



**MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF EDUCATION
September 21, 2021
Closed Session 6:00 p.m./Regular Meeting 7:00 p.m.**

Board Members Present: Mr. Ron Freitas, President; Mrs. Susan Macfarlane, Vice President ; Mr. Courtney Porter, Clerk; Mr. Ron Heberle; Mr. Joe Nava; Mr. Gary Knackstedt; and Mr. George Neely

Administrative Staff: Dr. Cathy Washer, Superintendent; Mr. Mike McKilligan, Assistant Superintendent, Personnel; Mr. Leonard Kahn, Chief Business Officer

Student Representatives: Marissa Duterte, McNair High School and Campbell Kurkjian, Tokay High School (subbing for Taylor Willis)

Meeting Recorder: Mrs. Michelle Armstrong, Executive Assistant to the Board of Education

Call to Order

The meeting was called to order at 6:00 p.m. at the James Areida Educational Support Center, 1305 East Vine Street, Lodi, CA 95240 and broadcast on YouTube.

Public Comment on Closed Session Items

No public comments were received prior to Closed Session.

Adjourn to Closed Session

The Board adjourned to Closed Session.

Reconvene Open Session

The meeting was reconvened at 7:00 p.m. and attendance was recorded. The Pledge of Allegiance was led by Campbell Kurkjian.

Closed Session

President Freitas reported the following action was taken in Closed Session:

Mr. Nava motioned, Mr. Porter seconded, and the Board voted unanimously to approve the Settlement Agreement of OAH Case No. 2021061067.

Mr. Porter motioned, Mr. Heberle seconded, and the Board voted unanimously to approve the appointment of Melina Puente as Middle School Vice Principal/High School Assistant Principal, effective 2021/2022 school year, location TBD.

Mrs. Macfarlane motioned, Mr. Knackstedt seconded, and the Board voted unanimously to approve the appointment of Christina Halsey as Interim Elementary Principal, effective 2021/2022 school year, location TBD.

Mrs. Macfarlane motioned, Mr. Knackstedt seconded, and the Board voted unanimously to approve the appointment of Mariya Wharry as Program Coordinator Curriculum & Instruction, effective 2021/2022 school year, location TBD.

Mr. Nava motioned, Mr. Heberle seconded, and the Board voted unanimously to approve the Placement of 2020-2021 Non-Public School Students (Changes) number 81, 88, and 98.

Mr. Porter motioned, Mrs. Macfarlane seconded, and the Board voted unanimously to approve the Placement of 2020-2021 Non-Public School Students (New) numbers 31 and 101.

President Freitas held a moment of silence for three Lodi USD employees who passed away, Mony Soeur, Cafeteria Manager, Wagner-Holt School; Debbie Dutra, Teacher, Bear Creek High School; and Zachary Luchetti, Teacher, Lodi Middle School.

Mr. Freitas announced that National Hispanic Heritage Month is from September 15 to October 15, 2021 and stated the District will be highlighting Lodi Unified community members who identify as Hispanic/Latino on the District's social media.

Recognitions

Mr. Neely recognized Larson Elementary School for celebrating "Constitution Day" and the excitement he witnessed at the school. He introduced Erin Church, Principal, Larson Elementary School, who spoke briefly about fun things that are happening at Larson, such as "Squeeze the Day" in kindergarten, which was a lemon themed learning day.

Mr. Freitas stated he would like to continue to highlight schools at future Board meetings.

Dr. Washer recognized the Raymus Foundation and the generous grants that were awarded to a select group of District schools. She introduced Alex Sugar, Foundation Coordinator at Raymus LLC and thanked him for their generosity. Mr. Sugar thanked the Board for the recognition and encouraged other schools to apply.

Superintendent's Report

Superintendent Washer displayed pictures of two murals the Tokay High FFA entered in the Lodi Grape Festival. She explained that 47 different varieties of grapes were harvested at the Tokay High School farm for the murals and other festival entries. Dr. Washer showed a video clip from Good Day Sacramento highlighting the Bear Creek High FFA School Farm Groundbreaking Ceremony and announced the GOT Kids Dancin' on Dynamite Fundraiser that will take place on October 2, 2021. She invited Neil Young, Assistant Superintendent, Elementary Education, to introduce Kelly Collins, the newly appointed Lawrence Elementary Principal.

Comments from Student Representatives

Marissa Duterte, McNair High School and Campbell Kurkjian, Tokay High School, presented reports from their respective schools.

Comments from the Public

Brooke Shamhart, Teacher, Lois E. Borchardt Elementary, spoke about masking mandates and vaccinations and the division it has created at the workplace.

Julie Schiess, Parent, spoke about her daughter and her experience with the District's COVID-19 exposure protocol.

Ashley Herzick, Speech Pathologist, Lodi High School, spoke about the fear involved with COVID-19 and the workplace division that is created with the mask mandate.

Eric Parsons, Community Member, spoke about the mask mandate.

