

# Board Meeting Excerpt

## Daily v. South Kitsap School Board

October 20, 2021



**206.287.9066 | 800.846.6989**

1325 Fourth Avenue, Suite 1840, Seattle, Washington 98101

[www.buellrealtime.com](http://www.buellrealtime.com)

email: [info@buellrealtime.com](mailto:info@buellrealtime.com)



SUPERIOR COURT OF WASHINGTON  
FOR KITSAP COUNTY

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JEFFREY DAILY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 21-2-01233-18
	)	
SOUTH KITSAP SCHOOL BOARD,	)	
	)	
Defendant.	)	

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BOARD MEETING EXCERPT  
October 20, 2021

Present:

Vice President John Berg  
Director Jeffrey Daily  
Director Rebecca Diehl  
Director Liz Sebren

TRANSCRIBED BY: Cynthia M. Allen, RMR, CRR, CRC  
Court-Approved Transcription

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2 October 20, 2021

3  
4 DIRECTOR BERG: (Inaudible) 10.01, disposition of the  
5 investigation report.

6 The proposed motion reads as follows: Inasmuch as the  
7 August 3rd, 2021, report regarding Director Daily prepared  
8 in response to the Board action of April 21, 2021, has been  
9 reviewed by the Board members and has now been made  
10 available to the public, the Board deems that no further  
11 Board action need be taken on the matter.

12 Questions on the adoption of that motion? Is there any  
13 discussion?

14 DIRECTOR DAILY: Mr. Berg, since this is under litigation  
15 and current litigation, it is out of order to even have this  
16 on there. So I will counsel you that, if you proceed, you  
17 will have issues.

18 This is a -- under litigation. You shouldn't even be  
19 discussing it in the first place.

20 DIRECTOR DIEHL: It's not my -- well, maybe we aren't --  
21 we aren't discussing it, but I -- it's my understanding from  
22 legal that we can -- we can decide that we are not moving  
23 forward with -- the Board can decide the motion that you  
24 presented.

25 VICE PRESIDENT BERG: Yeah. I -- I concur with Director



1 Diehl, that this is in conformity with our legal counsel.

2 DIRECTOR DAILY: Okay. Then let me clarify this part for  
3 you then.

4 Okay. The issue that you're talking about is because the  
5 Board feels that I don't play well with others. The reason  
6 is because I abhor unethical behavior.

7 However, I can't say exactly the details that I'd like to  
8 say, but my issues with the Board seem to be procedures.

9 The issues that the Board, meaning all four of you, are  
10 getting ready to face very soon are going to be much  
11 different. And that's all I can say.

12 VICE PRESIDENT BERG: Is there any further discussion on  
13 the motion?

14 The question is on adoption of the motion that reads:  
15 Inasmuch as the August 3rd, 2021, report regarding Director  
16 Daily prepared in response to the Board action of April 21,  
17 2021, has been reviewed by the Board members, and has now  
18 been made available to the public, the Board deems that no  
19 further Board action need be taken on the matter.

20 All in favor of that motion, raise your hand and say aye.

21 DIRECTOR SEBREN: Aye.

22 DIRECTOR DIEHL: Aye.

23 VICE PRESIDENT BERG: Aye.

24 Those opposed, raise your hand and say no.

25 The ayes have it. The motion is adopted.



C E R T I F I C A T E

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STATE OF WASHINGTON )  
 )  
COUNTY OF KING )

I, the undersigned, do hereby certify under penalty of perjury that the foregoing recorded statements, hearings and/or interviews were transcribed under my direction as a certified transcriptionist; and that the transcript is true and accurate to the best of my knowledge and ability, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially interested in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of October, 2022.

*Cynthia M. Allen*



s/Cynthia M. Allen, RMR, CRR, CRC



**REGULAR MEETING OF THE BOARD**  
**Wednesday, October 20, 2021**  
**Minutes**

The meeting was held via Zoom and notice was provided to community members wishing to access the meeting.

**Present:**

John Berg	Vice President
Liz Sebren	Director
Rebecca Diehl	Director
Jeff Daily	Director
Jesse LaCross-Lambert	Student Representative
Kai Wilson	Student Representative

Tim Winter	Superintendent
Jennifer Farmer	Assistant Superintendent of Business and Operations
Dr. Tom Edwards	Assistant Superintendent of Student Achievement
Lisa Fundane't	Executive Director of Teaching and Learning
Dr. Mona Johnson	Executive Director of Wellness and Student Support
Amy Miller	Communications and Public Information Officer
Robbie Bell	Executive Assistant/Recorder

**CONVENE**

**Call to Order:** Vice President Berg called the meeting to order at 5:00 pm and provided information regarding the nature of the meeting.

**Pledge of Allegiance:** Director Diehl led the flag salute.

**ADOPT AGENDA**

Director Daily made a point of order. Vice President Berg ruled the point of order not well taken.

**MOTION: DAILY** moved to remove Item 10.05 for the agenda and postpone to the first meeting in December. The motion failed with a tie vote.

The agenda was approved by general consent.

**RECOGNITIONS AND CELEBRATIONS**

**Staff and Student Recognition** - Amy Miller recognized Dave Sparks retiring as the Dean at Marcus Whitman after serving the District for over 27 years.

**Highlights from the Superintendent:** Superintendent Winter shared the following:

- We are facing staffing shortages and concerned about the ability to keep going at the current pace. About 40% of daily absences are unfilled and transportation routes are running late and being cancelled due to driver illness, injuries, family issues, etc. We're working hard to communicate with parents and to not impact the same students over and over. A new driver training begins November 1 and we could have 8-10 new drivers by January. Shortages in classified positions, with over 20 open positions, are impacting schools and students. School staff - teachers, administrators, counselors, and deans are covering due to substitute shortages. We are doing everything to keep schools open but if closures are necessary it will be because of staff shortages - not Covid.
- October 18 was the first day of the Governor's mandate. Vaccine state of SK staff:

- o 89% vaccinated
- o 11% on some form of exemption
- o Some resignations due to mandate and other factors
- o No staff were terminated
- Received data from culture survey and will share at a future board meeting. District administrators are preparing an action plan to address concerns.
- We are implementing testing at school sites and the Armory for staff granted exemptions and are looking to implement student testing in the future.

