It is my opinion that we will see costs continue to rise to maintain the building and ultimately, major remodel work will need to occur before ten years, driving costs higher.
- The Yuba City building department has no recorded drawings or permits for the building. Further reconstructive work will become cumbersome with red tape and more expensive, as redesign will have to occur with each new phase.

### Goal

- The Sierra building should be repurposed as an unconditioned space for heavy commercial, light industrial use, whether owned by SCSOS or others.

## 2. Local Control Funding Formula, the SCSOS goals, and the Over Crowding Project

In keeping with the vision and direction of Superintendent Bill Cornelius, the SCSOS increased collaboration and services with Districts in Sutter County. Although not dramatically, departments changed and staffing was added as necessary to reinforce this endeavor.

The introduction of LCFF compounded the efforts of the SCSOS, requiring more flexibility in services provided and support staff to provide them, placing a burden on facilities already at occupancy. To account for the organization's growth, the 'Klamath Over-Crowding' (OC) project began. The Klamath OC is a broad and comprehensive effort to expand our facility footprint and then reorganize departments and buildings as necessary.

### Conclusions

- Initially, the intent was to lease a space for Special Education, which has shown increased growth with no expectation of reduction in students or staff in the long term.
- During site feasibility reviews, I discovered that we were looking at an investment of over five hundred thousand dollars in lease payments, with a real possibility of maybe one hundred thousand dollars in 'tenant improvement' costs of the leased facilities to align to our needs. We would have no way of recovering these costs, which ultimately, might be passed on to the Districts.
- In an effort to avoid this issue, I identified a space available to purchase at a rate below the appraised value.

### Goal

- Purchasing building 300 was supposed to be a short-term remedy for our growth issue. The plan was to improve the facility as needed then reside in the building for as short of a term as possible, then sell it and recoup most, if not all of the costs invested into the building.
- With this plan, the SCSOS could resolve the space issue, move Special Education, without having to charge out any costs, as the money would be regained.
- This plan ideally hinges upon having another place in which to move.

### 3. One Stop, ROP, Adult Ed, and FRA vision

At the time the Klamath OC project was firing up, there was increased conversation in the need to expand ROP, Adult Ed and the 1Stop as self-sustaining, fee based programs. The vision tossed around at the time was to better integrate the departments into a collaborative consortium, feeding from each other and improving services to the community. Much of the conversation also revolved around how FRA could also be a part of the effort and integrated students could benefit as well.

#### Conclusions

- ROP, Adult Ed and 1Stop should be in a combined space tailored to the needs of the programs and services.
- FRA should be in close proximity to these programs.
- The facilities should be attractive and deliberate, to bring in fresh clientele.
- The need for specialized classroom spaces should be recognized and accounted for.
- Get away from using facilities that are just available and not suited to the need.
- Get away from renting and leasing space; redirect the funding to the classroom.
- Bolster the commitment of these programs collaborating and growing.

#### Goal

- Create a space specific to the need.
- Devise a regionally recognized, self-sustaining employment and educational program to suit the needs of the surrounding communities.

#### The new building

The culmination of all factors catalyzed a plan to design and build a facility that would provide remedy to these conclusions and fulfill the actions.

We designed the original footprint (attached) to accommodate the programs located at Gateway 300, 1000, 1100 and Sierra, which would require at least 25,000 square feet. Deciding to be as conservative as possible in design, we had initially estimated only two hundred dollars per square foot for construction, and from this, a financial savings benchmark was set at five million dollars.

As we continued to speculate design, changes made during progress of the Klamath OC project and feedback from people outside of the planning group introduced the following points into the equation;

- With the move of Education Services to the new building, Special Education should move from Klamath as well, place External Business back into Klamath.
- All combined, the new building would almost be occupied solely by the Education side of the SCSOS, with exception to Student Support Services (that was at FRA) and the Superintendent. Would it be possible to fit these two departments into the buildings as well? This question lead us down a path which then drove the following questions:



- Klamath would then technically become the Business Services building?
- HR was greatly concerned about being too far away from the Superintendent. Once said, many others chimed in that they also had the same concern.
- “Why do ‘they’ get the new building? We could build it to move all of Klamath in, then ‘they’ could have Klamath?”
- In response to this feedback, two more plans were developed; one with two buildings of equivalent size to the original, and one with a two story, 45,000 square foot building (attached).

