



*Inspiring Hope and Empowering All Students To Courageously Pursue Their Goals and Dreams*

**Governing Board  
Public Hearing & Regular Meeting Minutes  
January 13, 2022**

**I. CALL TO ORDER THE PUBLIC HEARING:**

Mr. Sunn, Governing Board President, at 5:00 p.m., called the public hearing to order.

Motion by Mr. Sunn, seconded by Mrs. Briceno. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet

**II. PRESENTATION:**

Ms. Melanie Block presented the Family Life/Sexual Education Curriculum Review for 2021-2022.

**III. ADJOURN THE PUBLIC HEARING:**

Motion by Mr. Sunn, seconded by Mrs. Briceno to adjourn the Public Hearing at 5:04 p.m. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet

**IV. CALL TO ORDER THE REGULAR MEETING:**

Motion was made by Mr. Sunn, seconded by Mrs. Briceno to call the regular meeting to order at 5:04 p.m. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet

**V. ROLL CALL:**

Mr. Delson Sunn, Mrs. Nubia Briceno and Mrs. Susan Doucet were in attendance.

*Administration Present:*

*Kristine Morris, Superintendent*

*Melanie Block, Director of Academic Services*

*Ana M. Avalos, Director of Human Resources*

*Michael Welsh, Union Principal*

*Matthew Haley, Network Administrator*

*Amanda McKeever, Executive Director of Business Services*

*Carrie Brandon, Director of Student Services*

*Dr. Randy Watkins, Hurley Ranch Principal*

*Jonathan Stewart, Dos Rios Principal*

**VI. PLEDGE OF ALLEGIANCE**

**VII. APPROVAL OF THE AGENDA:**

Motion by Mrs. Doucet, seconded by Mrs. Briceno to approve the agenda Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet

**VIII. 2022 GOVERNING BOARD ORGANIZATIONAL SESSION**

A. Motion made by Mrs. Doucet, seconded by Mr. Sunn to elect Mrs. Nubia Briceno as the Governing Board President for Union Elementary School District for the 2022 calendar year. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet

B. Motion made by Mrs. Briceno, seconded by Mr. Sunn to approve the projected meeting dates, times, and locations for Union Elementary School District No.62 for calendar year 2022. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet

- C. Motion made by Mrs. Doucet, seconded by Mr. Sunn to approve the agenda posting locations for Union Elementary School District No.62 for calendar year 2022. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet

**IX. PUBLIC COMMENTS:**

Each speaker is limited to three (3) minutes.

*The call to the public will be restricted due to social distancing guidelines, therefore, limiting the number of participants at the meeting. This is the time for the public to comment. Members of the Governing Board may not discuss items that are not on the agenda. Therefore, action taken as a result of public comments will be limited to directing staff to study the matter or scheduling the matter for further consideration and decision at a later date.*

No public comments.

**X. SUPERINTENDENT SUMMARY OF CURRENT EVENTS:**

**A. UESD 2022 Current Events and Safety and Services Plan**

I'm going to start this evening's Superintendent Current Events with a COVID safety and services update. It has been a very unusual return to school in 2022. As we are seeing throughout the state, nation and world, Omicron is sending cases skyrocketing and we are seeing the same. The perfect storm of the holiday season, COVID fatigue, and the Omicron variant were the right fuel to propel the variant forward. Case rates in Maricopa County for the most current calendar week of data (1/2/22 to 1/8/22) are 1,171/100,000. Test positivity for the most current week is 31%. In Union they are at 2,208.88/100,000 and Percent Positivity is 42.99% "Prior Week" data on this week's report is for the week of 12/19-12/25 due to data not being available for last week's dashboard update.

We continue our mitigation strategies & have given each staff member a box of surgical masks to last them through Spring break. We have also re-ordered our stock of masks for students and staff. We are emphasizing appropriate masking and vaccinations and have our next vaccine clinic on Jan. 25<sup>th</sup> at Dos Rios & Jan. 26<sup>th</sup> at Hurley Ranch.

As you are aware, there was a change in guidance in quarantine and isolation of individuals. We were able to easily implement this with staff upon return from break. Now that County has updated their guidance, we can train our team, and inform our families. We plan to move to this revised guidance on Tuesday, 1/18/2022. Families who were isolating or quarantining for 10 days prior to this change, will be informed of their new return dates.

The main points of this new guidance are included below.

