

MINUTES  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
MONDAY, FEBRUARY 1, 2021, 6:00 P.M.  
Oakdale Joint Unified School District  
Technology & Staff Development Center  
331 Hinkley Avenue, Oakdale, CA

ATTENDANCE WAS LIMITED TO ESSENTIAL PARTICIPANTS WHICH INCLUDED BOARD MEMBERS AND CABINET MEMBERS  
On March 17, 2020, Governor Gavin Newsom issued Executive Order N-29-20 related to the COVID-19 pandemic. The Executive Order allows state bodies covered by the Bagley-Keene Open Meeting Act to hold public meetings covered by the Act via web and/or audio teleconferencing. As such, the February OJUSD Board meeting was held as an audio/video teleconference with a live webcast : <https://www.youtube.com/channel/UCZdB-OF9xQSDVe3Csc84K0w>

The meeting held at the OJUSD Technology & Staff Development Center was closed to the public.  
THIS MEETING WAS WEBCAST LIVE : <https://www.youtube.com/channel/UCZdB-OF9xQSDVe3Csc84K0w>

PUBLIC COMMENTS WERE ABLE TO BE TAKEN VIA PHONE BY CALLING (209) 848-4205, Ext. 106  
Members of the public were able to view the live-stream of the meeting and call in during public comments.

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|-------------------------|-----|--|
| CALL TO ORDER           | 1.1 | The meeting was called to order at 7:00 P.M. by Board President Barbara Shook.   |
| TRUSTEES PRESENT        | 1.2 | Larry Betschart, Diane Gilbert, Mike House, Tina Shatswell and Barbara Shook.  |
| LATE ARRIVALS           | 1.3 | None   |
| TRUSTEES ABSENT         | 1.4 | None   |
| VISITORS PRESENT        | 1.5 | None   |
| CLOSED SESSION          | 2.0 | Due to the late start of the meeting, President Shook suggested moving Closed Session to the end of the meeting; other Board members concurred.  |
| PLEDGE OF ALLEGIANCE    | 3.0 | Trustee Larry Betschart led the pledge of allegiance.  |
| APPROVE ORDER OF AGENDA | 5.0 | It was <b>M/S/C (Gilbert/Shatswell)</b> to approve the order of agenda items for this meeting. Passed unanimously.   |
| ANNOUNCEMENTS           | 6.0 | Superintendent acknowledged that we are late starting tonight's Board meeting because we did have a group of people here in support of the opening of schools, and we are not in disagreement with the opening of schools; however, we are held by the current mandate in the state in regards to the California Blueprint to a Safer Economy, which, as we have reported 3 months in a row now, that those Tiers are going to determine when we can open. We are currently still in the Purple Tier, and this Board has taken steps to open schools as soon as we transition from the Purple Tier to the Red Tier. With the group that we addressed early on, there was some concern as to why we can't provide a timeline for that. Again, we do not determine the case rate and we do not determine the Tiers. The only thing that we can do is |

respond to them and again, there was also the assertion that we need to be talking to Public Health. Again, as this Board very well knows we are in routine conversations with Public Health.

He reported that he had a conversation with our Student Board Member and noted that anyone in a leadership position sometimes takes criticism, and our Student Board Member has taken some criticism in her position, and some of it was rather harsh. He did meet with our Student Board Member to talk with her about the responsibilities and pitfalls of leadership. His comments to her were specifically that for her greater good, public opinion cannot determine her self-worth. We just had a conversation about public health, and he wants to make clear to her and others to be careful of social media and social media chatter, and not to let that determine who you are as a person. He shared with her that that type of public opinion does not warrant her having an opinion of herself less than what she deserves, and that stands for all kids. He also shared that as she gives her report, it is not mandatory that she create surveys, she can tell about her experience being a senior at Oakdale High School and going through COVID as she navigates her senior year. They also had a conversation that County Public Health numbers are not determined by a popularity vote; public opinion does not mandate public policy when it comes to public health. Public Health Officers take the information they have and with their expertise, determine public policy; it is not a popularity vote. Again, those who were questioning some of the content of that post from his conversation with the Student Board Member, it needs to be in the context that was directed towards her and her ability to cope as a senior, as a young female, and as a leader, and the perception that could develop if you follow too closely what social media has to say.