At this point, the regular business of the day, as well as remodel of building 300 interrupted any further conversation, and the project stands where we left it.

I feel that this information is pertinent to ongoing discussions, and want to make sure you have the tools you need. I appreciate your time in reading this.

Spirit-Way

Harter-Pkwy

Lassen Blvd

LASSEN BLVD.

JCARSON DR.

KLAMATHIANE

143 PARKING SPACES SHOWN @  
1/300 ALLOWS FOR 43,000 SQ.FT.  
OF OFFICE SPACE

38' WIDE RIGHT OF WAY/EASEMENT

two story  
22,000 sq.ft. BLDG

two story  
21,000 sq.ft. BLDG

(E) 6" LANDSCAPE CURB TO BE REMOVED

N89°36'54"E - 252.21'

N89°36'54"E - 4404.38'

N002°10'8"W - 238.03'

6.0' UNLESS NOTED OTHERWISE

STRIP NEW PARKING SPACES AS SHOWN

CONSTRUCT NEW 26' WIDE DOUBLE GATE. REMOVE EXISTING FENCING AS NEEDED.

(E) TREE

(E) SHED

(E) CLASSROOMS

(E) CLASSROOMS

(E) CLASSROOMS

(E) BASKETBALL COURT

(E) CLASSROOMS

EXISTING IRRIGATION CONTROLLER

(E) CAFETERIA

(E) CLASSROOMS

(E) LIGHT POLE

(E) PARKING

11 (E) SPACES

3 SPACES TO BE REMOVED = 8 SPACES

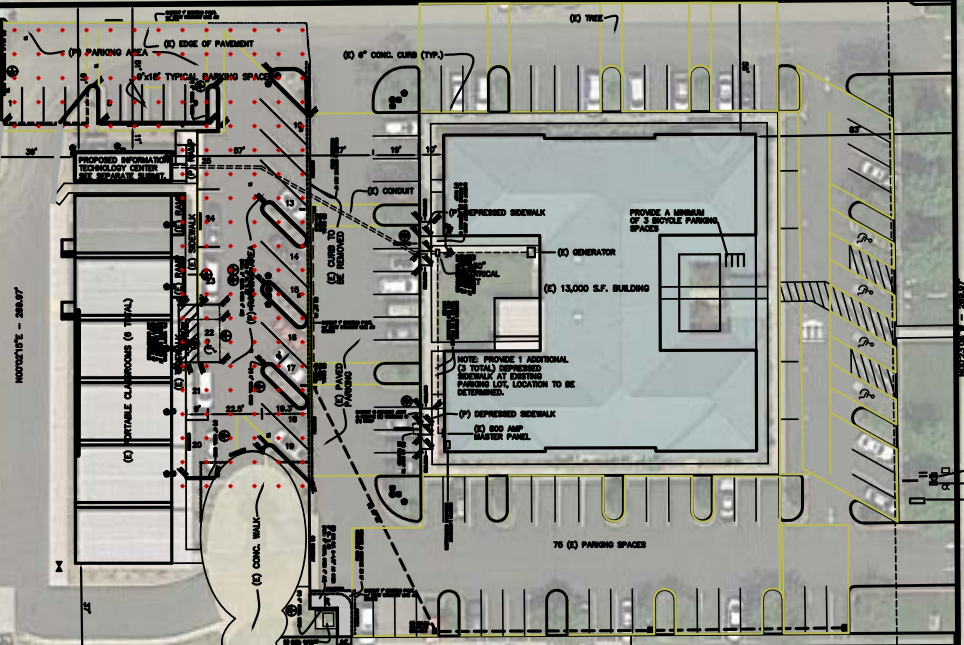
(E) FENCE (TYP.)

