Governing Board of Trustees Regular Meeting  
Wednesday, September 28, 2022

Members present
Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Meeting called to order at 4:17 PM

1. CALL TO ORDER OPEN SESSION

Procedural: 1.1 CALL TO ORDER OPEN SESSION
Governing Board President Halpern called the Board of Trustees Meeting to order at 4:17 PM.

Procedural: 1.2 PUBLIC INPUT CONCERNING ITEMS ON THE CLOSED SESSION AGENDA
No public requests to address the Governing Board of Trustees regarding items on the Closed Session agenda.

Procedural: 1.3 ADJOURNMENT INTO CLOSED SESSION
Governing Board President Halpern adjourned into Closed Session at 4:18 PM.

2. CLOSED SESSION

Discussion: 2.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code § 54956.9(a)) Student v. Del Mar Unified School District, OAH Case No. 2022030407

Discussion: 2.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code § 54956.9(a)) Student v. Del Mar Unified School District OAH Case No.: 2022080324

Discussion: 2.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9.(d)(1)): Resh v. DMUSD (Super. Ct. No. 37-2019- 00050250-CU-WT-CTL)

Discussion: 2.4 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Government Code Section 54954.5 (1 matter)

Discussion: 2.5 CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION Government Code Section 54956.9 (d)(1): One case - Save the Field v. Del Mar Union School District, Case No. 37-2020-00020207-CU-TT-CTL.

Discussion: 2.6 CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION Government Code Section 54956.9 (d)(1): One case – Save the Field v. City of San Diego, Case No. 37-2022-00005335-CU-TT-CTL.

3. RECONVENE OPEN SESSION

Procedural, Report: 3.1 CALL TO ORDER OPEN SESSION
Governing Board President Halpern reconvened Open Session at 6:09 PM.

Report: 3.2 REPORT OF ACTION TAKEN IN CLOSED SESSION
In closed session, by unanimous vote, the Board voted to approve a compromise agreement and release with Student in OAH Case No. 2022080324. The agreement includes special education services, assessments, and attorneys’ fees in exchange for a waiver of claims against the District.

In closed session, by unanimous vote, the Board voted to approve a compromise agreement and release with Student in OAH Case No. 2022030407. The agreement includes special education services and attorneys’ fees in exchange for a waiver of claims against the District.

Procedural: 3.3 PLEDGE OF ALLEGIANCE
Superintendent McClurg led the Pledge of Allegiance.

Action, Procedural: 3.4 APPROVAL OF THE AGENDA
Approve agenda for the Regular Meeting of the Governing Board of Trustees.

https://go.boarddocs.com/ca/dmisd/board.nsf/private?open&login#
Motion by Doug Rafner, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

4. CORRESPONDENCE/COMMUNICATIONS

Report: 4.1 CORRESPONDENCE
Superintendent's Office received the following correspondence regarding District business:

Enrollment
Enrichment Programs
Campus After Hours Use
Universal Meals
STEAM+
Special Education
Diversity, Equity and Inclusion

Procedural: 4.2 HEARING OF THE PUBLIC REGARDING NON-AGENDA ITEMS
Gina Vargas, regarding full-day kindergarten
Danielle Roybal, regarding Special Education
Jackie Tiffany, regarding full-day kindergarten
Darcy Miramontes, regarding Special Education
Steven Brehm, full-day kindergarten
Valerie Schornstein, regarding loving our District

5. REPORTS, RECOGNITIONS AND HEARINGS

Recognition: 5.1 BOARD RECOGNITION: DMUSD EMPLOYEES OF THE MONTH, SEPTEMBER 2022
Ashley Falls School: Vickie Anderson, Kindergarten Spanish Immersion Teacher
Carmel Del Mar School: Allyson Wilkins, School Counselor
Del Mar Heights School: Christine Williams, Sixth Grade Teacher
Del Mar Hills Academy: Katherine Weidmann, Kindergarten Teacher
Ocean Air School: Sandi Jackson, Kindergarten Teacher
Pacific Sky School: Ashley Whipple, STEAM+ Innovation Technology Teacher
Sage Canyon School: Gina Abbamonte, Fifth Grade Teacher
Sycamore Ridge School: Erik Lima, Sixth Grade Teacher
Torrey Hills School: Shannon McAfee, Fourth, Fifth Grade Combo Teacher
Early Childhood Development Center: Emily Weiss, Associate Teacher
District Office: Michelle Bothe, Administrative Assistant Business Services

