

BEAR VALLEY UNIFIED SCHOOL DISTRICT
MINUTES OF A REGULAR BOARD MEETING
HELD ON SEPTEMBER 1, 2021
SCHOOL DISTRICT OFFICE

Present: Dr. Steve Foulkes
Mrs. Cathy Herrick
Mr. Paul Zamoyta
Mr. Jack Roberts
Ms. Sudie Smartt

Also Present: Dr. Mary Suzuki
Mrs. Linda Rosado
Dr. Lisa Waner
Ms. Lucinda Newton

President Herrick noted this meeting is being audio recorded.

1. Call to Order Open Session

President Herrick called the meeting to order at 3:30 p.m.

2. Adoption of Agenda

M21-22-024

President Herrick called for a motion to adopt the agenda for the meeting with the addendum as presented.

Motion by Mr. Roberts.

Second by Dr. Foulkes.

President Herrick called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta

NOES: None

ABSTAIN: None

ABSENT: None

3. Public Comment on Closed Session Agenda Items.

Hearing no comments, the Governing Board adjourned to Closed Session at 3:31 p.m.

4. Closed Session

a. **Student Personnel Item #21-22-001**

b. **Student Personnel Item #21-22-002**

5. Call to Order Open Session at 5:43 p.m.

6. All present participated in a Moment of Silence and the Pledge of Allegiance.

7. Report of Action Taken in Closed Session

a. Action Taken Pertaining to Student Personnel Item #21-22-001

President Herrick reported that the decision was made by unanimous vote to expel Student Personnel Item #21-22-001.

b. Action Taken Pertaining to Student Personnel Item #21-22-002

President Herrick reported that the Governing Board would return to Closed Session when Open Session adjourns for further deliberation regarding Student Personnel Item #21-22-002.

8. Comments from CSEA Chapter #415 President

Mrs. Bonnie South spoke directly to Mr. Roberts in support of the BVUSD Child Nutrition Department. Mrs. South shared that these are some of the hardest-working staff members in our district and underpaid, as are all classified employees. They love what they do. During the pandemic, they served meals to families with a gracious heart with the assistance of other classified employees. It was a group effort driven by Child Nutrition, and families were grateful. Mrs. South continued stating that all food items are required by law to be wrapped and bagged due to the pandemic. Mrs. South expressed her disappointment in Mr. Roberts and the Grizzly for the inept information reported and said they should have taken the time to confirm their information. Mrs. South shared her concerns about the damage done to our district because of this news article. Mrs. South continued sharing that the food our district serves is very similar to other districts. Mrs. South stated that your words matter because we are a team. There are coaches and players and hecklers on the sidelines. Mrs. South said that Mr. Roberts is a heckler.

9. Hearing Section

a. Public Comment

President Herrick reviewed the Quick Summary/Abstract for Public Comment.

1. **Joyce Crist** – Urged the Governing Board to challenge the mandate for masks in our schools. Ms. Crist expressed her opinion that masks are a bad choice for our kids. Ms. Crist stated that she feels wearing a mask should be the child and parents' choice, not our government. Ms. Crist shared reports that masks are insufficient and could harm students' overall health and education. Masks create an environment of fear. Ms. Crist asked the Governing Board to stand up for students, parents, and teachers Constitutional Rights and follow their conscience of right and wrong. Ms. Crist also asked for security in the restrooms as people are being bullied and attacked by transgenders.
2. **Mr. Kirk Garrison** – Stated that he is here to represent what he feels is the silent majority of parents who want to keep their kids in school even if it means they have to wear a mask. Mr. Garrison continued saying that wearing a mask decreases the probability of getting infected. Mr. Garrison shared information about a teacher in Marin County who didn't want to wear a mask. She infected 50% of her students, 100% in the front row, decreasing the further away they sat from the teacher. Mr. Garrison also provided information on states and counties with no mask mandate and compared this information to the reduced number of cases in California where there is a mask mandate. Mr. Garrison talked about concerns that increased student quarantines could force us back to remote learning and the impact on the community. Mr. Garrison continued saying we started with precautions, remote learning, now in person with masks; those precautions will decrease as data permits. Mr. Garrison closed, stating he is here for

community and kids over partisanship and the culture war. Ultimately what matters is doing what needs to be done to keep kids in school.

