



Approved 2/9/22

Liberty Union High School District  
20 Oak Street  
Brentwood, CA 94513

**January 12, 2022  
Regular Board Meeting  
MINUTES**

Electronic agenda [linked here](#).

Live video conference [linked here](#) available at the start of the meeting on the day of Board Meeting.

Persons wishing to make a Public Comment have two options:

Appear in-person to address the Board or

Submit a public comment by email to [BoardComments@luhsd.net](mailto:BoardComments@luhsd.net) prior to 2:00 PM on the day of the meeting. Be sure to include the topic or agenda item.

Emailed public comments will be read aloud as time allows.

**This meeting is being held in-person at the  
Liberty Union High School District Office  
20 Oak Street, Brentwood, CA 94513**

## 1. NOTICES

1.01 PUBLIC RECORDS NOTICE: Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 20 Oak Street, Brentwood, California during normal business hours.

1.02 AMERICANS with DISABILITIES ACT NOTICE: In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids, or services, in order to access the Board meeting room, access written documents being discussed at the Board meeting, or to otherwise participate in the public meetings of the District's governing board, please contact the office of the Superintendent at (925) 634-2166 x2025. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Please turn off any electronic paging device or cell phone.

1.03 TITLE IX: The Liberty Union High School District does not discriminate on the basis of race, color, national origin, sex, or disability.

## 2. CALL TO ORDER

At 5:30 p.m. President Stonebarger called the meeting to order, all members were present.

### 2.01 Roll Call

Pauline Allred  
Roy Ghiggeri  
Tamela H. Hawley  
Yolanda Mendrek  
Erick Stonebarger

## 3. SPECIAL SESSIONS

### 3.01 GENERAL PUBLIC COMMENT ON ANY CLOSED SESSION ITEM:

An information sheet with procedures for public input is available on the table near the entrance to the Board Room. The Board may limit public comments to 5 minutes per speaker and 30 minutes total per subject pursuant to Board Policy 9323. The Board values all input from the public; however, the practice is to not respond immediately to public comments. An additional opportunity is provided later in the agenda for public comment on remaining agenda items or non-agenda items and comments during public hearing(s).

3.02 Public Comments

There were no public comments and the Board recessed to closed session at 5:30 p.m.

3.03 Closed Session

1. Student Discipline or Other Confidential Student Matters (Education Code § 35146, 48900 et seq., 48912(b) and 49060 et seq., and 20 U.S.C. § 1232g)

3.04 Open Session

At 5:58 p.m. the Board returned to open session. Mr. Stonebarger reported the following action was taken in closed session:

Action: To accept the stipulated expulsion agreement, and that Student A be expelled through June 9, 2022 from Freedom High School and Liberty Union High School District, effective immediately. Conditions for readmission include satisfactory attendance, academic progress and behavior. Student A may apply for readmission by contacting the Assistant Superintendent of Administrative Services on or before June 9, 2022. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

At 5:59 p.m. the Board returned to closed session.

3.05 Closed Session

1. Public Employee Discipline/Dismissal/Release/Complaint (Govt. Code § 54957)
2. Conference with Legal Counsel – Anticipated Litigation (Govt. Code § 54956.9 (d)(2))  
Significant Exposure to Litigation: One Matter(s)
3. Liability Claim/Conference with Legal Counsel – Anticipated Litigation (Govt. Code § 54956.9 (e)(3))  
Claimant: CSEA
4. Conference with Legal Counsel - Existing Litigation (Govt. Code § 54956.9)  
Contra Costa County Superior Court Case No. C20-00800  
Anu McKinney, By and Through His Guardian Ad Litem Tamika Silverand vs.  
Mark Joseph Maggiore, Maggiore Farms, F. A. Maggiore & Sons, LLC,  
The Maggiore Family Company, LLC, Elizabeth Anne Augusto Miller, Brentwood  
Union School District, Brentwood Union Elementary School District, Liberty Union  
High School District, Contra Costa Special Education Local Plan Area (SELPA),  
Contra Costa County Office of Education, And DOES 1-100
5. Conference with Legal Counsel - Existing Litigation (Govt. Code § 54956.9(a))  
United States District Court Northern District of California Case No. 4:21-cv-00750  
Lamont Francies vs. Liberty Union High School District, and DOES 1-20, inclusive
6. Conference with Real Property Negotiator (Govt. Code § 54956.8)  
Property: Sellers Property - APN#s 018-310-011, 012, 013, 014  
Kellogg Property - APN#s 011-210-026, 027, 028  
Agency Negotiators: Eric Volta/Liz Robbins  
Negotiation Parties: Liberty Union High School District/TBD  
Under Negotiations: Land Use

7. Conference with Labor Negotiator (Govt. Code § 54957.6)

Agency Designated Representative: Eric Volta; Denise Rugani

Employee Organizations: California School Employees Association, Chapter 238  
Liberty Education Association  
Unrepresented Employees

8. Superintendent's Mid-Year Review

3.06 Open Session

At 7:00 p.m. the Board returned to open session.

