

El Dorado Union High School District**Board Meeting****04/05/2022 06:30 PM**

El Dorado Union High School District, Board Room
 4675 Missouri Flat Road, Placerville, CA 95667
 05:30 PM Closed Session

Printed : 4/1/2022 12:49 PM PT

YouTube: <https://www.youtube.com/channel/UCH3MheK84y9GNf3Gzpgu4IA/featured>

Members of the public who wish to address the Board of Trustees must be present in person at the Board Meeting.

A. INTRODUCTORY ITEMS

1. **Call to order** at 5:30 p.m., in the **El Dorado Union High School District Board Room**, 4675 Missouri Flat Road, Placerville, CA.

The Board will hear from anyone regarding items listed on the agenda for Closed Session.

The Board will adjourn this portion of Open Session and enter into Closed Session in the Administration Office to discuss the items listed on the Closed Session Agenda as follows. (GC 54957.7, 54954.5)

a. Discuss hearing panel recommendations regarding potential orders to expel three students. *

b. Discuss actions for certificated and classified personnel listed in the consent agenda related to personnel action. (GC 54954.5, 54957)

c. Public Employee: Discipline/Dismissal/Release/Reassignment/Resignation (GC 22714; 44929; 44929.21; 44934; 44949; 44951; 44953; 44954; 44955; 45192; 44195; 87488)

d. Conference with labor negotiators (agency negotiators for the Board are Asst. Superintendent Tony DeVille, Asst. Superintendent Christopher Moore and Asst. Superintendent Bob Whittenberg) to discuss with the Board represented employees: Discussion related to Proposals from CSEA. (GC 3547 {a})

** Any action will be taken in Open Session during the Student Services and Innovation section of the Board Meeting. All appropriate actions will be taken to preserve the confidentiality and legal rights to privacy of the students. (EC 35146, 48918[c])*

The Board will reconvene in **Open Session** at 6:30 p.m. in the **El Dorado Union High School District Board Room** for the PUBLIC PORTION of the meeting. (GC 54953[a], 54953.3, 54953.5, 54953.6, 54954)

The length of time for this Board Meeting is an estimate only and is dependent on the amount of time spent on each Board Agenda item. The time at which a specific Board Agenda item is presented can be approximated, however, Board items may be moved at the Board's discretion.

2. Pledge of Allegiance.

3. Attendance.

4. Requests to Change the Agenda and Approval of Agenda.

5. Consent Agenda.

Routine items below have been explained in the Board Packet. The Administration has no further presentations unless Board Members have questions. If a Board Member wishes to discuss further any

item on the Consent Agenda, the item may be removed and discussed under the appropriate section of the agenda. The Administration recommends the Board act to approve the recommendations below:

1. Approval of Minutes of March 8, 2022 Board Meeting.
2. Approval of Commercial Warrants Report (copy for viewing available at District Office).
3. Approval of Routine Certificated Personnel Action.
4. Approval of Routine Classified Personnel Action.
5. Donations Received.
6. Review of Board Policies and Administrative Regulations: AR 1312.3 - Uniform Complaint Procedures; AR 5125 - Student Records; AR/BP 6146.1 - High School Graduation Requirements; AR/BP 6158 - Independent Study.
7. Ratification of Budget Transfers (03/09/2022 - 03/30/2022)
8. Approval/Ratification of Various Contracts (3/1/2022 - 3/28/2022).
9. Monthly Report of Developer Fees Collected (January 2022).
10. Permission to Dispose of Obsolete/Unusable Furniture, Equipment and Textbooks.
11. Williams Act Uniform Complaint Procedures Quarterly Report (January – March 2022).
12. Submission of the California Department of Education, 2021-2022 Consolidated Application and Reporting System.
13. Adoption of 1-Year Student Calendar (2023-24) for Comprehensive Schools and IHS, and Student Calendar for EDUHSD Pacific Crest Academy. (AR 6111)
14. El Dorado High School Overnight Instructional Trip Request: Forestry Challenge Championship, Pinecrest, CA, April 21-23, 2022.
15. El Dorado High School Overnight Instructional Trip Request: Summer Band Camp, Kelsey, CA, June 20-23, 2022.
16. Oak Ridge High School Overnight Instructional Trip Request: Oregon Shakespeare Festival, Ashland, Oregon, May 13-15, 2022.
17. Union Mine High School Overnight Instructional Trip: Cal Poly State FFA Field Day Finals, San Luis Obispo, CA, May 5-7, 2022.