3. **Dr. Laura Williams** – Gave a brief history of her time in the Big Bear Valley and stated she has one child at the high school who has special needs. Dr. Williams shared that she is an MD, MPH who does not practice clinical medicine; but is in the School of Public Health at Loma Linda. Dr. Williams stated that her biggest concern is the data, daily COVID reports to parents at each school to decide whether their child should be wearing a mask or not or get a vaccine for their child. Dr. Williams also asked about vaccinations, how the school would be involved working with the County. Dr. Williams shared that she is also concerned by the lack of adequate pediatric routine and urgent care in Big Bear. Dr. Williams continued saying that her biggest concern is how we will approach this population in providing the vaccination.
4. **Angelique Bowman** – 40 year resident in Big Bear Valley, homeschooled her children, and has grandchildren that attend school here. Ms. Bowman shared that she is on oxygen due to a pulmonary embolism she had four years ago and has not worn a mask for a year and a half. Ms. Bowman said that masks restrict the intake of toxic gasses. Ms. Bowman continued speaking about the dangers to students wearing masks. Ms. Bowman asked what makes a mask wearer’s rights more than a non-mask wearer’s rights. She stated that this is America. We are free people.
5. **David Rufner** – Spoke to the marginalization of parents. Mr. Rufner stated that although communication from principals is good, it is not from Dr. Suzuki’s office. Mr. Rufner continued saying that emails should be sent rather than just posting something on the website. Mr. Rufner shared that he feels there is a lack of listening, and it’s hard to know if they are being heard. Mr. Rufner asks that the district over-communicate.
6. **Kelly Olson** – Ms. Olson shared that her son has gotten sick even with the mask mandate at school. Ms. Olson stated that she has not made her children wear masks. Ms. Olson continued saying that because of the shut-down, her seven-year-old son was depressed and that during this whole time, she has gone against the State and organized play dates for her kids, and they have not gotten sick. Ms. Olson shared that no one from the virtual academy got back to her, so she put her son back in school. Ms. Olson said that she appreciates children being back in school all day. She continued saying that her son gets yelled at for pulling his mask down to breathe. Ms. Olson shared that when her son got sick, her doctor told her that her office was full of kids who got sick with a respiratory illness that mimics COVID because of the bacteria they are breathing. She said that masks are dirty, kids can’t breathe, and it makes them sick.
7. **Heather Wylie** – Expressed her appreciation for the Governing Board agendaizing the mask discussion. She stated yesterday she shared with the Board a letter and resolution from Lucerne Valley in support of mask choice. The district sent it to CDPH. Mrs. Wylie continued saying that asking for mask choice in this district is not the end of the world for those who want to continue masking. Mrs. Wylie shared that Great Britain disagrees with masking students in schools except for large indoor gatherings. Mrs. Wylie requested the Board consider sending a similar letter and resolution to CDPH in support of mask choice for our district.
8. **David Perry** – President Herrick clarified that the discussion about masks was on the agenda to follow the Public Comments. Mr. Perry states that for his son, it is all about

being able to see, smile, and breathe. Mr. Perry stated he read the mask packaging, saying it does not prevent viruses. Mr. Perry asked why is he wearing a mask if he is not sick. Mr. Perry continued with comments on the efficacy of masks, discussed virus transmission and parental choice.

9. **Cindy Duprey** – Ms. Duprey stated that she has a different take on this because she is a Constitutionalist and understands her rights. We don't need to ask permission. We need to take our power back. Ms. Duprey shared that their constitutional rights are being violated by coercion and blackmail. Ms. Duprey continued stating that you forfeit your authority over your department when you violate our rights, and we can ask for your resignation. Ms. Duprey also stated that she is doing her best to educate the entire community and will not stop because this is wrong.