Report: 5.2 BOARD REPORT: DEL MAR CALIFORNIA TEACHERS ASSOCIATION (DMCTA)
DMCTA President, Kevin Cunha, shared a report with the Board, including:

Starting The School Year
New Employees
Professional Relations Meeting
Bargaining

Report: 5.3 BOARD REPORT: DEL MAR SCHOOLS EDUCATION FOUNDATION (DMSEF)
DMSEF President, Will Rhett, provided a DMSEF report to the Board, including:

DMSEF Fall Campaign Update
A Special Thank You To Fall Campaign Sponsors
Thank You STEAM+ Teachers

Report: 5.4 BOARD REPORT: GOVERNING BOARD MEMBERS
Member Wooden: Attended the Pacific Sky School Ribbon Cutting Ceremony.
Member Halpern: Attended the Pacific Sky School Ribbon Cutting Ceremony and the Harvest Fest for Del Mar Heights.

Member Fitzpatrick: Watched the virtual Parent Learning Series with Dr. Adam Saenz, visited Carmel Del Mar School, and attended the Pacific Sky School Ribbon Cutting Ceremony.

Member Mok: Attended a DMSEF Board Meeting, a San Diego County School Board Association Meeting, and the Pacific Sky School Ribbon Cutting Ceremony.

Member Rafner: Attended a North City West Finance Board Meeting and the Pacific Sky School Ribbon Cutting Ceremony. Listened virtually to court of appeal session Save The Field v. Del Mar Union School District.

Report: 5.5 BOARD REPORT: SUPERINTENDENT
Superintendent McClurg reported on current District activities, including:

- Salute to Teachers
- SDCOE Board Meeting
- Pacific Sky Ribbon Cutting Ceremony

PTA President at Torrey Hills School, Mindy Lewis, shared a report with the Board, including:

- Kicking Off The New School Year
- California PTA
- Welcoming Students
- Connecting Parents
- Involving Staff
- Engaging Families
- Planning The Year

Procedural: 5.6 OPEN PUBLIC HEARING TO REVIEW SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR THE 2022-2023 SCHOOL YEAR, AS REQUIRED BY EDUCATION CODE SECTION 60119
Governing Board President Halpern opened the Public Hearing to Review the Sufficiency of Instructional Materials for the 2022-2023 School Year at 6:56pm.

No public requests to address the Governing Board of Trustees regarding the Sufficiency of Instructional Materials for the 2022-2023 School Year.

Action, Procedural: 5.7 BOARD APPROVAL, RESOLUTION NO. 2022-24 REGARDING THE SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR THE 2022-2023 SCHOOL YEAR, AS REQUIRED BY EDUCATION CODE SECTION 60119
Governing Board President Halpern closed the Public Hearing regarding the Sufficiency of Instructional Materials for the 2022-2023 School Year after Resolution 2022-24 was approved by the Board at 6:56pm.

Approve Resolution No. 2022-24 regarding the Sufficiency of Instructional Materials for the 2022-2023 school year, as required by Education Code Section 60119.

Motion by Gee Wah Mok, second by Scott Wooden.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Procedural: 5.8 HEARING OF THE PUBLIC REGARDING AGENDA ITEMS
No public requests to address the Governing Board of Trustees regarding agenda items.

Action, Minutes, Procedural: 5.9 BOARD APPROVAL OF MINUTES
Approve Minutes:
August 24, 2022 Regular Meeting

Motion by Gee Wah Mok, second by Katherine Fitzpatrick.
Final Resolution: Motion Carries
Aye: Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok
Abstain: Doug Rafner
6. CONSENT

Information: 6.1 BOARD INFORMATION, SAN DIEGO COUNTY OFFICE OF EDUCATION OVERSIGHT LETTER REGARDING 2022-2023 ADOPTED BUDGET

Action (Consent): 6.2 BOARD APPROVAL AND ACCEPTANCE OF DONATIONS TO THE DEL MAR UNION SCHOOL DISTRICT
Resolution: Approve and accept donations to the Del Mar Union School District.

