

# Agenda

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## **SUTTER COUNTY BOARD OF EDUCATION**

**Wednesday, November 14, 2018**

**Regular Meeting – 5:30 p.m.**

**Sutter County Superintendent of Schools Office**

**970 Klamath Lane – Board Room**

**Yuba City, CA 95993**

- *General Waiver Request – Educational Interpreter Required Skill Level per CDE Regulations*
- *Sunshine 2018-2019 Initial Bargaining Proposals – Sutter County Superintendent of Schools Staff Association (CTA)*

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 at [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. No action may be taken on items not appearing on the posted agenda.

- 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  
Ron 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. *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.”*

- 5.0 Approve Minutes of the October 10, 2018 Regular Meeting –  
**[Action Item]**

The minutes of the October 10, 2018, Regular Meeting of the Sutter County Board of Education are presented for approval

- 6.0 Set Date, Time and Place for Annual Organizational Meeting – Dr. Baljinder Dhillon **[Action Item]**

It is required the Board establish a date for their Annual Organizational Meeting at the November Board Meeting. Per Ed Code §1009, the date this meeting must take place shall be on or after the last Friday in November. The date of the regular December meeting is scheduled for December 12<sup>th</sup>, which falls within this time period.

- 7.0 Approve Local Indicators – California Dashboard – Dr. Christine McCormick

California’s accountability indicators are reported through the California School Dashboard, or the “Dashboard”. This accountability system is an online tool that reports on multiple measures, including local and state indicators. There are several LCFF priority areas that do not meet the criteria established for the state indicators. These remaining priority areas are considered local indicators. The Sutter County Superintendent of Schools Dashboard requires an annual review of the local indicators for priorities 1, 2, 3, 6, 7, 9 and 10.

- 8.0 Report on Williams Compliance Visitations on September 5 and 6, 2018 – Dr. Christine McCormick

California Education Code Section 1240 requires the county superintendent to visit deciles 1-3 schools that are designated for review according to the Williams Settlement. This report primarily concerns the visits to Bridge Street, King Avenue and Park Avenue Elementary Schools (YCUSD) and Luther Elementary School (LOUSD).

- 9.0 Quarterly Report on Williams/Valenzuela Uniform Complaints (July 1, 2018 – September 30, 2018) – Dr. Christine McCormick

Education Code 35186 requires the county superintendent to report on the number and nature of complaints filed for:

- 1) Textbooks and instructional materials
- 2) Teacher vacancies or mis-assignments
- 3) Facilities and conditions

10.0 Adopt Resolution No. 18-19-IV – Family Resource Center  
Plan Agreement 2018-2021 – Dr. Bal Dhillon **[Action Item]**

Resolution No. 18-19-IV is presented for Board approval to enter into a contract between Sutter County Superintendent of Schools and California Department of Developmental Services to provide Family Resource Center services.

11.0 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.

12.0 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.

13.0 Public Hearing to Sunshine Bargaining Proposals for 2018-2019  
Negotiations - Superintendent of Schools Staff Association (CTA)  
Lynette Ristine

Pursuant to Government Code Section 3547, the initial negotiations proposals of the exclusive representative union shall be “sunshined” for public comment. CTA Local Chapter is presenting a proposal for the 2018/2019 school year for sunshining.

14.0 Business Services Report  
14.1 Monthly Financial Report – October 2018 – Aaron Heinz  
14.2 Investment Statement – September 2018 – Barbara  
Henderson

15.0 First Reading BB 9100 and 9110 – Dr. Bal Dhillon

AB 2449 changes the date that members of a county board of education, school district or community college district governing board take office. This Bill resolves clashing Education Code and

Elections Code provisions and becomes effective January 1, 2019. This new law also changes the date of the annual organizational meeting from on or after the last Friday in November to on or after the second Friday in December.

16.0 Third Reading (RESCIND) Board Policy  
Dr. Christine McCormick **[Action Item]**

The following Board Policy is being presented for a third reading to rescind:

BP/AR 1312.3 – Uniform Complain Procedures

17.0 Items from the Superintendent/Board

18.0 Adjournment

*In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the Board Meeting room, to access written documents being discussed at the Board Meeting, or to otherwise participate at Board Meetings, please contact Dr. Baljinder Dhillon at 530-822-2900 for assistance. Notification at least 48 hours prior to the meeting will enable the Superintendent's Office to make reasonable arrangements to ensure accessibility to the Board Meeting and to provide any required accommodations, auxiliary aids or services.*

*All Open Session Agenda related documents, including materials distributed less than 72 hours prior to the scheduled meeting, are available to the public for viewing at the Sutter County Superintendent of Schools Office located at 970 Klamath Lane, Yuba City, CA 95993.*

BOARD AGENDA ITEM: Approve Minutes of the October 10, 2018, Regular Board Meeting

BOARD MEETING DATE: November 14, 2018

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 October 10, 2018, are presented for approval.

**SUTTER COUNTY BOARD OF EDUCATION MINUTES**  
**Regular Meeting**  
**October 10, 2018**

1.0 Call to Order

A regular meeting of the Sutter County Board of Education was called to order by President Victoria Lachance, 5:30 p.m., October 10, 2018, 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 Ron Turner.

3.0 Roll call of Members

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

Dr. Baljinder Dhillon, Ex-officio Secretary – Present

Staff Members Present: Barbara Henderson, Aaron Heinz, Paramjeet Kaur and Maggie Nicoletti

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

Brian Cowan, Health Program Specialist with Sutter County Health & Human Services, introduced himself. He stated that he works with the Sutter County Tobacco Control Program and invited the Board Members to attend meetings that are held on the first Thursday of every month.

5.0 Approve Minutes of the September 12, 2018, Regular Sutter County Board of Education Meeting

A motion was made to approve the minutes of the September 12, 2018 regular meeting of the Sutter County Board of Education.

<i>Motion:</i>	Jim Richmond	<i>Seconded:</i>	Ron Turner
<i>Action:</i>	Motion Carried		
<i>Ayes:</i>	4 (Lachance, McJunkin, Richmond and Turner)		
<i>Noes:</i>	0		
<i>Absent:</i>	1 (Bains)	<i>Abstain:</i>	0

6.0 Adopt Resolution Number 18-19-II – GANN Limit Resolution

Aaron Heinz presented Resolution No. 18-19-II to the Board for approval to certify the appropriations in the adopted budget do not exceed the limitations imposed by Article XIII B of the California Constitution commonly known as the GANN Amendment.

A motion was made to adopt Resolution Number 18-19-II – GANN Limit Resolution.

Roll call vote: McJunkin, aye; Lachance, aye; Richmond, aye; and Turner, aye. Bains, absent.

*Motion:* June McJunkin                      *Seconded:* Ron Turner  
*Action:* Motion Carried  
*Ayes:* 4 (Lachance, McJunkin, Richmond and Turner)  
*Noes:* 0  
*Absent:* 1 (Bains)                              *Abstain:* 0

7.0 Presentation of the 2017-2018 Unaudited Actuals Financial Report

Aaron distributed a corrected page from the Unaudited Actuals Financial Report titled “Summary of Revenues, Expenditures and Changes in Fund Balance (Unrestricted and Restricted Combined) 2017-18 Unaudited Actuals;” there was a formula error discovered after the document went to print. Aaron reviewed the 2017-2018 Unaudited Actuals Financial Report, including details of expenditures, revenue, and ending fund balance, with the Board. Discussion continued. Aaron thanked Paramjeet Kaur and his team for all of their hard work and efforts.

8.0 Business Services Report

8.1 Monthly Financial Report – September 2018

Aaron reviewed the September Monthly Financial Report with the Board.

8.2 Donations

Barbara Henderson reported that Ray’s General Hardware donated Cedar and Doug Fir Wood to Shady Creek to make new picnic benches for the school grounds with an estimated value of \$284.33.

9.0 Adopt Resolution No 18-19-III – Special Education Local Plan Area (SELPA) – Local Education Agency Assurances and changes to Local Plan Policy LP/LAR 91, SRP/SRAR 3 and LP/LAR 79

Bal stated that adoption of Resolution 18-19-III signifies the LEA will meet all applicable state and federal laws and regulations in accordance with the Individuals with Disabilities Education Act and the Federal Rehabilitation Act of 1973, as amended, and the provisions of the California Education Code.

A motion was made to adopt Resolution 18-19-III – Special Education Local Plan Area (SELPA) – Local Education Agency Assurances and changes to Local Plan Policy LP/LAR 91, SRP/SRAR 3 and LP/LAR 79.

Roll call vote: McJunkin, aye; Lachance, aye; Richmond, aye; and Turner, aye. Bains, absent.

*Motion:* June McJunkin                      *Seconded:* Jim Richmond  
*Action:* Motion Carried  
*Ayes:* 4 (Lachance, McJunkin, Richmond and Turner)  
*Noes:* 0  
*Absent:* 1 (Bains)                      *Abstain:* 0

10.0 Public Hearing to Sunshine Bargaining Proposals - Sutter County Superintendent of Schools Staff Association (CTA) and Sutter County Superintendent of Schools for CTA – 2018-2019

The Public Hearing was declared open at 5:49 p.m. by President Lachance. Barbara Henderson presented Sutter County Superintendent of Schools proposals for the 2018-2019 school year to sunshine. There being no comments from the public, President Lachance closed the Public Hearing at 5:50 p.m.

11.0 Public Hearing to Sunshine 2018-2019 Bargaining Proposals CSEA Chapter 634 (classified employees) and Sutter County Superintendent of Schools (for CSEA)

The Public Hearing was declared open at 5:50 p.m. by President Lachance. Barbara Henderson presented Sutter County Superintendent of Schools proposals for the 2018-2019 school year to sunshine. There being no comments from the public, President Lachance closed the Public Hearing at 5:51 p.m.

12.0 Second Reading (RESCIND) Board Policies

The following Board Policies are presented for the second reading and Board approval to *Rescind*:

- BP/AR 6174 – English Learners
- BP/AR 5022 – Student Privacy
- BP/AR 1312 – Uniform Complaint Procedures
- BP 0410 – Non Discrimination in Programs & Activities

The Board Members recently attended the annual CCBE Conference and received a CSBA Sample County Board Policy on Sexual Harassment which referenced BP/AR 1312. Trustee McJunkin moved to rescind all



policies with the exception of BP/AR 1312 and asked that this policy be brought back to a future Board Meeting.

*Motion:* June McJunkin                      *Seconded:* Ron Turner  
*Action:* Motion Carried  
*Ayes:* 4 (Lachance, McJunkin, Richmond and Turner)  
*Noes:* 0  
*Absent:* 1 (Bains)                      *Abstain:* 0

13. Second Reading – Board Policies

The following Board Policies are being presented for the second reading and Board approval:

AR 3512 - Equipment  
BP and B/AR 3230 – Federal Grant Funds

Motion was made to approve AR 3512 and BP and B/AR 3230.

