

Scott Valley Unified School District
Micheline Miglis, Superintendent
Julie Hogun, Executive Assistant
11918 Main Street
Fort Jones, CA 96032
(530) 468-2727



Board of Trustees
Tammi Bennett, President
Gary Black, Clerk
Marnia Brownell
Conrad Croy
Jennifer Thackeray

Ensuring High Levels of Learning for All Students

Special Meeting of the Board of Trustees

Monday, November 8, 2021

5:30 - 5:45 p.m. Closed Session

5:45 p.m. Open Session

Etna High School, Multi-purpose Room

400 Howell Avenue, Etna, California

or join via Zoom

<https://us02web.zoom.us/j/84404537269?pwd=M2xGNVVCV29Xd3Z6MVJpcTYvWHIMQT09>

call in +16699006833

Meeting ID: 844 0453 7269 Passcode: PiQG3h

REVISED AGENDA

Agenda and supporting documents are available on the district website, www.svUSD.us as well as at the District Office during normal business hours. Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, please provide a written request to: Julie Hogun, District Secretary at the Scott Valley Unified School District Office at least three working days prior to any public meeting. All Board of Education meetings are audio recorded and kept on file for 30 days after Board approval of the meeting minutes.

1.0 CALL TO ORDER

- 1.1 Roll Call
 - Tammi Bennett, President of the Board
 - Gary Black, Clerk of the Board
 - Marnia Brownell, Trustee
 - Conrad Croy, Trustee
 - Jennifer Thackeray, Trustee
- 1.2 Public Comment regarding Closed Session items

2.0 CLOSED SESSION

Personnel Matters Pursuant to Government Code Section 54957

- 2.1 Hiring, Evaluating, Discipline, Release, Reassignment, Transfers

3.0 OPEN SESSION – CALL TO ORDER

- 3.1 Flag Salute
- 3.2 Approve the agenda for the Special Meeting of the SVUSD Board of Trustees for November 8, 2021
- 3.3 Reportable Action taken in Closed Session as per Government Code Section 54957.1(A)(5)

4.0 PUBLIC COMMENT

Public comment is invited on any matter included on the agenda or items not on the agenda. Presentations are limited to three minutes. Please be aware that this is a private meeting held in a public place and the Board is prohibited by law from taking action on any item presented if it is not listed on the agenda.

5.0 REGULAR AGENDA

Discussion and/or Action

- 5.1 COVID-19 Related Regulations for 2021-22
 - 5.1.1 Discuss and/or Approve Resolution# 22-012, Option 1 or Option 2, Regarding Face Coverings/Masks

6.0 ADJOURNMENT



Scott Valley Unified School District

Resolution 22-012

Option 1

Whereas, the Scott Valley Unified School District Governing Board is elected to represent the community; and

Whereas, the state of California has both encouraged and endorsed local control of District operations; and

Whereas, the Scott Valley Unified School District has no authority to regulate admission or attendance based on universal masking requirements, short of those contained in the California Education Codes; and

Whereas, the State of California guarantees by laws that individuals have the right to respect for their cultural, psychosocial, spiritual and personal values, beliefs and preferences; and

Whereas, the State of California guarantees by law an individual's right to be free from restraints and seclusion of any form used as a means of coercion, discipline, convenience or retaliation by medical staff; and

Whereas, the United States Supreme Court reminds us that "[n]o right is held more sacred or is more carefully guarded by, the common law, than the right of every individual to the possession and control of his/her own person, free from all restraint or interference of others, unless by clear and unquestionable authority of laws" and that courts have held that a competent person's right to refuse medical intervention or treatment is both a constitutional and a common law right; and

Whereas, the Scott Valley Unified School District Governing Board supports and agrees with all of the above laws, decisions and resolutions; and

Whereas, Governor Newsom is directing the California Department of Public Health to take any and all measures to curtail the spread of the Coronavirus disease (COVID-19); and

Whereas, Board Policy 6144 states that students shall be assured of their right to form and express an opinion without jeopardizing their grades or being subject to discrimination, retaliation, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, bullying, or is otherwise unlawful; and

Whereas, Board Policy 6144 states that students shall be informed of conduct expected during instruction and the importance of being courteous and respectful of opinions of others; and

Whereas, Board Policy 0100 states that every student in the district has a right to be free from discrimination, harassment, intimidation, and bullying as prohibited by law or district policy; and

Whereas, Board Policy 0100 states that the future of our nation and community depends on students possessing the skills to be lifelong learners, collaborative and creative program solvers, and effective, contributing members of a global and theologically advanced society and that a safe, nurturing environment and positive school climate are necessary for learning, academic achievement, and student development; and

Whereas, Board Policy 0100 states that the needs of the whole child must be addressed, as the ability of children to learn is affected by social, health, and economic conditions and other factors outside the classroom; and

Whereas, Board Policy 1313 states that students, staff, parents/guardians, and community members shall not communicate or behave in a manner that causes disruption; hinders the orderly conduct of district operations, the educational program, or any other district program or activity; or creates an unsafe learning or working environment. The Superintendent or designee may respond to disruptive, violent, or threatening behavior; and