B. SUPERINTENDENT'S OPENING UPDATES

C. RECOGNITION OF SPECIAL CONTRIBUTIONS AND ACHIEVEMENTS

1. Reports from Student Representatives: El Dorado, Oak Ridge, Ponderosa, and Union Mine High Schools and Alternative Schools/Programs.
2. Bus Driver Recognitions.
 - Driver of the Year: Glenda Bratton
 - Substitute Driver of the Year: John Prouty
 - 30 Year Safe Driver Awards: Barbara Hicks

- 15 Year Safe Driver Awards: Sarah Lemke, Hadisa Saedy
- 5 Year Safe Driver Awards: Ken Simpson, Maggie Casner, Steve Caputo, Hollis Henderson

3. Classified Recognition Awards.

- El Dorado High School: Trisa O'Rilley
- Oak Ridge High School: Nicole Trevino
- Ponderosa High School: Dwayne Brekke
- Union Mine High School: Sam Felcher
- Alternative Education: Monica Huston
- District Office: Bonnie Orris
- Maintenance & Operations: Bruce Duncan
- Transportation: Dave McNamara

4. Presentation by WorkAbility: Employer of the Year Award.

- Office Max in Placerville: Tiffany Aldridge

5. Presentation by WorkAbility: Employee of the Year Award.

- Ponderosa High School: Nathan Barlette

D. ACKNOWLEDGMENT OF CORRESPONDENCE

Board Member(s) wishing to schedule a discussion about any correspondence are asked to inform the Board President or Superintendent so that time can be made available on this agenda or on another appropriate Board Meeting Agenda.

Correspondence addressed to the Board will be responded to by the Administration, as needed. However, if there are particular responses the Board wishes to stress, indicating those at this time would help the staff best represent those views.

E. INVITATION TO BARGAINING UNIT PRESIDENTS/DESIGNEES AND/OR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD (GC54954.3)

This item is placed on the agenda for the purpose of providing members of the public and Bargaining Unit representatives the opportunity to address the Board on any item of business that does not appear on the formal agenda.

Visitors wishing to speak to the Board about agenda items should request recognition from the Board President during the time that item will be discussed.

The Board reserves the right to establish a time limit on these discussions or to refer them to the next regular meeting for further deliberation.

The procedures by which to address the Board are posted in the meeting.

F. SUPERINTENDENT'S - ACTION/DISCUSSION ITEMS

G. EDUCATIONAL SERVICES - ACTION/DISCUSSION ITEMS

1. Health Education Parent Opt-Out Options.

Education Code 51934 requires that each school district shall ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and HIV prevention education from

instructors trained in the appropriate courses. Each pupil shall receive this instruction at least once in junior high or middle school and at least once in high school. This instruction shall include all of the following:

- (1) Information on the nature of HIV, as well as other sexually transmitted infections, and their effects on the human body.
- (2) Information on the manner in which HIV and other sexually transmitted infections are and are not transmitted, including information on the relative risk of infection according to specific behaviors, including sexual activities and injection drug use.
- (3) Information that abstinence from sexual activity and injection drug use is the only certain way to prevent HIV and other sexually transmitted infections and abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy. Instruction shall provide information about the value of delaying sexual activity while also providing medically accurate information on other methods of preventing HIV and other sexually transmitted infections and pregnancy.
- (4) Information about the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods that prevent or reduce the risk of contracting HIV and other sexually transmitted infections, including use of antiretroviral medication, consistent with the federal Centers for Disease Control and Prevention.
- (5) Information about the effectiveness and safety of reducing the risk of HIV transmission as a result of injection drug use by decreasing needle use and needle sharing.
- (6) Information about the treatment of HIV and other sexually transmitted infections, including how antiretroviral therapy can dramatically prolong the lives of many people living with HIV and reduce the likelihood of transmitting HIV to others.
- (7) Discussion about social views on HIV and AIDS, including addressing unfounded stereotypes and myths regarding HIV and AIDS and people living with HIV. This instruction shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and the only way to know if one is HIV-positive is to get tested.
- (8) Information about local resources, how to access local resources, and pupils' legal rights to access local resources for sexual and reproductive health care, such as testing and medical care for HIV and other sexually transmitted infections and pregnancy prevention and care, as well as local resources for assistance with sexual assault and intimate partner violence.
- (9) Information about the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception. Instruction on pregnancy shall include an objective discussion of all legally available pregnancy outcomes, including, but not limited to, all of the following:
 - (a) Parenting, adoption, and abortion.
 - (b) Information on the law on surrendering physical custody of a minor child 72 hours of age or younger, pursuant to Section 1255.7 of the Health and Safety Code and Section 271.5 of the Penal Code.
 - (c) The importance of prenatal care.
- (10) Information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, and sex trafficking.
 - (b) A school district may provide comprehensive sexual health education or HIV prevention education consisting of age-appropriate instruction earlier than grade 7 using instructors trained in the appropriate courses. A school district that elects to offer comprehensive sexual health education or HIV prevention education earlier than grade 7 may provide age appropriate and medically accurate information on any of the general topics contained in paragraphs (1) to (10), inclusive, of subdivision (a).