*Motion:* Jim Richmond                      *Seconded:* June McJunkin  
*Action:* Motion Carried  
*Ayes:* 4 (Lachance, McJunkin, Richmond and Turner)  
*Noes:* 0  
*Absent:* 1 (Bains)                      *Abstain:* 0

14.0 Items from the Superintendent/Board

- Bal reported that Shady Creek submitted a Project Sponsor Application to America Corp and was awarded the America Corp team. They will be doing some work at Shady Creek to mitigate fire damage. They will begin by removing Scotch broom bushes, addressing the trails and other fire hazards.
- Jim asked about the portion of Shady Creek that the neighbors want to purchase; Barbara said she just heard back from the attorney. She stated that the next step is to survey the land and look at some options. SCSOS will notify the neighbors that someone will be there to do the surveying. Jim asked who will be paying for the survey and Barbara stated we are asking the neighbor to pay for it. A list of things that are needed and a timeline will be provided.
- June reported on different sessions the Board attended at the annual CCBE Conference including Expulsion Appeals, Inter-district Appeals and a SELPA presentation. Vicky stated that one of the sessions she and Jim attended was titled “Latest Trends Among the Young.” The Board would like SCSOS to look at the

Sandy Hook presentation that was offered at the conference; it is a free presentation.

- Bal discussed the outcomes for the System of Support. SCSOS is going to align with Placer and Sacramento Counties. The State chose seven counties instead of ten to be leads and San Joaquin, along with two other small counties, were included in our region. Placer and Sacramento Counties were chosen to be leads. Solano County is totally up and running with this program; Bal stated that she thinks they may have piloted the program. Jim stated it is a very worthwhile program.

#### 15.0 Adjournment

A motion was made to adjourn the meeting at 6:21p.m.

<i>Motion:</i>	June McJunkin	<i>Seconded:</i> Jim Richmond
<i>Action:</i>	Motion Carried	
<i>Ayes:</i>	4 (Lachance, McJunkin, Richmond and Turner)	
<i>Noes:</i>	0	
<i>Absent:</i>	1 (Bains)	<i>Abstain:</i> 0

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Victoria Lachance, President  
Sutter County Board of Education

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Dr. Baljinder Dhillon, Ex-Officio Secretary  
Sutter County Board of Education

BOARD AGENDA ITEM: Set Date, Time and Place for Annual Organizational Meeting

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Maggie Nicoletti

Reports/Presentation

SUBMITTED BY:

Information

Dr. Baljinder Dhillon

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Dr. Baljinder Dhillon

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BACKGROUND AND SUMMARY INFORMATION:

It is required the Board establish a date for their Annual Organizational Meeting at the November Board Meeting. Per Ed Code §1009, the date this meeting must take place is on or after the last Friday in November.

BOARD AGENDA ITEM:

Approve Local Indicators – California Dashboard

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

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

PREPARED BY:

Dr. Christine McCormick

SUBMITTED BY:

Dr. Christine McCormick

PRESENTING TO BOARD:

Dr. Christine McCormick

BACKGROUND AND SUMMARY INFORMATION:

California’s accountability indicators are reported through the California School Dashboard, or the "Dashboard". This accountability system is an online tool that reports on multiple measures, including local and state indicators.

There are several LCFF priority areas that do not meet the criteria established for the state indicators. These remaining priority areas are considered local indicators.

The Sutter County Superintendent of Schools Dashboard requires an annual review of the local indicators for priorities 1,2, 3, 6, 7, 9 and 10

BOARD AGENDA ITEM: Williams Compliance Visits on September 5 and 6, 2018

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Angie Gresham

Reports/Presentation

SUBMITTED BY:

Information

Chris McCormick

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Chris McCormick

BACKGROUND AND SUMMARY INFORMATION:

California Education Code Section 1240 (Williams Legislation) requires that the county superintendent visit schools identified in our county and report to you the results of the visit. This report primarily concerns the visit to Bridge Street, King Avenue and Park Avenue Elementary (YCUSD), and Luther Elementary (LOUSD). These schools are in Deciles 1-3 from the 2009 cohort and are designated for review according to the Williams Settlement.

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Sutter County Superintendent of Schools  
Board Meeting  
November 14, 2018  
Williams Compliance  
Visitation Dates: September 5, 2018 - Bridge Street and Park Avenue  
September 6, 2018 - Luther and King Ave Elementary

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California Education Code Section 1240 requires that the county superintendent visit schools identified in our county and report to you the results of the visit. This report primarily concerns the visit to Bridge Street Elementary, King Avenue Elementary, Park Avenue Elementary, and Luther Elementary. These schools are in Deciles 1-3 and are designated for review according to the Williams Settlement.

The purpose of the visits as specified in California Education Code 1240 was to ensure:

1. That students have access to “sufficient instructional materials in four core subject areas (English language arts, mathematics, history/social science, science) and, as appropriate, science laboratory equipment, foreign languages, and health;
2. To assess compliance with facilities maintenance to determine the condition of a facility that “poses an emergency or urgent threat to the health or safety of pupils or staff; and
3. To determine if the school has provided accurate data for the annual school accountability report card related to instructional materials and facilities maintenance.

The law further requires that the county superintendent annually monitor and review:

1. Teacher assignments in Decile 1-3 schools.

A basic definition of terms follows:

- “Sufficient instructional materials” means every pupil, including English language learners, has a textbook in the four core areas to use in class and to take home each night to complete required homework assignments.
- “Facilities standards” means that each school district who receives state funding for facilities is required to establish a facilities inspection program and to ensure that each of the schools is maintained in good repair.
- “Good repair” is defined as maintaining schools that are clean, safe and functional.

Sutter County Superintendent of Schools  
Board Meeting  
November 14, 2018  
Williams Compliance  
Visitation Dates: September 5, 2018 - Bridge Street and Park Avenue  
September 6, 2018 - Luther and King Ave Elementary

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The findings during the visits to all schools are related to the following areas: instructional materials, facilities, school accountability report card and teacher assignment/misassignment are summarized below:

Instructional Materials: COMPLIANT at Bridge Street, King Avenue and Park Avenue Elementary Schools. (YCUSD)

COMPLIANT at Luther Elementary. (LOUSD)

School Facilities: COMPLIANT at Bridge Street, King Avenue and Park Avenue Elementary Schools. (YCUSD)

COMPLIANT at Luther Elementary. (LOUSD)

School Accountability Report Card: COMPLIANT at Bridge Street, King Avenue and Park Avenue Elementary Schools. (YCUSD)

COMPLIANT at Luther Elementary. (LOUSD)

Teacher Assignment/Misassignment: COMPLIANT at Bridge Street, King Avenue and Park Avenue Elementary Schools. (YCUSD)

COMPLIANT at Luther Elementary. (LOUSD)

The visits took place within the first four weeks of school as stipulated by the Williams Settlement.

  
\_\_\_\_\_  
Director of Student Support Services

10/16/18  
\_\_\_\_\_  
Date

Dr. Balinder Dhillon  
\_\_\_\_\_  
County Superintendent

10/17/18  
\_\_\_\_\_  
Date

BOARD AGENDA ITEM: Quarterly Report on Williams/ Uniform Complaints

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

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

PREPARED BY:

Angie Gresham

SUBMITTED BY:

Angie Gresham

PRESENTING TO BOARD:

Christine McCormick

BACKGROUND AND SUMMARY INFORMATION:

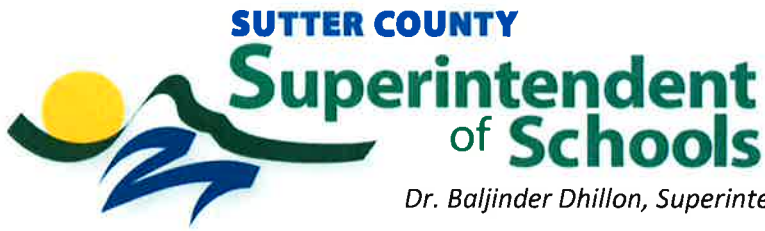
As per Education Code 35186 the county superintendent reports on the number and nature of complaints filed for:

- 1) Textbooks and instructional materials
- 2) Teacher vacancies or mis-assignments
- 3) Facilities and conditions

There were no complaints filed by a district, and no complaints filed by the county office programs during the period of July through September 2018.

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970 Klamath Lane  
 Yuba City, CA 95993  
 PHONE: (530) 822-2933  
 FAX: (530) 822-3085

**QUARTERLY REPORT ON WILLIAMS/VALENZUELA UNIFORM COMPLAINTS**

(Education Code § 35186)

District: Sutter County Superintendent of Schools

Person completing this form: Christine McCormick

Title: Director of Student Support Services

Quarterly Report Submission Date:  
 (check one)

- |                                     |               |                       |
|-------------------------------------|---------------|-----------------------|
| <input checked="" type="checkbox"/> | November 2018 | <b>July-Aug-Sept</b>  |
| <input type="checkbox"/>            | February 2019 | <b>Oct-Nov-Dec</b>    |
| <input type="checkbox"/>            | April 2019    | <b>Jan-Feb-Mar</b>    |
| <input type="checkbox"/>            | July 2018     | <b>April-May-June</b> |

Reporting Months

Date information will be reported publicly at governing board meeting:

Please check the box that applies:

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

General Subject Area	Total Number of Complaints	Number Resolved	Number Unresolved
Textbooks & Instructional Materials	0	0	
Teacher Vacancies or Misassignments	0	0	
Facilities/Conditions	0	0	
TOTALS	0	0	

*Visits were made at the Bridge Street Elementary, King Avenue Elementary, and Park Avenue Elementary Schools*

**Dr. Baljinder Dhillon**  
 PRINT NAME OF COUNTY SUPERINTENDENT

*Dr. Baljinder Dhillon*  
 SIGNATURE OF COUNTY SUPERINTENDENT

BOARD AGENDA ITEM: Adopt Resolution 18-19-IV Family Resource Center Plan Agreement 2018-2021

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

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

PREPARED BY:

Ivona Mikesell

SUBMITTED BY:

Ivona Mikesell

PRESENTING TO BOARD:

Dr. Baljinder Dhillon

\_\_\_\_\_

BACKGROUND AND SUMMARY INFORMATION:

Adopt Resolution Number 18-19-IV – Family Resource Center Plan Agreement 2018-2021

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

**RESOLUTION NUMBER 18-19-IV**

**FAMILY RESOURCE CENTER PLAN AGREEMENT  
2018-2021**

WHEREAS, the California Department of Developmental Services (DDS) has issued a contract to provide Family Resource Center services, and

WHEREAS, the Sutter County Superintendent of Schools wishes to enter into a contract with DDS should the application be accepted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Sutter County Superintendent of Schools Office that the Board authorizes the Superintendent, Assistant Superintendent for SELPA, and Director of Internal Business to continue approving and signing check registers and payroll registers, and authorize the Assistant Superintendent for SELPA to receive all district financial mail.

PASSED AND ADOPTED by the Board of Education of Sutter County Superintendent of Schools this 14<sup>th</sup> day of November, 2018 by the following vote:

McJunkin \_\_\_\_\_; Bains \_\_\_\_\_; Lachance \_\_\_\_\_; Richmond \_\_\_\_\_; and Turner \_\_\_\_\_

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

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

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

Abstain: \_\_\_\_\_

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

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

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

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Wendy Bedard

Reports/Presentation

SUBMITTED BY:

Information

Wendy Bedard

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Barbara Henderson

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: November 14, 2018

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: November 2, 2018

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

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

X 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. Mr. O’Campo was provided a mentor (a certified interpreter) for the 2017-2018 school year who worked with him on specific focus areas, preparing him to take the interpreter assessment again in the very near future.