Scott Woznick, Teacher, Special Education, read a Bible verse and asked the Board and District to meet with him and others to better the current pandemic situation.

Rhonda Prizonich, Community Member, presented her views on the news and COVID-19 vaccine.

Alex Aliferis, Substitute Teacher, spoke about the vaccination mandate and showed his support of “my body, my choice”.

Jim Hicks, Community Member, asked the Board who among them has been vaccinated for COVID-19 and then spoke about his view on the pandemic.

Anne Rogers, Community Member, spoke about her views on masks and COVID-19 vaccines.

Araceli Flores, Parent, made a brief statement on her beliefs related to the pandemic.

Consent Agenda A, Routine Business

Michelle Orgon pulled Item A-2 from Consent Agenda A for discussion.

- Item A-1 Warrant Report
- Item A-3 Changes to the Adopted Budget
- Item A-4 Minutes of the Regular Meeting of September 7, 2021

Mr. Nava moved, Mr. Knackstedt seconded, and the Board voted unanimously to approve Consent Agenda A, Routine Business, as amended.

The Student Representative preferential vote was unanimously aye.

Individual Action on Items Pulled from Consent Agenda A – Routine Business

Item A-2 Contracts List

Michelle Orgon, President, Lodi Education Association (LEA), asked if contract (3) agreement with HR Support, to provide COVID-19 testing services throughout Lodi covers Stockton as well.

Mr. Kahn stated the contract covers both Lodi and Stockton areas with the locations for testing being the four comprehensive high schools.

No Board comments were received.

Mr. Neely moved, Mr. Porter seconded, and the Board voted unanimously to approve Item A-2 Contracts List.

The Student Representative preferential vote was unanimously aye.

Consent Agenda B – Student Discipline Cases

(Item B-1) Expulsion: Student # 21/22-11-07

(Item B-2) Expulsion: Student # 21/22-9-08

Mr. Nava moved, Mr. Knackstedt seconded, and the Board voted unanimously to approve Consent Agenda B, Student Discipline Cases, as presented.

Other Action Items

Item OAI-1 Increase Teacher Substitute Budget by 30% to Reflect a 30% Bonus for Teacher Substitutes Based on their Daily Substitute Pay from September 16, 2021 to June 30, 2022

Dr. Washer presented an increase to the teacher substitute budget by 30%, which would provide a 30% bonus for substitutes for Board consideration.

Mr. Knackstedt confirmed the funds are coming from the COVID-19 money.

Mr. Porter questioned the possibility of offering retired teachers an incentive for substituting.

Mr. Freitas asked the Student Representatives if they personally have been affected by not having a substitute.

Both students stated they have not been affected by the substitute shortage and feel that the schools do a good job of managing it.

Public Comments

Michelle Orgon, President, Lodi Education Association (LEA)

Bob Calderone, Teacher, Lodi High School

Maria Alfiche, Teacher, Oakwood Elementary School

Mr. Knackstedt moved, Mr. Heberle seconded, and the Board voted unanimously to approve Item OAI-1 Increase Teacher Substitute Budget by 30% to Reflect a 30% Bonus for Teacher Substitutes Based on their Daily Substitute Pay from September 16, 2021 to June 30, 2022.

Item OAI-2 One-Time Increase to School Budgets to Allocate Funds Per Teacher for Classroom Supplies/Materials

Mr. Nava presented the proposal for a one-time increase to allocate \$200 per teacher for classroom supplies and materials for Board consideration.

Mrs. Macfarlane clarified that it is nice gesture from Mr. Nava and is not intended to fund a classroom.

Public Comments

Michelle Orgon, President, Lodi Education Association (LEA)

Lisa Wilkins, Teacher, Morada Middle School

Mr. Nava moved, Mr. Knackstedt seconded, and the Board voted unanimously to approve Item OAI-2 One-Time Increase to School Budgets to Allocate Funds Per Teacher for Classroom Supplies/Materials.

The Student Representative preferential vote was unanimously aye.

Item OAI-3 Approval to Contract with ASIR Visual Marketing for District Rebranding and Refreshing School Logos as Specified in the Lodi USD Strategic Communication and Marketing Plan

Dr. Washer spoke briefly and then introduced Chelsea Vongehr, Public Information Officer & Grant Writer, to answer any questions about ASIR Visual Marketing.

Mr. Neely stated he is looking forward to the changes, especially regarding the website.

Dr. Washer clarified that school logos will be refreshed, not redesigned.

Discussion ensued.

Mr. Porter asked about the goals section of the ASIR proposal on page two and questioned how they can statistically prove those statements.

Ms. Vongehr stated she would reach out to ASIR to get more information.

Mr. Freitas asked the Student Representatives how they feel about the rebranding.

Student Representative Duterte stated she felt like the school logos didn't need to be refurbished but that the District logo seemed outdated.

Student Representative Kurkjian agreed with the website needing to be redone for better organization and felt like the Lodi USD District logo is outdated.

Discussion continued.