10. Community-Staff Presentation

a. Governing Board Discussion on Current CDPH/CDC Recommendations

Dr. Suzuki provided a brief PowerPoint presentation of the current CDPH/CDC Recommendations. Dr. Suzuki shared that based on what we know and recent research, we must keep schools open to promote our students' mental, social, academic, and emotional well-being. The last year took a huge toll on our students and staff. Dr. Suzuki continued saying that CDC research indicated that in-person activities at school are a lower risk of transmission than other gatherings. This is seen in our contact tracing; students testing positive tend to contract the virus outside school. Under five percent of students with the virus are traced back to school. There are key safety layers that make our schools one of the safest places. Middle and high school students now have the opportunity to be vaccinated. Dr. Suzuki shared that we had a vaccination clinic during the summer for our students and said that we realize that is a very personal decision. Lucerne Valley's resolution states that the resolution is for people who are vaccinated, not for the unvaccinated. Dr. Suzuki shared other layers of protection - have sick students stay home, quarantine, testing, HEPA filters in every classroom, ventilation, masks indoors, and cleaning hands. Students can be outside without masks. We do believe that our kids need to breathe just like everyone in this room. We are required to follow the California Department of Public Health order. Dr. Suzuki also shared information on the Delta variant, two times more contagious than the original. She also said that CDC, CDPH, and the American Academy of Pediatrics recommend the universal masking of students in school. A case study from Wood County, WI, was reviewed. Dr. Suzuki discussed the process of contact tracing and the current outlook of new cases, patterns of transmission, vaccination rates, quarantines, and potential staffing shortages. Dr. Suzuki stated that this presentation would be posted on the district website with research links.

Discussion amongst the Governing Board commenced. Dr. Foulkes stated that the Board has listened to the public comments, that as one Board member, he may not agree with them, but thinks we all share the desire to protect our students and staff. Dr. Foulkes shared that he felt it particularly relevant that the American Academy of Pediatrics recommends masks as it is their job to protect the health of our children. Dr. Foulkes shared information on the purpose of wearing a mask. Dr. Foulkes spoke to the fact that vaccinated people can still contract and spread the virus. Dr. Foulkes continued by saying that wearing a mask fulfills the need for the public good, and he supports the mask mandate.

Mr. Roberts shared that he gave his children the option to wear a mask at school or attend Virtual Academy. His two older children chose to wear a mask. Mr. Roberts stated that it is fortunate that the district has provided opportunities, before the pandemic, for children to get their education in an alternative setting. Mr. Roberts shared that he supports the science whether we agree or not. If wearing a mask is a worst-case scenario that keeps kids in class and everyone not going back to Zoom, it is worth the effort. If you don't like that choice, then sign up for Virtual Academy.

Mr. Zamoyta discussed community and common ground. Mr. Zamoyta shared that he couldn't think of anything worse than schools closing again. Mr. Zamoyta continued saying that right before we were shut down, the schools were about to close due to lack of employees. Mr. Zamoyta stated that he would do anything and everything not to go back to online learning. Wearing a mask is a reasonable inconvenience to offset the potential to close schools again. Mr. Zamoyta discussed the learning loss that occurred last year, kids coming into the first grade that don't know how to open a book or hold a pencil. These are things that can be taught while kids have masks on. Mr. Zamoyta stated that it is an entire community working together to solve this problem.

Ms. Smartt agreed with the other Board members wanting to normalize school again. Ms. Smartt stated that wearing a mask is a small price to pay, and hopefully, schools will thrive and get back to normal. She said that we wouldn't know unless we try something proactive, and this is the most proactive thing we can do.