In order to employ Mr. O’Campo in the Interpreter capacity, we must apply for a waiver through the State Department of Education to allow Mr. O’Campo time to 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:**

- Educational Interpreter in a DHH program for one (1) year;
- 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; and September, 2017 through May, 2018.
- Observed Sutter County Superintendent of Schools Interpreters throughout the 2016-2017 and 2017-2018 school years;
- Received daily mentoring from a co-worker/certified interpreter throughout the 2017-2018 school year;
- Volunteer/community involvement at various events;
- Interpreted at Extra Curricular Activities.

#### **Professional Development / Remediation Plan for 2018-2019:**

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.

BOARD AGENDA ITEM: Public Hearing to Sunshine Bargaining Proposal for 2018-2019 Negotiations – Sutter County Superintendent of Schools Staff Association (CTA)

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

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

PREPARED BY:

Staff Association – CTA

SUBMITTED BY:

Staff Association – CTA

PRESENTING TO BOARD:

Lynnette Ristine, CTA President

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 is presenting a proposal for the 2018/2019 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 2018/2019 Initial Bargaining Proposal – Sutter County Superintendent of Schools Staff Association (CTA)

HEARING DATE: November 14, 2018

TIME: 5:30 p.m.

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

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

For additional information, contact:

Dr. Dhillon, County Superintendent  
Sutter County Superintendent of Schools  
970 Klamath Lane, Yuba City, CA  
(530) 822-2900

Posted: 11/5/2018

BOARD AGENDA ITEM: Business Services Report

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Aaron Heinz

Reports/Presentation

SUBMITTED BY:

Information

Aaron Heinz

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Aaron Heinz

BACKGROUND AND SUMMARY INFORMATION:

The monthly financial report for October will be reviewed.

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

### OCTOBER REPORT

9/16/2018-10/15/2018

Description	Account Codes	Original Budget	Operating Budget	Actuals to Date	Projected Yr Totals	Difference (Col D - B)	2018-19 % Actuals as a % of Budget
		7/1/18 (A)	7/1/18 (B)	10/15/18 (C)	10/15/18 (D)	(E)	
<b>A. Revenues</b>							
1) Local Control Funding Formula	8010-8099	\$ 9,200,409	\$ 9,200,409	\$ 1,513,265	\$ 9,200,409	-	A 16.4%
2) Federal Revenues	8100-8299	\$ 3,601,163	\$ 3,763,331	\$ 475,992	\$ 3,986,029	222,698	B 12.6%
3) Other State Revenues	8300-8599	\$ 8,661,819	\$ 8,661,819	\$ 3,755,175	\$ 10,485,432	1,823,613	C 43.4%
4) Other Local Revenues	8600-8799	\$ 14,087,690	\$ 14,192,138	\$ 362,630	\$ 14,296,637	104,499	D 2.6%
<b>TOTAL REVENUES</b>		<b>\$ 35,551,081</b>	<b>\$ 35,551,081</b>	<b>\$ 6,107,061</b>	<b>\$ 37,968,507</b>	<b>\$ 2,150,810</b>	<b>16.1%</b>
<b>B. Expenditures</b>							
1. Certificated Salaries	1000-1999	\$ 8,294,766	\$ 8,138,994	\$ 1,645,916	\$ 8,167,774	28,780	E 20.2%
2. Classified Salaries	2000-2999	\$ 11,366,056	\$ 11,441,474	\$ 2,381,434	\$ 11,561,493	120,019	F 20.8%
3. Employee Benefits	3000-3999	\$ 7,372,073	\$ 7,329,756	\$ 1,412,089	\$ 7,348,894	19,138	G 19.3%
4. Books and Supplies	4000-4999	\$ 915,635	\$ 969,746	\$ 250,416	\$ 1,025,494	55,748	H 25.8%
5. Services, Other Operation	5000-5999	\$ 4,883,344	\$ 5,110,103	\$ 1,409,599	\$ 6,889,053	1,778,950	I 27.6%
6. Capital Outlay	6000-6999	\$ 532,930	\$ 577,080	\$ 79,705	\$ 567,618	(9,462)	J 13.8%
7. Other Outgo	7100-7299	\$ 224,896	\$ 224,896	\$ 153,471	\$ 293,619	68,723	K 68.2%
8. Direct Support/Indirect	7300-7399	\$ (103,258)	\$ (93,813)	\$ (9,084)	\$ (93,813)	-	L 9.7%
9. Debt Service	7400-7499	\$ -	\$ -	\$ -	\$ -	-	M 0.0%
<b>TOTAL EXPENDITURES</b>		<b>\$ 33,486,442</b>	<b>\$ 33,698,236</b>	<b>\$ 7,323,545</b>	<b>\$ 35,760,132</b>	<b>2,061,896</b>	<b>21.7%</b>
<b>Excess ( Deficiency) of Revenues Over Expenditures Before Other Financing Sources and Uses (A5-B9)</b>							
		<b>\$ 2,064,639</b>	<b>\$ 1,852,845</b>	<b>\$ (1,216,485)</b>	<b>\$ 2,208,375</b>	<b>\$ 88,914</b>	<b>-55.1%</b>
<b>D. Other Financing Sources/Uses</b>							
1. Transfers In	8910-8979	\$ 163,071	\$ 170,965	\$ -	\$ 170,965	-	N 0.0%
2. Transfer Out	7610-7629	\$ 499,598	\$ 704,612	\$ -	\$ 704,612	-	O 0.0%
3. Contributions	8980-8999	\$ -	\$ -	\$ -	\$ -	-	P 0.0%
<b>Total, Other Fin Sources/Uses</b>		<b>\$ (336,527)</b>	<b>\$ (533,647)</b>	<b>\$ -</b>	<b>\$ (533,647)</b>	<b>\$ -</b>	<b>0.0%</b>
<b>E. Net Change to Fund Balance</b>							
		<b>\$ 1,728,112</b>	<b>\$ 1,319,198</b>	<b>\$ (1,216,485)</b>	<b>\$ 1,674,728</b>	<b>\$ 88,914</b>	
<b>F. Fund Balance (Fund 01 only)</b>							
1. Beginning Balance		\$ 7,416,162	\$ 7,416,162	\$ 7,416,162	\$ 7,416,162	-	
2. Adjustments/Restatements		\$ -	\$ -	\$ -	\$ -	-	
<b>Ending Balance</b>		<b>\$ 9,144,274</b>	<b>\$ 8,735,360</b>	<b>\$ 6,199,677</b>	<b>\$ 9,090,890</b>	<b>\$ 355,530</b>	
<b>G. Components of Ending Fund Balance</b>							
Designated Amounts	<b>9711-9730</b>	\$ 10,000	\$ 10,000		\$ 10,000	\$ -	
Legally Restricted	<b>9740-9760</b>	\$ 3,292,200	\$ 2,391,121		\$ 2,646,667	\$ -	
Assigned	<b>9780</b>	\$ 4,142,772	\$ 5,027,821		\$ 4,614,902	\$ -	
Restricted Economic Uncertainty	<b>9789</b>	\$ 1,699,302	\$ 1,704,212		\$ 1,819,322	\$ -	
Unassigned/Unappropriated	<b>9790</b>	\$ -	\$ -		\$ -	\$ -	

**Explanation of Differences**  
**Net Change in Current Year Budget OCTOBER Board Report**  
**9/16/2018 - 10/15/2018**

	<u>Amount</u>	<u>Explanation of Differences</u>
<b>A</b>		
<b><u>Local Control Funding Formula (8010-8099)</u></b>		
	<u>\$ -</u>	
<b>B</b>		
<b><u>Federal Revenues (8100-8299)</u></b>		
One Stop	\$ 217,698	<i>Increase budget for Workforce Investment Opportunity Act to match additional award</i>
Intervention & Prevention Programs (IPP)	5,000	<i>Increase budget to match grant award</i>
	<u>\$ 222,698</u>	
<b>C</b>		
<b><u>Other State Revenues (8300-8599)</u></b>		
Special Education	\$ 1,613	<i>Establish budget for prior year revenue for Lottery funds</i>
Intervention & Prevention Programs (IPP)	\$ 122,353	<i>Adjust budget to match grant award and remaining grant allocations</i>
Regional Occupation Program (ROP)	\$ 1,699,647	<i>Establish budget for prior year deferred revenue for Pathways</i>
	<u>\$ 1,823,613</u>	
<b>D</b>		
<b><u>Other Local Revenues (8600-8799)</u></b>		
Special Education	\$ 30,529	<i>Refine budget to match actuals, Balance Billback budgets to districts</i>
Intervention & Prevention Programs (IPP)	\$ 19,917	<i>Adjust budget to match grant award and remaining allocations</i>
Tri County Induction Program (TCIP)	\$ (101,000)	<i>Remove California Agriculture Teacher Association from Tri County Induction Program</i>
Educational Support Services (ESS)	\$ 154,500	<i>Establish California Agriculture Teacher Association from Tri County Induction Program; Increase budget to match candidate revenues</i>
Various departments	\$ 553	<i>Net miscellaneous adjustments</i>
	<u>\$ 104,499</u>	
<b>E</b>		
<b><u>Certificated Salaries (1000-1999)</u></b>		
Special Education	\$ (15,469)	<i>Net of adjusting Mental Health Services and Tri County Induction Program mentor budget</i>
One Stop	\$ (6,699)	<i>Net miscellaneous first interim adjustments</i>
Program Support	\$ 34,101	<i>Increase budget to match actuals for first interim adjustments</i>
Infant Program	\$ 16,248	<i>Net increase for multiple salary adjustments</i>
Various departments	\$ 599	<i>Miscellaneous adjustments</i>
	<u>\$ 28,780</u>	
<b>F</b>		
<b><u>Classified Salaries (2000-2999)</u></b>		
County Office	\$ 1,212	<i>Increase budget for administrative salaries for increase in Vision Screening contracted days</i>
Special Education	\$ (21,763)	<i>Net reduction of budget to match estimated actuals, including increase for billback to districts, removal of para educators in Mental Health and decrease to salaries with replacement of staff</i>
One Stop	\$ 46,932	<i>Refining Workforce Investment Opportunity Act and Workability I expenditures</i>
Intervention & Prevention Programs (IPP)	\$ 76,317	<i>Adjust budget to match grant award and remaining allocations</i>
Special Education Local Plan Area (SELPA)	\$ 1,731	<i>First Interim adjustments to salaries to match actuals</i>
Infant Program	\$ 15,172	<i>Increase to salary for new position and matching to actuals</i>
Various departments	\$ 418	<i>Net miscellaneous adjustments</i>
	<u>\$ 120,019</u>	

