

**YUBA COUNTY BOARD OF EDUCATION  
SPECIAL MEETING MINUTES**

Tuesday, February 6, 2024 – 4:30pm

Yuba County One Stop, Beckwourth Room, 1114 Yuba Street, Marysville, CA 95901

| TOPIC                                   | DISCUSSION   | ACTION TAKEN  |
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| <b>1. CALL TO ORDER</b>                 | President John Nicoletti called a special meeting of the Yuba County Board of Education to order at 4:33pm on February 6, 2024, at the Yuba County One Stop, Beckwourth room, 1114 Yuba Street, Marysville, CA.  | <b>CALLED TO ORDER:</b><br>4:33pm   |
| <b>ATTENDANCE, PLEDGE OF ALLEGIANCE</b> | <p>Present were Katharine Rosser, John Nicoletti, Marjorie Renicker, Desiree Hastey and Tracy Bishop.</p> <p>Also present:<br/>           Marysol Laguna, Interpreter, Hanna Interpreting Services LLC<br/>           Michael Tucker, Attorney, Edwards, Stevens &amp; Tucker LLP<br/>           Jacqueline D. Hang, Attorney, Atkinson, Andelson, Loya, Ruud &amp; Romo<br/>           Zachary Pless, Director of Student Welfare &amp; Attendance, Marysville Joint Unified School District<br/>           Ellen N. Doty, Attorney, California Rural Legal Assistance, Inc.<br/>           Erin Simonitch, Attorney, California Rural Legal Assistance, Inc.</p> <p>Vice President Bishop led the recital of the Pledge of Allegiance.</p> | <b>QUORUM PRESENT</b>   |
| <b>2. PUBLIC COMMENTS</b>               | There were no public comments.   |   |
| <b>3. APPROVAL OF AGENDA</b>            | President Nicoletti directed Board members to the February 6, 2024 Agenda for their review and approval.   | <b>MOTION:</b> To approve the February 6, 2024 Agenda as presented<br><b>MOTION:</b> Desiree Hastey<br><b>SECOND:</b> Marjorie Renicker<br><b>Roll Call Vote:</b><br>Katharine Rosser – Aye |

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|   |   | <p>John Nicoletti - Aye<br/> Desiree Hastey – Aye<br/> Tracy Bishop – Aye<br/> Marjorie Renicker - Aye<br/> <b>MOTION APPROVED (5/0)</b></p>   |
| <p><b>4. CONFIDENTIAL STUDENT MATTER – STUDENT EXPULSION APPEAL HEARING – EXP1-24</b></p> | <p>Prior to entering closed session, the parent’s legal counsel representatives announced that they have a potential conflict of interest with Board President John Nicoletti. Legal counsel for all parties discussed the potential conflict. After deliberation, President Nicoletti recused himself from the closed session expulsion hearing and left the meeting at 4:41pm.</p> <p>In the absence of the president, Vice President Tracy Bishop presided over the meeting.</p> <p>Vice President Bishop called a closed session expulsion appeal hearing to order at 4:42pm.</p> <p>Michael Tucker, Attorney, Edwards, Stevens &amp; Tucker LLP, conducted the hearing proceedings as designee of the Board.</p> <p>Upon a motion by Trustee Rosser, duly seconded by Trustee Renicker, the board, by majority vote, rejected the Appellant’s Brief filed on February 1, 2024.</p> <p>Vice President Bishop adjourned the closed session expulsion appeal hearing at 7:11pm.</p> <p>Closed session board deliberations began at 7:16pm.</p> <p>Upon a motion by Trustee Hastey, duly seconded by Trustee Rosser, the Board unanimously (with four board members present) decided to deny the appeal (EXP1-24) and affirm the district’s decision to expel.</p> | <p><b>BOARD PRESIDENT JOHN NICOLETTI RECUSED HIMSELF AND LEFT THE MEETING: 4:41pm</b></p> <p><b>CLOSED SESSION HEARING CALLED TO ORDER: 4:42pm</b></p> <p><b>MOTION:</b> To reject the Appellant’s Brief filed on February 1, 2024.<br/> <b>MOTION:</b> Katharine Rosser<br/> <b>SECOND:</b> Marjorie Renicker<br/> <b>Roll Call Vote:</b><br/> Katharine Rosser – Aye<br/> Desiree Hastey – Aye<br/> Marjorie Renicker – Aye<br/> Tracy Bishop – Abstain<br/> <b>MOTION APPROVED (3/1/0)</b></p> <p><b>CLOSED SESSION HEARING ADJOURNED: 7:11pm</b></p> <p><b>CLOSED SESSION BOARD DELIBERATIONS CALLED TO ORDER: 7:16pm</b></p> <p><b>MOTION:</b> To deny the appeal (EXP1-24) and</p> |

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|  | <p>Closed Session board deliberations adjourned at 8:08pm.</p>   | <p>affirm the district’s decision to expel.<br/> <b>MOTION:</b> Desiree Hastey<br/> <b>SECOND:</b> Katharine Rosser<br/> <b>Roll Call Vote:</b><br/> Katharine Rosser – Aye<br/> Desiree Hastey – Aye<br/> Marjorie Renicker – Aye<br/> Tracy Bishop – Aye<br/> <b>MOTION APPROVED (4/0)</b></p> <p><b>CLOSED SESSION BOARD DELIBERATIONS ADJOURNED: 8:08pm</b></p> |
| <p><b>5. RECONVENE IN OPEN SESSION</b></p> | <p>The Board reconvened in open session at 8:09pm.</p> <p>Vice President Bishop publicly reported closed session actions, the votes thereon, and other disclosures related to the expulsion appeal hearing.</p> <p>The decision of the Yuba County Board of Education is final and binding upon Appellant and Respondent School Board.</p> | <p><b>OPEN SESSION RECONVENED: 8:09pm</b></p>   |
| <p><b>6. ADJOURNMENT</b></p>               | <p>There being no further business for discussion, the meeting adjourned at 8:10pm.</p>  | <p><b>MOTION:</b> To adjourn<br/> <b>MOTION:</b> Desiree Hastey<br/> <b>SECOND:</b> Marjorie Renicker<br/> <b>MEETING ADJOURNED: 8:10pm (4/0)</b></p>   |

Respectfully submitted,

*Rob Gregor*

Rob Gregor  
Yuba County Superintendent of Schools

Recorded by:  
Halee Pomeroy