Under Education Code, a parent has the right to parental excuse of Education Code 51934 requirements. Education Code 51938 State as follows:

- (a) A parent or guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent ("opt-out") process. A school district shall not require active parental consent ("opt-in") for comprehensive sexual health education and HIV prevention education.
- (b) At the beginning of each school year, or, for a pupil who enrolls in a school after the beginning of the school year, at the time of that pupil's enrollment, each school district shall notify the parent or guardian of each pupil about instruction in comprehensive sexual health education and HIV prevention

education and research on pupil health behaviors and risks planned for the coming year. The notice shall do all of the following:

- (1) Advise the parent or guardian that written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education are available for inspection.
 - (2) Advise the parent or guardian whether the comprehensive sexual health education or HIV prevention education will be taught by school district personnel or by outside consultants. A school district may provide comprehensive sexual health education or HIV prevention education, to be taught by outside consultants, and may hold an assembly to deliver comprehensive sexual health education or HIV prevention education by guest speakers, but if it elects to provide comprehensive sexual health education or HIV prevention education in either of these manners, the notice shall include the date of the instruction, the name of the organization or affiliation of each guest speaker, and information stating the right of the parent or guardian to request a copy of this section, Section 51933, and Section 51934. If arrangements for this instruction are made after the beginning of the school year, notice shall be made by mail or another commonly used method of notification, no fewer than 14 days before the instruction is delivered.
 - (3) Include information explaining the parent's or guardian's right to request a copy of this chapter.
 - (4) Advise the parent or guardian that the parent or guardian has the right to excuse their child from comprehensive sexual health education and HIV prevention education and that in order to excuse their child they must state their request in writing to the school district.
- (c) Notwithstanding Section 51513, anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes concerning or practices relating to sex, may be administered to any pupil in grades 7 to 12, inclusive. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a passive consent ("opt-out") process. A school district shall not require active parental consent ("opt-in") for these tests, questionnaires, or surveys in grades 7 to 12, inclusive. Parents or guardians shall be notified in writing that this test, questionnaire, or survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to the school district.

Education Code 51939 further states the following regarding parent excuse:

- (a) A pupil may not attend any class in comprehensive sexual health education or HIV prevention education, or participate in any anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks, if the school has received a written request from the pupil's parent or guardian excusing the pupil from participation.
- (b) A pupil may not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent or guardian declines to permit the pupil to receive comprehensive sexual health education or HIV prevention education or to participate in anonymous, voluntary, and confidential tests, questionnaires, or surveys on pupil health behaviors and risks.
- (c) While comprehensive sexual health education, HIV prevention education, or anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks is being administered, an alternative educational activity shall be made available to pupils whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey.

The El Dorado Union High School District Graduation Requirements include Health Education. However, Health Education is not a mandated California Graduation Requirement. For the past decade, families have been able to opt-out of the local graduation requirement using the District's passive consent process and forms.

The Administration seeks the Board of Trustee's guidance and direction on whether to continue to allow passive consent for the entire Health course or to only allow passive consent for comprehensive sexual health and HIV prevention education, as well as research on student health behaviors and risks.

