

Revised - Special Meeting of the San Dieguito Union High School District Board of Trustees (Thursday, October 13, 2022)

Generated by Andrea Pizana on Tuesday, November 8, 2022

Members present

Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

Meeting called to order at 5:02 PM

1. Call to Order (5:00 PM)

- A. Welcome
- B. Pledge of Allegiance
- C. Approval of Agenda

Motion to approve the revised agenda as recommended by the Interim Superintendent, Tina Douglas, with the removal of Agenda Items 11A and 11C.

Motion by Michael Allman, second by Maureen Muir.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir
No: Katrina Young

Motion to remove Agenda Items 11B, 11D, 11E, and either remove 11F or move as a Discussion item for future meetings.
Motion by Katrina Young, no second.
Final Resolution: Motion Fails

2. Public Comment - Closed Session

- A. Public Comment - Closed Session

Janice Holowka - spoke about agenda 3D

3. Closed Session

- A. Conference with Legal Counsel - Existing Litigation (Gov't Code Section 54956.9(d)(1)): Chang and Montes v. San Dieguito Union High School District; San Diego Superior Court Case No. 37-2022-00007013
- B. Public Employee Discipline / Dismissal / Release (Gov't Code Sections 54957)
- C. Conference with Labor Negotiators (Gov't Code Section 54957.6)
- D. Student Expulsion Matters Pursuant to Education Code Section 48918(Case #2022-172SD;# 2022-173SD;#2022-175SD)
- E. Conference with Legal Counsel-Anticipated Litigation (Gov't Code Section 54956.9 (d)(2)): two cases

4. Reconvene to Open Session (6:00 PM)

- A. Report Out of Closed Session

- The Board took action, by unanimous vote, to approve the Settlement Agreement with Release of all Claims with Employee ID#464837. The agreement provides that employee resigns from his employment effective December 30, 2022, in exchange for a waiver of all claims against the District.
- The Board took action, by a unanimous vote, to approve extending the expulsion hearing for Case #2022-172SD as recommended by District staff pursuant to Education Code Section 48918(a)(2).
- The Board took action, by a unanimous vote, to approve a Settlement Agreement with the Release of all Claims with Case #2022-171SD.
- The Board took action, by unanimous vote, to approve the Settlement Agreement with Release of all Claims with Employee ID#618631. The agreement provides that the District shall cause to be issued Employee a lump sum payment, representing the total amount underpaid to Employee for the past year, in the amount of \$4,023.03, less any required taxes and withholdings, in exchange for a waiver of all claims against the District.

5. Reports

- A. Student Board Members

Students gave updates about happenings around each high school.

B. Board of Trustees

Ms. Bronstein requested a town hall to address the Carmel Valley MS incident.

C. Interim Superintendent

D. Administrative Services - Mark Miller, Deputy Superintendent

Mr. Miller was not present at this meeting.

E. Human Resources - Mary Anne Nuskin, Associate Superintendent

F. Educational Services - Bryan Marcus, Associate Superintendent

6. Public Comment - Non-Agenda Items

Seema Burke - spoke about Carmel Valley MS incident

Tamar Caspi - spoke about Carmel Valley MS incident

Ronin Gilad - spoke about Carmel Valley MS incident

Mace V - spoke about LGBTQIA resolution

Xue Mei - was not present

Mingzhu Zhang - spoke about curriculum access

Noa - spoke about Carmel Valley MS incident

Xiaotin Wang - spoke about Carmel Valley MS incident

Marci Strange - spoke about the Carmel Valley MS incident

Maureen Farley - spoke about union control

Ruth Barley - spoke about union control

Nicole Berstein - spoke about education and wellbeing of students

Janice Holowka - spoke about Board addressing the community's concerns and legal fees

Fran Sesti - spoke about straying from education and special interest groups

Benti Gilcart - was not present

Feng Shang - spoke about student transportation for south-end sites and union contribution to candidates

