



**BOARD OF TRUSTEES
SPECIAL MEETING**

Board of Trustees
Michael Allman
Melisse Mossy
Maureen "Mo" Muir
Katrina Young

Superintendent
Robert A. Haley, Ed.D.

**MONDAY, MARCH 29, 2021
5:00 PM**

***Public participation will be remote and
live-stream will be available @ www.sduhsd.net.
District Office Board Room
710 Encinitas Blvd.
Encinitas, CA 92024***

This meeting will be held in accordance with Executive Orders N-29-20 and N-33-20, and the County of San Diego Health and Human Services Order of the Health Officer and Emergency Regulations issued on December 10, 2020. A copy of each order is available online at www.sduhsd.net and posted at 710 Encinitas Boulevard, Encinitas, CA. The meeting will be live-streamed and video recorded. The public live-stream link will be posted online at www.sduhsd.net prior to the start of the meeting. Members of the Board of Trustees will be permitted to participate virtually/telephonically.

Public comments for special meetings are restricted to items on the agenda before the Board of Trustees for consideration. Members of the public who wish to address the Board of Trustees may do so by submitting a request using this [form](#). This form will open at 6:30 p.m. on March 27, 2021, and will close at 6:30 p.m. on March 28, 2021. Public comment will be limited to two (2) minutes per speaker and a total of 20 minutes per item. If there are more than 10 requests for an item, there will be a random selection of 10 speakers made prior to the meeting that will be recorded.

Additional information and supporting documents that may be provided to the Board of Trustees prior to the start of the meeting, if provided, will be posted on the website at www.sduhsd.net.

AGENDA

- 1. CALL TO ORDER**
 - a. WELCOME
 - b. PLEDGE OF ALLEGIANCE
 - c. APPROVAL OF AGENDA
- 2. CLOSED SESSION – *public comment, if any***
 - a. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (GOVERNMENT CODE SECTION 54956.9(d)(1))
Case Name: A.A., et al. v. Gavin Newsom, et al.; San Diego Superior Court Case Number 37-2021-00007536
- 3. REPORT OUT OF CLOSED SESSION**
- 4. CONSIDERATION OF ADOPTION OF RESOLUTION REGARDING THE EXPANDED REOPENING OF SCHOOLS FOR THE REMAINDER OF THE 2020-21 SCHOOL YEAR AND THE 2021-22 SCHOOL YEAR – *public comment, if any***

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications, or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Governing Board, please contact the [Office of the Superintendent](#). Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with the meeting in appropriate alternative formats for persons with a disability.

The Resolution will be posted and made publicly available when it is completed and distributed to the Board of Trustees.

5. **CONSIDERATION AND ACTION REGARDING THE SAN DIEGO COUNTY PUBLIC HEALTH ORDER / QUARANTINE REQUIREMENTS** – *public comment, if any*
6. **CONSIDERATION AND ACTION REGARDING TRUSTEE AREA 5 VACANCY** – *public comment, if any*
7. **ADJOURNMENT**

MEETING PROTOCOL

The members of the San Dieguito Union High School District Board of Trustees are locally elected officials, serve four-year terms of office, and are responsible for the schools' educational programs, in grades seven through twelve. The Board is a policy-making body whose actions are guided by the District's vision, mission, and goals. Administration of the District is delegated to a professional administrative staff led by the Superintendent. Board Members are required to conduct the programs of the schools in accordance with the Constitution of the State of California, the California Education Code, and other laws relating to schools enacted by the Legislature, in addition to policies and procedures adopted by the Board of Trustees.

PUBLIC COMMENTS (*Please see public comment process noted above.*)

Members of the public are entitled to comment on items listed on the agenda for Board consideration or deliberation. At the discretion of the Board President, members of the public are entitled to speak on agenda items either immediately after the item is called or following background information provided related to the item. Members of the public are entitled to comment on an agenda item only once at any meeting and may not have someone speak or read on their behalf unless otherwise allow by statute. Although the Board President may seek additional information, participation in debate on any item before the Board shall be limited to the Board and staff. The Board President shall determine the order of speakers, when the Board President calls a member of the public to speak they are asked, but not required, to provide their names prior to making comments.

