

**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.

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 Vargus, 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 6:58pm.

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

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

Discussion: 13.1 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: 13.2 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.

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*

Gee Wah Mok, Esq.

*10/26/22*

Date

Signature of Superintendent:

*Holly McClurg*

Holly McClurg, Ph.D.



10/26/2022  
Date

*Generated by Molly McGregor on Monday, October 17, 2022*