**1) If You Test Positive for COVID-19 (Isolate)**

Everyone, regardless of vaccination status.

- Stay home for 5 days.
- If you have no symptoms or your symptoms are improving after 5 days, you can leave your house and return to school.
- Continue to wear a mask around others, avoid travel, & avoid being around people who are at-risk for 5 additional days
- If you have a fever, continue to stay home until your fever resolves.

**2) If You Were Exposed to Someone with COVID-19 (Quarantine)**

If you: Have been boosted, completed the primary series of Pfizer or Moderna vaccine within the last 6 months, or completed the primary series of J&J vaccine within the last 2 months.

- Wear a mask around others, avoid travel and avoid being around people who are at-risk for 10 days.
- Test on day 5, if possible.

If you develop symptoms such as fever, cough, or difficulty breathing, get a test and stay home.

If you: Completed the primary series of Pfizer or Moderna vaccine over 6 months ago and are not boosted, completed the primary series of J&J over 2 months ago and are not boosted, or are unvaccinated

- Stay home for 5 days. After that continue to wear a mask around others, avoid travel and avoid being around people who are at-risk for 5 additional days.



- If you can't quarantine, wear a mask, avoid travel and avoid being around people who are at-risk for 10 days.
- Test on day 5 if possible.

If you develop symptoms such as fever, cough, or difficulty breathing, get a test and stay home.

As you can see, testing and correct mask-wearing are critical to implementing this new guidance successfully. We will continue to implement those strategies while we work to increase our vaccination percentages.

### **Celebrations!!**

In non-COVID news, I am so excited to share that on Wednesday, we held our District Spelling Bee. Our winner is, Ximena Martinez, 7<sup>th</sup> grade student from Dos Rios. Congratulations! Our runner up is Kaiden Patton, 5<sup>th</sup> grade student from Hurley Ranch. Congratulations to all our school winners.

We received notification from Michael Crow, President of Arizona State University (ASU), that 6<sup>th</sup> grade student Kym Smith III, from Hurley Ranch, Ms. Meador's class, is a winner in ASU's 2022 Dr. Martin Luther King, Jr. Student Contest. The theme "**inclusion starts with us**," inspired creative artistry from students throughout the state. Kym submitted a winning essay and has been invited to attend the 37<sup>th</sup> Annual ASU Dr. Martin Luther King Jr. Celebration at ASU on January 20th, at Sun Devil Stadium with Dr. Watkins, Ms. Meador, and his parent(s). Congratulations to Ms. Meador and to Kym for this great honor! We look forward to sharing his work and photos from the event.

This month is School Board Recognition Month, and we appreciate you, Mr. Sunn, Ms. Briceno, and Ms. Doucet.

Superintendent Hoffman issued a proclamation for this month pointing out the important leadership you provide to your local community and the state. I'd like to read that proclamation.

The Union Elementary School District #62, students, families, community, and staff thank you, Mr. Sunn, Ms. Briceno, and Ms. Doucet for your dedicated service we appreciate and celebrate you during School Board Recognition Month.

### **XI. APPROVAL OF THE CONSENT AGENDA:**

Motion made by Mrs. Briceno, seconded by Mrs. Doucet to approve the consent items. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet

- Approval of Regular Meeting Minutes for December 9, 2021
- Approval of Personnel Consent List
- Approval of Accounts Payable Vouchers
- Approval of Accounts Payroll Vouchers
- Approval of Student Activity Transaction Report
- Approval of Gifts and Donations

### **XII. PRESENTATION FROM DISTRICT PERSONNEL:**

- Stifel Bond/Override Presentation presented by Mr. Michael LaVellee

### **XIII. ACTION ITEMS:**

- Motion by Mr. Sunn, seconded by Mrs. Briceno to approve the *Draw the Line/Respect the Line* ©2015 curriculum. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet
- Motion by Mrs. Briceno, seconded by Mrs. Doucet to approve the maximum capacity of 2378 students for the 2022-2023 school year. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet
- Motion by Mrs. Briceno, seconded by Mrs. Doucet to approve the Administration's recommendation for Ms. Samantha Robinson. Vote was 2-1. Motion carried. Aye: Mrs. Briceno, Mrs. Doucet; Nay: Mr. Sunn



Q. Mr. Sunn asked Ms. Ana Avalos if Ms. Robinson had only been here three (3) days?

A. Ms. Ana Avalos responded yes.

Q. Mr. Sunn asked Ms. Ana Avalos about what was meant by "other things" that had been sent in the confidential memo.

A. Ms. Ana Avalos responded I can't speak on personnel issues directly related to the teacher, but I can speak to the process that I took to actually make this recommendation and bring this forward.