Heather Dugdale - spoke about student focus and PTA

Mars Cheung - spoke about hate speech laws

Nancy Logan - spoke about Start Smart Class, teen presenter, and Study Buddy program

7. Public Comment - Agenda Items

Keren Benmoshe - spoke about 12A

Roy David - spoke about 12A

Marci Strange - spoke about 11B, 11E, 10L

Ronan Gilad - did not want to speak

Shannon Kearns - spoke about 11F

Seema Burke - spoke about 11B, and 11E

Allison - spoke about 10L

Xue Mei - spoke about 10L

Peng Peng - spoke about 11F and 10L

Zhang Wei Li - spoke about 10L

MingZhu Li - spoke about 10L

Keren Burnache - was not present

Xiaoting Wang - spoke about 10L

Nicole Berstein - spoke about 10L

Xue Mei - was not present

Ann Cerny - spoke about 10J

Tamar Caspi - spoke about 10L

Duncan Brown - spoke about 10L

*At 8:02 PM the Board took a recess; the Board reconvened at 8:15 PM.

Wu Hong - spoke about item 10L

Lea Wolf - spoke about item 10A and 10B

Bob Ayers - spoke about item 11B, C, D, and E

Janice Holowka - spoke about 10L, 11A-G, and 12A

Ruth Baurle - spoke about 11F

Fran Sesti - did not speak

Jin Chaufang - spoke about item 10L

Jen Charat - spoke about item 11E

Kimberly McSherry - spoke about item 11E

Beth Hergesheimer - spoke about 11E

Linda Sax - spoke about 11D

Nirit Luchans - spoke about 11D

John Gats - not present

8. Consent Agenda

A. Approval of Minutes

Resolution: It is recommended that the Board approve the minutes of the March 30 and September 14, 2022, meetings as shown in the attached supplements, with revision to item 8E agreements to amendments line 1.

Motion by Katrina Young, second by Julie Bronstein.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

B. Approval/Ratification of Agreements & Amendments to Agreements
Resolution: It is recommended that the Board approve/ratify the agreements/amendments to agreements, as shown in the attached Report.

Motion by Katrina Young, second by Julie Bronstein.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

C. Ratification of Purchase Orders Listing
Resolution: It is recommended that the Board ratify the purchase orders listing, as shown in the attached supplement.

Motion by Katrina Young, second by Julie Bronstein.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

D. Ratification of Paid Warrants
Resolution: It is recommended that the Board ratify the paid warrants as shown in the attached report.

Motion by Katrina Young, second by Julie Bronstein.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

E. Approval / Ratification of Agreements & Amendments to Agreements / Facilities Planning & Construction
Resolution: It is recommended the Board approve/ratify the Agreements/Amendments to Agreements as shown in the attached chart.

Motion by Katrina Young, second by Julie Bronstein.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

F. Acceptance of Construction Project / Facilities Planning & Construction
Resolution: It is recommended that the Board accept the project as complete and authorize administration to file a Notice of Completion with the County Recorders' Office and release final retention for the following: 1. Torrey Pines High School I Building Modernization and New Digital Arts/Arts Classroom Building Project Part 1, contract entered into with C.W. Driver, Inc., expended from Building Fund Prop 39 – Fund 21-39, Mello-Roos Funds and Fund 40-00.

Motion by Katrina Young, second by Julie Bronstein.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

G. Approval of Change Orders / Facilities Planning & Construction
Resolution: It is recommended that the Board approve the following change order and authorize Tina Douglas to execute same: 1. Torrey Pines High School I Building Modernization and New Digital Arts/Arts Classroom Building Project Part 1, decreasing the amount by \$121,471.00 for a new total of \$9,415,174.58, to be expended from Building Fund Prop 39 – Fund 21-39, Mello-Roos Funds and Fund 40-00.

Motion by Katrina Young, second by Julie Bronstein.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

H. Acceptance of Gifts and Donations
Resolution: It is recommended that the Board accept the gifts and donations to the district as shown on the attached report.