Board President Shook agreed that we are all hearing from people and sometimes what we hear is not what we want to hear but that is part of our job.

ORGANIZATION  
REPORTS, OTA

7.1 None.

ORGANIZATION  
REPORTS, CSEA

7.2 None.

ORGANIZATION  
REPORTS, STUDENT

7.3 Student representative Caroline Krum called in to report that she met with Superintendent Malone today and talked about student opinion on the things she says. Today she is not going to be talking about survey results, but will focus on her experience as a student at Oakdale High and what it's like going through Distance Learning. Focusing on the positive, the reintroduction of clubs, seeing kids faces, having a consistency of somewhere you can go and meet with peers and have some form of connection in a time of isolation, really helps and gives students one form of control and certainty in a time where everything is uncertain. Another positive has been the NAMIE Club, it's nice for those who suffer from some form of Mental Illness and gives a safe

space where students can talk about their struggles and realize that you're not struggling alone. Leadership has been doing a lot, a lot of staff events, student events, and dress up days which gives students something to look forward to, and shows continuity and connection among peers. Some of the negatives include Advanced Placement classes, these are not something that she loves doing online; they are hard in-person as it is and doing online has been hard for her; it is disappointing that she might not do as well on the exams as she would have in-person. She mentioned holding public office and being a scapegoat for public criticism has also been a negative. The biggest negative is obviously missing out on her senior year. She has already committed to an out-of-state college and will be leaving in six months, and won't be seeing her hometown and most of her friends again, so that is a little disappointing that she will be spending her final days in her hometown with her friends isolated, but understands that it is a sacrifice that is necessary to protect the lives of others and one that she is more than willing to take.

PUBLIC  
COMMENTS

8.0 President Shook reported that as Superintendent Malone mentioned earlier, there was a group of people who were voicing many public comments for about an hour and a half prior to the start of the Board meeting that Board members took to heart. She opened the Public Comments portion of the agenda at 7:12 p.m.

JAMIE (*no last name given*)

A woman named Jamie called in to say that she wouldn't want to be in the Board's shoes because there is no right or wrong answer, but had a question about why some schools in the county are able to be in-person 4 or 5 days a week and others are not, and if there is any hope of changing that even if our tier does not change.

Superintendent Malone stated it depends on the social distancing expectations and protocols and the current guidance for schools. We don't arbitrarily get to change the social distancing expectations, those are by and large what has created the cohorts, so that we can maintain 6' of distance which is part of the expectation. If the state entity and California Public Health comes back and says those norms can be diminished, we can revisit and begin the process of bringing kids back full time every day. With the current protocols we have we cannot do that and maintain 6' of social distance.

CHARLES LEON

Charles Leon called in to say this is directed to Mr. Malone and all the school board members. He asked why our children are getting a different education that other school districts in this county. He acknowledged what Mr. Malone said before, but our district compared to other districts and other states is relevant. Other students in this county get 5 days a week in class, but not here in Oakdale and wanted to know why. He stated that 10's of thousands of children are not dying from COVID here or in other states. He stated there are currently no credible studies showing children 20 or under as super spreaders. He stated that less than 150 children have died in the United States, which is 0.0% of the total deaths. He

