

Ganado Unified School District No.20

Our Vision is to be a professional learning community that focuses on all students exceeding educational expectations.



Our Mission is to ensure all students a quality education and strengthen Diné cultural values for life long learning.

Minutes of Public Meeting Of the Governing Board of the Ganado Unified School District No. 20 July 25, 2022, at 5:30 p.m. – District Board Room, Ganado, Arizona

- I. **CALL TO ORDER:** Marcarlo Roanhorse, Board President called the meeting to order at 5:59 p.m.
- II. **ROLL CALL:** Judy James was present in person; Teresa Gorman was present by phone; Marcarlo Roanhorse was present in person.
- III. **APPROVAL OF AGENDA: Discussion, and Possible Action to Approve the Agenda.** Ms. Judy James motioned to approve the agenda, as is, second by Mr. Marcarlo Roanhorse.
Voice Vote: Ms. James – Aye; Mrs. Gorman – Nay; Mr. Roanhorse – Aye;
Motion Carries: 2, 1, 0
- IV. **CONSENT AGENDA**

- A. **Approval of the following Overnight/Out-of-state Travel Requests:**
1. **Approval of out-of-state travel for Governing Board Members Marcarlo Roanhorse, Wanda Begay, Judy James, Teresa Gorman, Superintendent Betsy Dobias, and Business Services Director Henrietta Keyannie to attend the 2022 Fall NAFIS Conference from September 16-21, 2022 in Washington, District of Columbia.**

Ms. Judy James motions to approve out-of-state travel for Governing Board Members Marcarlo Roanhorse, Wanda Begay, Judy James, Teresa Gorman, Superintendent Betsy Dobias, and Business Services Director Henrietta Keyannie to attend the 2022 Fall NAFIS Conference from September 16-21, 2022 in Washington, District of Columbia, second by Mrs. Teresa Gorman. Mr. Roanhorse stated that all board members were included to be given the opportunity to attend the conference.

Voice Vote: Ms. James – Aye; Mrs. Gorman – Aye; Mr. Roanhorse – Aye;
Motion Carries: 3, 0, 0

V. **OLD BUSINESS**

- A. **Discussion and information to fully reopen the school district to all student in-person learning for SY'2022-2023 with the options for online learning due to extenuating circumstances.** Ms. Judy James motions to discuss V. Old Business, item A, second by Mrs. Teresa Gorman. Dr. Dobias stated that there was a concern regarding needing online learning for a child with a disability or immunocompromised in regards to attending school and how would we handle the situation if a child should contract COVID-19 while in school. She stated that online instruction can be provided per a child's IEP (Individualized Education Plan) or based on a 504 which would be an online curriculum because sending packets home does not work. She also explained that if a child contracts COVID-19, they are excused by a doctor's note for a week or two weeks using the same protocol as if they had bronchitis, hand foot mouth, and any other illness that the child would need to be sent home, would now apply to COVID-19. She would put them on a homebound release form, if they need longer time to remain at home, they would move them to 504 status. Dr. Dobias stated that there would be exceptions based on the needs of the students. She stated that if a child is needing chemotherapy, then she would allow the siblings to stay home to prevent the siblings from bringing COVID-19 into the home from school. Ms. James stated that not all of the board members are attending the board meetings in person, but are requiring the students to return in person without that option. Mrs. Gorman stated that she is worried that COVID-19 prevention and strategies in the classrooms at the district is not up to par. She stated that the supplies and materials are not available to ensure that this is possible. Mr. Roanhorse stated that the district has been on online learning for the past 2 years and with talks about increasing school letter grades and attendance, this is the recommendation of the administration and they feel is most appropriate. Ms. James stated that the district receives the ESSER grants and a part of it is supposed to address learning loss and she knows that funding is there. She stated that requiring the students to bring the students back in person was because the district is not approved for online instruction, but she stated that she is saying that the district should have other funding available to assist the students if they need online instruction. Mrs. Gorman stated that there is no plan and that nothing is written up. She wants to know who will determine eligible students to attend online learning, but there is no plan in place. Dr. Dobias stated that she could not survey parents about offering online instruction, because Ganado Unified School District is not an

