# REGULAR MEETING OF THE BOARD OF EDUCATION STONY CREEK JOINT UNIFIED SCHOOL DISTRICT HELD AT ELK CREEK ELEMENTARY October 18, 2023

#### **MINUTES**

The Stony Creek Joint Unified School District Board of Education met in Regular Session on October 18, 2023 at Elk Creek Elementary School, Elk Creek California.

President Ritta Martin called the meeting to order at 5:00 pm

Adjourned to Closed Session at 5:05 pm.

Reconvened to Open Session at 6:17 pm

A quorum was established with the following members of the board in attendance: Ritta Martin, Zoanne Smith, Meagan Groteguth and Krystal Craven. Delana Martin absent.

#### Pledge of Allegiance

The Pledge of Allegiance was led by Ritta Martin

#### **Closed Session Report**

- A. Inter-District Requests 23.24-13: Approved
- B. Gov. Code 54957 Personnel Discipline/Dismissal/Release New Hire Dorashona Padilla
- C. Gov. Code 54956.9 Anticipated Litigation/ Conference with Legal Counsel

(Two Potential Matters)- the Board gave Legal Counsel information on which direction the board would like them to take.

#### Approval of the Agenda

Ritta Martin stated that in regards to Item B under Closed Session, the employee has requested to have their response heard in Open Session.

Krystal Craven moved to approve the Agenda with the addition of Item F under New Business - Employee Response to Complaint. It was second by Zoanne Smith and the motion passed by a vote of 4 - 0 with 1 Absent

#### Comments on Agenda Items

None

#### Public Comments on Non-Agenda Items

Pam Moore requested that we add a Board Policy, Ritta Martin asked if she would like to speak on that request in New Business Item B of the Agenda. Pam Moore agreed to talk on this issue then.

#### Consent Calendar

Meagan Groteguth moved to approve the minutes from the regular meeting held on September 20, 2023, and the bills, warrants and transfers and new hires. It was seconded by Zoanne Smith and the motion passed by a vote of 4-0 with 1 Absent.

#### Reports

#### Student Representative

Christina Blake presented a verbal report.

#### **Board Members**

Ritta Martin shared that both her and Meagan Groteguth will be attending CSBA Brown Act training next week in Marysville

#### **CBO**

Dusty Thompson reported out that there were two grants we thought were going to be cut. The Learning Recovery Block Grant was actually \$25,000.00 more and the Art & Music Block Grant was \$24,000.00 more then what we budgeted.

#### Superintendent/Principal

Superintendent Pendell recognized the September Students of the Month. She also informed everyone that seven of our Intermediate School students attended the Glenn Co. Spelling Bee today, they did very well, and did an outstanding job representing the School District. Superintendent Pendell is excited to get started on the Go Guardian training which will take place October 20th. Donna Wilson has jumped right in on the Ag position and is doing a good job, Donna and a few FFA freshmen recently attended the Greenhand Conference. Superintendent Pendell congratulated Erin Callahan on her retirement, and expressed how thankful she was to have been able to work with her the past few months, Mrs. Callahan will be missed.

#### **Old Business**

None

#### New Business

#### A. Quarterly Report on Williams Uniform Complaint

The quarterly report on Williams Uniform Complaints. There were no complaints, including ORC, filed for this quarter.

Krystal Craven made a motion to approve the quarterly Williams Uniform Complaint. It was seconded by Meagan Groteguth and the motion passed by a vote of 4-0 with 1 absent.

#### B. Board Policy

Ritta Martin officially finished the review of the board policies. There are about fifty board policies that need to be looked at. Ritta Martin is requesting a special meeting to go through these policies and a handful of them need to be brought back to the board to be approved. The Special Ed. policy needs to be reviewed and approved be December 15<sup>th</sup>. Pam Moore requested the Board adopt a NO Dogs on campus policy.

No action taken at this time

#### C. Technology MOU

Superintendent Pendell provided the Board with information regarding the cost of Technology Services we receive through GCOE. There has not been an increase in our tech services for ten years. We have been paying \$5,000 per year. This year it was increased to \$10,000. The county needs to increase that to continue the services and keep up, the increase would be to \$25,000 per year with a 3 yr. MOU.

#### D. Animal Science Curriculum

Superintendent Pendell explained to the Board that currently our Ag Department doesn't have an Animal Science curriculum. We are in the process of adopting a new curriculum and will be bringing it back to the Board for approval.

No action taken at this time.

#### E. Unaudited Actuals

Dusty Thompson presented an overview of the report.

Meagan Groteguth made a motion to approve the Unaudited Actuals. It was seconded by Zoanne Smith and the motion passed by a vote of 4-0 with 1 absent.

#### F. Complaint on an Employee

Superintendent Pendell thanked the Board for allowing her the time to read her Statement on the complaint in Open Session. She provided the Board with a copy of this statement. Alyson Cox commented on how she had personal contact with the dogs and they are not aggressive at all. There have been zero complaints made to her from the students regarding the dogs.

Daniel Reagan stated he wanted to assure the Board that at no time have the dogs been on campus/parking lot without a leash.

With no further comments, Ritta Martin said the Board has reviewed the camera footage of the days in question, and at this time they will go back into Closed Session, and reconvene after that.

Meeting adjourned to Closed Session at 7:11 pm Reconvened at 8:21 pm

#### **Closed Session Report**

President

The Board found the complaint Unfounded. The Board will consider a policy regarding animals on campus, and invite the public to our Special Meeting – TBA soon.

Meeting adjourned at 8:22 pm

The next meeting will be held at Indian Valley Intermediate School.