noted that life is about risks and we make decisions about risks every day. He asked if we are no longer qualified to make decisions for ourselves and we need the government to tell us how to live. He asked if we are following the science or following the government blindly off a cliff. He stated that we in America are testing for COVID incorrectly and that even the World Health Organization has stated the threshold for testing procedures we have been using are far too low. He stated that we need to lower the magnification of COVID test samples. He asked Mr. Malone if the fear is risk of liability for himself or the district or both. He noted the Governor sends his children to a private school in person 5 days a week noting it's ok for the Governor's kids to get an education but not Mr. Leon's. He asked Mr. Malone and the School Board to show courage and do what you want instead of blindly following the state's orders. He asked him to get together with the Board and open the schools, think independently and push back against the districts, the county and the state. Maybe it's time for the school district to do the same. Kids deserve to be back in school full time and getting a real education. Every month you keep referring to the State Health Board; we elected you to lead us, not follow some unelected bureaucrats in Sacramento. He noted there is a big need for technical jobs but questioned how his child will get the education needed learning virtually on a computer. We are setting children up for failure. He noted it is Mr. Malone's job to make sure his children receive an education and that he is failing as many students in the Oakdale School system are failing. He noted he and other parents are tired of the reckless disregard for their children's mental health and education. Lockdowns create other problems; they cause social isolation, mental health issues and drug addiction. Teachers need to be back in the classroom instructing, enriching and nourishing our children. If teachers refuse to be back in the classroom maybe they need to find a new profession. He noted Firefighters don't have a choice; they either show up for work or quit. Police don't get to claim some unnecessary fear of working; they either report for duty or quit. He asked why it would be different for teachers. He stated teachers' unions have been at the forefront of this classroom shutdown, when they revealed true intentions last year with demands of defunding the police and other social justice nonsense as part of reopening schools, they showed themselves as true traitors to our children, and the union is not looking out for our children. He stated that if this district continues to follow unscientific methods keeping our schools closed, maybe it's time for Superintendent Malone to quit and we will find Superintendent and Board member candidates who are interested in leading our children. He further stated this has gone on long enough and if you are not willing to do what is necessary during the tough times to fight for our children, then we will find someone who is. He stated that our children deserve to be back in school, and asked Superintendent Malone to do something profound before he retires and to show the city of Oakdale and the Board that he has a backbone and to open the schools and let our children get the education they deserve.

SARA PRUITT

Sara Pruitt called in state she was at the school tonight and wanted to address the fact that there is a dire need to help our students who are failing, they are behind, and they are struggling. She stated that pointed questions were asked today and there were no answers given besides the fact that there was going to be intervention after they fail. To her, that is not a good enough answer. She wants more for all the kids who are struggling and failing; they need help. There needs to be a plan to identify those students and help them before it is too detrimentally gone backwards for them to succeed as a student and that is not ok for any child. She stated they need more help than what the district and schools are giving them and asked that we please make a plan to help our children succeed before they fail.

Public Comments closed at 7:22 p.m.

CINDI TOSTE

*Called in after Public Comments closed, but wanted to leave comment that she is grateful that schools are closed and we are abiding by the county guidelines.*

REMOVE ITEMS FROM  
CONSENT CALENDAR

9.1 Trustee House requested removal of item 9.6.4 from the Consent Calendar.

ADOPT CONSENT  
CALENDAR

9.2 It was **M/S/C (Betschart/House)** to adopt the Consent Calendar as amended. Passed unanimously.

ADOPT MINUTES OF REGULAR  
BOARD MEETING 1/11/21

9.3.1 On adoption of the Consent Calendar, the board adopted minutes of its regularly scheduled meeting held Monday, January 11, 2021, as presented.

APPROVE INTERDISTRICT  
& ALLEN BILL REQUESTS

9.4.1 On adoption of the Consent Calendar, the board approved interdistrict attendance and Allen Bill transfer requests, 2020-21 or 2021-22 school year, as presented.

APPROVE WARRANTS THRU  
1/25/21, CYCLE I AND CYCLE II  
PAYROLL FOR JANUARY 2021

9.5.1 On adoption of the Consent Calendar, the board approved district warrants prepared for payment through January 25, 2021, and Cycle I and Cycle II Payroll for January, 2021, as presented.