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.3 BOARD APPROVAL, ACTION TO DECLARE DISTRICT PERSONAL PROPERTY AS OBSOLETE AND SURPLUS AND TO DISPOSE PER EDUCATION CODE 17540 and 17546(a)(b)(c)
Resolution: Approve action to declare District personal property as obsolete and surplus and to dispose per Education Code 17540 and 17546(a)(b)(c).

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.4 BOARD APPROVAL, PURCHASE ORDERS AND RATIFICATION OF COMMERCIAL WARRANT PAYMENTS, REVOLVING CASH DISBURSEMENTS AND PURCHASE CARD TRANSACTIONS
Resolution: Approve Purchase Orders and Ratification of Commercial Warrant Payments, Revolving Cash Disbursements and Purchase Card Transactions.

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.5 BOARD APPROVAL AND RATIFICATION, DEL MAR UNION SCHOOL DISTRICT AGREEMENTS AND AMENDMENTS
Resolution: Approve and ratify Del Mar Union School District agreements and amendments.

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.6 BOARD APPROVAL, AGREEMENT BETWEEN VECTOR RESOURCES, INC DBA VECTORUSA AND THE DEL MAR UNION SCHOOL DISTRICT FOR HOURLY PRODUCTION TECHNICAL SUPPORT
Resolution: Approve agreement between Vector Resources, Inc dba VectorUSA and the Del Mar Union School District for hourly production technical support.

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.7 BOARD APPROVAL, PARTIAL RELEASE AND REDUCTION OF RETENTION FOR THE PACIFIC SKY SCHOOL PROJECT
Resolution: Approve the partial release and reduction of retention for the Pacific Sky School Project.

Approve Consent Items 6.1 - 6.21.
Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.8 BOARD APPROVAL, ATTENDANCE AT THE 2022 CASBO CBO SYMPOSIUM
Resolution: Approve attendance at the 2022 Casbo CBO Symposium
Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.9 BOARD APPROVAL, REVISIONS TO BOARD POLICY 0420.4: CHARTER SCHOOLS
Resolution: Approve revisions to Board Policy 0420.4: Charter Schools
Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.10 BOARD APPROVAL, REVISIONS TO BOARD POLICY 5145.3: NONDISCRIMINATION/HARASSMENT
Resolution: Approve revisions to Board Policy 5145.3: Nondiscrimination/Harassment
Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.11 BOARD APPROVAL, REVISIONS TO BOARD POLICY 5145.7: SEXUAL HARASSMENT
Resolution: Approve revisions to Board Policy 5145.7: Sexual Harassment.
Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.12 BOARD APPROVAL, REVISIONS TO BOARD POLICY 5131.2: BULLYING PREVENTION
Resolution: Approve revisions to Board Policy 5131.2: Bullying Prevention.
Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.13 BOARD REVIEW, BOARD POLICY 5145.2: FREEDOM OF SPEECH/EXPRESSION
Resolution: Board Review of Board Policy 5145.2: Freedom of Speech/Expression
Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.14 BOARD APPROVAL, RETIRE BOARD POLICY 5145.8: REFUSAL TO HARM OR DESTROY ANIMALS
Resolution: Approve retirement of Board Policy 5145.8: Refusal to Harm or Destroy Animals
Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.15 BOARD APPROVAL, REVISIONS TO BOARD POLICY 5145.11: QUESTIONING AND APPREHENSION
Resolution: Approve revisions to Board Policy 5145.11: Questioning and Apprehension

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.16 BOARD REVIEW, BOARD POLICY 4111: RECRUITMENT AND SELECTION
Resolution: Board Review of Board Policy 4111: Recruitment and Selection

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.17 BOARD APPROVAL, REVISIONS TO BOARD POLICY 4211, 4311: RECRUITMENT AND SELECTION
Resolution: Approve revisions to Board Policy 4211, 4311: Recruitment and Selection

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.18 BOARD REVIEW, BOARD POLICY 4112.8, 4212.8, 4312.8: EMPLOYMENT OF RELATIVES
Resolution: Board Review of Board Policy 4112.8, 4212.8, 4312.8: Employment of Relatives

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.19 BOARD APPROVAL, APPROVE MEMORANDUM OF UNDERSTANDING - SDUHSD TEACHING AND LEARNING PROGRAM
Resolution: Approve Memorandum of Understanding - SDUHSD Teaching and Learning Program

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.20 BOARD APPROVAL, AMENDMENT TO AFFILIATION AGREEMENT - UNIVERSITY OF SAN DIEGO - FIELD EXPERIENCE
Resolution: Approve Amendment to Affiliation Agreement.

Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

https://go.boarddocs.com/ca/dmusd/board.nsf/private/open&login#
Action (Consent): 6.21 BOARD APPROVAL, RECOMMENDED PERSONNEL ACTIONS: EMPLOYMENT, RESIGNATIONS, DISMISSALS, LEAVES OF ABSENCE, AND CHANGE OF STATUS
Resolution: Approve recommended Personnel actions: employment, resignations, dismissals, leaves of absence, and change of status.
Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.22 BOARD APPROVAL, CONSENT CALENDAR
Staff responded to clarifying questions from the Board.

Resolution: Approve Consent Items 6.1 - 6.21.
Approve Consent Items 6.1 - 6.21.

Motion by Scott Wooden, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

7. CURRICULUM AND INSTRUCTION

Report: 7.1 BOARD REPORT, SPECIAL EDUCATION: SPECIALLY DESIGNED INSTRUCTION
Director of Special Education & Student Supports, Nadine Schick, along with Aimee Zaiser, Education Specialist, and Laurie Carpenter, Alternative Learning Curriculum Teacher, shared a report with the Board, including:

What Is Specially Designed Instruction
Least Restrictive Environment
Educational Settings
Learning Lab Program
Learning Lab Model - Push In Support
Learning Lab Model - Pull Out Support
Alternative Learning Curriculum Program (ALC)
Alternative Learning Curriculum
CA Core Content Connectors
Educational and Social Outcomes

Staff responded to questions from the Board.

8. ADMINISTRATION AND POLICY

Report: 8.1 BOARD REPORT, STRATEGIC PLANNING PROCESS UPDATE
Holly McClurg, Superintendent, shared a report with the Board, including:

Update Overview
Strategic Plan Overview
Priority Action - DD2022
Participation and Feedback
Strategic Planning Partner Selection
Strategic Planning: Looking Ahead in 2022/2023

Staff responded to questions from the Board.

9. MAINTENANCE, OPERATIONS AND FACILITIES

Report: 9.1 BOARD REPORT, FACILITIES UPDATE
Chris Delehanty, Assistant Superintendent of Business Services, shared a report with the Board, including:

Facilities Update - Topics To Cover
Del Mar Hills Academy Modernization
Pacific Sky School
Del Mar Heights School Rebuild
Staff responded to questions from the Board.

10. BUSINESS AND FINANCE

11. PERSONNEL
12. CLOSING ITEMS
Information: 12.1 BOARD REVIEW, REMINDER OF UPCOMING DMUSD EVENTS

Information: 12.2 BOARD REVIEW, REMINDER OF UPCOMING DMUSD PTA EVENTS

Information: 12.3 BOARD REVIEW, PRELIMINARY ITEMS FOR THE OCTOBER REGULAR BOARD MEETING
Board member Fitzpatrick proposed a report on student meal choices and an action item on full-day kindergarten for the 2023-2024 school year.

Procedural: 12.4 ADJOURNMENT INTO CLOSED SESSION
Governing Board President Halpern adjourned into Closed Session at 7:49 PM.

13. CLOSED SESSION


14. RECONVENE OPEN SESSION
Procedural, Report: 14.1 RECONVENE OPEN SESSION
Governing Board President Halpern reconvened Open Session at 8:35 PM.

Procedural, Report: 14.2 REPORT OF ACTION TAKEN IN CLOSED SESSION
The Governing Board met in Closed Session and no action was taken.

15. ADJOURNMENT OF MEETING

Action: 15.1 ADJOURNMENT OF MEETING
Governing Board President Halpern adjourned the meeting at 8:35 pm.

Motion to Adjourn meeting.

Motion by Gee Wah Mok, second by Scott Wooden.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Minutes of September 28, 2022 Adopted:

Signature of Governing Board Clerk:

Gee Wah Mok, Esq.

Date

10/26/22

Signature of Superintendent:

Holly McClurg, Ph.D.