



Approved 8/25/21
Liberty Union High School District
20 Oak Street
Brentwood, CA 94513

**July 21, 2021
Regular Board Meeting
Minutes**

**This meeting is being held at:
Liberty High School
Performing Arts Center
850 Second Street, Brentwood, CA 94513
(Parking available on Spruce Street)**

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 Allred called the meeting to order, all members were present except Yolanda Mendrek.

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 Liberty High School Performing Arts Center. 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 5:32 p.m.

4.07

3.03 Closed Session

1. Public Employee Employment/Appointment (Govt. Code § 54957)
 - a) Assistant Principal(s) Freedom High School
2. Public Employee Discipline/Dismissal/Release/Complaint (Govt. Code § 54957)
3. Conference with Legal Counsel – Anticipated Litigation (Govt. Code § 54956.9 (d)(2))
Significant Exposure to Litigation: Two Matter(s)
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))
Contra Costa County Superior Court Case No. C19-00485
Austin Swope, Britt Swope, and Camille Swope,
Liberty Union High School District, La Paloma High School, Deborah Souza and DOES 1-20,
inclusive
6. 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
7. Conference with Legal Counsel - Pending Litigation (Govt. Code § 54956.9(a))
State of California Office of Administrative Hearings Case No. 2021060276
Marie Fajardo, Parent, on behalf of J.F.P., Petitioners
vs. Liberty Union High School District, Respondent
8. 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
9. 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
10. Superintendent's Evaluation

3.04 Open Session

The Board returned to open session at 6:48 p.m.

3.05 Discussion Session

The Board conducted a discussion on the process to establish trustee areas. Ken Reynolds, President of Schoolworks, Inc., explained the process and answered questions by the Board. Schoolworks will identify the number of high school students in each trustee area when maps are drawn.

4. OPENING PROCEDURES

At 7:06 p.m., President Allred initiated opening procedures; all members were present except Mrs. Mendrek. Mrs. Allred reported that in closed session the Board took action to:

1. Appoint Kenneth Hickok as the Assistant Principal of Freedom High School beginning July 26, 2021 by a vote of 4 (Allred, Ghiggeri, Hawley, Stonebarger) – 0 vote.
2. Approve a final compromised settlement agreement between an upcoming 10th grade student and his parents with the Liberty Union High School District by a vote of 3 (Allred, Ghiggeri, Hawley) – 1 (Stonebarger) vote. The settlement agreement resolves all issues between both parties in response to an OAH Due Process Complaint number: 2021060276. The agreement stipulates that the district will reimburse parent for educational expenses for the parent's placement into a private or non-public school not to exceed \$50,000 per year for up to three years for a total of \$150,000. The district will also fund attorney fees not to exceed \$10,000.
3. Approve a final compromised settlement agreement between an upcoming Liberty High School 10th grade student and his parents with the Liberty Union High School District by a vote of 4 (Allred, Ghiggeri, Hawley, Stonebarger) – 0 vote. The settlement agreement resolves all issues between both parties. The agreement stipulates that the district will reimburse private reading tutoring services by the Lindamood Bell Learning Academy not to exceed 120 hours for a maximum of \$17,520 and a maximum of 126 hours of academic remediation services provided by the Executive Function Specialists agency not to exceed \$21,000 through the end of the summer of 2021-22 school year for a total sum not to exceed \$38,520. The District will also fund attorney fees not to exceed \$3000.
4. Approve the satisfactory Superintendent's evaluation with a vote of 3 (Allred, Ghiggeri, Hawley) – 1 (Stonebarger) vote.
5. 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 Liberty High School Performing Arts Center. 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: Mr. Volta suggested to amend Item 9.01 as a First Reading of BP/AR 6158. Motion was made by Mr. Ghiggeri and seconded by Dr. Hawley. Passed with a 4 (Allred, Ghiggeri, Hawley, Stonebarger) – 0 vote.

4.07 Consider Approval of Regular Board Meeting Minutes of June 16, 2021

Dr. Hawley asked that the minutes be amended in 3.05 Study Session to read "The Board also discussed the safety of an older building and whether the building would be up to code or made to be up to code. Mr. Melloni confirmed that it would be.

Action: Motion by Dr. Hawley and seconded by Mr. Stonebarger to amend the Minutes of June 16, 2021. The board approved to amend 4.07 by a 4 (Allred, Ghiggeri, Hawley, Stonebarger) – 0 vote.

5. COMMUNICATIONS5.01 Public Comments

Kari Fox, parent, addressed the Board in opposition of teaching Critical Race Theory in the Ethnic Studies Class.

Robin Swenson, parent, addressed the Board regarding the need to bring back the vote for Ethnic Studies for further explanation of Theoretical Foundations of Critical Race Theory before it is taught in the classroom.

Cathryn Davies, parent, addressed the Board in opposition of healthy kids wearing a mask in the classroom.

Garrett Harper, parent, addressed the Board expressing that students should have a choice whether to wear a mask.

Savannah Shope, parent, addressed the Board in opposition of students wearing a mask in the classroom.