President Herrick stated that we are polarized on this issue as a community, but as a Board, we are all in agreement. We are a public school, and we follow the CDC/CDPH guidance because our number one goal is to keep our kids in school in person. President Herrick shared that she knows there are disadvantages to wearing a mask because we are all experiencing it. We can't convince you that the decision to follow the CDC/CDPH guidance is the right thing to do. President Herrick continued saying that she assumed the resolution that the Lucerne Valley Board decided they were in uniform agreement. They created a resolution to request the State of California revise the face-covering guidance. President Herrick said that where we sit today as a Board, we support our direction as a public school system and do not see the Board moving forward with a resolution.

After a short discussion, President Herrick moved on to the consent calendar.

11. Consent Calendar

M21-22-025

President Herrick called for a motion to approve the Consent Calendar with the addendum as presented.

Motion by Mr. Roberts to approve the Consent Calendar with the addendum as follows:

11.a. Employ Director's Secretary, Student Services/Alternative Education - Name: Sean Jenkin

11.b. Employ Night Custodian – Name: Allen Bartlett

- 11.c. Employ Special Education Instructional Aides – Names: Metta Daniel, Jennifer Tyler, and Jessica Lopez**
- 11.d. Reduce One Vacant Custodian Position from Eight Contract Work Hours to Four Contract Work Hours**
- 11.e. Employ Substitute Teachers for the 2021-2022 School Year – Names: Evalina Vang, Ashley Garza, and Paul Strangeland**
- 11.f. Ratify Substitute Teacher Board Approval**
- 11.g. Big Bear High School Coach for 2021-2022**
- 11.h. District Drivers**
- 11.i. Governor Newsom's Executive Order Issued August 16, 2021 Suspending Government Code section 7522.56, 180-Day Break in Service for Certificated Retirees Allows Certificated Retirees to Work as Substitutes without Waiting 180 days**
- 11.j. Agreement for Student Meal Service between Redlands Unified School District and Bear Valley Unified School District, Amendment No. 2 to Agreement No. - FY 2021-22**
- 11.k. Certification of Board Minutes**
- 11.l. Governing Board Meeting Minutes**
- 11.m. Purchase Order Report - FY 2021-2022 Purchase Orders, Numbers 220164 through 220267 (Excluding 220176).**

Second by Dr. Foulkes.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta
NOES: None
ABSTAIN: None
ABSENT: None

12. Items Removed from the Consent Calendar

No items were removed from the Consent Calendar.

13. Employee Announcements

Dr. Suzuki welcomed the employees approved under the Consent Calendar. Dr. Suzuki expressed her appreciation to the certificated retirees who are returning as substitute teachers.

14. Information Section and Reports

14.a. Superintendent Comments

Dr. Suzuki had none, as she spoke earlier in the meeting.

14.b. Governing Board Member Reports

Mr. Roberts expressed his disappointment that Mrs. South left the meeting. Mr. Roberts continued saying that the message intended to be sent was not the message received. He apologized and said he did a poor job sending the message, and the Grizzly did a bad job getting the message out. Mr. Roberts stated that he feels the Child Nutrition Department does an outstanding job and is understaffed. Mr. Roberts continued saying that he feels for the students whose only meal comes from school. That if it were his child's only meal, he would want it to be the best. Mr. Roberts said that he knows they work hard and are terrific people. We have

increased their workload by providing meals to all students but have not increased their staffing. Given the state of the local economy, it is hard to hire people at near minimum wage. We have to do our part.

President Herrick expressed her appreciation to the community of parents who shared their beliefs regarding the mask mandate.

15. Administrative Report #21-22-002

M21-22-026

15.a. Administrative Services Credential Induction Program for 2021-2022

President Herrick called for a motion to approve Bear Valley Unified School District covering a percentage of the cost for Mr. Willemse to clear his credential.

Motion by Dr. Foulkes.

Second by Mr. Zamoyta.

President Herrick called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta
NOES: None
ABSTAIN: None
ABSENT: None

16. Curriculum/Instruction Report

**16.a. Memorandum of Understanding (MOU) and Agreement
to Provide Student Teacher Placements Between CalState TEACH
and Bear Valley Unified School District**

M21-22-027

President Herrick called for a motion to approve the MOU and Agreement to Provide Student Teacher Placements between CalState TEACH and Bear Valley Unified School District.