**Explanation of Differences**  
**Net Change in Current Year Budget OCTOBER Board Report**  
**9/16/2018 - 10/15/2018**

	<u>Amount</u>	<u>Explanation of Differences</u>
<b>G <u>Employee Benefits (3000-3999)</u></b>		
Special Education	\$ (40,710)	<i>Decrease budget to match adjustments to multiple salary allocations</i>
One Stop	\$ 19,005	<i>Refining Workforce Innovation and Opportunity Act and Wellness Recovery Program budget to match actuals</i>
Intervention & Prevention Programs (IPP)	\$ 23,085	<i>Match adjustments made to budgets for remaining allocations</i>
Program Support	\$ 4,127	<i>Increase to match salary adjustments</i>
Special Education Local Plan Area (SELPA)	\$ 1,152	<i>Net increase to match classified salary adjustments</i>
Infant Program	\$ 11,116	<i>Net increase to benefits to match salary adjustments</i>
Various departments	\$ 1,363	<i>Net miscellaneous adjustments</i>
	<b><u>\$ 19,138</u></b>	
<b>H <u>Books and Supplies (4000-4999)</u></b>		
County Office	\$ 1,811	<i>Refining budget to estimated actuals including membership dues, safety trainings and other miscellaneous adjustments.</i>
Special Education	\$ 10,971	<i>Refining budget to estimated actuals using Ending Fund Balances, and other miscellaneous adjustments</i>
One Stop	\$ 51,978	<i>Adjust budget to match estimated actuals in Workforce Investment Opportunity Act, Wellness Recovery Program, and other miscellaneous adjustments</i>
Intervention & Prevention Programs (IPP)	\$ (6,987)	<i>Adjust budget to match grant award and remaining allocations</i>
Regional Occupation Program (ROP)	\$ (2,025)	<i>Adjust to match estimated actuals</i>
	<b><u>\$ 55,748</u></b>	
<b>I <u>Services, Other Operations (5000-5999)</u></b>		
County Office	\$ 57,980	<i>Establish Election costs, Billboard recruitment advertising, increase in vision screening contracted days</i>
Special Education	\$ (6,569)	<i>Net decrease to balance first interim adjustments</i>
One Stop	\$ 87,345	<i>Budget refinements for Workforce Investment Opportunity Act to match grants</i>
Educational Services (ES)	\$ 8,022	<i>Increase Title III budget according to FPM Audit</i>
Intervention & Prevention Programs (IPP)	\$ 40,304	<i>Increase budgets to match awards, including Tobacco-Use Prevention Education, Sutter-Yuba Mental Health, Foster Youth and Homeless Children Education</i>
Tri County Induction Program (TCIP)	\$ (55,500)	<i>Removing California Agriculture Teacher Association budget</i>
Program Support Services	\$ 77,689	<i>Revising budget to match actuals for Student Support Services</i>
Regional Occupation Program (ROP)	\$ 1,569,679	<i>First Interim Pathways Adjustments</i>
	<b><u>\$ 1,778,950</u></b>	
<b>J <u>Capital Outlay (6000-6999)</u></b>		
Special Education	\$ (9,462)	<i>Refine budget to match decrease to vehicle purchase cost</i>
	<b><u>\$ (9,462)</u></b>	
<b>K <u>Other Outgo (7100 - 7299)</u></b>		
Special Education Local Plan Area (SELPA)	\$ 68,723	<i>Establishing Medi-Cal Billing and Mini Grants to match grant award and distributions</i>
	<b><u>\$ 68,723</u></b>	

Explanation of Differences  
Net Change in Current Year Budget OCTOBER Board Report  
9/16/2018 - 10/15/2018

	<u>Amount</u>	<u>Explanation of Differences</u>
L <a href="#">Direct Support / Indirect (7300-7399)</a>	<u>\$ -</u>	
M <a href="#">Debt Services (7400 - 7499)</a>	<u>\$ -</u>	
N <a href="#">Transfers In (8910-8979)</a>	<u>\$ -</u>	
O <a href="#">Transfers Out (7610-7629)</a>	<u>\$ -</u>	
P <a href="#">Contributions (8980-8999)</a>	<u>\$ -</u>	
 Net Change in Current Year Budget	 <b>\$ 88,914</b>	

BOARD AGENDA ITEM: Investment Statements

BOARD MEETING DATE: November 14, 2018

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 September 30, 2018 from the County Treasurer will be presented.

Steven L. Harrah, CPA

Treasurer-Tax Collector



Christina N. Hernandez

Assistant Treasurer-Tax Collector

October 17, 2018

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

Re: Sutter County Investment Portfolio Report for September 30, 2018

Following is the Sutter County Investment Portfolio report as of September 30, 2018. The schedule includes all short-term, mid-term and long-term investments held at the conclusion of business on the final day of the month. The Sutter County Treasurer and Tax Collector is given authority over the pooled investment portfolio through Board delegation pursuant to Government Code §27000.1. Investment activities of the pooled treasury are governed by Government Code §53601 as incorporated in the Sutter County Investment Policy. Investment of the county's, school districts' and special district's surplus funds start with the objective of safety of the principle to minimize possibility losses. Following safety is the liquidity objective to provide coverage of day to day operations and to meet contingency as they arise. The final objective is earning a reasonable return or yield on the funds invested. The Sutter County Investment Policy may be found on the Treasurer's webpage at: [https://www.suttercounty.org/assets/pdf/ttc/Investment\\_Policy\\_2018.pdf](https://www.suttercounty.org/assets/pdf/ttc/Investment_Policy_2018.pdf)

As Treasurer and 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 cash and investments in the county treasury total \$216,865,748 and will provide sufficient cash flow liquidity to meet estimated pooled treasury expenditures for the next six months.

Invested treasury funds total \$206,948,359 with \$27,634,841 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, provides market value data. The dollar-weighted average maturity of invested funds is 939 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.

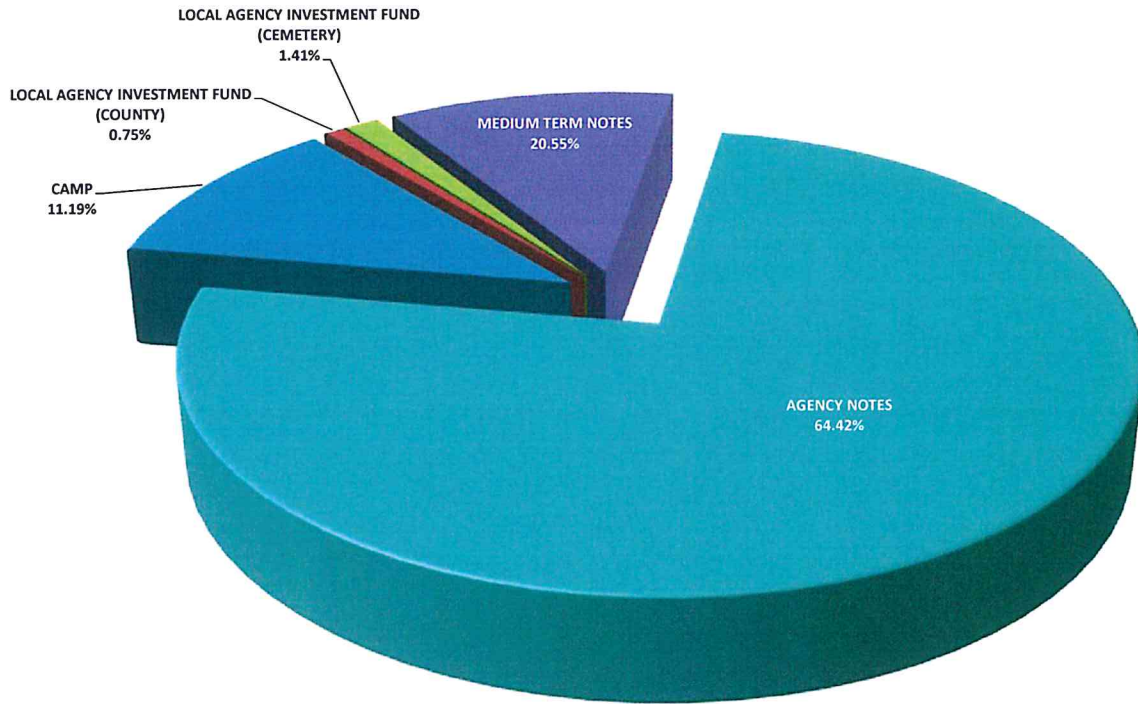
Respectfully submitted,

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

Steven L. Harrah, CPA  
Treasurer and Tax Collector

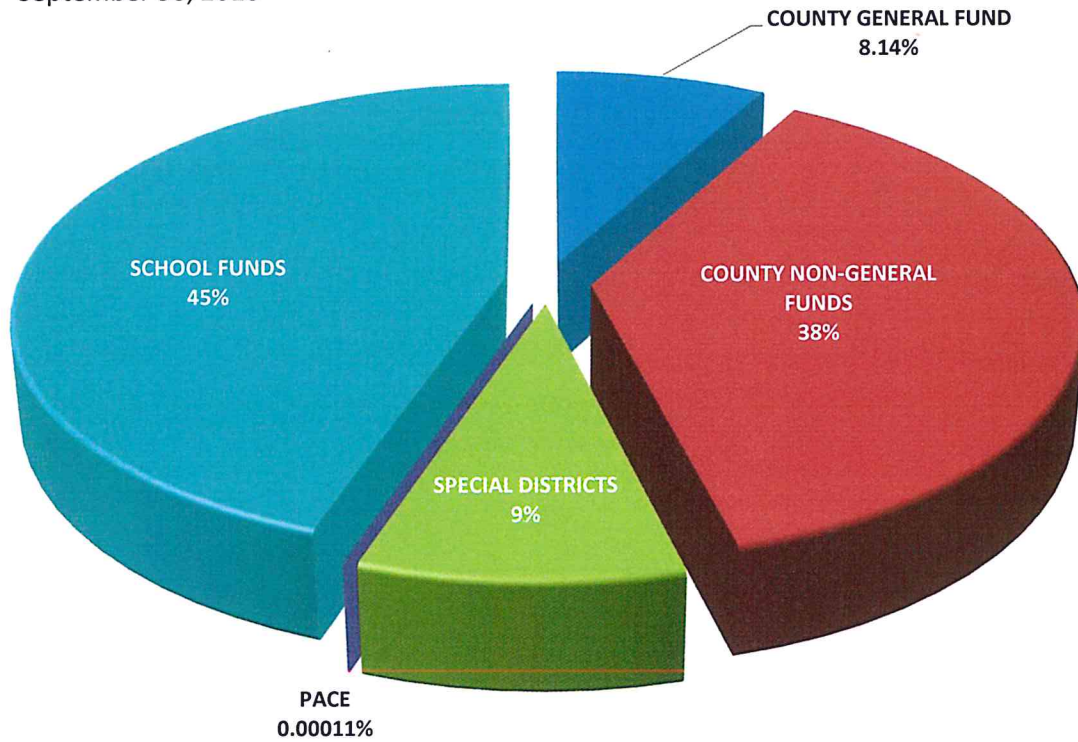


**Sutter County Pooled Investment Portfolio  
September 30, 2018**



	<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	\$23,152,727.19	11.19%	11.35%	1	2.14%
LOCAL AGENCY INVESTMENT FUND (COUNTY)	1,560,503.43	0.75%	0.76%	1	2.16%
LOCAL AGENCY INVESTMENT FUND (CEMETERY)	2,920,841.49	1.41%	-	1	2.16%
MEDIUM TERM NOTES	23,965,956.30	11.58%	11.75%	1,079	2.28%
AGENCY NOTES	<u>155,348,330.81</u>	<u>75.07%</u>	<u>76.14%</u>	<u>1,108</u>	<u>1.75%</u>
<b>TOTAL MANAGED INVESTMENTS</b>	<b>\$206,948,359.22</b>	<b>100.00%</b>		<b>1,061</b>	<b>1.84%</b>
LESS: LAIF FUNDS NOT POOLED	<u>2,920,841.49</u>	<u>1.41%</u>			
<b>TOTAL POOLED INVESTMENTS</b>	<b><u>\$204,027,517.73</u></b>	<b><u>98.59%</u></b>	<b><u>100.00%</u></b>	<b><u>1,060</u></b>	<b><u>1.84%</u></b>

