



MEETING MINUTES

Attendees

Voting Board Members

Paul Diffley III, Board President
Linda Lunn, Board Member
Nicolas Pardue, Clerk of the Board
Julie Vandegrift, Board Member
Nancy Young, Board Member

Staff Members

Dr. Ward Andrus, Superintendent
Darren Daniel, Deputy Superintendent
Richard Rideout, Assistant Superintendent, Human Resources
Faythe Mutchnick-Jayx, Assistant Superintendent, Educational Services
Julie Diaz, Executive Assistant

A. OPENING BUSINESS

1. Call to Order

President Diffley called the Board of Education Special meeting to order at 4:33 p.m. at the Murrieta Valley Unified School District Office, 41870 McAlby Court, Murrieta, California.

2. Establishment of Quorum

A quorum was established with Trustees, Paul F. Diffley III, Linda Lunn, Nicolas Pardue, Julie Vandegrift and Nancy Young in attendance.

B. PUBLIC COMMENT REGARDING CLOSED SESSION ITEM(S)

None

C. CLOSED SESSION

President Diffley called for a motion to adjourn to closed session at 4:33 p.m.

Motion made by: Julie Vandegrift. Motion seconded by: Nicolas Pardue

Voting:

Paul Diffley III - Yes
Linda Lunn - Yes
Nicolas Pardue - Yes
Julie Vandegrift - Yes
Nancy Young – Yes

C. CLOSED SESSION (continued)

1. Student Discipline

Pursuant to Education Code 48918, the Governing Board met to consider student disciplinary action for Case No. 2023-2024-124.

D. RECONVENE TO OPEN SESSION

President Diffley reconvened the meeting to open session at 5:00 p.m. He announced the meeting was being recorded and livestreamed to the public.

1. Report Action Taken in Closed Session

President Diffley announced that no action was taken in the closed session.

2. Pledge of Allegiance

Trustee Nicolas Pardue led the Pledge of Allegiance.

3. Approval of Agenda

Motion made by: Linda Lunn. Motion seconded by: Nicolas Pardue

Voting:

Paul Diffley III - Yes

Linda Lunn - Yes

Nicolas Pardue - Yes

Julie Vandegrift - Yes

Nancy Young - Yes

E. STUDY SESSION

1. Bond Finance Presentation and Board Discussion

Presenter: District Financial Advisor, Tomothy Carty, Managing Director of Piper Sandler

Basics of a Bond Measure were covered. General Obligation Bonds are subject to voter approval at a 55% passage rate. They are repaid by property taxes based on assessed valuation not market value. The District's Board votes to place the Bond Measure on the ballot with four affirmative votes required on a five-member board. Examples of what can and cannot be funded with General Obligation Bonds were reviewed.

Review of the History of Murrieta Valley USD General Obligation Bonds: Measure D not to exceed \$37.5 million approved by voters on April 14, 1998, with the final tax levy year 2023/24. Measure K issued \$40.4 million and qualified for state matching funds approved by voters on November 5, 2002, with the final tax levy year 2028/29. Measure E issued \$120 million approved by voters on November 6, 2006, with the final tax levy year 2032/33. Measure BB issued \$98 million was approved by voters on November 4, 2014, with the final tax levy year 2050/51.

2. Cell Phone Policy

Staff Presenters: Howard Dimler, Executive Director Student Services and Ryan Tukua, Murrieta Valley High School Principal.

Mr. Dimler reviewed cell phone law and Board jurisdiction on cell phone policy along with Murrieta Valley Unified School District's acceptable use of technology policy.

E. STUDY SESSION (continued)

2. Cell Phone Policy (continued)

He shared the elements of elementary, middle and high school cell phone use policies. Mr. Tukua shared appropriate and beneficial uses of cell phones on campus, such as student digital IDs, using the 5-Star App to check in for teacher's office hours, which allows staff to account for student's whereabouts during the office hours period. He said that cell phone holders are being utilized in 90% of the classrooms at Murrieta Valley High School, which helps students remain focused during instructional time.

F. Public Comment regarding Meeting Agenda Items

The following individuals each provided comment regarding item H. 3 Second Reading and Adoption of Proposed Revisions to Board Policy and Administrative Regulation BP/AR 5113 – Absences and Excuses: Pam Barrett, Jack Guerro, Courtney Cooper, Mari Barki, Josefina Hartley, Yvette Anthony, Riley, Maria, Bob Kowell, Jose Carreno, Anita Hoetker, Anthony Hunnel, Theresa Wells and John.