Motion by Mr. Roberts.

Second by Mr. Zamoyta.

President Herrick called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta
NOES: None
ABSTAIN: None
ABSENT: None

**16.b. Approval of the 2021-2022 Local Control Accountability
Plan (LCAP)**

M21-22-028

President Herrick called for a motion to approve the 2021-2022 Local Control Accountability Plan.

Motion by Ms. Smartt.

Second by Dr. Foulkes.

President Herrick called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta
NOES: None
ABSTAIN: None

ABSENT: None

**16.c. Public Hearing/Public Comment Pursuant to
Education Code Section 60119 – Pupil Textbook and
Instructional Materials Compliance**

Hearing no request to make public comment President Herrick moved on to agenda item 16.d.

**16.d. Resolution Number 21-22-006 Pupil Textbook and
Instructional Materials Compliance**

M21-22-029

After a short discussion, President Herrick called for a motion to approve Resolution Number 21-22-006 Pupil Textbook and Instructional Materials Compliance.

Motion by Dr. Foulkes.

Second by Mr. Zamoyta.

President Herrick called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta

NOES: None

ABSTAIN: None

ABSENT: None

17. Business/Financial Report #21-22-003

**17.a. Mrs. Linda Rosado, Executive Director, Business Services and Classified
Personnel will Present Refinance Options of the Certificate of Participation (COP)
Debt Service**

Mrs. Linda Rosado presented options for refinancing the Certificate of Participation (COP) for the solar panels to reduce, which would reduce the interest rate on the COP and establish a fixed rate. Mrs. Rosado requested the Governing Board's approval to move forward with the refinance and couple this with the lease/leaseback of the \$3,000,000.00 for the sports field. Mrs. Rosado clarified there is no pre-payment penalty on this refinance. After discussion, the direction of the Governing Board was to move forward with the refinance.

18. Personnel Report – Certificated #21-22-002

**18.a. Public Hearing – Resolution Number 21-22-007 for the Teacher
Consent for the 2021-2022 School Year**

Hearing no request to make public comment, President Herrick moved on to Agenda Item 18.b.

**18.b. Resolution Number 21-22-007 Teacher Consent for the
2021-2022 School Year**

M21-22-030

President Herrick called for a motion to approve Resolution Number 21-22-007 for the Teacher Consent for the 2021-2022 school year.

Motion by Mr. Roberts.

Second by Ms. Smartt.

President Herrick called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta

NOES: None
ABSTAIN: None
ABSENT: None

18.c. Public Hearing – Resolution Number 21-22-008 for the Teacher Consent for the 2021-2022 School Year

Hearing no request to make public comment, President Herrick moved on to Agenda Item 18.d.

18.d. Resolution Number 21-22-008 Teacher Consent for the 2021-2022 School Year **M21-22-031**

After a short discussion, President Herrick called for a motion to approve Resolution Number 21-22-008 for the Teacher Consent for the 2021-2022 school year.

Motion by Mr. Zamoyta.

Second by Ms. Mr. Roberts.

President Herrick called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta

NOES: None

ABSTAIN: None

ABSENT: None

19. Suggestions for future meeting agendas

None.

Closed Session was Reconvened at 7:26 p.m. to finish the deliberation on Student Personnel Item #21-22-002.

The Governing Board returned to Open Session at 7:50 p.m.

Report of Action Taken in Closed Session (7.b. continued)

Action Taken Pertaining to Student Personnel Item #21-22-002.

President Herrick reported that the decision was made by unanimous vote to expel Student Personnel Item #21-22-002.

20. Adjourn at 7:52 p.m.

20.a. Next Board Workshop Meeting Scheduled September 15, 2021, at 5:30 p.m.

Secretary

President of the Governing Board