



PERB
California Public Employment
Relations Board

Sacramento Regional Office
1031 18th Street
Sacramento, CA, 95811-4124
Telephone: (916) 297-1415



October 11, 2023

Brian Schmidt, Staff Attorney
California Teachers Association
1705 Murchison Dr.
Burlingame, CA 94010

Michelle Cannon, Attorney
Lozano Smith
1 Capitol Mall, Suite 640
Sacramento, CA 95814

Re: *Rocklin Teachers Professional Association v. Rocklin Unified School District*
Unfair Practice Charge No. SA-CE-3136-E
COMPLAINT

Dear Parties:

The Office of the General Counsel has issued the enclosed COMPLAINT in the above-entitled matter. The Respondent is required to file an **ANSWER** within twenty (20) calendar days from the date of service of the COMPLAINT, pursuant to PERB Regulation 32644.¹ The required contents of the **ANSWER** are described in PERB Regulation 32644(b).

If you have not filed a Notice of Appearance form, one should be completed and returned with your **ANSWER**. Please be aware that once legal counsel is designated, PERB will only correspond with that individual(s).

An informal settlement conference will be scheduled shortly. Please direct all inquiries, filings and correspondence to the undersigned. Designated legal counsel who do not attend the Informal Conference for any reason, must designate in writing consent that the meeting go forward in their absence, including, but not limited to the execution of a settlement agreement.

¹ PERB's Regulations are codified at California Code of Regulations, title 8, section 31001 et seq. The text of PERB's Regulations may be found at www.perb.ca.gov.

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Sincerely,

A handwritten signature in black ink, appearing to read "Brendan P. White". The signature is stylized and somewhat cursive, with a horizontal line extending to the right from the end of the name.

Brendan P. White

Senior Regional Attorney

BPW

Enclosure

STATE OF CALIFORNIA
PUBLIC EMPLOYMENT RELATIONS BOARD



ROCKLIN TEACHERS PROFESSIONAL
ASSOCIATION,

Charging Party,

v.

ROCKLIN UNIFIED SCHOOL DISTRICT,

Respondent.

Case No. SA-CE-3136-E

COMPLAINT

It having been charged by Charging Party that Respondent engaged in unfair practices in violation of Government Code section 3543.5, the General Counsel of the Public Employment Relations Board (PERB), pursuant to Government Code sections 3541.3(i) and 3541.5 and California Code of Regulations, title 8, section 32640, issues this COMPLAINT on behalf of PERB and ALLEGES:

1. Respondent is a public school employer within the meaning of Government Code section 3540.1(k).
2. Charging Party is the exclusive representative within the meaning of Government Code section 3540.1(e) of a bargaining unit of Respondent's employees (hereafter, Unit employees).
3. Prior to September 6, 2023, Respondent did not maintain a policy within its Administrative Regulations (AR) that required Unit employees to notify parents or guardians that their student is questioning their gender.
4. On September 6, 2023, Respondent changed the status quo by revising AR 5020 (Parents Rights and Responsibilities) and AR 5145.3 (Nondiscrimination/Harassment), thereby establishing a new policy that requires Unit

employees to notify parents/guardians of the student's: gender identity, non-legal name, pronoun usage, and transgender or gender-nonconforming status.

5. Respondent engaged in the conduct described in paragraph 4 without prior notice to Charging Party and without having afforded Charging Party an opportunity to negotiate the decision to implement the change in policy and/or the effects of the change in policy.

6. By the acts and conduct described in paragraphs 4 and 5, Respondent failed and refused to bargain in good faith in violation of Government Code section 3543.5(c).

7. This conduct also interfered with the rights of bargaining unit employees to be represented by Charging Party in violation of Government Code section 3543.5(a).

8. This conduct also denied Charging Party its right to represent bargaining unit employees in violation of Government Code section 3543.5(b).

Any amendment to the complaint shall be processed pursuant to California Code of Regulations, title 8, sections 32647 and 32648.

DATED: October 11, 2023

J. Felix De La Torre
General Counsel

By 

Yaron Partovi
Senior Regional Attorney

PROOF OF SERVICE

I declare that I am a resident of or employed in the County of Sacramento, California. I am over the age of 18 years and not a party to the within entitled cause. The name and address of my residence or business is Public Employment Relations Board, Sacramento Regional Office, 1031 18th Street, Sacramento, CA, 95811-4124.

On October 11, 2023, I served the Complaint Cover Letter regarding Case No. SA-CE-3136-E on the parties listed below by

I am personally and readily familiar with the business practice of the Public Employment Relations Board for collection and processing of correspondence for mailing with the United States Postal Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Sacramento, California.

Personal delivery.

Electronic service (e-mail).

Brian Schmidt, Staff Attorney
California Teachers Association
1705 Murchison Dr.
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Email: bschmidt@cta.org

Michelle Cannon, Attorney
Lozano Smith
1 Capitol Mall, Suite 640
Sacramento, CA 95814
Email: Mcannon@lozanosmith.com

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on October 11, 2023, at Sacramento, California.

Michelle L Bacigalupi

(Type or print name)



(Signature)