

Corning Union High School Special Board Meeting

DATE: September 22, 2017

TYPE OF MEETING:
Special

TIME: 5:00 PM

MEMBERS ABSENT:
None

PLACE: Corning Union High School
Library

VISITORS:

MEMBERS PRESENT:

Scott Patton
Pauletta Bray, Jim Bingham
Todd Henderson, Ken Vaughan

SCHOOL DISTRICT REPRESENTATIVES:

Jared Caylor, Associate Interim Superintendent
Charlie Troughton, CUHS Principal
Sally Tollison, Associate Principal
Jason Armstrong, Associate Principal
Jessica Marquez, Administrative Assistant to Superintendent

Shirely Davies, Sharlet Wagner
Pat Talley, Nancy Taylor, Dan Taylor
Ryle Gonsalves, Rachel Gonzalves
Gilbert D. Dennis P, Ted Polster
Barbara Polster, Jessica Spangler
Gary Strave, Clara Starck
Andrea White, Ruth Gildea, Carol Bell
Tony Cardenas, Valanne Cardena
Bud Mitchell, Micah Spangler
Diana Talley, Cara Hood, Dan Whitlock
Jenny Burch, Matt Vander Dussen
Bethany Burch Vander Dussen
Sherry Fissori, Chris Fissori, Nikke
Luke Alexander, Ruby Rodgers
Michelle Story, Linda K.
Billy Nelson, Lynette Messmer
Mark Messmer, Steve Kimbrough
Lisa Johnson, Larry Johnson
Mr. and Mrs. Whipple, Diana R.
Myndee Albers, Shannon Albers
Julie Johnson, Karrie Roth, Sarah Roth
Sarah Polster, Dan Polster,
Nancy Helmick, Sally Young
Sue Blackburn, Donnie Button
Michael Shannon Albers, Marilyn
Dave Walker, Sue Walker, Jeff F.
Chrstitine F., Bob Hall, Deanna Glover
Debbie Bryant, Marsha Patrick,
Mr. Patrick, Brad Martin, Lisa Romo,
Nolan Kee, Larry Glover
Tim Robertson

THE CORNING UNION HIGH SCHOOL –

1. CALL TO ORDER:

The meeting was called to order at 5:00 PM by Board President, Scott Patton. Scott Patton thanked the audience for their attendance.

2. PUBLIC COMMENT / OPEN SESSION:

Board President Scott Patton asked if there was any public comment and reminded the audience to please keep it at a maximum of 3 minutes.

Carrie Roth of Red Bluff High School District shared with the Board and audience that Mr. Burch is the most honest and ethical person that she has ever worked with and known. She will be reading a letter submitted by Dr. Joseph R. Harrop who could not be here:

Dear Members of the Board:

As you are aware, The Brown Act creates specific agenda obligations for notifying the public with a “brief description” of each item to be discussed or acted upon, and creates a legal remedy for illegally taken actions—namely the judicial invalidation of them upon proper findings of fact and conclusion of law.

As a concerned citizen, and pursuant to that provision (Government Code Section 54960.1), I demand that the Governing Board of the Corning Union High School District cure and correct the illegally taken actions as detailed below in order to provide the public with the awareness and opportunity to comment, an opportunity of which it has been deprived.

Specifically, please provide a report of actions taken in the closed session which allegedly were for the “evaluation of the Superintendent”, an action you presumably had taken in June. Please provide the minutes of the action you made to appoint an Interim Superintendent and to place the incumbent Superintendent on paid administrative leave. Please state the reasoning behind your request for an audit.

The murkiness of actions and procedures destroys the trust of those who have elected you, and spawns rumors throughout the community.

As provided by Section 54960.1 you have 30 days from the receipt of this demand to either cure or correct the challenged action or inform me of your decision not to do so. If you fail to cure or correct as demanded, such inaction may leave me no recourse but to seek a judicial invalidation of your actions through the Grand Jury.

Yours truly,
Dr. Joseph R. Harrop

Public- Name Unknown

In enacting this chapter, the Legislature finds and declares that the public commissions, boards and council and other public agencies in this state exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberation be conducted openly.

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

Reads - Opening Paragraph of the Brown Act

My question is for Scott- since you were not here last night. Is the current "evaluation" of Mr. Burch the result of some person or persons bringing a concern to this Board?

Board President Scott Patton shared "yes" but was advised by the lawyer to proceed like this.

Scott was thanked for his honesty and at least answering the question but also made a comment that the board was receiving incorrect advice. He is sure that the intent of the Board is good.

What California Government Code Section is the basis for your refusal to answer?

54957 (b) (1) the reason for "Personnel Matter" being used to not answer the question?

54957 (b) (2)

It really appears that you are hiding behind carefully crafted words to keep from conducting the people's business openly.

Personal Statement: When I learned that John Burch was hired at Corning, I was thrilled for you. I knew he had the integrity and work ethic to really make a difference for the staff and students here.

Unfortunately, I have seen other situations where someone is trying to make a difference and that effort leads to controversy. This appears to be the case here, some don't like what Mr. Burch is doing here, but MANY do appreciate his efforts. Your challenge, as I see it, is to cut through the emotions and weigh the facts. This is often not an easy thing to do. I want you to know that I appreciate your willingness to serve in this way.