Public Comments

Jill Keefer, Teacher, Larson Elementary School
Michelle Orgon, President, Lodi Education Association (LEA)
Maria Alfiche, Teacher, Oakwood Elementary School
Lisa Wilkins, Teacher, Morada Middle School

Mr. Knackstedt moved, Mr. Neely seconded, and the Board voted to approve Item OAI-3 Approval to Contract with ASIR Visual Marketing for District Rebranding and Refreshing School Logos as Specified in the Lodi USD Strategic Communication and Marketing Plan, by the following vote:

Ayes:	Freitas; Knackstedt; Macfarlane; Nava; Neely	
Noes:	Heberle; Porter	
Abstain:	none	
Absent:	none	Motion Carried

The Student Representative preferential vote was unanimously aye.

President Freitas dismissed the Student Representatives, and the Board took a 5-minute recess.

Item OAI-4 Revision to Board Policy and Rule 5126 Student Awards for Achievement

President Freitas introduced for discussion and Board consideration: Item OAI-4 Revision to Board Policy and Rule 5126 Student Awards for Achievement.

No Board or public comments were given.

Mr. Heberle moved, Mr. Porter seconded, and the Board voted unanimously to approve Item OAI-4 Revision to Board Policy and Rule 5126 Student Awards for Achievement.

Item OAI-5 Resolution 2021-48 Sufficiency of Instructional Materials

Robert Sahli, Assistant Superintendent, Curriculum and Instruction, presented Resolution 2021-48 for Board consideration.

Mr. Heberle stated that “sufficient” is not enough and we should continue to strive for more.

Mr. Porter commented on his experience as a teacher and always having what he needed while in the classroom.

Public Comments

Michelle Orgon, President, Lodi Education Association (LEA)

Mr. Nava moved, Mrs. Macfarlane seconded, and the Board voted unanimously to approve Item OAI-5 Resolution 2021-48 Sufficiency of Instructional Materials.

Personnel Matters

Mike McKilligan, Assistant Superintendent, Personnel, presented Personnel Matters for Board consideration.

No Board or public comments were given.

Mr. Nava moved, Mrs. Macfarlane seconded, and the Board voted unanimously to approve Personnel Matters.

Reports

Updates on CDPH Mask Mandate for Schools, Lodi USD Enforcement Strategies, and Next Steps

Superintendent Washer spoke about the current tiered strategy approach the District implemented to enforce the California Department of Public Health (CDPH) Mask Mandate requiring all students and staff to wear a mask indoors at schools. She commented on possible consequences if the District and individual employees of the District do not follow the mandate, such as, financial penalties; lawsuits; civil issues for individuals; and possible credential review for disciplinary action. Dr. Washer stated that the District will need to start removing students who do not follow the mandate after current tiered strategies are taken.

Mr. Freitas confirmed there are about five students in the District who continue to not comply with the mandate. He asked if the District could be sued if the mandate is not followed and asked for clarification about the teachers and administrators who could possibly lose credentials.

Dr. Washer stated that if the District does not fully enforce the mandate the insurance company will not cover any lawsuit and the funds would come from the General Fund.

Mr. Neely reiterated that insurance will not cover the District for any lawsuit if the mandate is not enforced and followed.

Mr. Heberle commented on the CDPH's recent reworded mandate and stated it felt like extortion.

Mrs. Macfarlane commented that the issue is bigger than the District but appreciates everyone's opinions.

Public Comments

Vanessa Weller, Parent

Jim Hicks, Community Member

Michelle Orgon, President, Lodi Education Association (read comments from Elizabeth Ing, Teacher)

Araceli Flores, Parent

Sandra Maddox, Community Member

Sarah Ehlers, Parent

Behavior Advantage Proposal

Paul Warren, Administrative Director, Student Services/SELPA, spoke about the Behavior Advantage program stating it is an electronic behavior intervention plan for special education and general education, which provides functional behavioral assessments and behavioral data collection. He presented the total subscription cost which includes an online clinical support package of 30 hours at \$37,967.

Mrs. Macfarlane asked if staff feels like it will help them streamline the process.

Mr. Warren stated several meetings were held with psychologists and teachers who are in support of the program.

Public Comments

Michelle Orgon, President, Lodi Education Association (LEA)

Communications

Comments from Employee Group Representatives

Michelle Orgon, President, Lodi Education Association (LEA), commented on the use of teacher substitutes, mask enforcement at school sites, contact tracing, and updating our site safety plans.

Comments from Board Members

Mr. Neely stated he would like a report on the later school start times and an update on Distance Learning. He requested information on the sports quarantine timeline and stated he would like substitutes to be used efficiently. He apologized for his outburst earlier in the meeting.

Mr. Porter commented that Manteca USD implemented the later school start times and stated the District hates it.

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Comments from the Superintendent

Dr. Washer had no further comments.

Board Advisory Committee Reports

No reports were presented.

Adjourn

The meeting adjourned at 10:13 p.m.

Clerk of the Board

President of the Board