Respectfully submitted by Jill Gleason

. : 52

# Quarterly Report on Williams Uniform Complaints (Education Code § 35186)

(Education	code 8 33 100)	
nyCreek		
his form: Sill C	ileason	Title: Admiss. Asst.
bmission Date:		April 2023 July 2023 October 2023 January 2024
to be reported publicly	at governing b	oard meeting 10 18 202
that applies:		
mplaints were filed witted above.	th any school in	the district during the quarter
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Total # of	# Resolved	# Unresolved
Complaints		
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Date

### Stony Creek Joint Unified School District 3430 County Road 309 Elk Creek, CA 95939 (530) 968-5361

## **COMPLAINT FORM**

Attach additional pages if needed

Name <u>Pam Moore</u>	_Phone # <u>530-383-7019</u>
Date(s) of Incident(s) September 29, 2023	Time: morning and
afternoon	<u>g ana</u>
School Personnel Involved Emily Pendell	
Description of	
Incident(s) Retaliation for making a complaint, plea	se see attached
	•
Past attempts to resolve the issue none	
Witnessstatement attached	
Past Administrators advised of incident(s) and respect	ive responsesN/A
D - 10-1 "	
Desired Solution Fair and truthful treatment	from the Superintendent and
ensured safety for all children. Follow Ed Code on issu	les.
Signature June July ov	` n
Signature 11/100	
Superintendent's Signature	
Superintendent's Signature	
Action	\$4
Date	



Jill Gleason <jgleason@scjusd.org>

#### District Incident

Fri, Oct 6, 2023 at 11:13 AM

Good morning,

In an effort to provide some clarity, I want to share with you some information regarding a threat that was made against the district last week.

During the last two weeks, Pam Moore claimed that there was an aggressive dog being brought to the Indian Valley campus by another parent. After reviewing camera footage and talking to school staff, I have found this claim to be false and the leashed-dog to be calm and not beyond the fenceline of campus. Unfortunately, Pam's claim escalated to her making a threat to disrupt school activities by bringing her self-declared aggressive dog to campus.

It is the district's responsibility to protect our students and staff from disruptive behavior and threats against our schools and we take this very seriously. At the recommendation of the district's legal counsel, Pam was served with a 14-day stay away notice requiring her to stay off all district campuses for two weeks.

At this point, Pam is calling teachers about this issue. Please know that you are not obligated to speak with her about this issue. If Pam has any concerns, she can direct those to the district office. If you see her on campus, please report this to the district office immediately.

If a student, staff member or parent is ever uncomfortable with an animal brought to campus, please let me know so we can address the issue.

Thank you,

Emily Pendell Superintendent/Principal Stony Creek Joint Unified School District 530-968-5361 phone 530-968-5102 fax Pam Moore P.O. Box 34 Stonyford, CA 95979 530-383-7019

TO: Stony Creek Joint Unified School District Board President, et al

RE: Formal Complaint on Superintendent Pendell

Late on the evening of October 2, 2023 a deputy came to my house and provided a copy of the letter dated September 29, 2023 signed by Emily Pendell (see attached). I am writing this letter to dispute the accusations and to provide you a truthful account of the events that took place that day and to file a formal complaint on the Superintendent.

On September 29, 2023, I contacted Superintendent Pendell on the telephone with my concern about a dog that was being brought to Indian Valley School by Cynthia Reagan. This concern is due to the fact that when I pull up to let my grandchildren out for school or to pick up in the afternoon this dog is in proximity of the school, sometimes the entrance gate and the other children. Knowing the history of this certain canine and that the owners have been sited by Colusa County Animal Control for its vicious nature I have instructed my granddaughter to stay away from it. This dog has not only attacked other animals, it has bitten humans as well. I have attached a statement from Scorchy Holden to this fact.

When I spoke with Superintendent Pendell on the telephone she came across as uncaring and actually stated "I can not control what an owner does with their dog". While this is true Ms. Pendell's job is to ensure the safety of all children on her campuses. This situation could of easily been handled by asking Ms. Reagan not to bring the dog all the way onto the school parking lot or school grounds when she walked with her children. As Superintendent Pendells response to me was not suitable, I continued to press the issue.

Being a dog owner myself, I informed her that my dog may come across as mean or aggressive and therefore I keep her at home. With our community being so small many know that this dog belongs to the Reagans and is known to attack other animals and bite people. Some of us have been advised by the Colusa County Animal Control that if it is seen off leash to take a picture and send to them and they will site them again, or force them to relinquish the dog as the Reagan's have been given several warnings.

Superintendent Pendell called me later in the afternoon to advise me she had checked camera footage and felt my concerns were unwarranted and continued to ignore my plea. When I was speaking, she spoke over me, and failed to provide me with any level of security for my grandchildren. She stated that the parking area is not part of the school grounds, rather it is or not this is where we enter to drop off and pick up our kids. Ms. Pendell continued to speak over me and not listen and I naturally became upset and felt I was being dismissed. At no time did I threaten her or the school. With Superintendent Pendells attitude about the Reagan dog or any dog coming to the school I did say that I could bring my pit dog too and that even though she has not bitten anyone nor have I ever received any complaints on her I would not do it as that

could make some people uncomfortable, because she is a Pit Bull. To my dismay she asked me if this was a threat and I stated no it is not it is a statement. I was shocked by her question I will not deny that I was extremely upset and used profanities, which are only words, and were not a threat. I was not only upset but became triggered by the lack of care or concern from Superintendent Pendell and her indifferent attitude towards my concern and her accusatory responses and obvious unwillingness to protect all children.

The conversations she and I had were on the telephone, at no time were they conducted on school grounds or in front of any children. I have a witness that was present during the telephone call that I received from the Superintendent while at my home and as I have trouble hearing I conduct my conversations over speaker so therefore they heard both sides of the conversation and have included their statement to this.

