

AGENDA- (Special Board Meeting)
KINGSBURG JOINT UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
Board Room 1900 18th Avenue 4:00 p.m.
Kingsburg, CA 93631
October 5, 2020
KJUHSD.com/Zoom

1. CALL TO ORDER _____

2. SALUTE TO THE FLAG

3. ROLL CALL AND ESTABLISHMENT OF A QUORUM

Members Present _____

Members Absent _____

4. OTHERS PRESENT _____

5. APPROVAL OF AGENDA

Motion _____ Second _____ Vote _____

6. PUBLIC COMMENT

A special meeting of the Board of Trustees of the Kingsburg Joint Union High School District has been duly called at the hour of 4:00 p.m. in the board room at Kingsburg Joint Union High School District to consider the following items of business to be upon the agenda:

Public Comment

*For regular meetings, the public is provided an opportunity to address not only any item on the agenda but any item within the subject matter jurisdiction of the Kingsburg Joint Union High School District. **Disclaimer:** The opinions expressed in public comments are the authors own and do not necessarily reflect the official policies or position of the Kingsburg Joint Union High School District*

Members of the public who wish to provide public comment during observed COVID-19 social distancing guidance may email the district at PublicComment@Kingsburghigh.com by 4:00 p.m. the Friday before the meeting date, which generally lands on Monday. Public comments are limited to three minutes or 450 written words per speaker. Twenty (20) minutes per issue will be allowed. Please note you are not compelled to provide a name and can comment anonymously. The public comments will be read in the order they are received. The comments will be read outloud during the public comment portion of the meeting.

Board of Education is prohibited by law from taking action on matters discussed that are not on the agenda and no adverse conclusions should be drawn if the Board does not respond to public comments made at this time. Concerns will be referred to the Superintendent's office for review and response.

Board Room Accessibility: *The Kingsburg Joint Union High School District encourages those with disabilities to participate fully in the public meeting process. If you need a disability related modification or accommodation, including auxiliary aids or services to participate in the public meeting, please contact the Administrative Assistant to the Superintendent at 897-7721 at least 48 hours before the scheduled Board of Trustees meeting so that we may make every reasonable effort to accommodate you [Government Code § 54954.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. § 12132.)*

7. ACTION

7.1 Resolution #R13-2021 Reopen Schools, District Plan, Delegate Emergency Authority 3

8. CLOSED SESSION – Notice to Public: (Closed Session Items Covered by Law May Be Requested Or Called For As Per: Government Codes: 54954.3; 54956.7; 54956.8; 54956.86; 54956.9 (a), (b), (c); 54956.95; 54957; 54957.6; 54957.8 and Education Codes: 48900; 49070.)

8.1 Staff Personnel: IT Assistant- Bryant Bergstrom 4

8.2 Staff Personnel: Bilingual Classroom Aide – Angelica Ramirez 5

Conference with Labor Negotiator (Government Code Section 54957.6)
Agency Designated Representative: Superintendent (Review MOU Hybrid Learning)
Employee Organization: CTA 6

From _____ to _____

9. ADJOURNMENT _____
(Time)

FOR BOARD ACTION:

Motion _____ Second _____ Vote _____

Nagle: _____ Serpa: _____ Lunde: _____ Jackson: _____ Thomsen: _____

ISSUE: Presented to the Board is Resolution #R13-2021 to Reopen Schools, Approve the District's Reopening Plan and Delegate Emergency Authority During the Coronavirus/Covid-19 Pandemic

ACTION: Approve or deny Resolution #R13-2021 to Reopen Schools, Approve the District's Reopening Plan and Delegate Emergency Authority During the Coronavirus/Covid-19 Pandemic.

RECOMMENDATION: Recommend approval

FOR BOARD ACTION:

Motion _____ Second _____ Vote _____
Nagle: _____ Serpa: _____ Lunde: _____ Jackson: _____ Thomsen: _____



KINGSBURG JOINT UNION HIGH SCHOOL DISTRICT

1900 18th Avenue • Kingsburg, California 93631 • (559) 897-7721 • FAX (559) 897-7759

Don Shoemaker, Superintendent

Board of Trustees: Rick Jackson, Brent Lunde, Steve Nagle, Mike Serpa, Johnie Thomsen

COPY

BOARD OF TRUSTEES OF THE KINGSBURG JOINT UNION HIGH SCHOOL DISTRICT

**RESOLUTION TO REOPEN SCHOOLS,)
APPROVE THE DISTRICT’S REOPENING)
PLAN, AND DELEGATE EMERGENCY)
AUTHORITY DURING THE)
CORONAVIRUS/COVID-19 PANDEMIC)**

Resolution No. R13-2021

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the COVID-19 pandemic.