Q. Mr. Sunn asked a clarifying question from the memo that stated that you helped her with planning lessons. Did you help with those?

A. Ms. Ana Avalos responded we supported her.

Q. Mr. Sunn asked if you had a part in it?

A. Ms. Ana Avalos responded no, I did not directly with regards to the plan to support our teachers.

Q. Mr. Sunn stated she had a confidence issue, I'm assuming, with taking on a class?

A. Ms. Ana Avalos responded that she is sorry but cannot speak specifically about that individual, because it is a personnel issue. I cannot disclose all of the information that was disclosed by the employee and the administration in a public setting as that individual is not here right now.

A. Mr. Sunn stated that he will go by the memo that Ms. Avalos wrote. Mr. Sunn then stated that she was here for a few days and for whatever reason decided to leave. We want liquidated damages and I get that, but you want to go after her teaching certificate, and I don't think we should. If she wasn't comfortable, couldn't do it, and left in three (3) days, I don't feel it's fair to go after her teaching certificate due to a confidence issue. If she didn't say she never wanted to teach again, then maybe later on she may find that confidence and want to try and teach, but if we go after her teaching certificate, she won't have that option.

A. Ms. Ana Avalos responded that is a very good point Mr. Sunn and you can as the Governing Board, modify this action and make a recommendation to not file a complaint against her certificate. I can speak to the process in making that determination, and that is the checklist we go through with the individual. We go through repercussions with breaking a contract, because they do have a contractual obligation, and if they don't meet those administrative recommendations that is the default; to recommend filing a complaint to the state. This has been our practice in the past, however, you have the authority to modify that recommendation.

A. Mr. Sunn responded in the past we have done this already; we have not gone after their teaching certificate. I would like to see request that of the board and to modify that.

A. Ms. Kristine Morris responded when we file a complaint, it is a complaint indicating that the employee broke contract. They violated the terms and then it is up to the Department of Education to determine if they will revoke it or not. At that time the employee would have the opportunity to say I was only there for three (3) days, and it wasn't for due cause; I was in over my head; and they have the ability to make whatever their case is to the Department of Education. We brought this recommendation forward because we want to treat all employees the same. In prior history a contract was a contract and the board wanted us to apply the criteria consistently so we didn't have to pick and choose, and it would be arbitrary, however, you do have the ability to modify that. Do know, just because we make a complaint that doesn't mean they will revoke their certificate, they give them due process and they hear the circumstance.

A. Mr. Sunn responded I do understand that process. I would like to stop it here and see if the board would agree to not go after it, so that the state doesn't get the option to even go over that or have to make that decision.

Q. Mr. Sunn asked Ms. Morris, how do you want us to modify that?

A. Ms. Kristine Morris stated that someone has to make a motion to change the recommendation. What you are proposing that the board does is not recommend release from contract, as it doesn't not meet administration criteria. Liquidated damages should be assessed and not file a complaint with the state.

Q. Ms. Kristine Morris asked if that is what you are recommending?

A. Mr. Sunn responded that the administration does not recommend release from contract, as the request does not meet administrative criteria. Liquidated damages should be assessed. End it there.

Q. Ms. Kristine Morris asked if that would be your motion?

A. Mr. Sunn responded yes.

A. Ms. Kristine Morris responded that you would need to make that motion, then second, and then



vote.

Q. Ms. Kristine Morris asked if there are any other questions or concerns?

Q. Ms. Briceno asked if I want to keep the recommendation as is how would we vote?

A. Mr. Sunn responded you would say "nay" to the vote.

A. Ms. Kristine Morris responded that you could make the motion, and someone can second the vote and see if the vote passes or you can make the motion and if it doesn't get a second that motion doesn't go. Those would be the procedural ways to go.

Q. Ms. Kristine Morris stated that she hears that Mr. Sunn is putting forward a motion and calling for a second. Is that true Mr. Sunn?

A. Mr. Sunn responded yes.

Q. Ms. Kristine Morris stated that you are making a motion to approve the modification of; Administration does not recommend release from contract, as the request does not meet administrative criteria. Liquidated damages should be assessed.