**4. OPENING PROCEDURES**

At 7:02 p.m. President Stonebarger initiated opening procedures; all members were present.

Mr. Stonebarger reported the following action was taken in closed session:

Action: The board took action in closed session by a vote of 4 (Allred, Ghiggeri, Mendrek, Stonebarger) (with Hawley abstaining and 0 voting no) to reject the claim of CSEA.

There were no other reportable actions taken in closed session.

4.04 Pledge of Allegiance

4.05 PROCEDURES FOR PUBLIC COMMENT:

The public is welcomed and encouraged to address the Liberty Union High School Board of Trustees. An information sheet with procedures for public input is available on the table near the entrance to the Board Room. The Board may limit public comments to 5 minutes per speaker and 30 minutes total per subject pursuant to Board Policy 9323. The Board values all input from the public; however, the practice is to not respond immediately to public comments.

4.06 Consider Agenda

Action: Motion was made by Mrs. Allred and seconded by Mrs. Mendrek to approve item 4.06. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

4.07 Consider Approval of Regular Board Meeting Minutes of December 15, 2021

Action: Motion was made by Mrs. Allred and seconded by Dr. Hawley to approve item 4.07. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

**5. COMMUNICATIONS**

5.01 Public Comments

Deb Clawson, Heritage High School parent, addressed the Board to recognize teachers at Heritage High School for making a difference for her son.

Mr. Volta read the following emailed public comments:

Alison Overszet, emailed the board with her concerns regarding illicit activities in the restrooms and asked that the restrooms be monitored more often.

Michelle Pimentel, Freedom High School parent, emailed the Board concerning student readiness for testing and what measures will be taken to ensure students are prepared.

5.02 Student Board Representatives

Sara Friend, Freedom High School, reported that the Rally and Spirit Week were canceled, Club Council is on January 18 and Student Council is on January 19. She further reported that counselors are talking to freshman and juniors about graduation requirements and class options. She reported that teachers made videos of elective classes to help students with their class selections.

Justin Jacobs, Heritage High School, reported that they are continuing to fund raise for Make a Wish to reach their goal of \$10,000. He further reported that on January 24 through January 28 they will hold a 'Breaking Down the Walls' program to help students and staff connect. He reported Link Crew will hold another mini orientation to help freshman, '#I can help'.

McKinzie Matusiak, Liberty High School, reported Softball open field has resumed and tryouts are February 7. She further reported that Girls and Boys Basketball games have been delayed until January 26 and will hold a tournament on February 12. She reported that the Swim Team and Track and Field will be holding informational meetings and Liberty Idol has been scheduled for February 3.

5.03 Staff Comments

There were no staff comments.

5.04 Superintendent's Report

Mr. Volta reported on last week's CCHS meeting:

- To quote our acting Health Officer, Ori Tzvieli, "The County has a lot of COVID right now."
- At last count, there were 24,766-documented cases in the county. Prior to leaving for break, there were about 2,000.
- According to Dr. Tzvieli there is a 72-80% less chance of hospitalization with the Omicron variant, however it is unclear if that is because of the variant or due to the higher vaccination rates.
- Dr. Tzvieli also believes that things will be much better in 3-4 weeks based on case studies of Omicron surges elsewhere.

He further reported on the absences for this week.

	<u>Monday</u>	<u>Tuesday</u>	<u>Wednesday</u>	
Student Attendance	88%	89%	90%	
Faculty/staff absences	122	107	94	(750)

Mr. Volta reported that many have been reading in the news lately of school closures around the state. Both Santa Clara and Contra Costa Counties have released letters urging schools to remain open. Additionally, as part of the State's Budget Act (AB 130) it was made clear via the independent study language that schools would not receive their funding using the previous Distanced Learning Models. If for some reason we could not staff our schools, we would have to consult with both the County Office of Education and the California Department of Education prior to applying for the emergency waiver of school days. If the waiver were denied, we would then have to make up any lost days. Thus, we are committed to doing everything possible to remain open.

Lauren Kelly, Freedom High School, reported that they are committed to safety this week, the staff handed out over 1500 COVID test kits and held an evacuation drill. She further reported that Pride Day is on February 10.

Guy Rognlien, Independence High School, reported that they handed out 60 COVID test kits to families. He further reported that they honored 54 Honor Roll students and Inaiah was one of those students. He reported that they have 34 Remote Learning students and have 11 students that want to go back.