WHEREAS, on March 13, 2020, the President of the United States declared a national State of Emergency due to the outbreak and spread of COVID-19.

WHEREAS, on March 19, 2020, in response to the rapid spread of COVID-19 throughout California, Governor Gavin Newsom issued a statewide stay-at-home order to preserve the public health and safety.

WHEREAS, both California and the United States remain in a current state of emergency resulting from the spread of COVID-19.

WHEREAS, on June 29, 2020, Governor Gavin Newsom signed Senate Bill 98, which provides that school districts must offer “in-person instruction” and may provide distance learning during the 2020-2021 school year. Governor Newsom, in signing Senate Bill 98, stated “[t]he preferred method of instruction will always be in-person; students gain the most from the relationships developed through in-person interactions.” However, on July 17, 2020, the Governor issued an order that schools not reopen until the county where the District is located has been off the State’s Monitoring List for at least fourteen (14) consecutive days. As a result of being located in a county on the watch list, the District expects on-site instruction to be postponed for an unknown period of time and school sites will be physically closed for on-site instruction starting August 17, 2020.

WHEREAS, the District recognizes that schools are fundamental and provide students with academic instruction, social and emotional skills, reliable nutrition, physical and mental health therapy, and opportunities for physical activity, all benefits that are widely recognized and accepted.

WHEREAS, the Board believes that some form of in-person instruction best meets these student needs and the Board desires to provide parents, students and families with in-person instruction as soon as legally permissible.

WHEREAS, the Board of Trustees recognizes that the nature of the COVID-19 crisis is ever-changing and that immediate responses to issues is of paramount importance to ensuring the safety and well-being of students, their families and District employees.

WHEREAS, the District Administration has developed and presented to the Board a distance learning reopening plan to provide a high quality educational alternative that is more robust and rigorous than what was provided to students during the spring 2020 semester, and which complies with the requirements for distance learning under Senate Bill 98, pending its ability to provide in-person education.

WHEREAS, Senate Bill 98 requires the District to develop a Learning Continuity and Attendance Plan by September 30, 2020 which will include details about how the District will address in-person instructional offerings, distance learning, pupil learning loss, monitoring and support of mental health, and social and emotional well-being of pupils and staff, professional development efforts, pupil engagement and outreach; and school nutrition.

WHEREAS, the District sought employee and public input in developing this plan, including engaging with its certificated and classified labor partners, and will do so in developing the Learning Continuity and Attendance Plan and its Distance Learning Plan. However, the District has not completed negotiations with its exclusive bargaining representatives and acknowledges that its distance learning and in-person instructional models for the 20-21 school year may change as a result of continued good faith negotiations.

WHEREAS, the District took into consideration Federal, State, and local laws; Federal, State, and local public health guidance; and California Department of Education guidance; among other relevant information.

WHEREAS, the Board of Trustees is committed to a safe learning environment for students and staff and high instructional outcomes for students.

WHEREAS, it is imperative that the Superintendent/designee have the tools to ensure the health and safety of students, staff, and families and to ensure student learning continues as health conditions, health risks, orders, and laws change.

WHEREAS, California Education Code section 35161 permits the Board to delegate to an officer or employee of the District any of the Board's powers and duties, and the Board desires to clearly delegate to the District Superintendent/designees certain powers and duties during the 2020-2021 school year to address changing needs related to the COVID-19 pandemic state of emergency, such as being able to order exclusions of staff and students who are sick, close a classroom, or take any necessary action as emergencies warrant.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Trustees hereby declares that the COVID-19 pandemic emergency is continuing and ongoing.

BE IT FURTHER RESOLVED AND ORDERED that the Board of Trustees is committed to continuing to work collaboratively with our labor partners throughout this challenging time and to completing good faith negotiations regarding the effects of reopening schools during the pandemic.