Sutter County  
Pooled Treasury Participants  
September 30, 2018

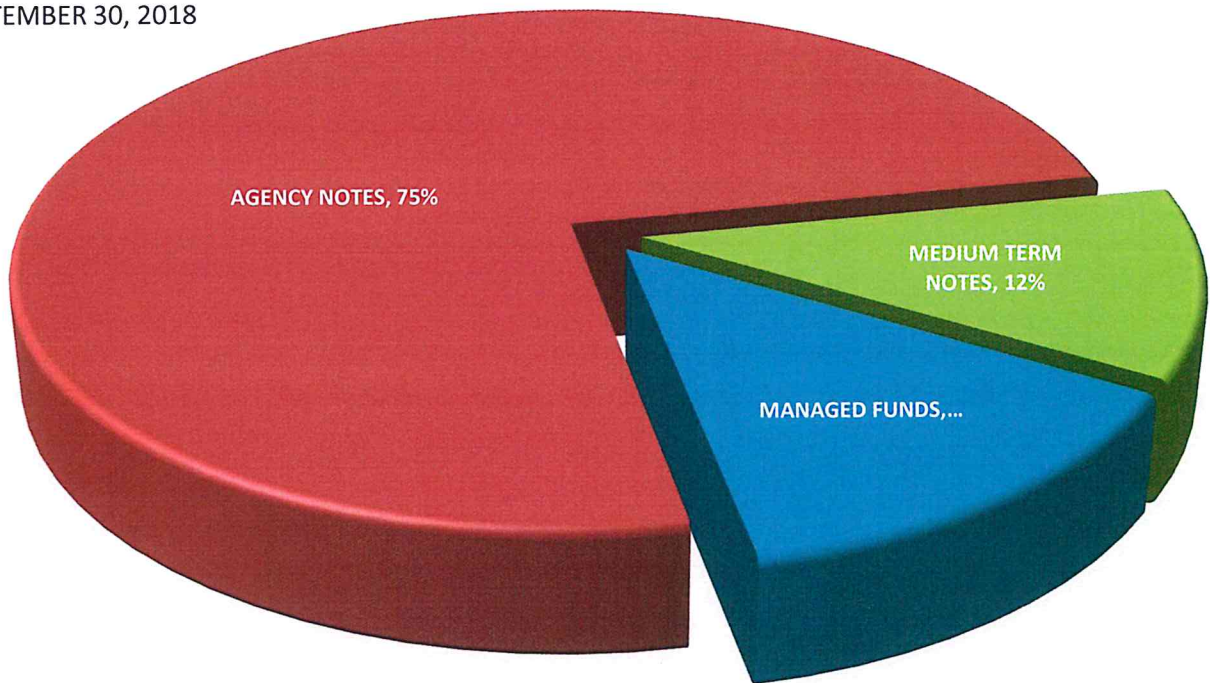


The Pooled Treasury is comprised of 340 separate funds representing the County's General Fund, County Non-General funds, special districts, school districts and funds collected and held for the various PACE programs that are authorized by the City of Yuba City.

At the close of business September 30, 2018 pool participants' cash and investment balances consisted of the following:

COUNTY GENERAL FUND	\$17,649,042
COUNTY NON-GENERAL FUNDS	82,253,291
SPECIAL DISTRICTS	19,536,536
PACE	236
SCHOOL FUNDS	96,968,643

SUTTER COUNTY  
INVESTMENT PORTFOLIO  
CATAGORIES  
SEPTEMBER 30, 2018

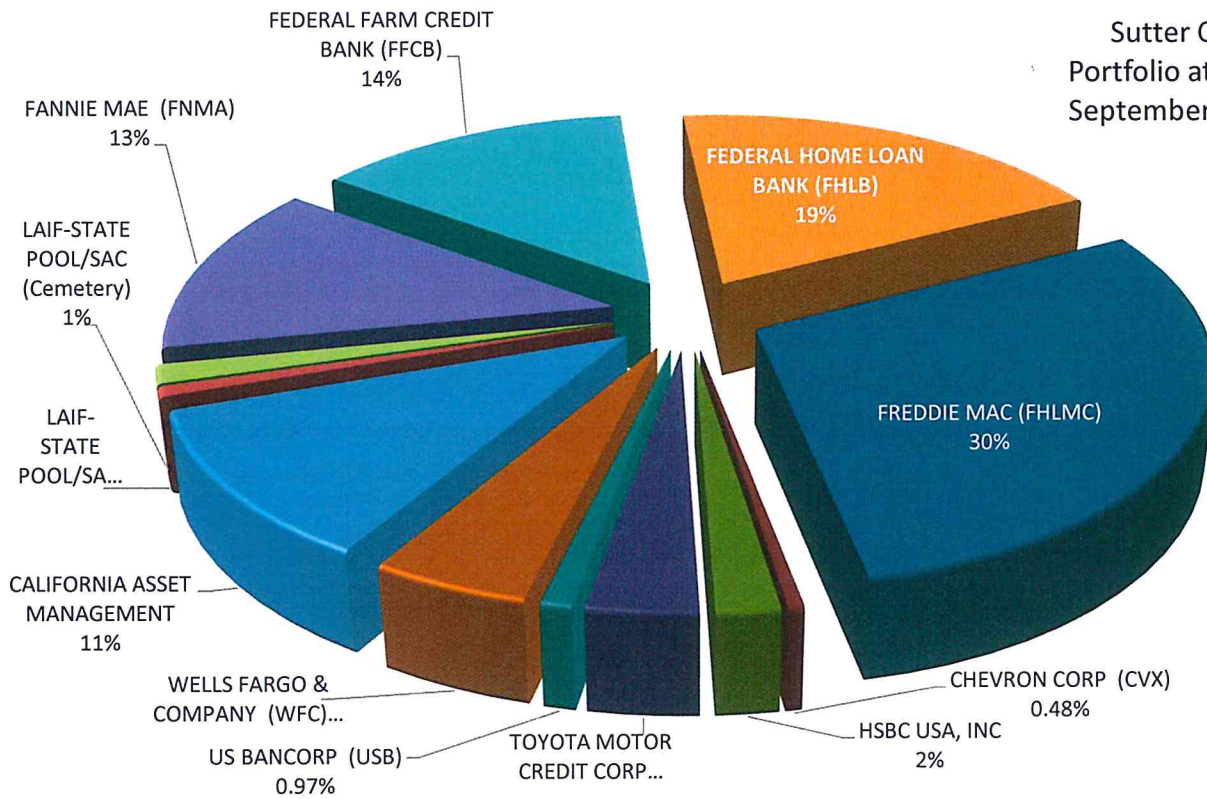


The pooled portfolio is comprised of three major classes of assets. At September 30, 2018 agency notes made up 75%, medium term notes represented 12% and funds under management within the Local Area Investment Fund (LAIF) and the California Asset Management Program (CAMP) completing the portfolio at 13%.

All assets are in compliance with the Sutter County Investment Policy and adhere to the requirements of California Government Code §53601-§53645 and §16429.1-§16429.3, which relates to the investing in the Local Area Investment Fund (LAIF)



Sutter County  
Portfolio at a Glance  
September 30, 2018



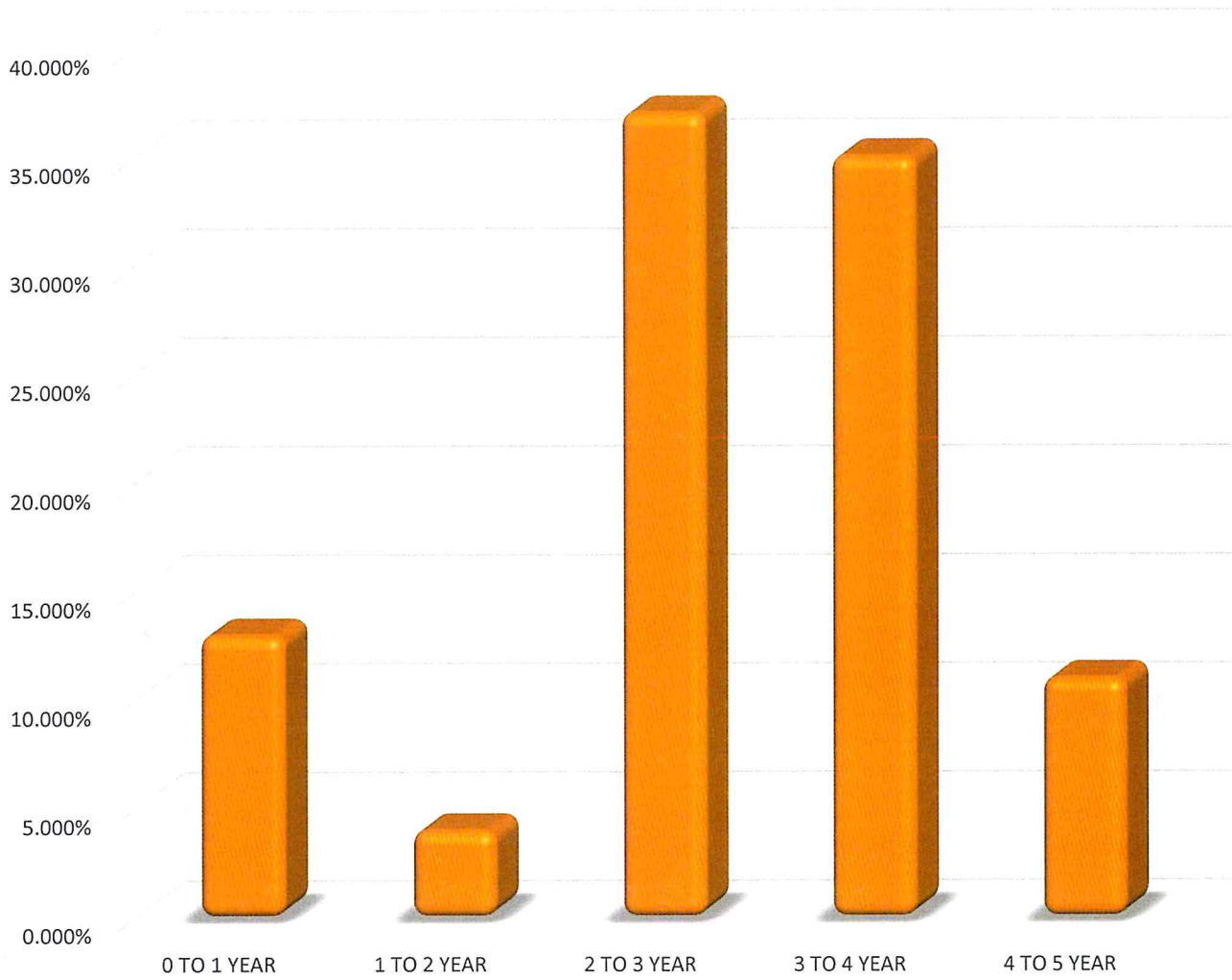
Within the three major classes of assets the portfolio is further diversified, again, operating within the constraints of California Government Code and the Sutter County Investment Policy. The chart above provides a quick glance of the portfolios' make up.