PUBLIC INSPECTION OF DOCUMENTS

In compliance with Government Code 54957.5, agenda-related documents that have been distributed to the Board less than 72 hours prior to the Board Meeting will be available for review on the district website, www.sduhsd.net.

CLOSED SESSION

The Board may meet in Closed Session to consider qualified matters of litigation, employee negotiations, student discipline, employee grievances, personnel qualifications, and/or real estate negotiations which are timely.

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: March 26, 2021

BOARD MEETING DATE: March 29, 2021

PREPARED & SUBMITTED BY: Robert A. Haley, Ed.D., Superintendent

SUBJECT: CONSIDERATION AND ACTION REGARDING THE SAN DIEGO COUNTY PUBLIC HEALTH ORDER / QUARANTINE REQUIREMENTS

EXECUTIVE SUMMARY

Attachments as follows:

1. California Education Code ARTICLE 8. COVID-19 Reporting and Public Health Requirements
2. The San Diego County Public Health Order (Quarantine of Persons Exposed to COVID-19)
3. California Department of Public Health [COVID-19 and Reopening In-Person Instruction Framework & Public Health Guidance for K-12 Schools in California, 2020-2021 School Year](#)
4. California Department of Public Health [COVID-19 Quarantine Guidance for Local Health Departments](#)

RECOMMENDATION:

It is recommended that the Board of Trustees consider the information provided.

FUNDING SOURCE:

N/A

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ARTICLE 8. COVID-19 Reporting and Public Health Requirements [32090 - 32095] (Article 8 added by Stats. 2021, Ch. 10, Sec. 1.)

32090.(a) (1) Upon learning that a school employee or pupil at a public or private school campus maintaining kindergarten or any of grades 1 to 12, inclusive, in the state has tested positive for COVID-19 and was present on campus while infectious, the school administrator or other person in charge of the public or private school shall immediately, and in no case later than 24 hours after learning of the positive case, notify the local health officer or the local health officer's representative about the positive case.

(2) For purposes of this subdivision, the required notification to the local health officer or the local health officer's representative shall include all of the following information, if known:

(A) Identifying information of the individual who tested positive, including full name, address, telephone number, and date of birth.

(B) The date of the positive test, the school or schools at which the individual was present onsite, and the date the individual was last onsite at the applicable school or schools.

(C) The name, address, and telephone number of the person making the report.

(3) The school administrator or other person in charge of the school shall notify the local health officer or the local health officer's representative, as required by this subdivision, even if the individual who tested positive has not provided prior consent to the disclosure of personally identifiable information. For any school subject to the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), the school administrator or other person in charge of the school shall notify the local health officer or the local health officer's representative, even without prior written consent, as a disclosure that is necessary to protect the health or safety of the student or other individuals pursuant to Section 99.36 of Title 34 of the Code of Federal Regulations.

(4) (A) Information reported pursuant to this subdivision shall not be disclosed by a local public health department, except in any of the following circumstances:

(i) To the State Department of Public Health to the extent deemed necessary by the local health officer for an investigation to determine the source of infection and to prevent the spread of COVID-19.

(ii) If required by state or federal law.

(iii) With the written consent of the individual to whom the information pertains or the legal representative of the individual.

(iv) If the source of infection or exposure of other persons is believed to be outside the local jurisdiction, in which case the local health officer shall notify and share necessary information

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with local or government public health officials for the relevant jurisdictions to monitor, investigate, prevent, and control the spread of COVID-19.

(B) Upon receiving a report made pursuant to this article, the local health officer shall take the steps necessary to investigate, prevent, and control the spread of COVID-19.

(C) Information reported under this subdivision is not subject to disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) pursuant to subdivision (c) of Section 6254 of the Government Code.

(5) The requirements of this subdivision shall be in addition to any other legal requirements related to the reporting of a communicable disease.

