

Folsom Cordova Unified School District

February 28, 2024

Conrade Mayer


**RE: NOTICE OF DISCIPLINARY ACTION
TERMINATION**

Dear Mr. Mayer:

This is notice that I am recommending your termination from the Folsom Cordova Unified School District ("District"). Pursuant to Administrative Regulation 4218, I am also recommending your immediate termination pending completion of the termination process due to the unreasonable risk of harm posed to District staff or property if you are allowed to continue in active duty status. The attached Statement of Charges sets forth the reasons for my recommendations.

I have scheduled a meeting for you, and any representative you wish to designate, to meet with Mr. David Stone, Director of Network and Information Technology on March 6, 2024, at 10:30 AM. This meeting is often referred to as the *Skelly* Hearing. At this *Skelly* hearing, you may present information on your behalf in order for the District to determine whether to proceed with my recommendation, in accordance with *Skelly v. State Personnel Board* (1975) 15 Cal. 3d 194. The meeting will be held at our District office, located at 1965 Birkmont Drive, Rancho Cordova, CA 95742.

This notice, and the attached Statement of Charges, will be entered into your personnel file. Your written response will be included, if submitted within ten days.

Please contact me with questions.

Sincerely,

A handwritten signature in blue ink that reads "Don Ogden". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Don Ogden
Associate Superintendent of Human Resources

Attachments

cc: Personnel File
Joel Rogers, CSEA Representative
Ryan Hubbell, CSEA Representative
Ethan T. Retan, Attorney for District

**BEFORE THE BOARD OF EDUCATION
of the
FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT**

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In the matter of the discipline of:)	STATEMENT OF CHARGES
)	
CONRADE MAYER)	February 28, 2024
)	
_____)	

I.
CAUSES

This recommendation for termination is based upon the provisions of the California Education Code and Folsom Cordova Unified School District (“District”) policies and regulations.

California Education Code section 45113 [Attachment A] provides that a permanent classified employee “shall be subject to disciplinary action only for cause as prescribed by rule or regulation of the governing board.” Such rules and regulations are set forth in District Administrative Regulation 4218, which provides that classified employees are subject to discipline up to and including termination, and sets forth the specific causes for which discipline may be imposed. [Attachment B.]

As set forth in Administrative Regulation 4218, the following causes support your dismissal:

- Falsification of any information provided to the school district, including, but not limited to, information supplied on application forms, employment records, or any other school district records;
- Incompetency;
- Neglect of duty;
- Insubordination;
- Dishonesty;
- Immoral conduct;
- Discourteous treatment of the public, students, or other employees;
- Willful disobedience;

- Violation of District, Board, or departmental rule, policy, or procedure;
- Unlawful discrimination, including harassment on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of a District employee; and/or
- Any other failure of good behavior either during or outside of duty hours which is of such nature that it causes discredit to the District or his/her employment.

II. **BACKGROUND**

You were hired by the District in September 2012 as a part-time, classified Campus Monitor at Cordova High School (“CHS”), and have obtained permanent status. During all times relevant to this Notice, your direct supervisor was Principal Amy Strawn.

You are also responsible for leading CHS’s MACH program, which meets weekly after school. Briefly summarized, the MACH program provides mentoring and guidance to student participants. MACH also arranges for participants to provide community service in smaller groups off campus, during which time you have access to students in a smaller group setting.

As a Campus Monitor, you are a member of the California School Employees Association, Chapter #528, hereinafter referred to as “CSEA.”

III. **RELEVANT DOCUMENTS AND AUTHORITY**

A. Board Policies and Administrative Regulations

1. Administrative Regulation 4218 (Dismissal/Suspension/Disciplinary Action)

Administrative Regulation 4218 [Attachment B] provides that permanent classified employees may be dismissed for cause, including:

- Falsification of any information provided to the school district, including, but not limited to, information supplied on application forms, employment records, or any other school district records;
- Incompetency;
- Inefficiency;
- Neglect of duty;
- Insubordination;
- Dishonesty;
- Absence without leave;
- Immoral conduct;
- Discourteous treatment of the public, students, or other employees;

- Willful disobedience;
- Violation of District, Board, or departmental rule, policy, or procedure;
- Unlawful discrimination, including harassment on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of a District employee; and
- Any other failure of good behavior either during or outside of duty hours which is of such nature that it causes discredit to the District or his/her employment.