John Leonard also commented on Item H.2 First Reading of Proposed Revisions to Board Policy and Administrative Regulations, specifically AR 6161.1 - Selection and Evaluation of Instructional Materials.

G. CONSENT CALENDAR

Approval of the Consent Calendar item G.1 as presented.

Motion made by: Nicolas Pardue. Motion seconded by: Nancy Young

Voting:

Paul Diffley III - Yes

Linda Lunn - Yes

Nicolas Pardue - Yes

Julie Vandegrift - Yes

Nancy Young - Yes

1. Approval of Out of State Travel

IML Security Expo, Locksmith and Safety, November 7-10, 2023 in Las Vegas, NV.

- Attendee, David Cheslar, Skilled Maintenance Worker III

Coast2Coast Federal Advocacy Trip, April 6 - 11, 2024 in Washington D.C.

- Attendees: Linda Lunn and Nancy Young, Board Members and Dr. Ward Andrus, Superintendent.

H. ACTION/INFORMATION ITEMS

1. Approval of Personnel Report

Approve the attached personnel report as presented. The report lists promotion, transfer and new hire confidential/management personnel; new hire certificated personnel; promotion, transfer and new hire classified personnel; certificated and classified substitute personnel and resignations and releases; and Athletic Coaches.

H. ACTION/INFORMATION ITEMS (continued)

1. Approval of Personnel Report (continued)

Motion made by: Nancy Young. Motion seconded by: Linda Lunn

Voting:

Paul Diffley III - Yes

Linda Lunn - Yes

Nicolas Pardue - Yes

Julie Vandegrift - Yes

Nancy Young - Yes

2. First Reading of Proposed Revisions to Board Policy and Administrative Regulations

The Board received revisions to BP/AR 5142 - Safety and AR 6161.1 - Selection and Evaluation of Instructional Materials for first reading.

Trustee Vandegrift recommended adding the words "hospital" and "ambulance" in number 4, under Release of Students to AR 5142. On BP 5142 under Student Identification Cards and Safety Information, she asked for clarification as to who students are being referred to if they contact the "Crisis Text Line" listed on their identification cards.

Trustee Lunn referenced the Superintendent's Curriculum Development Advisory Council as an avenue to support parental involvement referenced in AR 6161.1 - Selection and Evaluation of Instructional Materials.

3. Second Reading and Adoption of Proposed Revisions to Board Policy and Administrative Regulation

The Board received BP/AR 5113 - Absences and Excuses for second reading and adoption.

Board member comments include references below:

Nancy Young read the following excerpts from the National Center for Youth Law November 2015 confidential Medical Release FAQ Document.

What is confidential medical release?

Education Code section 48205 requires schools officials to excuse students from school to attend confidential medical appointments. The school cannot require that the student have parent or guardian consent in order to attend the appointment and cannot notify parents or guardians.

Confidential appointments are appointments to receive services that minors can obtain on their own consent under state or federal law. A summary of these laws is available on www.teenhealthlaw.org.

Citations: Educ. Code § 48205; 87 Ops. Cal. Atty. Gen. 168, 172 (2004).

What is the school and district's obligation to notify parents and students about the option of confidential medical release?

Education Code section 46010.1 requires school districts to "notify pupils in grades 7--12 inclusive and the parents or guardians of all pupils enrolled in the district, that school authorities may excuse any pupil from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian.

H. ACTION/INFORMATION ITEMS (continued)

3. Second Reading and Adoption of Proposed Revisions to Board Policy and Administrative Regulation (continued)

" Many schools provide this notice as part of their fall annual school notice packet and in their Parent and Student handbooks.

Citations: Educ. Code § 46010.1.

If state law requires a school to release students, why does Education Code 46010.1 state that the school "may" excuse students for the purpose of obtaining confidential medical services?

Education Code section 48205 requires schools officials to excuse students from school for confidential medical appointments without parent consent or notice according to the California Attorney General. That is the controlling law and the reason schools must release students confidentially.

Education Code section 46010.1 requires school districts to "notify pupils in grades 7--12 inclusive and the parents or guardians of all pupils enrolled in the district, that school authorities may excuse any pupil from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian."

According to the California Attorney General, Education Code section 46010.1 is a notification requirement only setting out language that schools must provide to parents and students at the beginning of the year. The word "may" is used rather than "must" because not all students will avail themselves of this option. To the extent there is discretion in the law, it is the student's discretion to choose whether or not to obtain confidential care; it is not the discretion of the school to decide whether or not to make that option available.