(b) Beginning March 15, 2021, a single school site of a local educational agency with two or more outbreaks of COVID-19, as identified by the local health officer or the State Department of Public Health, shall be subject to a safety review by the State Department of Public Health.

32091. (a) (1) Beginning March 15, 2021, every school district, county office of education, charter school, and private school maintaining kindergarten or any of grades 1 to 12, inclusive, shall notify the State Department of Public Health of the following information in a form and adhering to the procedures to be determined by State Department of Public Health on or before the second and fourth Monday of each month:

(A) The number of pupils enrolled by schoolsite and, if applicable, school district.

(B) For nonclassroom-based charter schools, the total number of pupils enrolled and the number of pupils attending each resource center, if any.

(C) The number of pupils participating in full-time in-person instruction by schoolsite and, if applicable, school district.

(D) The number of pupils participating in a mix of in-person and distance learning, known as hybrid learning, by schoolsite and, if applicable, school district.

(E) The number of pupils participating in distance learning by schoolsite and, if applicable, school district.

(F) The number of school employees who work onsite at a school by schoolsite and, if applicable, school district.

(G) The number of pupils being served in cohorts while the school is closed for in-person instruction and the support and services they are receiving.

(H) For school districts with schoolsites with pupils participating only in distance learning, the reasons why in-person instruction is not being offered and the barriers the schoolsite or school district faces in providing in-person instruction.

(I) Any additional information requested by the State Department of Public Health.

(2) The State Department of Public Health shall do all of the following:

(A) Develop the form and identify the procedures to be used for reporting information pursuant to this subdivision.

(B) Provide the form and procedures to local health officers, local educational agencies, and private schools.

(C) Post the form and procedures described in subparagraphs (A) and (B) on its internet website.

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(D) Maintain a data report on its internet website, updated every two weeks with new educational entity-level and statewide aggregate data received by the State Department of Public Health pursuant to this section.

(E) Report all data related to this section on a monthly basis to the appropriate fiscal and policy committees of the Legislature.

(b) (1) Every local educational agency and private school offering in-person instruction for kindergarten or any of grades 1 to 12, inclusive, shall post a completed COVID-19 safety plan on its internet website home page. For a local educational agency or private school that is not offering in-person instruction as of the effective date of Assembly Bill 86 of the 2021–22 Regular Session, but begins offering in-person instruction after the effective date of Assembly Bill 86 of the 2021–22 Regular Session, the local educational agency or private school shall, at least five days before offering in-person instruction, post a completed COVID-19 safety plan on its internet website home page.

(2) At least five days before providing in-person instruction, a local educational agency in a county in the purple tier pursuant to the State Department of Public Health’s Blueprint for a Safer Economy shall submit its COVID-19 safety plan to its local public health department and the State Department of Public Health pursuant to the COVID-19 industry sector guidance for schools and school-based programs. If the local public health department or the State Department of Public Health identifies a deficiency in the local educational agency’s COVID-19 safety plan within the review period specified in the guidance, the local educational agency and its county office of education shall be notified of the deficiency by the local public health department or the State Department of Public Health. The local educational agency shall resolve the deficiency to the satisfaction of the local public health department or the State Department of Public Health before providing in-person instruction.

(3) For purposes of this subdivision, the COVID-19 safety plan shall consist of both of the following:

(A) The written COVID-19 prevention program required by subdivision (c) of Section 3205 of Title 8 of the California Code of Regulations, adopted by the Occupational Safety and Health Standards Board as part of COVID-19 Emergency Standards.

(B) The supplemental COVID-19 School Guidance Checklist approved by the State Department of Public Health as part of the COVID-19 industry sector guidance for schools and school-based programs, including descriptions of any planned periodic asymptomatic testing cadences for staff and pupils.

(Added by Stats. 2021, Ch. 10, Sec. 1. (AB 86) Effective March 5, 2021. Inoperative June 30, 2022. Repealed as of January 1, 2023, pursuant to Section 32095.)

32092. (a) The Government Operations Agency shall prioritize COVID-19 vaccination for all persons in Tier 1B pursuant to the State Department of Public Health’s Vaccine Allocation Guidelines for COVID-19 Vaccine equally statewide.