Carrie Wells, Heritage High School, reported that they distributed 1500 COVID test kits. She further reported the counselors are visiting English classes to assist students with course requests. She reported the African American Mentorship program held a recognition party in which mentors recognized each student for their accomplishments.

Anna Perales, Liberty High School, reported that they handed out 1600 COVID test kits and they are currently holding an 'Elective Fair' to help students with course selection for next year. She further reported that they are holding a senior meeting in the stadium.

Mr. Stonebarger asked if there are additional tests and what are the protocols for students to get the tests. Mr. Volta responded that each site has their own system in handing out the extra tests, but in addition to the rapid test, each site has a student COVID testing center. Mr. Volta also commented that we are testing indoor sports athletes weekly and we have testing for staff once a week at each of the comprehensive sites and District Office.

5.05 Board Comments

Mrs. Allred thanked Deb Clawson for speaking up about teachers who need to be recognized. She expressed her gratitude to the teachers and staff and wanted to commend them for what they do.

Dr. Hawley thanked the teachers and staff that stepped up to help this week and that the Board is so proud to be a part of this district. She further commented that her students also felt comfortable about who they are and are striving today because of the school and teachers who cared about them. She continued by asking 'how are we going to continue this work?'

Mr. Ghiggeri commented that the Board really appreciates the classified staff, certificated staff and administrators pulling together for the kids during these trying times.

Mr. Stonebarger asked Mr. Volta if the new Health Officer will prioritize the overall expanded health of students. Mr. Volta responded that it is clear that the new Health Officer's goal is to keep schools opened and work with schools and school administrators. Mr. Stonebarger applauded everyone for their efforts in distributing the COVID tests and working through the whole COVID process. He additionally thanked the collective bargaining teams for their consistent work for the greater good of the students.

**6. RECOGNITION**

6.01 Recognition of Independence High School Student, Autumn Hurtado

Guy Rognlien recognized Autumn Hurtado for her academic and community achievements.

6.02 Recognition of Freedom High School Volunteer, Angela Gallegos

Angela Gallegos was unable to attend and will be recognized at a future meeting.

6.03 Recognition of Heritage High School Athletic Coaches Janet Hannigan and Dave Fogelstrom,

2021 National Federation of State High School Associations Awards

Carrie Wells recognized Janet Hannigan for her NFHS award of Girls Volleyball Coach of the Year and Dave Fogelstrom for his NFHS award of Boys Golf Coach of the Year.

**7. PUBLIC HEARING**

7.01 Conduct Public Hearing of the 2021 -2024 Contract Reopener Proposal of the Liberty Union

High School District to Liberty Education Association

At 7:55 p.m. the hearing was opened. Deb Clawson, a LUHSD staff member addressed the Board and thanked Denise Rugani and the Board for collaborating with LEA in past bargaining. There were no other comments and the hearing was closed.

**8. CONSENT AGENDA**

Mr. Stonebarger asked if the baseball fields are going to be complete by the start of the season. Mr. Melloni responded that both should be completed by next week.

Action: Motion was made by Mrs. Allred and seconded by Dr. Hawley to approve item 8.01 through item 8.11. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

8.01 Consider Approval of the Personnel Report No. 01 12 2022

8.02 Consider Approval of Variable Term Waiver for Certificated Teacher(s)

8.03 Consider Approval of Resolution 2022-02 Flexible Benefits Plan

8.04 Consider Approval of Six (6) Revised Course of Study Proposals for the 2022-2023 School Year: Yearbook; AP Biology; Advanced Athletic Skills; Entomology; Speech and Debate; Treble Choir

8.05 Consider Approval of Resolution 2022-03: 2021-22 Education Protection Account (EPA) Budgeted Expenditures

8.06 Consider Approval of the District's Quarterly report on Williams Uniform Complaints

8.07 Consider Approval of Prime Contract Change Order #001 from Wayne E. Swisher Cement Contractor Inc. for the Liberty High School Baseball Backstop Replacement Project – Concrete Pavement Scope of Work

8.08 Consider Approval of Prime Contract Change Order #002 from Silicon Valley Paving, Inc. for the Liberty High School Baseball Backstop Replacement Project - Demo, Grading, and AC Paving Scope of Work

8.09 Consider Approval of Warrants Issued in December 2021

8.10 Consider Action of 2021-22 Spring Semester re-admission of student(s) who have met conditions of expulsion order, as recommended by the Superintendent

8.11 Consider Action of 2021-22 Interdistrict Transfer Requests as Recommended by the Superintendent

**9. ADMINISTRATIVE ACTION**

9.01 Consider Approval of Memorandum of Understanding (MOU) with Improve Your Tomorrow (IYT) and the Liberty Union High School District (LUHSD)

Mr. Volta gave information on the Improve Your Tomorrow program and answered questions. The Board would like to see a balance of students serviced at each of the high schools and in each of the communities. Additionally they want to be sure that the program is open to all students and track individual student improvement.