online institution. She stated that the test scores for online students are dismal. With the test scores and the financial concern, in-person learning is recommended. Lucille Sidney, High School Principal stated that she disagrees with providing online instruction due to the learning loss that they have experienced. She stated that the instruction that they provide should be in person because that is the best way that students learn to keep students motivated and on task. She stated that online instruction is difficult as they are learning from home and have other tasks that they have to tend to on a daily basis putting their school work and homework aside. She stated that students are having trouble graduating. Leandra Begaye, Middle School Principal stated that she agrees with the option of bringing back the students for in-person learning based on the summer school experience where there were a lot of positive comments and students were happy to be back in person despite the possibility of catching COVID-19. She stated that students should be back in school in person so they can socialize and teachers can work with the students. April Clairmont, Primary School Principal stated that she is in favor of the no online option because the Primary students do not have a very long attention span and it was a quite difficult experience. The students need that social and emotional learning to be successful in school. Mr. McNabb stated that they did the best they can for the last 2 years where a majority of the students and families struggled during that time. As a CTE Director, he feels that the big part of CTE is the hands-on and the labs. The program is facing some setbacks for students and would be a disservice to the students. Lucy Brown, ESS Director stated that most of the students came back in person where they got a lot of hand-over-hand assistance. There were a couple of students that would not wear a mask, but those are things that could be taught in the classroom even though it would take time. Ms. Brown stated that bringing the students back in person is important because some students have regressed.

VI. NEW BUSINESS

A. Discussion and possible action to approve a district backpack policy for SY'2022-2023. Mr. Marcarlo Roanhorse motions to approve solid bags for students, grades K-12. Mr. Roanhorse stated that he recommends mesh bags for grades K-12, but are not mandatory. He stated that mesh bags continue to be mandated for students, grades 3-12. Ms. Judy James seconds the motion. Dr. Dobias provided the parent and staff survey that was completed.

Voice Vote: Ms. James – Aye; Mrs. Gorman – Aye; Mr. Roanhorse – Aye;

Motion Carries: 3, 0, 0

VII. PERSONNEL

Mrs. Wanda Begay joins the meeting by zoom at 6:56 p.m.

Mrs. Teresa Gorman motions to enter into Executive Session for legal advice, second by Ms. Judy James. Entered into executive session at 6:57 p.m.

Voice Vote: Ms. James – Aye; Mrs. Begay – Aye; Mrs. Gorman – Aye; Mr. Roanhorse – Nay;

Motion Carries: 3, 1, 0

Ms. Judy James motions to exit the executive session, second by Mrs. Wanda Begay. Exited executive session at 7:54 p.m.

Voice Vote: Ms. James – Aye; Mrs. Begay – Aye; Mrs. Gorman – Aye; Mr. Roanhorse – Aye;

Motion Carries: 4, 0, 0

Nathan Schott with Hufford, Horstman, Mongini, Parnell and Tucker, PC provided the synopsis of what transpired in executive session. Mr. Schott stated that the board went into executive session to discuss VII. Personnel, items A, B, and C to approve resignation of certain certified and classified staff for advice from legal counsel for questions of legal counsel for accepting and non-accepting of resignations, and legal implications of those decisions. He stated that they did not discuss specifics on any employee and can be done in open session.

A. Discussion and possible action to approve Resignation of Certified Staff:

1. Maria Berkey, Teacher effective May 27, 2022

Mr. Marcarlo Roanhorse motions to approve the resignation of Maria Berkey, Teacher and to review matters that were presented at the previous meeting, second by Mrs. Teresa Gorman. Ms. James stated that this item was tabled due to concerns that were given on a letter and wanted to state that when she sees concerns on presentations she has questions and wants clarification on what the concerns were. She wanted to thank the administration for the clarification. Mrs. Begay stated that concurs with her colleague about her concerns. She stated that any complaint raised by an employee should be looked into, their voices heard, and resolved as quickly as possible. Mrs. Gorman stated that there is a lot of employee complaints and intimidation. She urges Human Resources and the Superintendent not to use "legal counsel" in the terms that they relay to the employees as that intimidates the employee from pursuing a complaint. She would like all issues resolved here and every employee needs to be heard.