As of September 30, 2018, the portfolio's holding consisted of the following:

CALIFORNIA ASSET MANAGEMENT	23,152,727.19	11.19%
LAIF-STATE POOL/SAC	1,560,503.43	0.75%
LAIF-STATE POOL/SAC (Cemetery)	2,920,841.49	1.41%
FANNIE MAE (FNMA)	27,003,907.45	13.05%
FEDERAL FARM CREDIT BANK (FFCB)	27,991,769.99	13.53%
FEDERAL HOME LOAN BANK (FHLB)	39,236,311.15	18.96%
FREDDIE MAC (FHLMC)	61,116,342.22	29.53%
CHEVRON CORP (CVX)	995,537.15	0.48%
HSBC USA, INC	4,000,000.00	1.93%
TOYOTA MOTOR CREDIT CORP	6,994,941.24	3.38%
US BANCORP (USB)	2,002,207.84	0.97%
WELLS FARGO & COMPANY (WFC)	<u>9,973,270.07</u>	4.82%
Total Book Value	<u>206,948,359.22</u>	100.00%

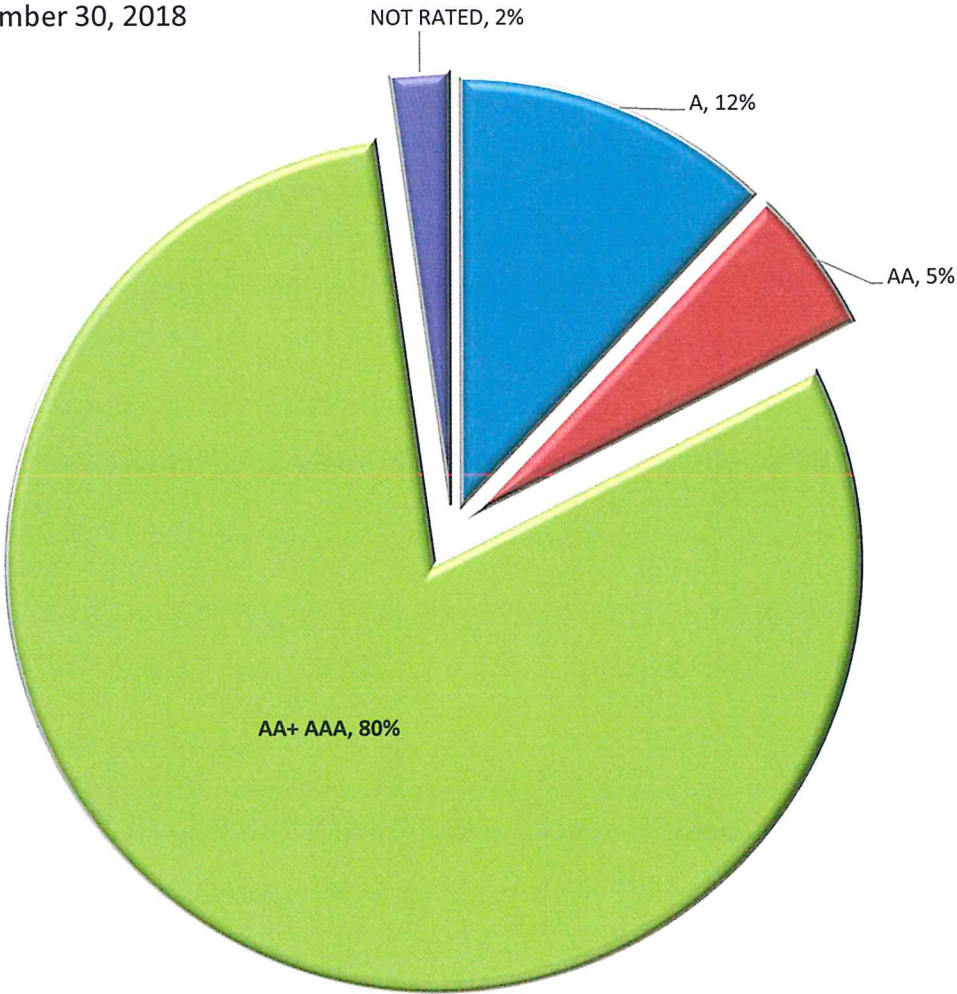
All investments in the portfolio conform to California Government Code §56301 with maturities of no more than five years.

### Sutter County Pooled Portfolio Aging September 30, 2018



Investments in the pool must have and maintain a rating of A or better, as prescribed in the Sutter County Investment Policy, with the exception of LAIF, which is authorized in GC §16429.1-§16429.3.

Sutter County  
Pooled Portfolio Asset Ratings  
September 30, 2018





**SUTTER COUNTY**  
**INVESTMENT PORTFOLIO**  
**September 30, 2018**



TREASURY		INSTITUTION/BRANCH	BOOK VALUE	MARKET VALUE	PAR VALUE	DATE	DATE	TOTAL	YIELD	RATE
NUMBER	MANAGED FUNDS					INVESTED	MATURES			
2017-00A	CALIFORNIA ASSET MANAGEMENT	\$23,152,727.19	\$23,152,727.19	\$23,152,727.19	N/A	N/A	N/A	2.1400%	2.1400%	
2017-00B	LAIF-STATE POOL/SAC	\$1,560,503.43	\$1,560,503.43	\$1,560,503.43	N/A	N/A	N/A	2.1600%	2.1600%	
2017-00C	LAIF-STATE POOL/SAC (Cemetery)	\$2,920,841.49	\$2,920,841.49	\$2,920,841.49	N/A	N/A	N/A	2.1600%	2.1600%	
	TOTAL MANAGED FUNDS	27,634,072.11	27,634,072.11	27,634,072.11						
<b>AGENCY NOTES</b>										
2015-119	FEDERAL HOME LOAN BANK (FHLB)	2,284,731.33	2,280,411.42	2,285,714.28	10/29/15	10/29/20	1,827	1.5000%	1.5000%	
2016-017	FANNIE MAE (FNMA)	4,000,000.00	3,944,200.00	4,000,000.00	03/15/16	03/15/21	1,826	1.7500%	1.7500%	
2016-024	FANNIE MAE (FNMA)	1,999,508.76	1,972,100.00	2,000,000.00	03/15/16	03/15/21	1,826	1.7500%	1.7500%	
2016-035	FREDDIE MAC (FHLMC)	2,000,000.00	1,965,800.00	2,000,000.00	03/30/16	03/30/21	1,826	1.7500%	1.7500%	
2016-043	FREDDIE MAC (FHLMC)	4,000,000.00	3,911,880.00	4,000,000.00	04/28/16	04/28/21	1,826	1.3750%	1.3750%	
2016-046	FEDERAL HOME LOAN BANK (FHLB)	4,000,000.00	3,883,000.00	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	3,915,320.00	4,000,000.00	04/28/16	04/28/21	1,826	1.3750%	1.3750%	
2016-049	FEDERAL FARM CREDIT BANK (FFCB)	4,000,000.00	3,883,200.00	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	3,876,320.00	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	1,958,320.00	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	1,938,300.00	2,000,000.00	05/03/16	05/03/21	1,826	1.7000%	1.7000%	
2016-072	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,937,320.00	2,000,000.00	05/12/16	05/12/21	1,826	1.6400%	1.6400%	
2016-088	FREDDIE MAC (FHLMC)	1,000,000.00	990,190.00	1,000,000.00	06/30/16	06/30/21	1,826	2.0000%	2.0000%	
2016-090	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,949,600.00	2,000,000.00	06/29/16	06/29/20	1,461	1.4200%	1.4200%	
2016-092	FANNIE MAE (FNMA)	5,004,398.69	4,806,400.00	5,000,000.00	06/30/16	06/30/21	1,826	1.3029%	1.6250%	
2016-097	FEDERAL HOME LOAN BANK (FHLB)	2,000,000.00	1,941,380.00	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	3,892,560.00	4,000,000.00	07/27/16	07/27/21	1,826	1.2500%	1.5000%	
2016-102	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,923,960.00	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	3,920,000.00	4,000,000.00	07/28/16	07/28/21	1,826	2.0000%	2.0000%	
2016-104	FANNIE MAE (FNMA)	4,000,000.00	3,876,440.00	4,000,000.00	07/20/16	07/20/21	1,826	2.0000%	2.0000%	
2016-111	FREDDIE MAC (FHLMC)	3,000,000.00	2,937,270.00	3,000,000.00	08/16/16	08/16/21	1,826	2.2500%	2.2500%	
2016-115	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,918,980.00	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	1,925,860.00	2,000,000.00	08/30/16	08/27/21	1,823	1.3500%	1.3500%	
2016-117	FREDDIE MAC (FHLMC)	4,001,427.43	3,916,360.00	4,000,000.00	08/16/16	08/16/21	1,826	2.2500%	2.2500%	
2016-122	FREDDIE MAC (FHLMC)	4,000,000.00	3,893,520.00	4,000,000.00	09/13/16	09/13/21	1,826	1.5000%	1.5000%	
2016-125	FREDDIE MAC (FHLMC)	2,000,000.00	1,950,200.00	2,000,000.00	09/29/16	09/29/21	1,826	1.3750%	1.3750%	
2016-126	FANNIE MAE (FNMA)	2,000,000.00	1,909,000.00	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	1,950,200.00	2,000,000.00	09/29/16	09/29/21	1,826	1.3750%	1.3750%	
2016-133	FREDDIE MAC (FHLMC)	2,000,000.00	1,917,880.00	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	1,901,960.00	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	963,270.00	1,000,000.00	10/28/16	10/28/21	1,826	1.6500%	1.6500%	