APPROVE CARS DATA  
SUBMISSION, WINTER 2020

9.5.2 On adoption of the Consent Calendar, the Board approved Winter 2020 CARS Data Submission, as presented.

ACCEPT RESIGNATIONS

9.6.1 On adoption of the Consent Calendar, the board accepted resignations, as presented:  
Brooke Cannedy, Inst. Aide – Title 1, SV, eff. 1/8/21  
Sara Lindauer, Yard Duty Aide, SV, eff. 1/11/2021  
Karen Threet, Lead Accountant, Dist. Office, eff. 1/31/21

APPROVE PROMOTION

9.6.2 On adoption of the Consent Calendar, the board approved promotion, as presented:  
Kristy Gorman, from Instructional Aide – Resource  
To Library Tech, OJHS, eff. 1/13/2021

- APPROVE EMPLOYMENT 9.6.3 On adoption of the Consent Calendar, the board approved employment, as presented:  
Roberto Arroyo, Groundswoker, M&O, eff. 1/26/2021  
Alexa Da Rosa, Inst. Aide – Title I, CLOV, eff. 1/8/2021  
Micaela Maaske, ASPL-1, OJHS, eff. 1/19/2021  
Diane McCalley, Bus Driver, eff. 1/27/2021  
Tania “Ariany” Reyes-Lopez, Inst. Aide-Title I, CLOV, eff. 1/26/21  
Lauren Rose, Secretary II, FO, eff. 1/25/21  
Haley Wood, Yard Duty Aide, FO, eff. 1/19/2021
- DISPOSITION OF ITEMS REMOVED FROM CONSENT, 9.6.4 APPROVE CERTIFICATED EMPLOYMENT 10.0 Trustee House stated he needs to recuse himself from voting as he has a daughter listed on this item.  
  
It was **M/S/C (Shatswell/Betschart)** the board approve certificated employment, as presented:  
Lindsey Castillo, Temp. FT Sub, District-wide, eff. 1/19/2021  
Cameron Ferry, Temp. FT Sub, District-wide, eff. 1/26/2021  
Jennifer Kindorf, Temp. FT Sub, District-wide, eff. 1/19/2021  
Jennifer Sekona, Temp. FT Sub, District-wide, eff. 1/19/2021
- REPORT, FIRST SEMESTER GRADES 11.1 Assistant Superintendent Kristi Rapinchuk presented a report on first semester grades, noting this report will be twofold; it will begin with Grade Analysis in the 1<sup>st</sup> Trimester and 1<sup>st</sup> Semester, and then will cover next steps to provide an alternate form of instruction for students grades 7-12 which will be Edgenuity, and will be used for either credit recovery or independent study program.  
  
She reviewed Elementary Grades Earned in Trimester 1 On-Site Instruction Last Year vs. Distance learning This Year; it is no surprise that this showed the number of D’s and F’s overall have increased. She also reviewed Secondary Grades Earned in Semester 1 On-Site Instruction Last Year vs. Distance Learning This Year, which also showed the number of D’s and F’s overall have increased.  
  
She reviewed Elementary Independent Study which has been available since the beginning of Trimester 2, which currently has 455 students participating being taught by OJUSD teachers and certificated subs. She reviewed Grade 7-12 Independent Study and Credit Recovery being offered through Edgenuity, with notification going out to families February 4 and phone registration open February 9. Edgenuity is the same program that we used for virtual summer school last year. She noted this is a big decision for a family and explained the distinctions between Distance Learning, Hybrid Schedule, Independent Study, Dual Enrollment, and options for Special Education Students.

She reviewed the color-coded Edgenuity Dashboard which shows Courses, Progress and Overall Grade thus Far and whether student is On Target, Ahead, or Behind. She reviewed instructional videos available and drop-down menus for different language, and Learning Activities available. She reviewed teacher training sessions scheduled 3-5:00 February 10 & 11, as well as student orientation sessions scheduled one evening February 16-18 from 4-6:00 p.m.