Voice Vote: Ms. James – Aye; Mrs. Begay – Aye; Mrs. Gorman – Aye; Mr. Roanhorse – Aye;

Motion Carries: 4, 0, 0

B. Discussion and possible action to approve Resignation of Certified Staff:

1. Evonne Yazzie, Teacher effective July 6, 2022

Ms. James motions to accept the resignation under protest due to the situation that the teacher has already signed an employee contract and is wanting to be released, second by Mrs. Wanda Begay. Mr. Roanhorse stated that they talk about having retaining staff, but how do they stand with the community if they make such moves and oppose the motion. Ms. James stated that she hears their concerns, but on the other hand she expects

to hold this professional personnel to professional standards and this is one of them. Mrs. Begay stated that these teachers have been in the district for a long time and her rationale to protest is she did not want her to go and that she wanted her to stay. She wants to retain teachers as much as possible and work with them. She wants to retain staff. Mr. Schott explained that the board has three options, where they can accept the resignation under protest; accept the resignation under and direct the employee be referred to Arizona Department of Education (ADE) for unprofessional conduct; or also request to assess the liquidated damages provision under the employee's contract if the resignation is accepted under protest, do either, both or none of them. He recommends that the board clarifies which of these options they would go with this particular resignation. Ms. James restated her motion to accept the resignation with protest where in previous board actions it has been the practice when the teacher resigned from the contract after signing the contract that they be fined \$500.00 that is stated in their contract. She stated that if they do not state a protest then they would be setting a precedent for future practice of this nature. Mr. Roanhorse provides a substitute motion to accept the resignation of Evonne Yazzie, Teacher, as is, second by Mrs. Wanda Begay.

Voice Vote of substitute motion: Ms. James – Nay; Mrs. Begay – Aye; Mrs. Gorman – Nay; Mr. Roanhorse – Aye;
Motion fails: 2, 2, 0

Mr. Schott stated that the board may accept or assess the liquidated damages. In all circumstances, the way the contracts are drafted is that the board may assess the liquidated damages, which is \$500.00 penalty but that is at the discretion of the board where there may be circumstances where assessing the penalty is appropriate and in other circumstances, the board may believe that assessing the penalty is inappropriate.

Cameo Pete, Human Resources stated that the employment contract is pretty clear on this section on the \$500.00 fee of liquidated damages and that the fee would be assessed at the board's discretion if the resignation was submitted late. She stated that this will not set precedence for every employee but for those employees that submitted their resignations late. Ms. James stated that the letter that they received from Mr. Schott clarified that because this resignation is so close to the beginning of school it puts the school district at a disadvantage to advertise and recruit an appropriate replacement. She stated that based on that reason, she stated her motion the way she did. Mr. Roanhorse again stated that he is opposed to this. He stated that if this item was accepted at the last board meeting there would have been a sufficient amount of time to advertise.

Voice Vote of main motion: Ms. James – Aye; Mrs. Begay – Aye; Mrs. Gorman – Aye; Mr. Roanhorse – Nay;
Motion Carries: 3, 1, 0

C. Discussion and possible action to approve Resignation of Classified Staff:

1. Benjamin Kabinto, Custodian effective June 30, 2022

Mr. Marcarlo Roanhorse motions to approve VII. Personnel, item C1, second by Mrs. Wanda Begay.

Voice Vote: Ms. James – Aye; Mrs. Begay – Aye; Mrs. Gorman – Aye; Mr. Roanhorse – Aye;
Motion Carries: 4, 0, 0


VIII. ADJOURNMENT: Ms. Judy James motions to adjourn, second by Mrs. Teresa Gorman. Meeting adjourned at 8:27 p.m. by acclamation.

Voice Vote: Ms. James – Aye; Mrs. Gorman – Aye; Mr. Roanhorse – Aye;
Motion Carries: 3, 0, 0

Respectfully submitted by Ruth Kanuho, Superintendent Secretary.

APPROVED AUG 08 2022

Dated this _____ day of _____, 2022



Marcarlo Roanhorse, Governing Board President