A. Mr. Sunn stated yes.

Q. Mr. Sunn asked if there was a second?

A. Mr. Sunn stated no second.

Q. Mr. Sunn stated that we go back to the original. Ms. Morris can you please read that?

- D. Motion by Mrs. Doucet seconded by Mrs. Briceno to approve the Administration's recommendation for Ms. Elisabeth Jacobsen. Vote was 2-1. Motion carried. Aye: Mrs. Briceno, Mrs. Doucet; Nay: Mr. Sunn

Q. Mr. Sunn clarified that Ms. Jacobsen has been here for awhile and she asked to be released from contract; so, what I am hearing from this last item on the agenda she did not fulfill her contract? Mr. Sunn asked if we will be going after her certificate since she did not fulfill her contract?

A. Ms. Ana Avalos responded no, because she met the administrative criteria. Normally when there are medical reasons requesting to be released that cannot be accommodated our attorney's do not recommend assessing liquidated damages or filing a complaint because they have no control over the situation.

Q. Mr. Sunn responded the attorney can say that but what we do in the district and setting policy we run by, is different right?

A. Ms. Ana Avalos responded that is correct. However, that opens us up to higher risk of litigation and discrimination because that is a protected classification under the Family Medical Leave Act.

Q. Mr. Sunn responded well the way I see this is she did not fulfill her contract and I think that would hold up in court if that's what you're saying? Also, we did change our contract language to say "we will" go after liquidated damages so we can't say no we aren't going to recommend that we don't go after liquidated damages, correct?

A. Ms. Ana Avalos asked for clarification about the comment/question Mr. Sunn stated.

Q. Mr. Sunn responded that our contract language last time we changed it, went from "we may" go after liquidated damages to "we will" go after liquidated damages, but here we are not going to?

A. Ms. Ana Avalos responded that is correct. They met the administrative criteria that allowed us to not go after liquidated damages.

A. Mr. Sunn responded that he didn't remember seeing that in the contract language.

A. Ms. Kristine Morris responded this action allows the board to waive that portion of the contract and say you are waiving that provision. You say "you shall" in the contract and this is waiving that provision in there that says "you shall" go after. If we didn't waive it, we would have to go after those liquidated damages.

A. Mr. Sunn responded of course it is up to the board, but what I've seen is we are not consistent. This always comes up, and we either waive it or we don't, it just depends on who the person is.

A. Ms. Ana Avalos responded and addressed Mr. Sunn's comment stating that the only time we have ever truly waived, to my knowledge and since I have been here, was for medical reasons because they are applying under a protective umbrella. It is to reduce the risk of any discrimination because they are under that umbrella.

A. Mr. Sunn responded with ok, thank you.

- E. COVID-19 School Learning Models & Mitigation Strategies. No action taken.

Q. Ms. Briceno asked that if numbers keep going up, at what percent would we stop for the 5 days and go online and/or do packets and continue after? Have we decided or looked into that at all?

A. Ms. Kristine Morris responded presently all the guidance we are getting is that we continue to operate as long as we are putting in place mitigations ie: masking, distancing. The only time we are anticipating having to go online is if we have staffing issues. If we can't staff a class because we don't have coverage we would recommend shifting. This would be on a class by class and case by case basis, but there is currently no guidance where we entirely shift to remote at this point in time.

F. Motion by Mr. Sunn, seconded by Mrs. Briceno to table the Intergovernmental Cooperative Purchasing Agreement until the next Governing Board meeting in February. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet

**XIV. INFORMATION ITEM ONLY:**

1. Governing Board Financial Report

**XV. FUTURE MEETING ITEMS:**

1. February 10, 2022 – Salary Schedules
2. February 10, 2022 – Contract Language
3. February 10, 2022 – Contract/Rehire List of Certificated Staff
4. February 10, 2022 – Contract/Rehire List of Classified Staff
5. February 10, 2022 – Contract/Rehire List of Administrated Staff
6. February 10, 2022 – Integrated Action Plan (IAP), Dos Rios – Presented by Mr. Jonathan Stewart
7. March 10, 2022 – Compensation Student Findings (Tentative)

**XVI. ADJOURNMENT:**

Motion by Mr. Sunn seconded by Mrs. Doucet, to adjourn the meeting at 6:15 p.m. Vote was unanimous. Motion carried. Aye: Mr. Sunn, Mrs. Briceno, Mrs. Doucet



\_\_\_\_\_  
Governing Board Member

\_\_\_\_\_  
Date

2/10/22