Motion by Katrina Young, second by Julie Bronstein.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

I. Consideration of Approval of Field Trip Requests
Resolution: It is recommended that the Board approves the field trip requests as shown in the attached supplement.

Motion by Katrina Young, second by Julie Bronstein.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

9. Consent Agenda - Personnel

A. Approval / Ratification of Certificated and Classified Personnel Reports
Resolution: It is recommended that the Board approve the certificated personnel listings as shown in the attached supplement.

Motion by Katrina Young, second by Julie Bronstein.

Final Resolution: Motion Carries

Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

10. Discussion/Action Items

A. Approval of Student Expulsion Case #2022-173SD

It is recommended the Board of Trustees approve the student expulsion for Case #2022-173SD for violating California Education Code, Section 48900 (a)(1) for the period of October 13, 2022, through June 2, 2023.

Motion by Julie Bronstein, second by Michael Allman.

Final Resolution: Motion Carries

Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

B. Approval of Student Expulsion Case #2022-175SD

It is recommended the Board of Trustees approve the student expulsion for Case #2022-175SD for violating California Education Code Section 48900(c) for the period of October 13, 2022 through June 2, 2023, and approve suspending the enforcement of the expulsion, effective October 13, 2022, subject to Case #2022-175SD being on probationary status and complying with the District Rehabilitation Plan.

Motion by Katrina Young, second by Michael Allman.

Final Resolution: Motion Carries

Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

C. Approval of Cooperative Purchasing Instruments / CMAS

It is recommended that the Board approve purchasing and contracting pursuant to the cooperative purchasing instruments as shown below.

Motion by Michael Allman, second by Katrina Young.

Final Resolution: Motion Carries

Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

D. Adoption of Resolution in Support of National School Psychology Week

It is recommended that the Board adopt the Resolution in support of National School Psychology Week November 7-11, 2022

Motion by Katrina Young, second by Julie Bronstein.

Final Resolution: Motion Carries

Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

E. Approval of Board Resolution for Teaching Assignments Outside Credential Authorization per EC §44258.7

It is recommended that the Board approve the attached Board Resolution.

Motion by Katrina Young, second by Julie Bronstein.

Final Resolution: Motion Carries

Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

F. Approval of Cooperative Purchasing Instruments / Piggyback

It is recommended that the Board approve purchasing and contracting pursuant to the cooperative purchasing instruments as shown below.

Motion by Michael Allman, second by Julie Bronstein.

Final Resolution: Motion Carries

Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

G. Approval of Cooperative Purchasing Instruments / Piggyback / Buses

It is recommended that the Board approve purchasing and contracting pursuant to the cooperative purchasing instruments as shown below.

Motion by Michael Allman, second by Katrina Young.

Final Resolution: Motion Carries

Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

H. Approval and Adoption of Resolution No. 20221013-01 and Agreement Requesting Temporary Transfer of Property Tax Funds

It is recommended that the Board approve and adopt Resolution No. 20221013-01 and agreement requesting a Property Tax Temporary Transfer of Funds from the County Treasury as needed for the 2022-23 fiscal year

Motion by Katrina Young, second by Julie Bronstein.

Final Resolution: Motion Carries

Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

I. Adoption of Resolution / Cooperative Contract / 1GPA Membership

It is recommended that the Board adopt the attached resolution authorizing the San Dieguito Union High School District to become a member of the 1GPA (1 Government Procurement Alliance) JPA, to authorize the Interim Superintendent to sign all documents related to the membership agreement, and to authorize purchasing and contracting pursuant to award documents from 1GPA for the purchase of supplies and services, per the pricing structure, terms and conditions stated in the contract documents.

Motion by Michael Allman, second by Katrina Young.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

J. Approval of Master Contract between the San Dieguito Union High School District and the San Dieguito Faculty Association, effective July 1, 2021 through June 30, 2024.
It is recommended the Board approve the Master Contract between the San Dieguito Union High School District and the San Dieguito Faculty Association, effective July 1, 2021 through June 30, 2024.