SUTTER COUNTY  
 INVESTMENT PORTFOLIO  
 September 30, 2018



TREASURY NUMBER	INSTITUTION/BRANCH	BOOK VALUE	MARKET VALUE	PAR VALUE	DATE INVESTED	DATE MATURES	TOTAL DAYS INVESTED	YIELD	RATE
2016-142	FANNIE MAE (FNMA)	2,000,000.00	1,967,120.00	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	1,961,240.00	2,000,000.00	10/21/16	10/28/21	1,833	1.2500%	1.2500%
2016-149	FREDDIE MAC (FHLMC)	4,000,000.00	3,909,320.00	4,000,000.00	11/04/16	11/04/21	1,826	1.5000%	1.5000%
2016-151	FEDERAL HOME LOAN BANK (FHLB)	4,000,000.00	3,922,880.00	4,000,000.00	11/04/16	11/04/21	1,826	1.5000%	1.5000%
2016-152	FEDERAL HOME LOAN BANK (FHLB)	2,965,000.00	2,885,122.90	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	1,924,800.00	2,000,000.00	11/23/16	11/23/21	1,826	1.6500%	1.6500%
2016-161	FEDERAL HOME LOAN BANK (FHLB)	1,999,883.59	1,924,640.00	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	1,939,740.00	2,000,000.00	12/09/16	12/09/21	1,826	1.5000%	1.5000%
2016-166	FEDERAL HOME LOAN BANK (FHLB)	1,996,746.87	1,970,820.00	2,000,000.00	11/16/16	05/15/20	1,276	1.3025%	1.2500%
2016-169	FEDERAL FARM CREDIT BANK (FFCB)	1,996,834.61	1,929,160.00	2,000,000.00	11/29/16	11/29/21	1,826	1.8125%	1.7600%
2016-172	FEDERAL FARM CREDIT BANK (FFCB)	1,994,935.38	1,929,160.00	2,000,000.00	11/29/16	11/29/21	1,826	1.1844%	1.7600%
2016-174	FEDERAL FARM CREDIT BANK (FFCB)	1,000,000.00	972,130.00	1,000,000.00	12/01/16	06/01/21	1,643	2.0000%	2.0000%
2016-178	FEDERAL HOME LOAN BANK (FHLB)	2,000,000.00	1,934,960.00	2,000,000.00	12/06/16	12/06/21	1,826	2.0500%	2.0500%
2016-180	FEDERAL HOME LOAN BANK (FHLB)	1,991,312.56	1,937,460.00	2,000,000.00	12/02/16	11/29/21	1,823	2.0199%	1.8750%
2017-022	FANNIE MAE (FNMA)	2,000,000.00	1,938,300.00	2,000,000.00	03/29/17	03/29/22	1,826	2.1700%	2.1700%
2017-053	FREDDIE MAC (FHLMC)	2,000,000.00	1,974,840.00	2,000,000.00	05/17/17	05/17/22	1,826	2.2500%	2.2500%
2017-091	FEDERAL HOME LOAN BANK (FHLB)	2,998,836.80	2,916,370.00	3,000,000.00	08/16/17	08/16/22	1,826	1.7500%	1.7500%
2017-105	FEDERAL FARM CREDIT BANK (FFCB)	4,000,000.00	3,838,920.00	4,000,000.00	09/14/17	03/14/22	1,642	1.9500%	1.9500%
2017-119	FREDDIE MAC (FHLMC)	2,114,914.79	2,079,698.80	2,120,000.00	09/28/17	09/29/22	1,827	1.8400%	1.6250%
2017-120	FEDERAL HOME LOAN BANK (FHLB)	1,000,000.00	964,240.00	1,000,000.00	10/26/17	10/26/22	1,826	2.2500%	2.2500%
2017-125	FEDERAL HOME LOAN BANK (FHLB)	1,000,000.00	967,380.00	1,000,000.00	10/30/17	10/26/22	1,822	2.2500%	2.2500%
2017-126	FREDDIE MAC (FHLMC)	1,000,000.00	992,920.00	1,000,000.00	10/27/17	10/27/22	1,826	1.7500%	1.7500%
2017-130	FEDERAL HOME LOAN BANK (FHLB)	1,000,000.00	981,120.00	1,000,000.00	11/14/17	11/14/22	1,826	2.0000%	2.0000%
2017-135	FEDERAL HOME LOAN BANK (FHLB)	3,000,000.00	2,921,550.00	3,000,000.00	11/28/17	05/28/21	1,277	2.0000%	2.0000%
2017-136	FREDDIE MAC (FHLMC)	3,000,000.00	2,945,790.00	3,000,000.00	11/28/17	11/28/22	1,826	2.0000%	2.0000%
2017-139	FREDDIE MAC (FHLMC)	2,000,000.00	1,965,320.00	2,000,000.00	11/28/17	11/28/22	1,826	2.0000%	2.0000%
2017-143	FEDERAL FARM CREDIT BANK (FFCB)	1,000,000.00	967,090.00	1,000,000.00	11/28/17	11/28/22	1,826	2.3200%	2.3200%
2017-146	FREDDIE MAC (FHLMC)	4,000,000.00	3,968,840.00	4,000,000.00	12/27/17	12/27/22	1,826	2.0000%	2.0000%
2017-151	FREDDIE MAC (FHLMC)	1,000,000.00	978,070.00	1,000,000.00	12/21/17	12/21/22	1,826	2.0000%	2.0000%
2017-154	FREDDIE MAC (FHLMC)	2,000,000.00	1,952,800.00	2,000,000.00	12/28/17	12/28/21	1,461	2.2500%	2.2500%
2017-160	FEDERAL FARM CREDIT BANK (FFCB)	2,000,000.00	1,956,640.00	2,000,000.00	12/28/17	06/28/21	1,278	2.2300%	2.2300%
2018-002	FEDERAL HOME LOAN BANK (FHLB)	1,000,000.00	981,150.00	1,000,000.00	01/25/18	01/25/22	1,461	2.3500%	2.3500%
2018-003	FREDDIE MAC (FHLMC)	1,000,000.00	978,070.00	1,000,000.00	01/30/18	01/30/23	1,826	2.5500%	2.5500%
TOTAL AGENCY NOTES		155,348,330.81	151,310,863.12	155,370,714.28					



SUTTER COUNTY  
 INVESTMENT PORTFOLIO  
 September 30, 2018



TREASURY NUMBER	INSTITUTION/BRANCH	BOOK VALUE	MARKET VALUE	PAR VALUE	DATE INVESTED	DATE MATURES	TOTAL DAYS INVESTED	YIELD	RATE
<b>MEDIUM TERM NOTES</b>									
2015-115	WELLS FARGO & COMPANY (WFC)	2,000,000.00	1,978,380.00	2,000,000.00	10/16/15	10/16/20	1,827	1.7500%	1.7500%
2016-078	WELLS FARGO & COMPANY (WFC)	2,000,000.00	1,996,580.00	2,000,000.00	06/07/16	06/07/21	1,826	2.0000%	2.0000%
2016-110	WELLS FARGO & COMPANY (WFC)	2,002,886.48	1,925,920.00	2,000,000.00	07/25/16	07/26/21	1,827	2.0459%	2.1000%
2016-184	HSBC USA, INC	4,000,000.00	3,882,160.00	4,000,000.00	12/16/16	12/16/21	1,826	2.2500%	2.2500%
2016-187	US BANCORP (USB)	2,002,207.84	1,961,680.00	2,000,000.00	12/16/16	01/29/21	1,505	2.2990%	2.3500%
2017-002	CHEVRON CORP (CVX)	995,537.15	975,430.00	1,000,000.00	01/09/17	05/16/21	1,588	2.2790%	2.1000%
2017-009	WELLS FARGO & COMPANY (WFC)	1,970,383.59	1,925,920.00	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	1,992,980.00	2,000,000.00	06/27/17	06/27/22	1,826	2.4852%	3.0861%
2017-086	TOYOTA MOTOR CREDIT CORP	2,000,000.00	1,949,780.00	2,000,000.00	08/03/17	06/26/22	1,788	2.1250%	2.1250%
2017-149	TOYOTA MOTOR CREDIT CORP	2,000,000.00	1,927,260.00	2,000,000.00	12/07/17	06/07/21	1,278	2.2500%	2.2500%
2017-161	TOYOTA MOTOR CREDIT CORP	1,994,941.24	1,995,080.00	2,000,000.00	12/21/17	11/29/22	1,804	2.1287%	2.1250%
2018-088	TOYOTA MOTOR CREDIT CORP	1,000,000.00	988,190.00	1,000,000.00	05/22/18	04/26/21	1,070	3.0500%	3.0500%
TOTAL MEDIUM TERM NOTES		23,965,956.30	23,499,360.00	24,000,000.00			AVERAGE	1.8441%	1.8522%
TOTAL POOL PORTFOLIO		206,948,359.22	202,444,295.23	207,004,786.39					

Sutter County Pool Treasury Portfolio  
 Transactions  
 For the Month ended September 30, 2018

Treasury Number	Settlement Date	Broker	Asset	Rate	Purchase at Cost	Sale / Call	Maturities	Coupon Received
<b>MANAGED FUNDS</b>								
2018-112	9/4/2018	CAMP	CAMP (2018-00A)	2.1200%		3,000,000.00		
2018-113	9/4/2018	CAMP	CAMP (2018-00A)	2.1200%	16,960.73			16,960.73
2018-114	9/4/2018	CAMP	CAMP (2018-00A)	2.1200%		2,000,000.00		
2018-115	9/10/2018	CAMP	CAMP (2018-00A)	2.1200%		3,000,000.00		
2018-116	9/11/2018	CAMP	CAMP (2018-00A)	2.1200%		3,000,000.00		
2018-117	9/13/2018	CAMP	CAMP (2018-00A)	2.1200%	7,000,000.00			
2018-118	9/14/2018	CAMP	CAMP (2018-00A)	2.1200%	3,000,000.00			
2018-119	9/18/2018	CAMP	CAMP (2018-00A)	2.1200%	2,000,000.00			
2018-120	9/20/2018	CAMP	CAMP (2018-00A)	2.1200%		2,500,000.00		
2018-121	9/21/2018	CAMP	CAMP (2018-00A)	2.1200%		2,000,000.00		
2018-122	9/24/2018	CAMP	CAMP (2018-00A)	2.1200%	6,000,000.00			
2018-123	9/25/2018	LAIF	LAIF-STATE POOL/SAC (2018-00B)	1.9980%	1,000,000.00			
2018-124	9/25/2018	CAMP	CAMP (2018-00A)	2.1200%	2,000,000.00			
2018-125	9/26/2018	CAMP	CAMP (2018-00A)	2.1200%	9,000,000.00			
2018-126	9/26/2018	LAIF	LAIF-STATE POOL/SAC (2018-00B)	1.9980%	250,000.00			
2018-127	9/27/2018	CAMP	CAMP (2018-00A)	2.1200%	1,000,000.00			
2018-128	9/28/2018	CAMP	CAMP (2018-00A)	2.1200%		6,000,000.00		
					<u>31,266,960.73</u>	<u>21,500,000.00</u>		<u>16,960.73</u>

**PURCHASES/SALES/CALLS/MATURITIES**

2018-071	9/12/2018	CANTOR	FREDDIE MAC (FHLMC)	3.1000%		996,816.18		10,075.00
2016-015	9/12/2018	CANTOR	FEDERAL FARM CREDIT BANK (FFCB)	1.2500%		2,000,000.00		7,569.44
2018-004	9/12/2018	VINING SPARKS	FREDDIE MAC (FHLMC)	2.2500%		1,000,000.00		2,625.00
2016-014	9/12/2018	CANTOR	FEDERAL FARM CREDIT BANK (FFCB)	1.4000%		4,000,000.00		2,800.00
2015-098	9/14/2018	CANTOR	WELLS FARGO COMPANY (WFC)	2.0000%		4,000,000.00		37,555.56
					<u>0.00</u>	<u>11,996,816.18</u>	<u>0.00</u>	<u>60,625.00</u>