She reviewed the Registration Process, with a video that walks parents through an overview of the program and registration process. Students will be assigned an independent study teacher who will have a weekly meeting with the student to support instruction. The importance of the student and family commitment to stay on track with coursework was noted with agreements that will be affirmed. The estimated time commitment is at least 6 hours a day/30 hours a week.

In response to a comment from Trustee Gilbert that this report is very disconcerting, she noted one of the pieces of information that would be interesting to know, particularly at OHS, is how many students are getting D's and F's in one course, more than once course, etc. She also asked about transition process from current distance learning to Edgenuity. She also asked if a student, particularly our seniors, who got D's or F's first semester, has an opportunity for credit recovery or night school to be able to graduate on time. She noted she has concerns for students who are already struggling.

Ms. Rapinchuk stated that if she were advising her own child who needed credit recovery, she would probably choose to put them in independent study because that would allow her to work with counselors to both identify essential classes they have to pass and open up the most critical first. With this you can allow students to focus on one or two courses before moving on to the next courses. She also noted there are conversations taking place at all levels to look at what we can do to help students with deficit learning.

Board President Shook noted that everyone, including students, parents and teachers, are doing the best that we can in a very unprecedented time, and as we struggle through all of this we have to support each other as best we can whether its supporting teachers or administrators, and having parents accuse us of not caring is very disheartening. She noted we are all here for the good of the kids and can look back on this and say that we tried to provide the best options we could.

Ms. Rapinchuk and Mr. Mendonca shared information on efforts that have been made through phone calls home or with VP's making home visits with the SRO to students who have not been logging in as an example of ways we have reached out to students who are struggling. They also noted efforts made for elementary students on independent study who have not been completing work or poor quality of work.

FIRST READING:  
BP 3555, NUTRITION  
PROGRAM COMPLIANCE

11.2 Chief Business Officer Kassandra Booth presented this new board policy for first reading, noting it reflects new law and addresses a school nutrition program's responsibility to comply with state and federal nondiscrimination laws and outlines the actions that must be taken by the school district to address discrimination within the school nutrition program. It will be brought back for second reading and approval at the next meeting.

APPROVAL OF RESOLUTION  
#20-21-07, ARTS EDUCATION

12.1 Assistant Superintendent Rapinchuk presented this resolution proclaiming the month of March as Arts Education Month. She noted that each year this item comes before the board so that we can resolve the importance of arts for students at every grade level. She commended teachers because there are some pretty cool things going on in our band program, in drawing and all the arts that they are keeping going even though it is a virtual application at the secondary level. Our music program and some of the electives at the elementary level continue to be virtual, but we are doing what we can to keep the arts alive during the year 2020-21. Board President Shook waived reading of the resolution.

It was **M/S/C (House/Betschart)** to approve Resolution #20-21-07, Proclamation of Arts Education Month. A Roll Call Vote was taken with all board members voting in favor. Passed unanimously.

APPROVE BOARD MEETING  
CALENDAR – 2021-22

12.2 Superintendent Malone presented the proposed calendar of board meeting dates for 2021-22.

It was **M/S/C (House/Betschart)** to adopt the Board Meeting Calendar – 2022-22. Passed unanimously.

SECOND READING/APPROVAL,  
BP/AR 4119.11/4219.11/4319.11,  
SEXUAL HARASSMENT

12.3 Deputy Superintendent Kline presented this revised BP/AR for second reading and approval. Updates provide clarifying information regarding sexual harassment complaints under Title IX and the complaint procedures reflected in new law.



It was **M/S/C (Shatswell/Betschart)** to approve BP/AR 4119.11/4219.11/4319.11, Sexual Harassment. Passed unanimously.

SECOND READING/APPROVAL, 12.4  
AR/E 4119.12/4219.12/4319.12, TITLE IX,  
SEXUAL HARASSMENT COMPLAINTS

Deputy Superintendent Kline presented this new AR/E for second reading and approval.

It was **M/S/C (Betschart/Shatswell)** to approve AR/E 4119.12/4219.12/4319.12, Title IX, Sexual Harassment Complaints. Passed unanimously.