6" IRRIGATION METER AND BACKFLOW

2" DOMESTIC WATER METER AND BACKFLOW

9 EXISTING BICYCLE SPACES

(E) PARKING



43,000 SQ.FT. BUILDING SHOWN;  
WITH PARKING @ 1/300 FOR OFFICE,  
143 SPACES REQUIRED. 158 ARE  
SHOWN BUT SPACES WILL BE LOST  
FOR ADA LOADING, RAMPS,  
DUMPSTERS, ETC.

38' WIDE RIGHT OF WAY/EASEMENT

43,000 SF. BLDG  
2 STORY

108'±

200'

Spirit Way

Harter Pkwy

LASSEN BLVD.

Lassen Blvd

Carson Dr

**SCSOS Facility Inventory – as of September 01, 2017**

Overview

The SCSOS owns and leases facilities in Sutter, Yuba and Nevada Counties. The primary administration facilities are all located along Klamath Lane in Yuba City. I refer to this as the 'SCSOS Campus.' Eleven 9-12 grade classrooms are on the SCSOS Campus.

Twenty-six (26) K-14 classrooms owned by the SCSOS are located on 'host' properties of collaborating LEA's in Sutter and Yuba County. Buildings occupied by SCSOS students and staff are in **bold** type.

Shady Creek Outdoor School is located in Nevada County.

Details are as follows:

	Location	Building size (square foot – Ft2)	
<b>SCSOS Campus</b>		101,652 Ft2 Total	
• Klamath	Klamath Lane	18,297 Ft2 combined	Owned
• Sierra	Sierra Ave	6117 Ft2	Owned
• Feather River Academy	Lassen Blvd	23776 Ft2	Owned
• Gateway 300	Tharp Rd	4776 Ft2	Owned
• Gateway 1000	Tharp Rd	8290 Ft2	Leased
• Gateway 1100	Tharp Rd	6541 Ft2	Leased
• Shady Creek	Pathfinder Way	33855 Ft2	Owned! Yay! ☺
<b>Special Education/SCSOS Owned, District Hosted</b>		26 Rooms/ 24,960 Ft2 Total	
LOUSD	Live Oak Middle School	CR# 702	960 Ft2
SUHSD	Sutter Union High School	CR# <b>104, 105</b>	1920 Ft2
YCUSD		(23 Rooms/ 22,080 Ft2)	
• Gray Ave Elementary	CR <b>#SS1, #SS2</b>	1920 Ft2	
• Lincrest Elementary	CR #17, 18, 19, 20, 21, 22, <b>23, 24, 25</b>	8640 Ft2	
• River Valley High School	CR #400	960 Ft2	
• River Bend Elementary	CR <b>#30</b> , 42, 43, 44, 45, 46, 47, 48, 49, 50	9600 Ft2	
• Yuba City High School	CR# <b>211</b>	960 Ft2	

Per the SELPA facility agreement, day to day maintenance of the SCSOS buildings located on host LEA sites is the responsibility of the respective LEA, to the standards of the LEA. Deferred maintenance remains the responsibility of the building owner.

For your information; these are the additional spaces provided by the Districts that house SCSOS students and staff (Special Education) as of September 2017.