I will address the portion of the letter that was given to me stating that this is in effect for 14 days and that after that I will need to give a 24 hour notice and be approved by the superintendent to enter any campuses. This is unacceptable and I do not agree. While I will follow the guidelines that all parents are subjected to I will not follow the 24 hour pre approval. I have not done anything that is a threat to the school, superintendent or staff nor have I been convicted of anything that would warrant this type of restriction and will only be held to the rules that all parents, grandparents and guardians are.

The Reagan's and Pendells are close friends, I believe had this concern been made against any other person that is not a close friend of the Superintendent her response would have been much different. As the leader of our school I do not have confidence in her ability to separate friendship from her responsibility to oversee and protect all children and staff.

This letter and all attachments are being given to you as a formal complaint. If you have any questions please do not hesitate to contact me.

Pam Moore

To whom it may concern,

Friday September 29th 2023 I was at Ms. Moores residents. Upon my arrival Ms. Moore was distressed. Once I shut my vehicle off Ms. Moore had informed me that she was concerned for her children's safety at Indian Valley Middle school as there was a dog that was very aggressive towards people in our local community.

Ms. Moore had gone into further detail on how she had attempted to get the Principal involved but ultimately was shut down as the principal did not see the dog as a threat. Ms Moore then decided to call Glenn County Office of Education. When she called she had asked to speak to someone in charge and was then told that the person who she would need is out sick and the office woman informed Ms. Moore that she would have someone get in contact with her about this issue when she found someone who could help her. When Ms. Moore got off the phone with the County office of education she had then received a phone call from the Principal Mrs. Pendall. Ms. Moore is in her 60s and has trouble hearing people on the phone so she always takes her phone calls on speakerphone so she can hear. I was still near Ms. Moore at the time of her phone call from Mrs. Pendall.

Ms. Moore had answered the phone in a calm matter, the best she could given the circumstances and Mrs. Pendall had expressed that she had reviewed camera footage of the dog on school property and had come to the conclusion that the dog was not in fact dangerous and deemed it okay for it to be on school grounds. Ms. Moore then expressed her frustration to Mrs. Pendall and stated how the dog had attacked her friend's dog, how the dog attacked our local UPS driver and was acting strangely a week prior. Ms. Moore then said "If it is okay for them to bring a vicious dog to the school then I guess anyone can go stand out in the school parking lot with a vicious dog and there won't be any problem or concern for the children's safety." To which Mrs. pendall responded in a very aggressive way "are you threatening me?" Ms. Moore said "No I am not but this is Bulls\*\*t" Ms. Moore then went on telling Mrs. Pendall that she was just taking sides as she is friends with the owners of the dog and then told Mrs. pendall to "f\*\*k off" and hung up the phone before Mrs. Pendall could finish what she was saying.

After reading the letter that Ms.Moore was served with I can assure you it is far from the truth. Ms.Moore did not threaten to bring 'her dog' to school grounds nor did she threaten any students with this. From an employee standpoint I am fully understanding of Ms.Moores frustrations with the Principal of the school as she is failing to keep the students safe based off of camera footage not the actual incidents that have taken place on many different occasions. Her worry for her children and other students enrolled at the school is very much relevant.

While I am an employee of the school that this incident took place at I would like to keep my identity anonymous, however if I need to break that I have no problem speaking with whomever about this incident.

act 9 2023

To Whomit may CONCERN, My NAME is Scorchy Holden. I Live At 250 Sutter St. Stony Ford, ON-ARoud the End of JAN, OR 1 st of FEB, 2022 IWAS At MY ERIANS NOOSE, JOEY CRICKET, I SAW 2 shepheld dogs Run Eronthe street onto HORE DROPERTY . THERE WAS GROWING, OFFER SOUNS And A tipping. THERE THE 2 shephed goes, ONE white & the other DARE hered US YELLING And HIBY RAN Off. I JUMPED IN MY FEBRUL AND followed then to the Church ACROSS THE STREET & I SOT GOT AND SAW FLEM AT THE FRONT HA PARKED SUV. I WALKED TO GHE SUV AND the white dog moded to the small fence topoke to the Kids thered GRAVEL NOISE BELINAME. 3 HAT I FURNED THE DARK SCHEPLEAD RAN UP AND it my ARM. INDS WEARING MY JACKET And MOORD 1st Enough that the dog eld not get a chance o chomp down I vecied the dogs Raw onto LA Chirach PROPERTOR

Shortly the paston came out I fold h'm that the dops attacled my Existed dog and bit At MIX. HE SAID THEY WERE WIS, SAID HE WAS
SURRY And nothing Like that had EVER IMPIENTED I told him I was 6K. But the glog "GOOSE," WAS bleding NithEChBSta the REST of this story is in the REPORT That my Exizeds Filed with Colus A County Affolder

# Stony Creek Joint Unified School District

3430 County Road 309 Elk Creek, California 95939 (530) 968-5361 FAX (530) 968-5102

September 29, 2023

Pam Moore 5246 Lodoga-Stonyford Road PO Box 34 Stonyford, CA 95979

Re: Notice of Withdrawal of Consent to Enter School Property

Dear Ms. Moore:

California law requires the Stony Creek Joint Unified School District ("District") to ensure the safe and efficient operation of its campuses. [Attachment A.] Towards this end, the District retains the right to prohibit a person's entry onto District property if that person engages in conduct that disrupts or threatens to disrupt its operations,

This letter shall serve as a formal notice and directive that I have withdrawn any express or implied consent for you to enter District property, including the District office and school campuses, for a period of fourteen (14) days. During this time, you may not enter District property without my advance, written permission. Failure to abide by these restrictions is a crime. [See, Attachment A, containing copies of Education Code section 44811, as well as copies of Penal Code sections 415.5, 626.4, and 626.7]

Consent has been withdrawn following your conduct on September 29, 2023. At that time, you telephoned me to report that another parent, Cynthia Reagan, had brought a vicious dog onto school grounds. After reviewing security footage of Ms. Reagan and her dog, I determined that the dog had not entered onto school grounds, nor was it behaving inappropriately. I then called you to discuss the matter. During our conversation, you informed me that, if the dog was seen again, you would respond by bringing your pit-bull on campus which you emphasized was "not very nice." When I asked whether your statement was intended as a threat, you confirmed that it was. You then began to profanely yell at me, after which I hung up the phone.