Whereas, Board Policy 1313 states that behavior by students or staff that is discriminatory, harassing, or intimidating, including sexual harassment, bullying, and/or hate violence, or behavior that is in any other way unlawful, is prohibited and is subject to discipline in accordance with law and as specified in district policy and regulations; and

Whereas, tension and division are growing in the community and interrupting the orderly teaching and learning environment, causing school, department, and district leadership to change their focus from the priorities of operating schools and educating students safely; and

Whereas, the Governing Board desires students and staff to learn and work in peaceful and safe schools and departments, free from interruption and controversy; and

Whereas, the Scott Valley Unified School District Governing Board desires to support individual right and for local control to support the same; and that no individual will be disciplined, receive consequences or be intimidated for making his/her personal choice to care for his/herself; and

Whereas, the Scott Valley Unified School District Governing Board has weighed the risks and benefits, and considered their legal obligations, recognizing that compliance with California Department of Public Health face mask requirements for schools is mandatory, but has the discretion as to the method and policy for enforcement of those requirements.

Therefore, let it be resolved that the Scott Valley Unified School District will institute layered protective measures to the greatest extent practicable, including reminders, and will not enforce student exclusion or disciplinary measures for failure to comply with universal masking.

PASSED AND ADOPTED THIS 8th day of November, 2021 by the Governing Board of Scott Valley Unified School District of Siskiyou County, California.

Ayes:

Noes:

Absent:

Abstentions:

In witness where of, this instrument has been duly signed and sealed as of the 8th day of November, 2021.

President, Board of Trustees

I, **Gary Black**, Clerk of the Governing Board of Scott Valley Unified School District, of Siskiyou County, California, certify that the foregoing Resolution was introduced, passed and adopted by the Board of Trustees at its meeting held on November 8, 2021.

Clerk, Board of Trustees



Scott Valley Unified School District

Resolution 22-012

Option 2

Whereas, the Scott Valley Unified School District Governing Board is elected to represent the community; and

Whereas, the state of California has both encouraged and endorsed local control of District operations; and

Whereas, the Scott Valley Unified School District has no authority to regulate admission or attendance based on universal masking requirements, short of those contained in the California Education Codes; and

Whereas, the State of California guarantees by law an individual's right to be free from restraints and seclusion of any form used as a means of coercion, discipline, convenience or retaliation by medical staff; and

Whereas, the Scott Valley Unified School District Governing Board supports and agrees with all of the above laws, decisions and resolutions; and

Whereas, Governor Newsom is directing the California Department of Public Health to take any and all measures to curtail the spread of the Coronavirus disease (COVID-19); and

Whereas, Board Policy 0100 states that every student in the district has a right to be free from discrimination, harassment, intimidation, and bullying as prohibited by law or district policy; and

Whereas, Board Policy 0100 states that the needs of the whole child must be addressed, as the ability of children to learn is affected by social, health, and economic conditions and other factors outside the classroom; and

Whereas, Board Policy 1313 states that behavior by students or staff that is discriminatory, harassing, or intimidating, including sexual harassment, bullying, and/or hate violence, or behavior that is in any other way unlawful, is prohibited and is subject to discipline in accordance with law and as specified in district policy and regulations; and

Whereas, tension and division are growing in the community and interrupting the orderly teaching and learning environment, causing school, department, and district leadership to change their focus from the priorities of operating schools and educating students safely; and

Whereas, the Governing Board desires students and staff to learn and work in peaceful and safe schools and departments, free from interruption and controversy; and

Whereas, the Scott Valley Unified School District Governing Board desires to support individual right and for local control to support the same; and that no individual will be disciplined, receive consequences or be intimidated for making his/her personal choice to care for his/herself; and

Whereas, Scott Valley Unified School District’s COVID-19 positive test scores have declined since enforcing layers of COVID-19 protections and safety measures; and

Whereas, the Scott Valley Unified School District Governing Board has weighed the risks and benefits, and considered their legal and financial obligations, recognizing that compliance with California Department of Public Health face mask requirements for schools is mandatory, but discretion as to the method and policy for enforcement of those requirements.

Therefore, let it be resolved that the Scott Valley Unified School District will continue to implement direct compliance with universal masking in full, and institute a progressive warning system for students who repeatedly refuse to comply with the requirements, utilizing the flexibility afforded by the State to institute local protocols, only after which exclusion from in-person instruction may likely result.

PASSED AND ADOPTED THIS 8th day of November, 2021 by the Governing Board of Scott Valley Unified School District of Siskiyou County, California.

Ayes:

Absent:

Noes:

Abstentions:

In witness where of, this instrument has been duly signed and sealed as of the 8th day of November, 2021.

President, Board of Trustees

I, **Gary Black**, Clerk of the Governing Board of Scott Valley Unified School District, of Siskiyou County, California, certify that the foregoing Resolution was introduced, passed and adopted by the Board of Trustees at its meeting held on November 8, 2021.

Clerk, Board of Trustees