#### **FOCUS ON RESULTS**

**Results 2: Evidence for 2.1.2 Math:** Assistant Superintendent Dr. Tom Edwards and Executive Director Lisa Fundane't provided a review of mathematics data and the district improvement plan. Instructional Specialist Kelsey Patterson shared an overview of classroom-based implementation. They will provide another update in January.

Superintendent Winter added that this presentation is evidence of compliance for Results 2.1.2. The entire Results 2 will be monitored in May when evidence for all elements have been presented.

#### **FOCUS ON OPERATIONAL PERFORMANCE**

**Operational Expectation 1 Global Operational Expectation – Monitoring Report:** Superintendent Winter's interpretations and indicators were approved by the Board at the September 1, 2021 meeting. The Board agreed to add no further comment to the Monitoring Report.

**Revision to Policy 3205 Sexual Harassment of Student Prohibited - First Reading.** The Board reviewed and no changes were made.

**Revision to Policy 3241 Student Discipline - First Reading.** The Board reviewed and no changes were made.

**New Policy 3255 Threat Assessment - First Reading,** The Board reviewed and no changes were made.

#### **PUBLIC COMMENT**

The following community members addressed the Board: Judy Arbogast regarding equity issues and the mask policy, Lee Fenton regarding long-range facility committee membership, Laura Jordan regarding board meetings, and the mask and vaccine mandates, Jessica Rice regarding board meetings and a classroom situation, Marc Wilson regarding math instruction, equity training, the teacher union, and student safety, and Lucinda Tharp regarding Wit & Wisdom and board member behavior.

At 6:44 pm the Board took a five-minute break.

#### **BOARD DEVELOPMENT**

##### **Board Linkages:**

- Director Berg attended a meeting of Kitsap Strong;
- Director Sebren participated in voter registration with the League of Women Voters;
- Director Diehl connected with community members.

**Legislative Update:** The Board discussed the WSSDA General Assembly. Further discussion is planned at the next meeting.

##### **Student Representative Report:**

- Student Representative LaCross-Lambert shared that she is working on student council and advocating for political engagement;
- Student Representative Wilson shared that schedules at the high school have been impacted by testing and staff absences.

#### **SUPERINTENDENT CONSENT AGENDA**

Director Dally non-concurred with the Superintendent's Consent Agenda.



- Consent Agenda
- Human Resources Employment Reports
- Affidavit of Vouchers and Payroll
- Donations to the South Kitsap School District
- Transportation Surplus Buses 72 and 74

**MOTION: BERG** moved to approve the Superintendent's Consent Agenda. The motion carried.

**BOARD CONSENT AGENDA**

- Minutes of the Special Meeting of October 5, 2021
- Minutes of the Regular Meeting of October 6, 2021
- Minutes of the Special Meeting of October 8, 2021
- Instructional Materials Committee Meeting Minutes of October 8, 2021 - First Reading

**MOTION: BERG** moved to approve the Board's Consent Agenda excepting Item 9.04. The motion carried. No action taken on the IMC Committee Meeting Minutes of October 8, 2021, First Reading.

**MATTERS RESERVED FOR BOARD ACTION**

**Disposition of Investigation Report**



**MOTION: BERG** moved that in as much as the August 3, 2021 report regarding Director Daily prepared in response to the Board action of April 21, 2021 has been reviewed by the Board members and has now been made available to the public, the Board deems that no further Board action need be taken on the matter. The motion carried with Director Daily abstaining.

**Facility Committee Members**

**MOTION: BERG** moved that with the terms of three members of the Facilities Long-range Planning Advisory Committee expiring January 1st, applications for those positions and additional positions on the committee will be accepted until November 30, 2021, and those currently serving on the committee will automatically be considered to be applicants for reappointment unless they state otherwise.

**MOTION: SEBREN** moved to close debate. The motion carried.  
Director Berg's motion carried.

**2021-2022 Annual Work Plan Calendar:**

**MOTION: BERG** moved to approve the 2021-2022 Annual Work Plan Calendar. The motion carried.

**Revision to OE-10 Learning Environment/Student Discipline**

**MOTION: BERG** moved to approve Revision to OE-10 Learning Environment/Student Discipline. The motion carried.

**School Board Officer Elections**

Due to the resignation of Board President Gattenby, elections were held to select a president and vice president to preside until the annual board reorganization at the first meeting in December.

Director Diehl nominated John Berg for President. No other nominations were made. Superintendent Winter took a roll call vote:

- Daily: No
- Diehl: Yes
- Sebren: Yes
- Berg: Yes



Director Sebren nominated Rebecca Diehl for Vice President. No other nominations were made. Superintendent Winter took a roll call vote:

- Daily: No
- Sebren: Yes
- Diehl: Yes

Berg: Yes

**Planning for Coherent Governance Training**

The Board discussed scheduling a four-hour workshop on January 15, 2022 possibly to include administrative staff training on January 14. Superintendent Winter will share the date with potential board members. Directors Diehl and Berg will communicate with the Aspen Group. The Board plans to consider the revised GC policies for first reading at the November 3<sup>rd</sup> board meeting.

**BOARD DEBRIEF** – Director Diehl

**ADJOURNMENT**

Meeting adjourned at 7:42 pm.

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John Berg, President

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Tim Winter, Superintendent