After the fourteen-day period has expired, you are instructed to notify me as to the purpose of your entry and proposed time of arrival, at least 24 hours in advance. If your entry is expressly authorized, you shall check in at the appointed District property at the pre-arranged time. It is expected that your behavior during any future visits to the District, or any of its activities, will be devoid of any disruption or threat to its operations.

September 29, 2023

Page 2 of 2

Should you fail to abide by the terms of this letter or take any other disruptive or threatening action towards District staff or property, the District will immediately notify law enforcement. The District will also take all necessary legal action to protect its students and staff.

If you have any questions about the content of this letter, please do not hesitate to contact me.

Sincerely,

Emily Pendell Superintendent

Enclosure:

Education Code section 44811

Penal Code section 415.5 Penal Code section 626.4 Penal Code section 626.7

# Attachment A



#### **EDUCATION CODE**

Section 44811

44811. (a) Any parent, guardian, or other person whose conduct in a place where a school employee is required to be in the course of his or her duties materially disrupts classwork or extracurricular activities or involves substantial disorder is guilty of a misdemeanor.

- (b) A violation of subdivision (a) shall be punished as follows:
- (1) Upon the first conviction, by a fine of not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1,000), or by imprisonment in a county jail for not more than one year, or by both the fine and imprisonment.
- (2) Upon a second conviction, by imprisonment in a county jail for a period of not less than 10 days, and not more than one year, or by both imprisonment and a fine not exceeding one thousand dollars (\$1,000). The defendant shall not be released on probation, or for any other basis until he or she has served not less than 10 days in a county jail.
- (3) Upon a third or subsequent conviction, by imprisonment in a county jail for a period of not less than 90 days, and not more than one year, or by both imprisonment and a fine not exceeding one thousand dollars (\$1,000). The defendant shall not be released on probation, or for any other basis until he or she has served not less than 90 days in a county jail.
- (4) Upon a showing of good cause, the court may find that for any mandatory minimum imprisonment specified by paragraph (2) or (3) of this subdivision, the imprisonment shall not be imposed, and the court may grant probation, or the suspension of the execution or imposition of the sentence.
- (c) This section shall not apply to any otherwise lawful employee concerted activity, including, but not limited to, picketing and the distribution of handbills.

(Amended by Stats. 1999, Ch. 1013, Sec. 2. Effective January 1, 2000.)



PENAL CODE

Section 415.5

- 415.5. (a) Any person who (1) unlawfully fights within any building or upon the grounds of any school, community college, university, or state university or challenges another person within any building or upon the grounds to fight, or (2) maliciously and willfully disturbs another person within any of these buildings or upon the grounds by loud and unreasonable noise, or (3) uses offensive words within any of these buildings or upon the grounds which are inherently likely to provoke an immediate violent reaction is guilty of a misdemeanor punishable by a fine not exceeding four hundred dollars (\$400) or by imprisonment in the county jail for a period of not more than 90 days, or both.
- (b) If the defendant has been previously convicted once of a violation of this section or of any offense defined in Chapter 1 (commencing with Section 626) of Title 15 of Part 1, the defendant shall be sentenced to imprisonment in the county jail for a period of not less than 10 days or more than six months, or by both that imprisonment and a fine of not exceeding one thousand dollars (\$1,000), and shall not be released on probation, parole, or any other basis until not less than 10 days of imprisonment has been served.
- (c) If the defendant has been previously convicted two or more times of a violation of this section or of any offense defined in Chapter 1 (commencing with Section 626) of Title 15 of Part 1, the defendant shall be sentenced to imprisonment in the county jail for a period of not less than 90 days or more than six months, or by both that imprisonment and a fine of not exceeding one thousand dollars (\$1,000), and shall not be released on probation, parole, or any other basis until not less than 90 days of imprisonment has been served.
- (d) For the purpose of determining the penalty to be imposed pursuant to this section, the court may consider a written report from the Department of Justice containing information from its records showing prior convictions; and the communication is prima facie evidence of such convictions, if the defendant admits them, regardless of whether or not the complaint commencing the proceedings has alleged prior convictions.
- (e) As used in this section "state university," "university," "community college," and "school" have the same meaning as these terms are given in Section 626.
- (f) This section shall not apply to any person who is a registered student of the school, or to any person who is engaged in any otherwise lawful employee concerted activity.

(Amended by Stats. 1988, Ch. 1113, Sec. 3.)



PENAL CODE

Section 626.4

- 626.4. (a) The chief administrative officer of a campus or other facility of a community college, a state university, the university, an independent institution of higher education, or a school, or an officer or employee designated by the chief administrative officer to maintain order on such campus or facility, may notify a person that consent to remain on the campus or other facility under the control of the chief administrative officer has been withdrawn whenever there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility.
- (b) Whenever consent is withdrawn by any authorized officer or employee, other than the chief administrative officer, the officer or employee shall as soon as is reasonably possible submit a written report to the chief administrative officer or designee. The report shall contain all of the following:
- (1) The description of the person from whom consent was withdrawn, including, if available, the person's name, address, and phone number.
  - (2) A statement of the facts giving rise to the withdrawal of consent,

If the chief administrative officer or, in the chief administrative officer's absence, a person designated by the chief administrative officer for this purpose, upon reviewing the report, finds that there was reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus or facility, the chief administrative officer may enter written confirmation upon the report of the action taken by the officer or employee. If the chief administrative officer or, in the chief administrative officer's absence, the person designated by the chief administrative officer, does not confirm the action of the officer or employee within 24 hours after the time that consent was withdrawn, the action of the officer or employee shall be deemed void and of no force or effect, except that any arrest made during such period shall not for this reason be deemed not to have been made for probable cause.