(b) The Government Operations Agency, through the state’s third party administrator for COVID-19 vaccination, shall prioritize a set number of appointments for education sector staff under Tier 1B described in subdivision (a), in partnership with local educational agencies, childcare providers, and labor organizations, and shall provide related direct outreach to, and support for, education sector staff.

(c) Of the first doses of the COVID-19 vaccines available to the state, 10 percent shall be offered to childcare and K–12 education sector staff.

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(d) This section shall not be construed as inferring that vaccination of school staff or pupils is a prerequisite for providing in-person instruction.

(Added by Stats. 2021, Ch. 10, Sec. 1. (AB 86) Effective March 5, 2021. Inoperative June 30, 2022. Repealed as of January 1, 2023, pursuant to Section 32095.)

32093. The requirements of this article shall not be waived by the state board pursuant to Section 33050 or any other law.

(Added by Stats. 2021, Ch. 10, Sec. 1. (AB 86) Effective March 5, 2021. Inoperative June 30, 2022. Repealed as of January 1, 2023, pursuant to Section 32095.)

32094. For purposes of this article, the following definitions apply:

(a) "Local educational agency" means a school district, county office of education, or charter school.

(b) "Private school" means every person, firm, association, partnership, or corporation offering or conducting private school instruction on the elementary, middle, or high school level, unless the private school instruction is only being provided to one or more pupils of a single household.

(Added by Stats. 2021, Ch. 10, Sec. 1. (AB 86) Effective March 5, 2021. Inoperative June 30, 2022. Repealed as of January 1, 2023, pursuant to Section 32095.)

32095. This article shall become inoperative on June 30, 2022, and, as of January 1, 2023, is repealed.

(Added by Stats. 2021, Ch. 10, Sec. 1. (AB 86) Effective March 5, 2021. Repealed as of January 1, 2023, by its own provisions. Note: Repeal affects Article 8, commencing with Section 32090.)



County of San Diego

NICK MACCHIONE, FACHE
AGENCY DIRECTOR

HEALTH AND HUMAN SERVICES AGENCY
PUBLIC HEALTH SERVICES
3851 ROSECRANS STREET, MAIL STOP P-578
SAN DIEGO, CA 92110-3134
(619) 531-5800 • FAX (619) 542-4186

WILMA J. WOOTEN, M.D.
PUBLIC HEALTH OFFICER

ORDER OF THE HEALTH OFFICER (Quarantine of Persons Exposed to COVID-19)

The spread of coronavirus disease 2019 (COVID-19) is a substantial threat to the public's health. San Diego County is currently subject to a declared local health emergency and a proclaimed local emergency due to the COVID-19 pandemic, and the Governor of the State of California proclaimed a state of emergency. Everyone is at risk for becoming ill with COVID-19, but some people are more vulnerable to serious illness due to age or underlying health conditions. In order to slow the spread of COVID-19, and prevent the healthcare system in San Diego County from being overwhelmed, it is necessary for the Health Officer of the County of San Diego (Health Officer) to require the quarantine of persons exposed to COVID-19.

Household contacts, intimate partners, caregivers, and any other person who have been in close contact with a person either diagnosed with COVID-19, or likely to have COVID-19 (COVID-19 Patient), must quarantine themselves. A "close contact" is a contact with a COVID-19 Patient that occurs anywhere between 48 hours before the COVID-19 Patient's symptoms began (or, for asymptomatic patients, 2 days prior to test specimen collection), and until the COVID-19 Patient is no longer required to be isolated, and where they:

1. Were within 6 feet of a COVID-19 Patient for a cumulative total of 15 minutes or more over a 24-hour period; or
2. Had unprotected contact with the body fluids and/or secretions (including, but not limited to, being coughed on or sneezed on, sharing utensils, or drinking out of the same container) of a COVID-19 Patient.

This Order does not apply to persons listed in Section #2, below.