Citations: 87 Ops. Cal. Atty. Gen. 168, 172 (2004); Educ. Code §§ 46010.1, 48205.

Linda Lunn stated that she submitted the alternate text in an attempt to make BP 5113 clearer. However, she would like to retract the alternate text she submitted based on new information that leads her to believe that it is not legal.

At the request of Nancy Young, Emily Brooks, a licensed attorney, provided her opinion in regard to parental notification for the release of students to obtain confidential medical care.

Julie Vandegrift read the following letter from Eric Seastrand, Assemblyman 29th District: California Assemblyman Eric Seastrand (the author of AB 1541 which authorized Ed Code Section 46010.1 (the author of AB 1541 which authorized Ed Code 46010.1 introducing parent notification on confidential medical services) wrote a letter to California school superintendents on February 25, 1987. In his attempt to clarify the intent of his bill, he provided the following letter.

Dear Superintendent:

There appears to be a misunderstanding on the part of many parents because of the wording in the notification being sent out as a result of my bill, AB 1541, Chapter 194, Statutes of 1986. I have been receiving telephone calls from both school officials and parents throughout the state; therefore, I would like to clarify my intent in sponsoring AB 1541.

H. ACTION/INFORMATION ITEMS (continued)

3. Second Reading and Adoption of Proposed Revisions to Board Policy and Administrative Regulation (continued)

As you may already know, AB 1541 requires school districts to notify the parents/guardians of all students in grades 7 to 12 that these pupils may be excused from school for confidential medical purposes without expressed parental consent. AB 1541 did not change the laws regarding the release of children from school. These laws have remained unchanged for several years, and the policy of any particular school district is determined by the local governing board and not by state law. Parents have the right to know what the school policy is, and AB 1541 MERELY ADVISES PARENTS OF WHAT IS ALREADY PERMISSIBLE IN THE CURRENT LAW, and what is being practiced in some schools in California.

As a concerned parent with children in public schools, I felt parents were not aware that school districts may exercise their prerogative, according to the decision of the local school board. In accordance with the number of telephone calls to my office, my assumption was correct. I hope you will clear up this confusion by assuring parents in your district that your board of education has determined not to dismiss children for confidential medical purposes without the full knowledge and consent of the parent or guardian.

Please be careful in your wording of the notification to parents/guardians that you do not confuse the intent of AB 1541 and lead them to believe that AB 1541 "mandates" school districts to maintain this practice of dismissal without parent/guardian's consent.

Thank you for your careful consideration of my request.

Sincerely,

Eric Seastrand, Assemblyman 29th District

Motion made by Julie Vandegrift to adopt proposed revisions to Board Policy 5113 Absences and Excuses to read: *Students shall not be absent from school without their parent's/guardian's knowledge or consent. The Board believes that parents/guardians should be involved in all decisions surrounding the medical treatment of their children who are under the age of 18. Therefore, while the Education Code allows school authorities to excuse students Grades 7 to 12 inclusive for the purpose of obtaining confidential medical services without the consent of the student's parent/guardian, it is the policy of the district that school authorities will not do so.* And adopt proposed revisions to Administrative Regulation 5113 Absences and Excuses with the exception to paragraph number 2 under Parental Notifications, which should not be deleted but be revised to replace the word *may* with *will not*.

President Diffley called for a roll call vote.

Motion made by: Julie Vandegrift. Motion seconded by: Nicolas Pardue

Voting:

Paul Diffley III - Yes

Linda Lunn - No

Nicolas Pardue - Yes

Julie Vandegrift - Yes

Nancy Young – No

H. ACTION/INFORMATION ITEMS (continued)

4. Student Discipline: Expulsion Case No. 2023-2024-124

Approve the staff recommendation to expel the student for the violation of California Education Code 48900(c) under Education Code Section 48915(c) for the remainder of the 2023/24 school year.

Motion made by: Linda Lunn. Motion seconded by: Julie Vandegrift

Voting:

Paul Diffley III - Yes
Linda Lunn - Yes
Nicolas Pardue - Yes
Julie Vandegrift - Yes
Nancy Young – Yes

I. CLOSED SESSION (Optional)

None.