Wendy Burman, addressed the Board in opposition of students wearing a mask in the classroom.

Jane Williams, parent, addressed the Board in opposition of students wearing a mask in the classroom.

Brooke Robertson, parent, addressed the Board in opposition of students wearing a mask in the classroom.

5.02 Staff Comments – None.5.03 Superintendent's Report

Mr. Volta reported that most of the "rules" regarding our return to school were agreed upon by the legislature the week after the July 4th holiday and somewhat clarified last week.

Mr. Volta reported on AB 104, aka the Retention Bill requires conferences when a family requests a student to be retained. It also mandates us to go over systems for course make-ups and other intervention and sets hard time lines for students to request letter grades to be changed to Pass and No Credit without harm to GPA's. The Bill lessens the graduation requirements for the classes of 2021 and 2022 if they are behind in credits to the state minimum.

Mr. Volta reported on AB 130. This is the main trailer bill that allocated money to numerous categorical programs. However, one large piece mandates that school districts provide a remote Independent study

program for students and families with health concerns. We just received the mandated Board Policy and Administrative Regulations from CSBA in which the Board will review later. The law will also change our current Independent Study program.

Mr. Volta reported on the guidance from CDPH for the rules regarding returning to school. The primary goal of the CDPH was to open schools for all with the least amount of time missed. In brief:

- Masks will be required to be worn indoors "in school settings" per the above referenced CDPH guidance. However, no physical distancing will be mandated.
- Isolation will still be required of all COVID-19 positive students and staff members.
- Asymptomatic vaccinated close contacts to COVID-19 positive individuals need not quarantine.
- Unvaccinated close contacts can remain in school if both parties were wearing a mask at the time of exposure, however they will be quarantined from ALL extra-curricular activities.
- Unvaccinated close contacts who were not wearing masks at the time of exposure will be quarantined per the state guidance for up to 10 days after exposure.
- We are still awaiting word for extra-curricular activities

Current backdrop for COVID-19:

- a. Transmission Rate 8.6/ 100 k residents (21 unvaccinated and 3 vaccinated)
- b. 134 new case per day on 7-day average (2/24 & 11/6)
- c. 55% vaccinated in our 5 communities
- d. About 34% of HS students state wide have been vaccinated

Mr. Volta further reported that he will give a Measure U update at the next meeting but briefly, the three new classrooms will be ready by next week at Freedom and we have 3 other buildings whereby the pads are down and utilities are being installed prior to the foundations being poured.

Carrie Wells, Heritage High School, reported that they completed 4 days of walk-through and are touching bases with families who did not attend. She further reported that their Leadership class is hosting a retreat with Liberty's Leadership class. They will attend a training with Scott Backovich, on positive school culture. The staff will attend a professional development training with Tanya Gibson on Social and Emotional Learning.

Chris Holland, La Paloma High School, reported that AB 104 has been very helpful to the La Paloma students. He shared that the summer school program was a success and 230 credits were earned.

Guy Rognien, Independence High School, reported that the enrollment process has begun for all CEC programs. He further reported that they have enrolled about 70% of Independence students and are working to enroll the Independent Study Remote Learning students. In addition, they have identified students that will benefit from AB 104 and are working with them towards graduation.

Efa Huckaby, Liberty High School, reported they just complete 4 days of walk-through and are following up on about 285 students that did not attend. Keynote speaker Javier Sanchez will address Liberty students to get them ready for the beginning of school. He shared that the week of August 9th, the staff will hold a PRIDE (Presence, Respect, Integrity, Determination and Equity) week.

Lauren Kelly, Freedom High School, reported they had a wonderful 3 days of walk-through. Welcome week will include Freshman/Sophomore boot camps, presentations and some modified indoor/outdoor activities. She gave a shout-out to sports, they are fully staffed and have about 130 students participating in football and to Annalouisa Gonzalez-Ortega, who has been acknowledged by the White House for her service and dedication to the community.

5.04 Board Comments

The Board thanked the public for their comments and welcomed the new principals.

Dr. Hawley suggested students get regular mask breaks and not be disciplined when not wearing a mask. She noted that it is important that we focus on high-level math to keep our students moving forward. Dr. Hawley also would like to see how AB104 has helped our students. She proposed that the board get some education on the topic of Critical Race Theory.

Mr. Stonebarger thanked the nurses that shared their comments for their service.

Mr. Ghiggeri shared that there are questions regarding the Critical Race Theory and that the Ethnic Studies class is an elective and a family choice on whether to take the course. He further suggested that people contact their legislature on mask guidance.

6. PRESENTATION

6.01 Presentation of Textbook for 30-day Public Display: Math for Business and Life

Mr. Faulkner presented the textbook for display.

7. CONSENT AGENDA

Action: Motion was made by Mr. Ghiggeri and seconded by Dr. Hawley to approve Item 7.01 through Item 7.22. Passed with a 4 (Allred, Ghiggeri, Hawley, Stonebarger) – 0 vote.