**Special Education/District owned, District Hosted**

Brittan Elementary School District	CR#10 (content only)	
E-Center	CR# West Portable (pre-school)	
LOUSD	5 Rooms total	
<ul style="list-style-type: none"> <li>• Live Oak Middle School</li> <li>• Live Oak High School</li> <li>• Luther Elementary</li> </ul>	<ul style="list-style-type: none"> <li>CR# 500, 501</li> <li>CR# CR Portable (X2)</li> <li>CR #906</li> </ul>	
YCUSD	33 Rooms total	
<ul style="list-style-type: none"> <li>• Andros Karperos Elementary</li> <li>• Barry Elementary</li> <li>• Butte Vista</li> <li>• Central Gaither</li> <li>• Lincoln Elementary</li> <li>• River Bend Elementary</li> <li>• Yuba City High School</li> </ul>	<ul style="list-style-type: none"> <li>CR #18, 19, 29, 45, 73, 80</li> <li>CR #P5 (service space), P8</li> <li>#K1, P25, P26, P33, P34, SC1, SC2, Office-Admin</li> <li>CR #4, 13</li> <li>CR #28 (pre-school)</li> <li>CR #5, K5, #6B, 7, 8, 14, A12 (office), A13 (office)</li> <li>CR #9, 54, 55, 724, 902, 903,</li> </ul>	
Yuba College	Warren Hall Bldg 1600	Suite G

**Farm Credit West  
Yuba City Office Furniture Inventory**

<b>Sys No</b>	<b>Asset Description</b>	<b>Asset Cost</b>
000748	BOARD ROOM TABLES ( 8 ) 000	9,111.77
000749	RECEPTION ROOM FURNITURE 000	6,731.81
000750	CONFERENCE TABLES ( 3 ) 000	6,219.90
000751	STORAGE ROOM SHELVING 000	3,367.77
000752	LEATHER CHAIRS ( 42 ) 000	10,220.00
000753	BREAKROOM TABLES ( 4 ) 000	1,073.00
000754	BREAKROOM CHAIRS ( 16 ) 000	1,020.00
000755	TASK CHAIRS ( 47 ) 000	17,833.00
000756	SIDE ARM CHAIRS ( 74 ) 000	16,946.00
000757	OFFICE DESKS ( 36 ) 000	101,098.82
000758	WORKSTATIONS ( 11 ) 000	64,987.00
000759	MONITOR ARMS + KEYBOARD TRAYS ( 47 ) 000	<u>18,753.00</u>
<b>Grand Total</b>		<b>257,362.07</b>

Agenda Item No. 17.0

BOARD AGENDA ITEM: Review and Adopt Superintendent Salary Schedule for 2017-18

BOARD MEETING DATE: September 13, 2017

AGENDA ITEM SUBMITTED FOR:

Action

Reports/Presentation

Information

Public Hearing

Other (specify)

PREPARED BY:

Victoria Lachance & Jim Richmond

SUBMITTED BY:

Victoria Lachance & Jim Richmond

PRESENTING TO BOARD:

Victoria Lachance & Jim Richmond

BACKGROUND AND SUMMARY INFORMATION:

The Board will review the Superintendent Salary Committee report and may take action on the recommendation to grant an increase in salary to the Superintendent. This increase would be retro to July 1, 2016.

**SUPERINTENDENT SALARY COMMITTEE REPORT (2016-2017)**

The Superintendent Salary Committee met on August 2, 2017 with Director of Internal Business Services, Barbara Henderson, to discuss more current information regarding the Superintendent’s salary since their last meeting in December 2016. Barbara Henderson, provided the committee with updated salary contract information for Superintendents in Region V County Offices of Education as well as nearby districts. The committee recommends the current Sutter County Superintendent’s Salary Schedule be adjusted by 3.0 % at each level and that 4.0% be maintained between levels. The committee also recommends that this increase be retro to July 1, 2016. The committee recommends the Sutter County Superintendent’s workdays continue to be set at a minimum of 220 days. This report addresses the salary schedule only since the Superintendent’s placement on the salary schedule was addressed previously as of January 1, 2017.

**SUTTER COUNTY SUPERINTENDENT OF SCHOOLS**

**SALARY SCHEDULE \***

**2017-18**

Level	Salary *
1	\$181,868
2	\$189,143
3	\$196,709

4% between levels

\* Proposed: Sutter County Board of Education – September 2017  
Salary based on a 220-day work year