The Health Officer therefore **ORDERS** pursuant to California Health and Safety Code sections, 101040, 101030, 120175, 120215, 120220, and 120225:

All persons without COVID-19 symptoms who have had close contact with a COVID-19 Patient must immediately take the following actions:

1. Quarantine themselves in their home or another residence for at least 10 days and up to 14 days after the last contact with a COVID-19 Patient. All asymptomatic close contacts may discontinue quarantine after Day 10 from the date of last exposure with or **without** testing as long as they can self-monitor for COVID-19 symptoms through Day 14 and if symptoms occur, immediately self-

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Health Officer Quarantine Order
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- isolate and contact their healthcare provider or local public health department and seek testing. Individuals released from quarantine prior to Day 14 shall also adhere strictly to all recommended non-pharmaceutical interventions, including consistent use of face coverings and maintaining a distance of at least 6 feet from others, through Day 14.
- a. If quarantined in a congregate setting, hotel or multi-unit setting, the person may not enter any other units within that setting. Persons may leave their place of quarantine to receive necessary medical care.
 - b. During critical staffing shortages when there are not enough staff to provide safe patient care, healthcare workers, emergency response, and social service workers who work face to face with clients in the child welfare or long term care setting are able to work after Day 7 from the date of last exposure if they have received a negative PCR test result from a specimen collected on or after Day 5 and continue to be asymptomatic. Respective individuals after Day 7 need to wear surgical face masks through Day 14 when leaving the home.
 - c. Health care employers with critical staffing shortages and lacking the staff to provide safe patient care may use [Contingency Capacity Strategies as described by CDC](#) where asymptomatic healthcare personnel (including in skilled nursing facilities during an outbreak when all staff are considered potentially exposed) are allowed to work with a surgical mask or respirator, but still report temperature and absence of symptoms each day until 14 days after exposure.
 - d. Persons who reside or work in a high-risk congregate living setting (e.g., skilled nursing facilities, prisons, jails, shelters) or persons residing or working with severely immunosuppressed persons (e.g., Bone marrow or solid organ transplants, chemotherapy) should still quarantine for 14 days in the absence of staffing shortages.
2. According to the CDC, quarantine is not required for those who gained immunity within three months.
 - a. People who have tested positive for COVID-19 within the past 3 months and recovered do not have to quarantine or get tested again as long as they do not develop new symptoms.
 - b. People who develop symptoms again within 3 months of their first bout of COVID-19 may need to be tested again if there is no other cause identified for their symptoms.
 - c. People who have been in close contact with someone who has COVID-19 are not required to quarantine if they have been fully vaccinated against the disease within the last three months and show no symptoms.


Review the following documents for more information:
<https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine.html>
<https://www.cdc.gov/vaccines/covid-19/info-by-product/clinical-considerations.html>
 3. Carefully review and closely follow all requirements of the Health Officer and medical provider. *Home Quarantine Guidance for COVID-19 Close Contacts* should be followed by those on home quarantine, because of exposure to a COVID-19 Patient. Guidance is found here: <https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/Epidemiology/COVID-19%20Home%20Quarantine%20Guidance.pdf>
 4. Unless otherwise authorized by this Order, a person under quarantine may not come within 6 feet of any person, excluding a treating medical professional, a law enforcement officer enforcing this Order, a representative of the Health Officer, any other person specifically authorized by the Health Officer, or a caretaker.

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5. If you develop symptoms, please contact your medical provider. Signs and symptoms that are consistent with COVID-19 include cough, shortness of breath or trouble breathing, fatigue, fever or chills, muscle or body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea or vomiting, or diarrhea. Based on guidance from your medical provider, you may need to isolate and get tested for COVID-19.
 - a. The Public Health Officer's Isolation Order is accessible through the County's COVID-19 webpage:
 - i. https://www.sandiegocounty.gov/content/sdc/hhsa/programs/phs/community_epidemiology/dc/2019-nCoV/health-order.html).

Violation of, or failure to comply with, this Order is a misdemeanor punishable by imprisonment, fine, or both (California Health and Safety Code sections 120275 and 120295). This Order may be enforced by any law enforcement officer within an area subject to their jurisdiction for the purpose of preventing the spread of a contagious, infectious, or communicable disease (California Government Code sections 26602 and 41601, and California Health and Safety Code section 101029).