SECOND READING/APPROVAL, 12.5  
BP/AR 4157/4257/4357,  
EMPLOYEE SAFETY

Deputy Superintendent Kline presented this revised BP/AR for second reading and approval. Updates reflect new state regulation as the result of changes with our state and nation with regards to COVID-19.

It was **M/S/C (House/Shatswell)** to approve BP/AR 4157/4257/4357, Employee Safety. Passed unanimously.

SECOND READING/APPROVAL, 12.6  
AR 4157.1/4257.1/4357.1  
WORK RELATED INJURIES

Deputy Superintendent Kline presented this new AR for second reading and approval. This new regulation reflects new law.

It was **M/S/C (House/Shatswell)** to approve AR 4157.1/4257.1/4357.1, Work Related Injuries. Passed unanimously.

SECOND READING/APPROVAL, 12.7  
BP 5146/5246/5346  
MARRIED/PREGNANT/PARENTING  
STUDENTS

Assistant Superintendent Mendonca presented this revised BP for second reading and approval, noting it has been revised to include new requirements under Education Code 46015, which is intended to support married and expecting students in order to complete their education for a high school diploma and prevent dropouts.

Trustee Shatswell had a question about the student being out 8 weeks and not mandated to do work within that window of time, how do they catch up. Mr. Mendonca said we would try to encourage doing some of that work during that time or give them the additional time it takes to complete the work, or take an incomplete and extend to another term to make that work up.

It was **M/S/C (Shatswell/House)** to approve BP 5146/5246/5346, Married/Pregnant/Parent Students. Passed unanimously.

INFORMATION

- 13.1 Lincoln's Birthday Holiday Observed/Schools Closed, Feb. 8
- 13.2 President's Day Holiday/Schools Closed, Feb. 15
- 13.3 K-12 Minimum Day / Staff Development, Feb. 23

- ITEMS FOR NEXT AGENDA
- 14.1 Approval of 2020-21 Second Interim Report and Positive Certification
  - 14.2 Report on High School Scholarship and College Application Process

- ITEMS FOR FUTURE AGENDA
- 15.1 Assignment of Commencement Appearances
  - 15.2 Trustee House requested with the ever-changing COVID situation, and in light of the earlier comments tonight, asked if the Board would be willing to have a special Board meeting to discuss directions and pathways and communication of those.

Board President Shook commented that we want to keep the lines of communication open as much as possible, but thinks we need to stay as positive as we can as well. She indicated that would be up to the board to see if we would be willing to have a special meeting to hear from the community. We keep hoping we are going to get better and more news, and have reported multiple times now. Trustee House was thinking more of a board workshop, noting we heard plenty tonight, and doesn't know that there was much left unsaid, but thinks there are things we want to ruminate over as a group and speak candidly with one another and report out. Trustee Shatswell indicated she would be open to that; she feels that as a board we may need more discussion, we know what mandates are, we hear the concerns of the parents and students, but is not opposed to us sitting down and talking. Trustee House was hoping to be able to sit down and discuss as a Board uninterrupted. Trustee Betschart agreed that it would be health for us as a Board to be able to just discuss what is going on. Superintendent Malone indicated he will provide dates, and for a Board workshop, can invite legal counsel in so as the Board discusses various options can be aware of what legal ramifications are, and could then report out.

CLOSED SESSION 2.0 Board President Shook adjourned the meeting into Closed Session at 8:25 p.m.

ACTION FROM  
CLOSED SESSION 4.0 Board President Shook reported that the Board had a report on a settlement agreement reached regarding a Student v. OJUSD Office of Administrative Hearings.

The Board also had a conference with labor negotiator Dave Kline regarding negotiations with OTA and CSEA Chapter #830.

President Shook reported that the Board also had a discussion on the Superintendent's 2020-21 evaluation objections.

ADJOURNMENT 16.0 The meeting adjourned at 8:45 p.m.