Administrative Regulation 4218 likewise permits the suspension of a classified employee pending termination whenever a return to active duty would carry “an unreasonable risk of harm to students, staff, or property while proceedings are pending.” [*Id.*]

2. Board Policy 4219.21 (Professional Standards)

Board Policy 4219.21 [Attachment C] describes the performance and behavior expected of all District employees:

The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advances the goals of the district's educational programs, and contributes to a positive school climate.

Board Policy 4219.21 also provides a non-exhaustive list of inappropriate employee conduct that presumptively violates its professional standards, including, but not limited to:

- Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed;
- Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members; and
- Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records.

3. Board Policy 5137 (Positive School Climate)

Board Policy 5137 promises to provide students with “an orderly, caring, and nondiscriminatory learning environment in which all students can feel comfortable and take pride in their school and their achievements.” [Attachment D.] All District employees are required to contribute to this environment.

4. Board Policies/Administrative Regulations 0410, 4030, and 5145.3 (Nondiscrimination)

As outlined in Board Policies/Administrative Regulations 0410, 4030, and 5145.3, all employees and students are entitled to a working/school environment that is free from discrimination based upon any protected characteristic, such as sex or gender. [Attachment E.] These requirements are also reiterated in the Classified Employee Handbook. [Attachment F.] Employees who engage in discriminatory behavior are subject to discipline.

5. Board Policy/Administrative Regulation 5145.7 (Sexual Harassment)

Board Policy/Administrative Regulation 5145.7 prohibits sexual harassment “targeted at any student, by anyone.” [Attachment G.] As explained therein:

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, under any of the following conditions:

...

3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.

...

This prohibition mirrors that found in Education Code sections 200 and 212.5. [Attachment H.]

B. Job Description

As a Campus Monitor, you are to satisfactorily perform the duties, and possess the abilities, outlined in your job description. [Attachment I.] By way of illustration, not limitation, your job description requires you to:

- Ensure knowledge of established school policies and procedures;

- Maintain a positive relationship with adolescents;
- Deal tactfully and effectively with adolescents and adults; and
- Work independently and make decisions within the framework of established guidelines.

IV.

MISCONDUCT SUPPORTING TERMINATION

A. Sexual Harassment of District Students and Dishonesty – Ongoing

Since at least the start of the 2022/2023 school year, you routinely engaged in sexual harassment of female students. While this harassment has been targeted at numerous female students, it has been principally directed at two students in particular: Students **S1** and **S2**.¹

1. Interactions with Student **S1**

Your initial interactions with Student **S1** were positive. She found you funny and approachable. However, over time, your interactions with, and comments to, Student **S1** became increasingly inappropriate. By way of illustration, not limitation, these interactions and statements included:

- Repeatedly referring to Student **S1** as “pretty girl.”
- Asking Student **S2** where Student **S1** was.
- Telling Student **S1** that she deserved better than the guys she was speaking to or dating.
- Telling Student **S1** that her clothing was “showing too much skin.”
- Telling Student **S1** that she could “have any guy she wanted” because she was pretty.
- Stopping Student **S1** at night while she was walking home from cheer practice to offer her a ride. While Student **S1** was in the car, you stated that you recognized her “cute little ass” and that she should not be out walking alone during “kidnapping hour.” Shortly after this incident, you invited Student **S1**, and her friend, Student **S2** to be your friends on Facebook. After they accepted, you found them on campus and said you were happy they had accepted your request because you “thought [they] were going to make [you] work for it.”

In addition, you began paying increased attention to Student **S1** on campus, often staring at or watching her. Your conduct scared Student **S1** and made her

¹ Student initials have been used through these charges to preserve student confidentiality.

extremely uncomfortable on campus—to the point that she actively avoided interacting with you.

2. Interactions with Student S2

Your interactions with Student S2, a close friend of Student S1, were similar. By way of illustration, not limitation, your interactions with Student S2 included:

- Telling Student S2 that she “didn’t show off her body enough.”
- Telling Student S2 to wear tighter fitting clothing.
- Telling Student S2 she should “show off her pretty face.”
- Frequently “checking out” Student S2 or looking up and down her body.
- Telling Student S2 that other boys were “looking at her boobs.”
- Discussing your marriage and personal life with Student S2, including that your wife thought you were having an affair.
- Asked Student S1, and Student S2’s mother, for information about her whereabouts, ostensibly due to Student S2’s participation in the MACH program.
- Repeatedly “liking” Student S2’s social media posts.
- Telling Student S2 not to speak with Campus Monitor Justin Jones because Mr. Jones may get the impression that Student S2 wanted to have sex with him.
- Telling Student S2 not to talk with other boys because they would want her to “open her legs” and she would end up pregnant.
- Stopping Student S2 on a Saturday while she was walking to work to inquire about where she was going and to offer her a ride.
- Informing Student S2 that male Student S6 “wanted up in her pants.”
- Telling Student S2 that he recognized her “big ass” from an internet video of her breaking up a fight.