Motion by Katrina Young, second by Julie Bronstein.
Final Resolution: Motion Carries
Yes: Julie Bronstein, Maureen Muir, Katrina Young
No: Michael Allman

K. Adoption of Resolution / SchoolsFirst Plan Administration as Districts's 403(b) and 457(b) Plan Administrator
It is recommended that the Board adopt the attached resolution authorizing SchoolsFirst Plan Administration as San Dieguito Union High School District's 403(b) and 457(b) Plan Administrator as of January 1, 2023

Motion by Julie Bronstein, second by Katrina Young.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

L. Katrina Young: Consideration of Resolution of the San Dieguito Union High School District Board of Trustees Regarding the Governing Board's Response to Hate Speech
Motion to approve the resolution of the San Dieguito Union High School District Board of Trustees regarding the governing Board's response to hate speech.

Motion by Julie Bronstein, second by Katrina Young.
Final Resolution: Motion Fails
Yes: Julie Bronstein, Katrina Young
No: Michael Allman, Maureen Muir

11. Agenda Items Requested by Members of the Public

A. Izzy Enfinger: Consideration of Resolution of the San Dieguito Union High School District Board of Trustees to Support a LGBTQ+ Affirming Educational Environment in American Schools

This item was pulled from the Agenda as requested by the submitter.

B. Mars Cheung: Consideration of Resolution of the San Dieguito Union High School District Board of Trustees Reaffirming the Rights and Obligations of the District and Individuals Who Identify as Members of the LGBTQIA+ Community
Motion to adopt the resolution Reaffirming the Rights and Obligations of the District and Individuals Who Identify as Members of the LGBTQIA+ Community

Motion by Michael Allman, second by Maureen Muir.
Final Resolution: Motion Fails
Yes: Michael Allman, Maureen Muir
No: Julie Bronstein, Katrina Young

C. Jason Daniels: Consideration of Resolution of the San Dieguito Union High School District Board of Trustees Regarding Proper Decorum From Students During Public Meetings

This item was pulled from the Agenda as requested by the submitter.

D. Michael Hayutin: Consideration of Resolution of the San Dieguito Union High School District Board of Trustees Describing Educational Priorities

No motion was made.

E. Garvin Walsh: Consideration of Resolution of the San Dieguito Union High School District Board of Trustees Regarding Censure of Trustee Bronstein
Motion to approve the Resolution of the San Dieguito Union High School District Board of Trustees Regarding Censure of Trustee Bronstein

Motion by Michael Allman, second by Maureen Muir.
Final Resolution: Motion Fails
Yes: Michael Allman, Maureen Muir
No: Julie Bronstein, Katrina Young

F. Seema Burke: Consideration of Resolution of the San Dieguito Union High School District Board of Trustees Regarding College Program
Motion to approve the resolution of the San Dieguito Union High School District Board of Trustees Regarding College Program

Motion by Michael Allman, second by Maureen Muir.
Final Resolution: Motion Fails

Yes: Michael Allman, Maureen Muir
No: Julie Bronstein, Katrina Young

*At 9:54 PM there was a motion to extend the meeting until 12:00 AM.

Motion by Michael Allman, second by Maureen Muir.
Final Resolution: Motion Carries
Yes: Michael Allman, Julie Bronstein, Maureen Muir, Katrina Young

12. Information Item

A. District Commitment to a Safe School Culture

*At 10:07 PM the Board took a recess; the Board reconvened at 10:15 PM.

It was discussed to create a Superintendent's committee. Tina will provide additional information and go from there.

13. Future Agenda Items

A. Future Agenda Items

There were no future agenda items.

14. Closed Session

The Board did not reconvene to Closed Session.

15. Reconvene to Open Session

16. Adjournment

Meeting adjourned at 11:05 PM

Julie Bronstein
Clerk of the Board of Trustees

Tina Douglas
Tina Douglas, Interim Superintendent

11/28/22
Date

11/27/2022
Date

Minutes Adopted: 11/17/22