It appears that Mr. Burch's efforts have improved the school finances, improved the community relations, improved facilities and benefitted the majority of the staff and the student educational experience here. I am sure there is more positive effort and result to come if you allow him to serve.

I trust that will carefully weigh the facts before you tonight. You seem to have two choices: make the easy decision and get rid of the fine leader so your board meeting will be less lively OR make the hard decision to retain him (even though some may not like your decision) and allow Mr. Burch the opportunity to continue improving this community and our children learning experience.

Luke Alexander asked the Board if there was an update on the audit. Scott Patton shared that the answer was no and that the public will be notified when it does.

Steve Kimbrough shared with the Board that it is important that they understand the Brown Act. The Board can take no action other than to say that you discussed what has been discussed in closed session. The board agendas have not been properly worded with regard to closed session and the board needs to study the Brown Act. Steve reminded the board that no action could be taken and all decision need to come back out into public session. He used the City Councils agendas as an example. Steve shared that a community member shared that John could probably sue the Corning Union High School District for this wrong doing but that knowing John, he probably would not because it would not be good for the students and that should stand for something. He shared that the Board has known him for a number of years and cannot find a man with more integrity.

Personnel issues cannot be discussed due to civil rights act not the Brown Act. This could have been done properly and never should have come to this. Steve has never seen anything like this .This is not a criminal case and has been handled very poorly.

Sue Blackburn shared that she has had four students come through this high school and she hates to see this happen. She is very fond of Mr. Burch and stated that everybody loves him. Sue is disappointed that this is happening.

**3. ADJOURN TO
CLOSED SESSION:**

The Board adjourned to closed session at 5:15 PM

**4. REOPEN TO
PUBLIC SESSION:**

The Board returned to Public Session at 8:55PM

**5. ANNOUNCEMENTS OF
DECISION MADE IN
CLOSED SESSION:**

The Board apologized for the long wait and announced that the Board has received direction from legal counsel and no legal action was taken at this time.

Luke Alexander asked if the audit has begun. Scott Patton replied to his comment “no”.

6. ADJOURNMENT:

There being no further action, the Board adjourned at 8:57 PM

Approved

Scott Patton, President

Pauletta Bray, Clerk

Corning Union High School District Special Board Meeting

DATE: Friday, September 22, 2017

TIME: 5:00 PM

TYPE OF MEETING: Special Meeting

PLACE OF MEETING: Corning Union High School Library

Open Session:

1. Call meeting to order and flag salute-

2. Public comment on Closed Session:

3. Adjourn to Closed Session -

Info./
Action

3.1 Conference with Legal Counsel: Anticipated Litigation
Number of cases: Two

3.2 Public Employee Evaluation: Superintendent

4. Reopen to Public Session-

5. Announcement of decision made in Closed Session-

6. Adjourn-

September 19, 2017

The Board of Trustees
Corning Union High School District
643 Blackburn Avenue
Corning, CA 96021

Dear Member of the Board:

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Yours truly,

Dr. Joseph R. Harrop
1510 Robinson Drive
Red Bluff, CA 96080

Board Presentation

09/22/17

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The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on ~~remain~~ *remain* informed so that they may retain control over the instruments they have created.

(Opening Paragraph of the Brown Act)

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54957 (b) (2) (read from the Brown Act)

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Board Meeting 1/22/17

- Shirley Davis
- Sparklet Wagner
- Marilyn Vaughan
- Pat Jolley
- Nancy & Stan Taylor
- Phyllis Goussard
- Rachel Goussard
- Janet Whitely
- Dennis Patroel
- Mary

You are not required to sign but it would be appreciated if you did!

Board Meeting 1/22/17

- Ted Polster
- Barbara Palster
- Jessica Spangler
- Gary & Clara Struck
- Andrea White
- Ruth Hildea
- G.P. Best
- Carol Best
- Tony Cardenas
- Valanne Cardenas

You are not required to sign but it would be appreciated if you did!

Board Meeting 1/22/17

- Bob-Jane Mitchell
- Micah Spangler
- Deana Teley
- Cratford
- Dan Whitlock
- Jenny Busch
- Mary Busch-Vander Dussen
- Matt Vander Dussen
- Sherry + Chris Fisser
- MKK - Luke Alexander

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Board Meeting 1/22/17

- Ruby Rodgers
- Michelle Story
- Linda Kimbrough
- Billy Nelson
- Anette Massmer
- Mark Massmer
- Steve Kimbrough
- Lisa Johnson
- Larry Johnson
- Ron & Skip Whipple

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Board Meeting 9/22/17

1. Diana Robertson
2. Erin Robertson
3. Myndee Albers
4. Luke Johnson
5. Harrie Roth
6. Sarah Polster
7. Dan Polster
8. Nancy Zelmick
9. Sally Young
10. Sue Blackburn

You are not required to sign but it would be appreciated if you did!



Board Meeting 1/22/17

- Donnie Butta
- Mary Butta
- Michael Shannon Albers
- Marilyn Westbrook
- Dave & Sue Walker
- JEFF FORTKAMP
- Christine Fortkamp
- _____
- _____
- _____

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