**COUPONS**

2016-078	9/7/2018		WELLS FARGO & COMPANY (WFC)	2.0000%				10,000.00
2016-122	9/13/2018		FREDDIE MAC (FHLMC)	1.2500%				25,000.00
2016-184	9/17/2018		HSBC USA, Inc	2.2500%				22,500.00
2016-017	9/17/2018		FANNIE MAE (FNMA)	1.7500%				35,000.00
2016-024	9/17/2018		FANNIE MAE (FNMA)	1.7500%				17,500.00
2017-071	9/27/2018		WELLS FARGO & COMPANY (WFC)	3.0370%				15,185.00
			Total coupons from bonds					<u>125,185.00</u>
			Total coupons received this period					<u>202,770.73</u>

Total portfolio activity	<u>31,266,960.73</u>	<u>33,496,816.18</u>	<u>0.00</u>
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Reconciliation		
Total Change due to activity		(2,229,855.45)
Net accretion and amortization of premiums and discounts		4,765.18
Portfolio balance	August 31, 2018	<u>209,173,449.49</u>
Total Pool Portfolio	September 30, 2018	<u>206,948,359.22</u>

BOARD AGENDA ITEM: First Reading BB 9100 and 9110

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Maggie Nicoletti

Reports/Presentation

SUBMITTED BY:

Information

Dr. Baljinder Dhillon

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Dr. Baljinder Dhillon

BACKGROUND AND SUMMARY INFORMATION:

First Reading BB 9100 and 9110

AB 2449 changes the date that members of a county board of education, school district or community college district governing board take office. This Bill resolves clashing Education Code and Elections Code provisions and becomes effective January 1, 2019. This new law also changes the date of the annual organizational meeting from on or after the last Friday in November to on or after the second Friday in December.

First Reading BB 9100 and 9110

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

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***Series 9000 – Board Bylaws***

**Annual Organizational Meeting**

The Sutter County Board of Education shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143 1009)

At this meeting the Board shall:

1. Elect a president and a vice president from its members.
2. Develop and adopt a schedule of regular meetings for the year.

(cf. 9320 - Meetings and Notices)

**Election of Officers**

The Board shall each year elect a president and vice president.

(cf. 9224 - Oath or Affirmation)

**Legal Reference:**

**EDUCATION CODE**

5017 Term of office

35143 Annual organizational meeting date, and notice

35145 Public meetings

**GOVERNMENT CODE**

54953 Meetings to be open and public; attendance

**ATTORNEY GENERAL OPINIONS**

68 OPS. CAL. ATTY. GEN. 65 (1985)

59 OPS. CAL. ATTY. GEN. 619, 621-622 (1976)

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

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***Series 9000 – Board Bylaws***

***Terms of Office***

The Sutter County Board of Education shall consist of (5) five members whose terms shall be staggered so that as nearly as practicable, one half of the members shall be elected in each even numbered year.

The term of office for members elected in regular elections shall be four years, commencing on the ~~first~~ **second** Friday in December next succeeding their election. (Education Code 5017)

Board member terms expire four years after their initial election on the ~~first~~ **second** Friday in December following the election of new members. (Education Code 5000)

A member whose term has expired shall continue to discharge the duties of the office until his/her successor has qualified by taking the oath of office. (Government Code 1302, 1360; Education Code 5017)

(cf. 9220 - Governing Board Elections)

(cf. 9223 - Filling Vacancies)

(cf. 9224 - Oath or Affirmation)

(cf. 9250 - Remuneration, Reimbursement, and Other Benefits)

Legal Reference:

EDUCATION CODE

5000-5033 Election of school district board members

35010 Control of district

35012 Board members; number, election and terms

35107 Eligibility

GOVERNMENT CODE

1302 Continuance in office until qualification of successor

1303 Exercising functions of office without having qualified

1360 Necessity of taking constitutional oath

BOARD AGENDA ITEM: Third Reading – Board Policies to Rescind

BOARD MEETING DATE: November 14, 2018

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Christine McCormick

Reports/Presentation

SUBMITTED BY:

Information

Christine McCormick

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Christine McCormick

BACKGROUND AND SUMMARY INFORMATION:

The following policies are being presented for a third reading to rescind:

BP/AR 1312 – Uniform Complaint Procedures

Series 1000 – Community Relations

## 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 ~~the accompanying administrative regulation. incorporates any County Superintendent approved procedures implementing this policy.~~

### Complaints Subject to UCP

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, agricultural vocational education, American Indian education centers and early childhood education program assessments, bilingual education, peer assistance and review programs for teachers, career technical and technical education and training programs, child care and development programs, child nutrition programs, compensatory education, consolidated categorical aid programs, Economic Impact Aid, English learner programs, federal education programs in Title I-VII, migrant education, Regional Occupational Centers and Programs, school safety plans, special education programs, State Preschool Programs, Tobacco-Use Prevention Education programs, and any other ~~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).  
(cf. 3553 - Free and Reduced Price Meals)  
(cf. 3555 - Nutrition Program Compliance)  
(cf. 5131.62 - Tobacco)  
(cf. 5148 - Child Care and Development)  
(cf. 5148.2 - Before/After School Programs)  
(cf. 5148.3 - Preschool/Early Childhood Education)  
(cf. 6159 - Individualized Education Program)  
(cf. 6171 - Title I Programs)  
(cf. 6174 - Education for English Learners)  
(cf. 6175 - Migrant Education Program)



[\(cf. 6178 - Career Technical Education\)](#)  
[\(cf. 6178.1 - Work-Based Learning\)](#)  
[\(cf. 6178.2 - Regional Occupational Center/Program\)](#)  
[\(cf. 6200 - Adult Education\)](#)

2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any [student, employee, or other](#) 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, [immigration status](#), 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).

[\(cf. 0410 - Nondiscrimination in District Programs and Activities\)](#)  
[\(cf. 5145.3 - Nondiscrimination/Harassment\)](#)  
[\(cf. 5145.7 - Sexual Harassment\)](#)

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).

[\(cf. 5146 - Married/Pregnant/Parenting Students\)](#)

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).

[\(cf. 3260 - Fees and Charges\)](#)  
[\(cf. 3320 - Claims and Actions Against the District\)](#)

[5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan \(Education Code 52075\)](#)

[\(cf. 0460 - Local Control and Accountability Plan\)](#)

[5.6](#) 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 Board-imposed~~ graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2).

[\(cf. 6173.1 - Education for Foster Youth\)](#)

~~67.~~ Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a or a former juvenile court school student, or a child of a military family as defined in Education Code 49701 who transfers into the COE after his/her second year of high school 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 Board-imposed~~ graduation requirements (Education Code 51225.1, 51225.2).

[\(cf. 6173 - Education for Homeless Children\)](#)

[\(cf. 6173.2 - Education of Children of Military Families\)](#)

[\(cf. 6173.3 - Education for Juvenile Court School Students\)](#)

~~78.~~ Any complaint alleging COE noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3).

[\(cf. 6152 – Class Assignment\)](#)

~~9.8.~~ Any complaint alleging COE noncompliance with the physical education instructional minutes requirements for students in elementary school (Education Code 51210, 51223).

[\(cf. 6142.7 – Physical Education and Activity\)](#)

~~10.9.~~ 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).

~~10.11.~~ 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.~~

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints

that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

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

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

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

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

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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.

(cf. 3580 – Records)

### **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.

(cf. 5141.4 – Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

4.3. 2.——Any complaint alleging fraud shall be referred to the Legal Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment.

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

(cf. 1312.4 - Williams Uniform Complaint Procedures)

~~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

44500-44508 California Peer Assistance and Review Program for Teachers

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

Policy Adopted: October 11, 2017 Proposed corrections: 08/13/2018

Sutter County Board of Education

Sutter County Superintendent of Schools

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49060-49079 Student records  
49069.5 Rights of parents  
49490-49590 Child nutrition programs  
[49701 Interstate Compact on Educational Opportunity for Military Children](#)  
51210 Courses of study grades 1-6  
51223 Physical education, elementary schools  
51225.1-51225.2 Foster youth, ~~and~~ homeless children, [former juvenile court school students and military connected students;](#) course credits; graduation requirements  
[51226-51226.1 Career technical education](#)  
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\_

[HEALTH AND SAFETY CODE](#)

[104420 Tobacco-Use Prevention Education](#)

*PENAL CODE*

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

[CODE OF REGULATIONS, TITLE 2](#)

[11023 Harassment and discrimination prevention and correction](#)

*CODE OF REGULATIONS, TITLE 5*

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

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1232g Family Educational Rights and Privacy Act  
1681-1688 Title IX of the Education Amendments of 1972  
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:*

[CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS](#)

[Sample UCP Board Policies and Procedures](#)

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

*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*

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Policy Adopted: October 11, 2017 [Proposed corrections: 08/13/2018](#)

Sutter County Board of Education

Sutter County Superintendent of Schools

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>

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Series 1000 – Community Relations

### 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	<del>Director – Student Services Asst.</del>
<del>Superintendent, Educational Services</del>	
970 Klamath Lane	970 Klamath Lane
Yuba City, CA 95993	Yuba City, CA 95993
(530) 822-2900	(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.



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)

(cf. 9124 – Attorney)

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, including staff lounges. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the County's UCP, to students, employees, parents/guardians, advisory committees, appropriate private school officials or representatives, and other interested parties. The notification shall includeing information regarding prohibition of discrimination, harassment, intimidation and bullying; 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, and children of military families 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 1220 – Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)

(cf 4112.9/4212.9/4312.9 – Employee Notifications)



(cf. 5145.6 - Parental Notifications)  
(cf. 6173 - Education for Homeless Children)  
(cf. 6173.1 - Education for Foster Youth)  
(cf. 6173.2 – Education for Children of Military Families)  
(cf. 6173.3 - Education for Juvenile Court School Students)

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, staff shall assist him/her in the filing of the complaint.
  - e. If a complaint is not filed in writing but the county office 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 office 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 schools educational program, including curricular and extracurricular activities.

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 COE 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 the COE and another district.

i. A foster youth, homeless student, former juvenile court school student, or child of a military family who transfers into a county high school shall be notified of the COE'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 county-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 COE's decision to CDE by filing a written appeal within 15 calendar days of receiving the COE'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 CDE in the same manner as the complainant, if he/she is dissatisfied with the COE's decision.

k. The appeal to CDE must include a copy of the complaint filed with the county office and a copy of the COE's decision.

l. Copies of the county office UCP are available free of charge.

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)  
(cf. 1114 – District-Sponsored Social Media)

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)

All complaints shall be protected from retaliation.

## 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 the programs specified in the accompanying Board Policy (item #1 of the section "Complaints Subject to UCP" may be filed by an individual, public agency, or organization. ~~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 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.

**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 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.

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 by the county office 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
  - 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 manner in which 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
  - 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.

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
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.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

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)

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## 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 County'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.

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 of the county office, 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