BE IT FURTHER RESOLVED AND ORDERED that the Board of Trustees expects that District administration will continue to review guidance from State and local public health officials, monitor the spread of COVID-19 and its impact on our schools and District operations, coordinate with the County Public Health Director, and take all reasonable steps needed to provide in-person instruction when lawful and to follow new state and local public health directives and laws.

BE IT FURTHER RESOLVED AND ORDERED that the Board of Trustees hereby adopts and approves the District's distance learning reopening plan and authorizes the implementation of that plan with the understanding that it will be amended as needed.

BE IT FURTHER RESOLVED AND ORDERED that the Board of Trustees hereby delegates to the Superintendent authority to take all necessary and appropriate action to respond to the COVID-19 pandemic emergency, including but not limited to, any action:

- A. To move to in-person instruction as soon as legally permitted;
- B. To use any instructional model or combination of models as needed and as conditions change;
- C. To ensure and protect the welfare, safety and educational well-being of all students and employees;
- D. To close, cancel, or modify activities, programs, or courses on a case-by-case basis including, by classroom, cohort, grade level, area of a school site, by school site or program, or on a district-wide basis;
- E. To reopen classes/schools/programs after closure in a manner consistent with public health directives; and
- F. To protect District property.

BE IT FURTHER RESOLVED AND ORDERED that the Superintendent is expected to provide regular updates to the Board, including changes to the distance learning plan, the reopening plan, and the Learning Continuity and Attendance Plan, and to consult with the Board on key decisions.

BE IT FURTHER RESOLVED AND ORDERED that all or any portion of this Resolution or the District's reopening plan may be altered or deleted by formal board action, if necessary.

BE IT FURTHER RESOLVED AND ORDERED that should any portion of this Resolution be held invalid, the invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provisions or application, and to this end the provisions of this Resolution are declared to be severable.

BE IT FURTHER RESOLVED AND ORDERED that this Resolution is an emergency measure within the mandate and jurisdiction of the Board and is necessary for the immediate welfare of the schools and its students. Therefore, this Resolution shall become effective immediately upon its adoption and shall remain in effect until repealed by formal board action.

PASSED AND ADOPTED by the Board of Trustees of the Kingsburg Joint Union High School District, Kingsburg, California at a public meeting duly called and held on October 5, 2020.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

I, Johnie Thomson, Board President of the Board of Trustees of the Kingsburg Joint Union High School District, do hereby certify that the foregoing is a full and correct copy of a Resolution adopted by the Board at a duly called and conducted meeting held on October 5, 2020.

Johnie Thomson, President, Board of Trustees
Kingsburg Joint Union High School District
Kingsburg, California

ISSUE:

Presented to the Board for part-time hourly employment is Bryant Bergstrom as an IT Assistant for the Kingsburg Joint Union High School District for the 2020-2021 school year.

ACTION:

Approve or deny the part-time hourly employment of Bryant Bergstrom as an IT Assistant.

RECOMMENDATION:

Recommend approval

FOR BOARD ACTION:

Motion _____ Second _____ Vote _____
Nagle: _____ Serpa: _____ Lunde: _____ Jackson: _____ Thomsen: _____

ISSUE: Presented to the Board for employment is Angelica Ramirez as a Bilingual Classroom Aide for the Kingsburg Joint Union High School District for the 2020-2021 school year.

ACTION: Approve or deny the.

RECOMMENDATION: Recommend approval

FOR BOARD ACTION:

Motion _____ Second _____ Vote _____
Nagle: _____ Serpa: _____ Lunde: _____ Jackson: _____ Thomsen: _____

Memorandum of Understanding for Hybrid Learning and Its Effects

Agreement Between Kingsburg Joint Union High School District Board of Trustees and the Kingsburg Joint Union High School District California Teachers Association

