

Paso Robles Joint Unified School District)
Adjourned Special Meeting of the Board of Trustees
February 02, 2021

MINUTES

A. OPENING CEREMONY

1. Meeting Protocol Under Covid-19

The Board President announced meeting protocols under Covid-19 which prohibit large gatherings. This includes procedures for the public to participate by observing the meeting on Zoom or calling in to offer public comment.

2. Attendance/Call Meeting to Order

The meeting was called to order at 4:34 p.m.

Present: Board President Christopher Arend, Trustee Dorian Baker, Board Clerk Chris Bausch, Trustee Tim Gearhart, Trustee Jim Reed (via Zoom), and Trustee Nathan Williams

3. Salute to the Flag

Trustee Gannon led the group in the Pledge of Allegiance.

B. ADOPT AGENDA

The agenda was unanimously adopted as published, on motion of Lance Gannon and a second by Tim Gearhart.

C. PUBLIC COMMENT - Limited to published agenda items

Public comment regarding Item D1 was received from Berkley Baker, Peter Byrne, Dale Gustin, Kim LaChance, Michael Rivera, and Chuck Suttle. They criticized former Superintendent Williams' management skills and the unwarranted financial settlement he received. They asked how the previous Board failed to see the pattern of overspending and additional staffing brought in by Mr. Williams. They urged the Board to send the report to the District Attorney who can determine if there was any criminality, which is the public perception. Written comments were also offered from Amy Oberg and former Superintendent Patrick Sayne who encouraged the Board to bring the matter to an end.

D. DISCUSSION/ACTION ITEMS

1. Grand Jury Report: Draft Response from the Board of Education

The Board continued working on their draft response to the Grand Jury, with Trustee Baker serving as recorder to make note of changes, beginning with F4, Chapter 2.

The meeting recessed from 6:47 to 6:52 p.m.

Board discussion continued, and the Board completed its review at 9:39 p.m., with the understanding the document would be proofread and formatted outside this meeting.

Trustee Baker shared her frustration at being denied access to former Superintendent Williams' personnel file which she felt she needed to deliberate fully on the Grand Jury Report. She shared minutes from December 6, 2018, when Mr. Williams resigned wherein Board President Summers stated the Board had completed their ninth consecutive positive evaluation of the superintendent. Mrs. Baker was curious why Mr. Williams' job evaluation did not reflect the issues that have become the focus of the Grand Jury Report.

President Arend cited AR 4112.6 which restricts access to personnel records for reasons of privacy and legality. However, the full Board may, only in case of a personnel action, request pertinent information from the personnel file. Violation could expose the Board to substantial liability. Mr. Bausch supported Trustee Baker's request, and suggested the information could be made available in a confidential environment, either through closed session or a controlled room. He asked Dr. Dubost to secure a formal legal opinion from Lozano Smith. Dr. Dubost added that the superintendent's employment contract contains specific language prohibiting release of information. Following a lengthy working session,

The draft response as edited, subject to proofreading and formatting, was unanimously approved on motion of Mrs. Dorian Baker, seconded by Mr. Chris Bausch.

2. Grand Jury Report: Next Steps

President Arend suggested an editing committee to clean up the document, compile the necessary exhibits, and present the final version to the full Board on February 9, 2021. He and Trustees Baker and Williams accepted the assignment.

Mr. Bausch raised the matter of referring this to the District Attorney, whether that be the complete report or just specific findings. Mr. Gearhart felt that should be the purview of the Grand Jury or Judge Duffy. Mr. Bausch responded he hoped this effort would help to promote community trust.

President Arend reported on his efforts to reach out to the three attorneys considered. Linda Summers Smith and Jeffery Minnery are in the same firm, and Mr. Minnery declined the case because he cannot provide advice about what happened in the past, cannot advise on our response to the recommendations because that is all policy, and assumes we will not commit defamation which is the only area he can advise on. Timothy Carmel has not responded. As the Board is now without legal counsel, Mr. Arend suggested they proceed without. Mr. Bausch suggested waiting until Tuesday to see if the other attorneys respond.

A motion to submit the completed response to the Grand Jury Report to the District Attorney, along with a cover letter from the Board President, passed with a motion by Mr. Chris Bausch and a second by Mrs. Dorian Baker. (6-1, Gearhart recused himself)

A motion passed to appoint Chris Arend, Dorian Baker, and Nathan Williams to a subcommittee to edit the draft and submit it to the Board for final review. Passed unanimously with a motion by Mr. Chris Bausch and a second by Mrs. Dorian Baker.

3. Select Date and Time to Continue Work on Response to Grand Jury Report, If Necessary

Having completed editing at this meeting, the Board determined no further work is necessary, but reserves the right to schedule such a meeting depending on the product from the subcommittee. A motion passed unanimously to table the item. Motion by Mr. Nathan Williams and seconded by Mr. Lance Gannon.

E. ADJOURNMENT

The Board voted unanimously to adjourn the meeting at 10:31 p.m. Passed with a motion by Mr. Tim Gearhart and a second by Mr. Nathan Williams


Board Clerk


Board President