J. RECONVENE TO OPEN SESSION (Optional)

1. Report Action Taken in Closed Session

K. ADJOURNMENT

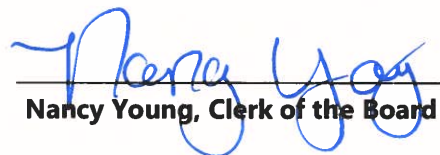
President Diffley called for a motion to adjourn the Board of Education meeting at 8.01 p.m.

Motion made by: Linda Lunn. Motion seconded by: Nicolas Pardue

Voting:

Paul Diffley III - Yes
Linda Lunn - Yes
Nicolas Pardue - Yes
Julie Vandegrift - Yes
Nancy Young – Yes

Approved by the Governing Board January 18, 2024



Nancy Young, Clerk of the Board

A. CONFIDENTIAL MANAGEMENT PERSONNEL

PROMOTION/TRANSFER:

Last Name	First Name	Position From	Site From	Position To	Site To	Effective Date	Type
Lovell	Kerri	Speech Pathologist	Special Education	Senior Program Specialist	Special Education	10/9/2023	R

NEW HIRE:

Last Name	First Name	Position	Site	Effective Date	Type
Heng	Jonathan	Occupational Therapist	Special Education	10/10/2023	G

B. CERTIFICATED PERSONNEL

NEW HIRE:

Last Name	First Name	Position	Location	Effective Date	Type
Boyd	Oshea	DIS Aide	Vista Murrieta High	10/13/2023	G
Kuan	Jeanette	Teacher	Murrieta Elementary	10/9/2023	R
Laverne	Linsey	Speech Pathologist	Special Education	10/9/2023	R

C. CLASSIFIED PERSONNEL

PROMOTION/TRANSFER:

Last Name	First Name	Position From	Site From	Position To	Site To	Effective Date	Type
Dimon	Karyn	Special Ed Assistant I	Murrieta Mesa High	Special Ed Assistant II	Murrieta Mesa High	10/13/2023	R
Melendez	Karina	Bus Driver	Transportation	Dispatcher	Transportation	10/10/2023	R
Navarez	Sylvia	Family Services Support Aide II	Family Services	SEED III	Family Services	10/9/2023	R
Nebel	Jessica	Secretary I	Murrieta Mesa High	Admin Clk (Activities)	Murrieta Mesa High	10/3/2023	R

NEW HIRE:

Last Name	First Name	Position	Location	Effective Date	Type
Cabrera	Claudia	Crossing Guard	Lisa J. Mails Elementary	10/4/2023	R
Castillo	Griselda	DIS Aide	Antelope Hills Elementary	10/12/2023	G
Connor	Amanda	DIS Aide	Vista Murrieta High	10/6/2023	R
Cothran	Kasey	Field Support Tech	Technology	10/10/2023	R
Gomez	Teresa	Bilingual Instructional Aide	Shivela Middle	10/16/2023	R
Jacobi	Lauri	DIS Aide	Vista Murrieta High	10/16/2023	G
Johnson	Isabel	DIS Aide, IBI	Avaxat Elementary	10/3/2023	R
Mettler	Kristin	Crossing Guard	Buchanan Elementary	10/10/2023	R

D. SUBSTITUTE PERSONNEL

CERTIFICATED:

Name	Name	Name	Name	Name	Name
Hubarth, Gabriela	March, Stephanie				

CLASSIFIED:

Name	Name	Name	Name	Name	Name
Augustine, Ann	Bellamy, Angela	Bowlin, Julie	Mazel, Jaxson	Stevens, Shannon	

E. RESIGNATIONS / RELEASES (*Certificated & Classified*)

Employee No. and Effective Date	Employee No. and Effective Date	Employee No. and Effective Date	Employee No. and Effective Date
153335 - 12/30/2023	195401 - 10/10/2023	257399 - 1/01/2024	266569 - 6/30/2023
279319 - 1/19/2024	284097 - 10/04/2023	287132 - 10/25/2023	312251 - 10/12/2023
320807 - 10/02/2023	321122 - 10/13/2023	328528 - 10/11/2023	332763 - 10/31/2023
336171 - 10/13/2023	339098 - 10/12/2023		

F. Athletic Coaches

Name	Sport	Site
Barret, Aaron	Baseball	Murrieta Valley High
Smith, Kaysha	Girls Basketball	Vista Murrieta High
Underwood, Colleen	Girls Basketball	Vista Murrieta High
Harper, Ashley	Girls Basketball	Vista Murrieta High