(c) Consent shall be reinstated by the chief administrative officer whenever they have reason to believe that the presence of the person from whom consent was withdrawn will not constitute a substantial and material threat to the orderly operation of the campus or facility. In no case shall consent be withdrawn for longer than 14 days from the date upon which consent was initially withdrawn. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the two-week period. The written request shall state the address to which notice of hearing is to be sent. The chief administrative officer shall grant such a hearing not later than seven days from the date of receipt of the request and

shall immediately mail a written notice of the time, place, and date of such hearing to such person.

- (d) Any person who has been notified by the chief administrative officer of a campus or other facility of a community college, a state university, the university, an independent institution of higher education, or a school, or by an officer or employee designated by the chief administrative officer to maintain order on such campus or facility, that consent to remain on the campus or facility has been withdrawn pursuant to subdivision (a); who has not had such consent reinstated; and who willfully and knowingly enters or remains upon such campus or facility during the period for which consent has been withdrawn is guilty of a misdemeanor. This subdivision does not apply to any person who enters or remains on such campus or facility for the sole purpose of applying to the chief administrative officer for the reinstatement of consent or for the sole purpose of attending a hearing on the withdrawal.
- (e) This section shall not affect the power of the duly constituted authorities of a community college, a state university, an independent institution of higher education, the university, or a school, to suspend, dismiss, or expel any student or employee at the college, state university, university, an independent institution of higher education, or school.
- (f) Any person convicted under this section shall be punished by a fine not exceeding five hundred dollars (\$500), by imprisonment in a county jail for a period of not more than six months, or by both that fine and imprisonment.
- (g) This section shall not affect the rights of representatives of employee organizations to enter, or remain upon, school grounds while actually engaged in activities related to representation, as provided for in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(Amended by Stats. 2022, Ch. 134, Sec. 3. (SB 748) Effective July 19, 2022.)



PENAL CODE

Section 626.7

626.7. (a) If a person who is not a student, officer, or employee of a public school, and who is not required by his or her employment to be on the campus or any other facility owned, operated, or controlled by the governing board of that school, enters a campus or facility outside of the common areas where public business is conducted, and it reasonably appears to the chief administrative officer of the campus or facility, or to an officer or employee designated by the chief administrative officer to maintain order on the campus or facility, that the person is committing any act likely to interfere with the peaceful conduct of the activities of the campus or facility, or has entered the campus or facility for the purpose of committing any such act, the chief administrative officer or his or her designee may direct the person to leave the campus or facility. If that person fails to do so or if the person returns without following the posted requirements to contact the administrative offices of the campus, he or she is guilty of a misdemeanor and shall be punished as follows:

(1) Upon a first conviction, by a fine of not more than five hundred dollars (\$500), by imprisonment in a county jail for a period of not more than six months, or by both that fine and imprisonment.

- (2) If the defendant has been previously convicted once of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in a county jail for a period of not less than 10 days or more than six months, or by both that imprisonment and a fine of not more than five hundred dollars (\$500), and the defendant shall not be released on probation, parole, or any other basis until he or she has served not less than 10 days.
- (3) If the defendant has been previously convicted two or more times of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in a county jail for a period of not less than 90 days or more than six months, or by both that imprisonment and a fine of not more than five hundred dollars (\$500), and the defendant shall not be released on probation, parole, or any other basis until he or she has served not less than 90 days.

For purposes of this section, a representative of a school employee organization engaged in activities related to representation, as provided for in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, shall be deemed a person required by his or her employment to be in a school building or on the grounds of a school.

(b) The provisions of this section shall not be utilized to impinge upon the lawful exercise of constitutionally protected rights of freedom of speech or assembly.

- (c) When a person is directed to leave pursuant to subdivision (a), the person directing him or her to leave shall inform the person that if he or she reenters the campus or facility without following the posted requirements to contact the administrative offices of the campus, he or she will be guilty of a crime.
- (d) Notwithstanding any other subdivision of this section, the chief administrative officer, or his or her designee, shall allow a person previously directed to leave the campus or facility pursuant to this section to reenter the campus if the person is a parent or guardian of a pupil enrolled at the campus or facility who has to retrieve the pupil for disciplinary reasons, for medical attention, or for a family emergency.

(Amended by Stats. 2002, Ch. 343, Sec. 1. Effective January 1, 2003.)

-Copy- for your ANIMAL CONTROL records



# OFFICE OF THE SHERIFF COLUSA COUNTY

$\gamma$ $1 - \gamma \gamma$
Date: 0-1-00 Time: 1100
To the animal owners at: 179 Geary St. Stony ford
This letter is to inform you that Animal Control has:  On 1-31-32 " Chice"  On Secretary of the control of the
DReceived a bite report involving your dog. Your German Shepherd
The received a complaint that your dog is a visions I.
$\Lambda$
FOOD & AGRICULTURE CODE 31602, POTENTIALLY DANGEROUS DOG
The following th
engages in any behavior that requires a defensive parient by
the person and the dog are off the property of the owner or keeper of the dog.  (b) Any dog which, when upprovoked bitter a many person to prevent bodily injury when
section 31604.
(c) Any dog which, when unprovoked, on two separate occasions within the prior 36 month period has killed or seriously bitten, inflicted injury or otherwise several injury.
killed or seriously bitten, inflicted injury, or otherwise caused injury attacking a domestic animal off the property of the owner or keeper of the dog.
FOOD & AGRICULTURE CODE 31603. VICIOUS DOG  "Vicious dog" means any of the following:
(a) Any dog seized under Section 599aa of the Penal Code and
the owner or keeper under subdivision (a) of Section 597.5 of the Penal Code.  (b) Any dog which, when unprovoked in an armonic in the renal Code.
(b) Any dog which, when unprovoked, in an aggressive manner, inflicts severe injury on or kills a human being. Severe injury is defined as muscle tears, disfiguring lacerations, or any injury that requires multiple sutures.
its owner or keeper has been porified of this determination
Section 31602 or is maintained in violation of Section 31641, 31642, or 31643.
This is your written notification to keep your day it.
and on a leash. Please make sure that your dog is properly vaccinated, licensed, and confined at all times.  Thank you for your cooperation in this matter. If you have any found.
Thank you for your cooperation in this matter. If you have any further questions I can be reached at (530) 458-0229.
Sincerely,
Date  Signature of Receipt of Warning
Ogniel Klagan
Printed Name of Animal Owner/Guardian