H. BUSINESS SERVICES - ACTION/DISCUSSION ITEMS

1. TRAN Issuance Resolution of the Governing Board.

A Resolution of the Governing Board authorizes the borrowing of funds for fiscal year 2021-2022 as well as the issuance and sale of one or more series of 2021-2022 tax and revenue anticipation notes. The El Dorado Union High School District is participating in the California School Cash Reserve Program and is requesting the El Dorado County Board of Supervisors to issue and sell said series of notes.

Signing the documents included in this package helps streamline the closing process of the TRAN. Signing the documents does not obligate the District to issue a TRAN. A final Pricing Confirmation supplement to the Purchase Agreement that details the amounts, costs, and repayment terms of the TRAN will be sent and signing that document finalizes the TRAN issuance.

The Administration recommends approving Resolution No. 2021/22-14 as set forth herein attached.

I. STUDENT SERVICES AND INNOVATION - ACTION/DISCUSSION ITEMS

1. Consideration of Student Disciplinary Matters Relating to Expulsion and/or Readmission. (GC 54954.5[h]; EC 35146, 48918[c])

J. HUMAN RESOURCES - ACTION/DISCUSSION ITEMS

1. Annual "Declaration of Need for Fully Qualified Educators" to be Filed with the California Commission on Teacher Credentialing.

A Declaration of Need for Fully Qualified Educators is required by the California Commission on Teacher Credentialing (CTC) before any emergency permits will be issued for service in a District. This declaration certifies that reasonable efforts to recruit a fully credentialed teacher will be made and serves as statement of anticipated needs for the 2022-2023 school year. The form may be amended during the 2022- 2023 school year as the need develops.

The Administration recommends that the Board of Trustees approve the Declaration of Need for Fully Qualified Educators for the 2022-2023 school year.

2. Proposal from the California School Employees Association (CSEA) and the District Regarding Negotiations for 2022-2023 and Public Hearing.

Article 8, Section 3547(a) of the Government Code provides that all initial proposal of exclusive representatives relating to matters within the scope of representation shall be presented at a public meeting and shall be public records, and that meeting negotiations shall not be done until public has been informed and has had the opportunity to express itself at a public meeting.

Within the context of this Code, and due to the expiration of the current contract on June 30, 2022, the Board of Trustees receives the proposal from the CSEA and the District to begin the process of negotiations for the 2022-2023 school year. The entire CSEA Master Contract is open.

CSEA would like to open:

Article 6	Duty Hours
Article 7	Salary
Article 8	Employee Working Conditions
Article 10	Insurance Protection
Article 15	Transfers and Promotions
Article 24	Term

District would like to open:

Article 7	Salary
Article 9	Transportation Working Conditions
Article 16	Layoff and Reemployment

Article 8, Section 3547(c) of the Government Code provides that after the public has had the

opportunity to express itself, the public school employer shall, at a meeting which is open to the public, adopt the proposal.

The Administration recommends that the Board of Trustees receive and adopt the 2022-2023 negotiation proposals.

K. OTHER - ACTION/DISCUSSION ITEMS

L. ANNOUNCEMENTS BY BOARD AND CABINET, IF NEEDED

Announcements and topics of interest reported by Board Members/Cabinet and timeline of items for future Board Meetings, including legislative updates, work of the County Board of Education, etc. This item appears on each Board Agenda to allow Board Members and Cabinet the opportunity to discuss topics of concern that are not specifically on the agenda. The following guidelines for these discussions are advised:

- a. The amount of time scheduled for this agenda item should not exceed 15 minutes.*
- b. Concerns related to negotiations, confidential personnel items, and topics involving possible litigation should not be discussed under this agenda item.*
- c. Concerns brought forth cannot be acted upon formally at this time. The staff may be requested to place topics on an agenda for future Board Meetings. Research about Board interests or concerns will be done only by majority vote of the Board.*

M. CLOSED SESSION (if needed)

N. OPEN SESSION

1. Report Closed Session action. (GC54957.1)

O. ADJOURNMENT

Agenda documents are available for public inspection no less than 72 hours before each Board Meeting at the Superintendent's Office located at 4675 Missouri Flat Road, Placerville. Members of the public interested in viewing these documents may set a time with the Superintendent's Office by calling (530) 622-5081, ext. 7225.

Individuals who require special accommodation (American Sign Language Interpreter, accessible seating, documentation in accessible formats, etc.) should contact ADA Coordinator Pam Bartlett at least 2 days before the meeting date.

**NEXT REGULAR SCHEDULED BOARD MEETING:
May 17, 2022**