IT IS SO ORDERED:



Wilma J. Wooten, M.D., M.P.H.
Public Health Officer
County of San Diego

Dated: February 12, 2021

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: March 26, 2021

BOARD MEETING DATE: March 29, 2021

PREPARED & SUBMITTED BY: Robert A. Haley, Ed.D., Superintendent

SUBJECT: CONSIDERATION AND ACTION REGARDING THE TRUSTEE AREA 5 VACANCY

EXECUTIVE SUMMARY

Former Trustee, Kristin Gibson, resigned on March 19, 2021, effective of that date. She did so by submitting her letter of resignation, as called for, to the San Diego County Superintendent of Schools. As Trustee Gibson was Clerk for the Board of Trustees, the San Diego County Superintendent of Schools is required to appoint a new Clerk, therefore he named Trustee Katrina Young as Clerk.

Attached is a detailed draft timeline for the Board to review and consider. The first action the Board must take is to decide to either call for a special election or to make a provisional appointment.

In order to ensure the process moves forward without bias, all questions, comments, or inquiries should be directed by email to the Board Secretary at superintendent@sduhsd.net.

RECOMMENDATION:

It is recommended that the Board of Trustees receive the information and direct staff accordingly.

FUNDING SOURCE:

If the Board calls for a special election, or one is called in response to a petition, the costs must be paid out of District funds. The potential range of costs provided by the Registrar of Voters was \$450,000 to \$650,000. The costs may vary based on whether the election is conducted at polling stations or vote-by-mail.

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**San Dieguito Union High School District / Board of Trustees Area 5 Vacancy
Timeline**

March 19	Vacancy created in Trustee Area 5 (2022 Term)
March 22 - April 22	<ul style="list-style-type: none"> • Discuss overall timeline • Determine whether to make a provisional appointment or call for an election <ul style="list-style-type: none"> ○ Contact the registrar of voters for election information/protocols and estimated costs • If making a provisional appointment – documents <ul style="list-style-type: none"> ○ Application document and process (candidate screening; interviews and/or presentations; application form vs. letter of interest; notification of candidates; order of interviews) ○ Publicity (see below) ○ Voting procedures ○ Interview questions (possible direction to Board President and Superintendent or others to develop confidential interview questions)
April 22	<ul style="list-style-type: none"> • Board action item to determine whether to make a provisional appointment or call for an election • Information provided <ul style="list-style-type: none"> ○ Procedures and timeline for filling governing board vacancy ○ Election costs and protocols ○ Provisional appointment protocols <ul style="list-style-type: none"> ▪ Draft application ▪ Draft Questions
April 23- May 6	<ul style="list-style-type: none"> • If making a provisional appointment <ul style="list-style-type: none"> ○ Application packet available online or at district office ○ Eligibility requirements ○ Timeline and deadline for applications to be received ○ Application ○ Governance handbook • Press release announcing vacancy and describing process for applying • Posting information on the district website
May 6	<ul style="list-style-type: none"> • Deadline for applications to be received at 3:00pm
May 6-12	<ul style="list-style-type: none"> • Contact Registrar of Voters to confirm residency and voter registration status of candidates [Elvira Vargas (858) 505-7210 or Campaign Services (858) 505-7260] • Notify candidates of time and location of interviews
May 13	<ul style="list-style-type: none"> • Board action item: Appointment to fill board vacancy • Public comment on agenda item • Applicant interviews, presentations, and/or questions by Board members • Board discussion and vote on appointment – Majority vote required • Administration of Oath of Office and seating of appointee
May 14	<ul style="list-style-type: none"> • Post notice of provisional appointment • Potential petition calling for a special election – 30 days from time of appointment <ul style="list-style-type: none"> ○ 399 signatures needed
May 18	Sixtieth day -- If the board takes no action within the 60-day period, the County Superintendent of Schools shall call an election to fill the vacancy. [EC, § 5091(a)]