### COLUSA COUNTY SHERIFF'S OFFICE / ANIMAL SERVICES

929 Bridge St. Colusa, CA 95932 Phone: (530) 458-0229



#### Incident REPORT

Incident ID:

3613

Printed 10-16-2023 13:49:15

Status:

Complete

Origination

Date:

01-23-2022 10:28:20

Logged by:

Courtney Elliott (chief Aco #186)

Beat:

BEAT 5

Location:

480 3rd St, Stonyford, CA 95979

Reason:

Aggressive, Bite Case, Injured Domestic, Loose Animal

Notes:

Owner of animal at origination

Daniel & Cynthia Reagan (pastor)

179 Geary St Stonyford, CA 95979

Ceil: Home: Citizen Making Report

Joe Sandbakken 480 3rd St

Stonyford, CA 95979

Home:

Dispatch and Outcome

01-23-2022 10:29:30

Officer:

Courtney Elliott (chief Aco #186)

Priority

Arrived at location:

Final Outcome:

01-23-2022 14:56:34

Outcome:

Incident Report Taken

Officer/Outcome Notes for Incident ID: 3613

Date: 01-23-2022 15:06:42

Note: 9126

Aco Report.Aco. Elliott (chief Aco #186), Courtney

Joe Sandbakken called Dispatch and wanted to make a complaint about the Pastor in Stonyford's dogs. At 1455 hours, I called called Joe and left a voicemail requesting a call back.

Date: 01-24-2022 12:20:36

Aco Report.Aco. Elliott (chief Aco #186), Courtney

Note: 9136 On 1-24-22 at 1220 hours, Joe Sandbakken called me back. Joe told me the following in summary; "On Friday evening 1-21-22 at approximately 1630 hours, the kids were playing in the church playground. The Pastor was inside. One dark German Shepherd and one white German Shepherd were in the church yard with the kids. The dogs saw my dog and ran across the street and were growling and barking at my dogs that were in my fenced yard. About 40 minutes later, my dog "Goose" was with me in my unfenced portion of my yard. The Shepherds saw my dog and came back across the street and attacked my dog on my property. My dog "Goose" is a very sweet, spayed, 8 year-old Border Collie. Goose did absolutley nothing. The darker Shepherd got her in the front chest/shoulder area. The wound required 5 stitches. I was able to shoo the dogs off and they ran back towards the church. My electrician, Scorchie Holden, was here helping me with my shed. He was anary and went to go talk to the Pastor. The darker Shepherd ran out into the church parking lot and lunged and bit him on the arm. Luckily, he had a jacket on and it only caused bruising and puncture marks. I don't think it broke the skin or bled. The Pastor later came over and apologized profusely. I didn't want to call this in, but I keep hearing more and more stories from everyone in Stonyford about how aggressive these dogs are. This is not ok! They need to be held accountable, before someone really gets hurt. I am willing to sign a PPA against the Pastor. I will come into the ACO and sign a complaint tomorrow during office hour."

Date: 02-01-2022 13:58:58 Note: 9297 Follow Up Notes. Staff. Lambgino Aco #292, Jenna

At 1125 hrs, Chief ACO Elliott and I arrived at Reagan's property. We informed Daniel Reagan a Private Person's Arrest (PPA) had been signed against him, and therefore Animal Control would be citing him. Reagan asked to see the incident in question; Chief ACO Elliott explained to him it was a PPA and instead showed him pictures of damages his dog Chloe had caused. Reagan signed the citation as well as a Potentially Dangerous Dog Warning. Both dogs could be heard barking loudly at the front windows of the house. See attached documents.

#### Animal Involved - Animal Number: 6937

Species Breed

Color

DOB

DOG

BORDER COLLIE

Pet Name License Vacc ID

GOOSE

Current Owner Joe Sandbakken 480 3rd St Stonyford, CA 95979

Crossbreed

Gender FEMALE/STERILIZED

> BLACKWHITE 01-01-2014

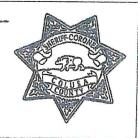
Microchip Registration

Collar Type

Home:

### COLUSA COUNTY SHERIFF'S OFFICE / ANIMAL SERVICES

929 Bridge St. Colusa, CA 95932 Phone: (530) 458-0229



#### Incident REPORT

Incident ID:

3613

Status:

Complete

Printed 10-16-2023 13:49:15

#### Animal Involved - Animal Number: 5368

Species Breed DOG

**GERMAN SHEPHERD** 

Pet Name License CHLOE 3Y-5418 Current Owner

Crossbreed

FEMALE/NOT STERILIZED

Vacc ID

210071

Daniel & Cynthia Reagan (pastor)

Gender FEN Color BLA

BLACK/TAN 10-09-2019 Microchip Registration

Collar Type

#### Animal Involved - Animal Number: 5369

Species Breed

Color

DOB

DOB

DOG

GERMAN SHEPHERD

Pet Name License Vacc ID COOPER 3Y-5407 211318 Current Owner

Daniel & Cynthia Reagan (pastor)