7.01 Consider Approval of the Personnel Report No. 07 21 2021

7.02 Consider Approval of an Individual Service Agreement for Nonpublic School Services with Spectrum School

7.03 Consider Approval of an Individual Service Agreement for Nonpublic School Services with a Better Chance School

7.04 Consider Approval of a Short Form Service Contract with Augmentative Communication Solutions

7.05 Consider Approval of an Individual Service Agreement with Foundations Therapy Service

7.06 Consider Approval of Short Form Service Contract with Haynes Family of Programs, Inc.

7.07 Consider Approval of an Individual Service Agreement for Nonpublic School Services with ANOVA Center for Education

7.08 Consider Approval of an Individual Service Agreement with Positive Behavior Supports Corp.

7.09 Consider Approval of an Individual Service Agreement for Nonpublic School Services with Seneca Family of Agencies

7.10 Consider Approval of a Service Agreement with Navigate360 for Employee online AliCE Training on Active Shooter Preparedness and Response

7.11 Consider Approval of Update of Instructional Minutes for 2021-2022

7.12 Consider Approval of Seven (7) Revised Course of Study Proposals for 2021-2022 School Year: Algebra 1 Support; Algebra 2; Algebra 2 Support; Financial Algebra; Geometry; Geometry Support; Applied Career Mathematics

- 7.13 Consider Approval of Donations in 2020-21 School Year: Quarter 4
- 7.14 Consider Approval of Surplus - Freedom High School: Binding Machine
- 7.15 Consider Approval of Prime Contract Change Order #001 from Consolidated Engineering, Inc. for the Heritage High School New Classroom Buildings Increment 1 Project
- 7.16 Consider Approval of the Notice of Completion for the Heritage High School New Classroom Buildings Increment 1
- 7.17 Consider Approval of the Notice of Completion for the Roof Coating at Freedom High School
- 7.18 Consider Approval of Contract with Fagen Friedman & Fulfrost LLP
- 7.19 Consider Approval of Warrants Issued in June 2021
- 7.20 Consider Approval of the District's Quarterly Report on Williams Uniform Complaints
- 7.21 Consider action of 2021-22 Fall Semester re-admission of students who have met conditions of expulsion order, as recommended by the Superintendent.
- 7.22 Consider Action of 2021-22 Interdistrict Transfer Requests as Recommended by the Superintendent

8. ADMINISTRATIVE ACTION

8.01 Consider Approval of Provisional Internships Permit(s) for Certificated Personnel

Action: Motion was made by Dr. Hawley and seconded by Mr. Stonebarger to approve Item 8.01. Passed with a 4 (Allred, Ghiggeri, Hawley, Stonebarger) – 0 vote.

8.02 Consider Approval of Benefits and Salary Schedule for Adult Education Teachers

Action: Motion was made by Mr. Ghiggeri and seconded by Mr. Stonebarger to approve Item 8.02. Passed with a 4 (Allred, Ghiggeri, Hawley, Stonebarger) – 0 vote.

8.03 Consider Approval of the California SUMS Initiative: Scaling Up Multi-Tiered System of Support School Conditions and Climate Grant Agreement

Action: Motion was made by Mr. Ghiggeri and seconded by Dr. Hawley to approve Item 8.03. Passed with a 4 (Allred, Ghiggeri, Hawley, Stonebarger) – 0 vote.

8.04 Consider Approval of the 2021-2022 Carl D. Perkins Technical Education Application / Plan for Funding (Freedom, Heritage and Liberty High Schools)

Action: Motion was made by Dr. Hawley and seconded by Mr. Stonebarger to approve Item 8.04. Passed with a 4 (Allred, Ghiggeri, Hawley, Stonebarger) – 0 vote.

8.05 Consider Approval of a one-year contract extension (through school year 2024-25) for the Superintendent per the terms of his contract with the District

Action: Motion was made by Mr. Ghiggeri and seconded by Dr. Hawley to approve Item 8.05. Passed with a 3 (Allred, Ghiggeri, Hawley) – 1 (Stonebarger) vote.

9. PÓLICIES AND AMENDMENTS

9.01 Consider Emergency Approval of Revised Administrative Regulation AR 6158, Independent Study
First Reading of BP/AR 6158, Independent Study as amended.

10. DISCUSSION

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

Mrs. Allred thanked Mr. Volta for all the work he has done, especially this year.

Dr. Hawley would like a future discussion from an expert on Critical Race Theory.

Mr. Stonebarger would like the Board to reconsider the Ethnic Studies course while the Board goes through the process of understanding what Critical Race Theory is. He would like a discussion on equity in grading and mask choice and discipline.

11. SPECIAL SESSION(S) CONTINUED

At 8:44 p.m. President Allred recessed the meeting to closed session.

11.01 Closed Session

11.02 Open Session

At 9:36 p.m. the Board returned to open session. Mrs. Allred reported that no reportable action was taken in closed session.

12. ADJOURNMENT

The meeting was adjourned.

Respectfully submitted,



Eric Volta
Superintendent