1. Teachers shall provide a minimum of 30 minutes of work for students during asynchronous learning as required by SB98. Recording is not a requirement for synchronous or asynchronous learning in a hybrid model.
2. Attendance and grading procedures will follow SB98 in its current iteration. To ensure student engagement, teachers shall keep up to date grades in Aeries. The minimum requirement for updating grades is once every two weeks.
3. In the event of an illness (not Covid-19 related), teachers shall follow normal sub procedures and provide work for students, as usual. Teachers shall not be responsible for teaching on any online platform in this scenario. If the illness is severe and providing work cannot be accomplished, please notify your department chair for assistance.
4. In the event of a Covid-19 related illness of a staff member, the District shall follow the protocol set for by the Fresno County Department of Health and Families First Coronavirus Response Act (FFCRA).
5. In the rare event of a Foggy Day, buses will be cancelled. Teachers will be expected to provide asynchronous instruction to AM students and face to face instruction for PM students.
6. If non-probationary teachers are unable to be observed this year due to the unusual nature of hybrid scheduling, the site principal will draft a new evaluation schedule by the end of the 2020-21 school year for the 2021-22 and 2022-23 school years. The new schedule will be drafted to address the balance of observations for the two year cycle. However, probationary evaluations still apply. Administrators retain the right to formally observe instruction (as long as they do not exceed maximum capacity), upon notification, in order to support teachers with growth in instructional practices.
7. Leave of Absence Provisions of the CBA will be used to ensure all teachers will be granted any and all available leaves, including permissive, Family First Coronavirus Response Act (FFCRA), or FMLA, thus giving an opportunity other than resignation. Requests for such accommodations will be considered on a case-by-case basis and only with supporting medical documentation from a medical provider that indicates their risk cannot be mitigated by PPE and the safety precautions set in place by the district.
8. Teachers shall be required to complete their 18 additional hours. The district reserves the right to make this requirement less should events be canceled. Teachers shall still get

paid for 18 hours if this occurs. Consideration shall be taken for equitable assignment of weekly hours should the time frame required to complete 18 hours be compressed due to Covid-19 restrictions on extracurricular activities.

9. The District shall provide teachers with Covid-19 training in dealing with public health, hygiene, cleaning and sanitation measures recommended by the department of public health.
10. The District shall follow and maintain all outlined protocols and COVID safety procedures referenced in the District's Standard and Protocol Guidelines document.
11. The District shall provide all necessary supplies for preventative sanitation measures, including Personal Protective Equipment (PPE) as described in the District Standard and Protocol Guidelines document. PPE can include the following: masks, hand sanitizer, disinfecting wipes, face shields, and other PPE as needed.
12. The District and teachers shall adhere to all physical distancing requirements as outlined by the FCDPH.
 - a. A maximum capacity for each room will be established and posted, including both students and adults.
 - b. Prior to the physical return of students, administration and/or maintenance will collaborate with individual teachers in the initial configuration of unique classroom design so that setup is conducive to meeting both safety requirements and reasonable learning conditions. Teachers shall notify their site principal of any concerns.
 - c. Administration will balance am/pm splits as equitably as possible and in accordance with the maximum capacity established for that teaching space.
13. The District shall also clean and disinfect rooms and common areas in accordance with the ["Return to School Health and Safety Plan Under COVID-19 Conditions"](#).
14. The District shall require the use of facial covering consistent with the **California Department Public Health guidance** for all students, staff, parents, and community members at the school site or district building. All face coverings must follow the dress code on site. Exceptions for face coverings are listed in the CDPH guidelines and KJUHS D Covid 19 Standard Protocols Guidelines. Examples for exceptions: outside with social distancing, alone in the office or classroom environment.
15. The District shall notify teachers as soon as possible of confirmed COVID-19 cases to the extent legally permitted according to HIPAA regulations as well as any school or building closures due to infection. [KJUHS D COVID-19 Illness and Quarantine Guidelines](#)
16. Virtual options for employee meetings will be made available whenever possible. When this is not possible meetings will be held in a space where employees can be socially distant.

17. In the event of resumed distance learning, the previous MOU for Distance Learning will be reinstated.
18. This MOU resolves the negotiable effects of Hybrid Learning due to the COVID-19 pandemic. Parties reserve the right to negotiate any additional impacts related to COVID-19. This MOU is a non-precedent setting and shall expire automatically of its own accord on June 4, 2021, unless the parties mutually agree in writing for another specified period.

This Memorandum of Understanding for Hybrid Learning and its Effects is subject to ratification and board approval.