Crossbreed

Gender

MALE/STERILIZED

WHITE 05-01-2017

/STERILIZED Microchip
Registration
2017 Collar Type

End of incident Report 3613

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Pam Cook 11:24 AM, Oct 13

# Pam Cook

11:24 AM, Oct 13

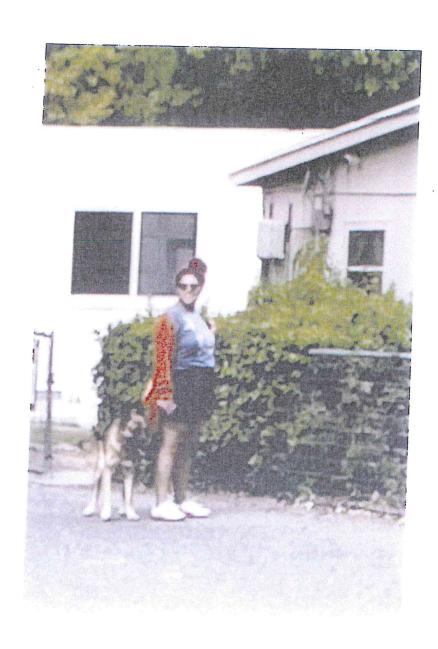
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REPORT REPORT	

COLUSA COUNTY SHERIFFS DEPARTMENT

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### Stony Creek Joint Unified School District

3430 County Road 309 Elk Creek, California 95939 (530) 968-5361 FAX (530) 968-5102

October 18, 2023

To: The Governing Board

From: Emily Pendell, Superintendent

Re: Complaint from Pam Moore, 9/29/23

This letter is to formally address the complaint written by Pam Moore, against me, Emily Pendell, Superintendent/Principal of Stony Creek Joint Unified School District. Safety is my primary concern for our students and staff. Pam Moore has claimed that I am unable to oversee and protect all children and staff. This is clearly untrue.

Below is the timeline of events in regards to Pam Moore, Cynthia Reagan and her dog:

Early in this school year, the office received a concern from Pam Moore about the Reagan's dog being on campus. To address this, I asked the Reagan's to keep their dog off the campus, outside the fence line, on the leash and not to block people from going through the gate. The Reagan's have complied with my request and to this date, no other complaints from parents, staff, or students have been raised. I believed the issue to be resolved at this point.

On Thursday, September 21st, I received a complaint from Pam Moore regarding a vicious dog on campus after school. I investigated this complaint by viewing video surveillance footage with Jill Gleason, administrative assistant. In this footage, Cynthia Reagan can be seen walking her dog, on a leash, in the school parking lot, and waiting outside the fence line for her children. The dog and Cynthia are always in full view of the camera. The dog was calm and Cynthia Reagan appeared to be in full control of the dog at all times.

On Friday, September 22nd, to continue the investigation, Jill Gleason called the school paraeducator to ask if there had been any issues with any dogs such as barking, growling or being disruptive. The paraeducator stated there were no issues.

On Thursday, September 28th, Jill Gleason received a phone call from Pam Moore in the morning about the Reagan's dog being on campus and out of control the day before. To address this complaint, Jill Gleason and I reviewed the surveillance footage from Wednesday, September 27th. The footage from the 27th showed Cynthia Reagan with her dog on a leash, standing by the oak tree in the parking lot. Cynthia Reagan then moves to stand by the fence, still in the parking lot, while some of her kids pet and play with the dog. Once all of her children arrive, they walk off. The dog is under control at all times.

On Friday, September 29th, Pam Moore calls the office at about 3 pm to talk to me about the dog on campus. Jill Gleason places Pam on hold while we check the security cameras to address the complaint and Pam hangs up. I then had an emergency to attend to with the bus. The surveillance video shows Pam Moore pulling into the parking lot, waiting for Cynthia Reagan to arrive in the parking lot, then immediately confronting Cynthia Reagan while filming as she walks across the parking lot with her dog on a leash. Cynthia Reagan later called and said that Pam Moore was hollering "something needs to be done about that dog, that dog is out of control" at her. Cynthia Reagan can be seen stopping to turn to look at Pam Moore, then she continues to walk away from her. Cynthia Reagan waits outside the fence near the dumpster, as she had done previously. Once her children arrive, she begins to leave but pauses as someone off camera is talking to them. Pam Moore's grandchildren walk past the dog, unphased by the dog's presence. Pam Moore can be seen pulling her white truck forward, seemingly unconcerned that her grandchildren walked by the dog, and speaking to her grandchildren but not giving them a ride. It appears as though Pam Moore pulled into the parking lot only to video and yell at Cynthia Reagan. Pam Moore's grandchildren get into someone else's vehicle and leave. I called Pam Moore back at about 3:10 pm to let her know what I had determined from my investigation of the Reagan's dog. Pam immediately started yelling at me saying the dog was dangerous and using names of people I don't know, for example Courtney. I asked her who several of the people she was talking about in an attempt to understand what she was saying; Pam clarified that Courtney is from Colusa County Animal Control. Pam said that I better do something about that dog and if I don't, she'll bring her pitbull to campus and that it isn't friendly. I asked Pam to wait, and for clarification, asked if she just threatened to bring her aggressive dog to school. Pam started cussing and screaming. When I heard "fuck you" I hung up the phone. At this point, I phoned the district lawyer and explained what happened. He recommended a penal code 14-day stay away letter. His office drafted the letter and had a process server serve the letter, which was served October 2nd. I informed Ritta Martin, board president, of this immediately as she was in the office waiting for her children while this incident took place. Pam Moore claims that I am retaliating against her. I gave Pam Moore a chance to clarify her intentions when I asked her about the threat. Instead of clarifying, she chose to become even more escalated and use vulgar language towards me. The district's attorney advised me to issue the penal code stay away. Pam Moore states she would like EdCode to be followed. That is exactly what I was doing by issuing the penal code stay away letter that cited multiple penal codes and education code. As superintendent, I acted in the way our lawyer suggested, to specifically protect our staff and students against a threat; that threat was levied by Pam Moore.