Like Student S1, you also began staring at Student S2 while she was on campus as well. Not surprisingly, Student S2 was deeply disturbed and discomfited by your behavior, to the point that she did not feel safe at school.

3. Other Inappropriate Student Interactions

You had sexually inappropriate interactions with other students as well. By way of illustration, not limitation, these interactions included:

- Commenting on Student S3’s clothing. On one occasion, you told Student S3 that she looked good in her skirt and said “If I was in high school with you...” which Student S3 reasonably interpreted as a sexual advance.
- You often inquired into Student S4’s relationship status. On one occasion, when Student S4 indicated that she was in a relationship, you said “he must be really lucky,” making Student S4 uncomfortable. On another occasion, Student S4 asked you for a ride on the golf cart you use to traverse campus.

You responded by smacking the inside of her thigh and telling Student S4 to “put her pretty little legs to work.” You have also told Student S4 that she has “nice, chocolate skin.”

- While speaking with Student S5, you once complimented her “pretty white legs,” and, on another occasion, offered to get condoms for her boyfriend.

The above conduct was first reported verbally to CHS administration by Student S1 and S2 themselves, after first notifying other District employees. During the District’s initial investigation, Student S1 and S2 were asked to provide written statements. However, Student S2 was initially too scared to provide a written statement due to fear of retaliation. Eventually, however, both Student S1 and S2 provided detailed statements confirming the above misconduct, as did other witnesses. [Attachment J.]

After receiving these statements, you were interviewed by the District’s legal counsel, Ethan Retan. During the interview, you flatly and dishonestly denied all of the misconduct outlined above, while also making a number of statements designed to downplay your personal involvement with female students.

B. Unprofessional and Sexualized Comments Regarding District Student – 2022/2023 and 2023/2024 School Years

In addition to the comments described above, you have also made inappropriate comments about female students to Campus Monitors Justin Jones and Roger Parker. These statements included, but were not limited to:

- Pointing out female students wearing “provocative clothing” to Mr. Jones, including some you felt were dressed like “strippers.”
- While observing a group of students exiting class, you identified one student to Mr. Parker that was wearing shorts. The student was approximately 15 to 16 years old. You then informed Mr. Parker that the student “look[ed] like [she] wants to get fucked.”

V.
FINDINGS

Your conduct as identified above constitutes cause for termination pursuant to Administrative Regulation 4218 as follows:

- Falsification of any information provided to the school district, including, but not limited to, information supplied on application forms, employment records, or any other school district records;
- Incompetency;
- Neglect of duty;
- Insubordination;

- Dishonesty;
- Immoral conduct;
- Discourteous treatment of the public, students, or other employees;
- Willful disobedience;
- Violation of District, Board, or departmental rule, policy, or procedure;
- Unlawful discrimination, including harassment on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of a District employee; and/or
- Any other failure of good behavior either during or outside of duty hours which is of such nature that it causes discredit to the District or his/her employment.

VI.
PROPOSED DISCIPLINE

It is my recommendation that you be terminated from all employment with the Folsom Cordova Unified School District. I am also recommending your immediate suspension pending termination hearings due to the unreasonable risk of harm to students, staff, or property if you are allowed to continue in active duty.

VII.
RIGHT TO REPRESENTATION

With regard to all matters relating to this Statement of Charges, you have the right to represent yourself or be represented by anyone of your choosing.

VIII.
HEARING

Pursuant to Administrative Regulation 4218, you may file a request for a hearing to appeal this recommendation before the District's Board of Education. Such a request must be received by Don Ogden, Associate Superintendent of Human Resources, within five (5) calendar days from the service of this notice. If a request for hearing is not filed within that time, you will be deemed to have waived your right to hearing and the Board may order that discipline be imposed as noticed. A form to request a hearing is enclosed at Attachment K.

IX.
ATTACHMENTS

Attachment A	Education Code section 45113
Attachment B	Administrative Regulation 4218
Attachment C	Board Policy 4219.21
Attachment D	Board Policy 5137
Attachment E	Board Policy/Administrative Regulation 0410, 4030, and 5145.3
Attachment F	Classified Employee Handbook
Attachment G	Board Policy/Administrative Regulation 5145.7
Attachment H	Education Code sections 200 and 212.5
Attachment I	Job Description
Attachment J	Student Statements
Attachment K	Request for Hearing