Action: Motion was made by Mr. Ghiggeri and seconded by Mrs. Allred to approve item 9.01. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

9.02 Consider Approval of Two (2) New Course of Study Proposals for Implementation in the 2022-23 School Year: Advanced Speech and Debate; Self Defense Strategies and Tactics  
Erick Faulkner provided information on the two new proposed courses.

Action: Motion was made by Dr. Hawley and seconded by Mrs. Allred to approve item 9.02. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

9.03 Consider Approval of Prime Contract Change Order #005 from SW Allen Construction for the Liberty High School Administration and Student Commons Project  
Paul Melloni provided information on the change order.

Action: Motion was made by Mrs. Allred and seconded by Mr. Ghiggeri to approve item 9.03. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

9.04 Consider Approval of Bid for Roof Coating at Freedom High School  
Paul Melloni provided information on the roof coating.

Action: Motion was made by Dr. Hawley and seconded by Mr. Ghiggeri to approve item 9.04. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

9.05 Consider Approval of Reroofing Bid for "N" Wing Lower North and Lower Middle West Roof Areas at Liberty High School  
Paul Melloni provided information on the reroofing.

Action: Motion was made by Mrs. Mendrek and seconded by Mrs. Allred to approve item 9.05. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

9.06 Consider Adoption of Resolution 2022-01: Annual and Five Year Report for Fiscal Year 2020-21  
Liz Robbins provided information and analysis.

Action: Motion was made by Mr. Ghiggeri and seconded by Mrs. Allred to approve item 9.06. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

9.07 Consider Approval of the Measure U - Building Fund Financial Audit and Performance Audit Reports for the 2020-21 Fiscal Year  
Liz Robbins provided information and analysis.

Action: Motion was made by Mrs. Allred and seconded by Dr. Hawley to approve item 9.07. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

9.08 Consider Approval of the District Audit Report for the 2021-22 Fiscal Year  
Liz Robbins provided information and analysis.

Action: Motion was made by Dr. Hawley and seconded by Mr. Ghiggeri to approve item 9.08. Passed with a 5 (Allred, Ghiggeri, Hawley, Mendrek, Stonebarger) – 0 vote.

**9.09** Consider Approval of Resolution 2022-04: Recommending that the Contra Costa County Committee on School District Organization Approve and Establish Trustee Areas from which the Liberty Union High School District Trustees will be Elected in a By-Trustee Area Election Process  
Mr. Volta provided information and analysis and answered questions from the Board.

**Action:** Motion was made by Mrs. Allred and seconded by Mr. Ghiggeri to select Map Plan B and approve item 9.09. Passed with a 4 (Allred, Ghiggeri, Hawley, Mendrek) – 1 (Stonebarger) vote.

**10. DISCUSSION**

**10.01** The Board will have the opportunity to discuss topics for future agendas.

Dr. Hawley commented that she would like information on how we are preparing our students for standardized testing and would like a presentation from the Office of Diversity to get a better understanding of what they are doing.

Mrs. Mendrek would like information on dates for school visits and the Board Retreat. She would like to have a calendar of upcoming events.

Roy Ghiggeri announced that the Hall of Fame may be delayed due to COVID restrictions. Mr. Stonebarger stated they should have a decision by the end of the month.

Mr. Volta tentatively scheduled a site visit for February 1, 2022.

**11. SPECIAL SESSION(S) CONTINUED**

At 8:56 p.m. the Board recessed to closed session.

**11.01** Closed Session

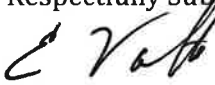
**11.02** Open Session

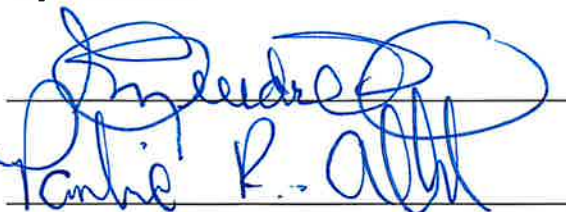
At 9:26 p.m. the Board returned to open session. Mr. Stonebarger reported no reportable actions were taken in closed session.

**12. ADJOURNMENT**

**12.01** Meeting Adjourned

Respectfully Submitted,

  
Eric Volta  
Superintendent

  
Pamie R. Allred