In the first week of October, I was contacted by Mr. Bentz, the county superintendent, and two district employees that Pam Moore was calling them irate over the dog. A teacher asked for guidance in how to respond as she was concerned about Pam's threats of suing the district. Another teacher said she felt she was caught in the middle and she did not want to be. After consulting with the district's attorney, I emailed the staff and board to give clarity to the situation. I informed them that Pam had been served a stay away letter and was not allowed on campus for 14 days and also to inform them that they were not obligated to speak to Pam about issues

not concerning Pam's students; that they can refer her to the district office. I also asked that if any staff, students or parents were concerned about or uncomfortable with any animals on campus, to let me know. To this date, I have received zero complaints or concerns from staff, students or parents other than Pam.

On Tuesday, October 17th, Pam Moore called the office and talked to Jill Gleason. Jill, Erin Callahan and I checked the security cameras to see Cynthia Reagan standing with her dog in her typical spot near the dumpster. You can then see Pam Moore drive across the entire empty parking lot to stop her car in the road near where Cynthia is standing. Pam Moore steps out of her car, just for a moment, to take photos of Cynthia and get back into her car. Four minutes later, a teacher walks across the parking lot and speaks to Pam at her car. As the teacher walks back to campus, the students in line waiting to get on the bus can be seen moving backwards, away from the gate. Both the teacher and Cynthia Reagan reported that Pam Moore started yelling for the kids to move away from the gate because of the dog. The bus arrives and Pam Moore walks behind the bus and stands next to the bus door to escort her two students to the car. Cynthia Reagan gathers her children and leaves the parking lot, being careful to not cross the paths of the students entering the bus. Afterwards, Cynthia Reagan called the office to speak to me. She said Pam Moore was hollering and had her camera out; she was yelling for the kids to get away from the gate because of the dog. I then received a call from a teacher who said that Pam said aloud for the kids to get behind the gate. The teacher confirmed that Cynthia Reagan had her dog leashed and outside of the fence near the dumpster. The teacher stated that the dog is not aggressive or a problem but things are hot right now and this is a very uncomfortable situation for her.

In addressing Pam Moore's complaint: After a thorough investigation of four different events that Pam reported over the course of 27 days, reviewing hours of video footage and interviewing staff and other parties involved, I have found Pam Moore's complaint to be baseless and unfounded. On page two of the statement Scorchy Holden submitted to the district, he told Mr. Reagan the "dog bit at him" and he told Mr. Reagan that he was okay. This is not what was reported to Animal Control by Joe Sandbakken. The reports made are not only nearly two years old but they are not consistent. As for the statement written by the anonymous party, this person was in violation of penal code 632 as California is a two-party consent state and I was not informed that there was a third party on the line, therefore this is eavesdropping. However, in reviewing the anonymous complaint, they also conflict with Pam's version of events. In continuing my investigation, I interviewed the Reagans and asked them to explain the Animal Control form provided by Pam Moore on October 18th. They stated that they did not see their dog bite another dog or a person and that their dog is not dangerous. They added that this form is a warning and no proof was ever provided that their dog bit another dog nor did Scorchy Holden ever inform them that he was bitten. Mr. Reagan added that they have been walking to school with their dogs for the entire four years that their kids have been enrolled in the district and this is the first complaint. Pam Moore provided the board with a copy of her call made to the Sheriff on October 11, 2023 at 8:49 am. We checked the cameras; the dog was not seen in any video that morning.

Pam Moore states in her complaint that my decisions are based on my friendship with the Reagans rather than the safety of the students. While I am friends with the Reagans, as I am with other families in our very small community, I can assure the governing board that the safety of our students and staff is my number one priority. I, personally, am leery of strange dogs as I was bit as a child, which is why, at the very beginning of the school year, I reached out to the Reagans and asked them to keep the dog off campus, use a leash, and not block others from the gate. I investigated the complaint by thoroughly viewing surveillance footage on multiple occasions. I also asked for the impartial opinion of other staff members, who also reviewed the footage and stated the dog seemed to be under control and not a danger. The safety of our students is of utmost importance to me as reflected in the safety goals that I presented previously to the board. It is my goal to get to know more families on a personal level in order to provide the best education possible for the children of our community.

Respectfully submitted,

Emily Pendell



Email: lmoore@kblegal.us

October 20, 2023

#### SENT VIA ELECTRONIC MAIL

Emily Pendell, Superintendent Stony Creek Joint Unified School District 3430 County Road 309 Elk Creek, CA 95939 Email: ependell@scjusd.org

Re: Stony Creek Joint Unified School District

Board Decision Regarding Complaint Received October 12, 2023

Dear Superintendent Pendell:

3

On October 12, 2023, community member Pam Moore filed a complaint against you. Briefly summarized, the complaint alleges that you improperly responded to concerns Ms. Moore raised regarding a dog brought on campus by a community member.

Ms. Moore's complaint was heard by the Board at its October 18, 2023 meeting. During this meeting, you were allowed to address the Board. The Board also considered other evidence relevant to your complaint, including the testimony of Ms. Moore and other witnesses.

After careful deliberation, the Board decided Ms. Moore's complaint was unfounded and denied it. However, the Board will consider a policy regarding animals on campus at an upcoming special meeting.

Very truly yours,

KINGSLEY BOGARD LLP

LINDSAY MOORE

LKM:kc

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