



NORTHERN HUMBOLDT UNION HIGH SCHOOL DISTRICT BOARD OF TRUSTEES

AGENDA ITEM: 7.8

SUBJECT:

Board Censure

DEPARTMENT/PROGRAM:

Board of Trustees

ACTION REQUESTED:

Discussion and possible action on Resolution #5/2017-18, Motion to Censure Trustee Jennifer Knight

PREVIOUS STAFF/BOARD ACTION:

At the Board's Special Meeting on October 16, 2017, Board members requested that a resolution for censure be discussed and possibly voted on at their Regular meeting on November 14, 2017.

BACKGROUND INFORMATION AND/OR STATEMENT OF NEED:

FISCAL IMPLICATIONS:

None

CONTACT PERSON:

Roger Macdonald, Superintendent

BOARD OF TRUSTEES OF THE
NORTHERN HUMBOLDT UNION HIGH SCHOOL DISTRICT
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA IN THE MATTER OF
THE MOTION TO CENSURE TRUSTEE JENNIFER KNIGHT

Resolution No. 5/2017-18

The Board of Trustees (“Board”) of the Northern Humboldt Union High School District (“District”) hereby publicly censures Trustee Jennifer Knight for violating Board bylaws and policies as follows:

WHEREAS, the Board adopts policies to govern its conduct in the form of bylaws and policies to serve as guiding principles to lead the District in its missions of serving the students of the District; and

WHEREAS, the Board and its members are also subject to the laws of the State of California; and

WHEREAS, no Board member is above the State and District’s duly adopted laws, policies, and bylaws; and

WHEREAS, the integrity of the democratic process and the community’s faith and support of the District are potentially harmed when a Board member intentionally disregards the laws and rules to which they are subject; and

WHEREAS, Board Bylaw 9000 establishes that the Board “shall ensure that the district is responsive to the values, beliefs, and priorities of the community,” and shall not pursue their own individual interests; and

WHEREAS, Board Bylaw 9005 provides that Board members are expected to govern responsibly and hold themselves to the highest standards of moral and ethical conduct,” in order to maximize “public confidence in district governance,” and that Board members are to “[a]ct with dignity, and understand the implications of demeanor and behavior,” and “[u]nderstand that authority rests with the Board as a whole and not with individual [Board members]” and “[g]overn in a dignified and professional manner, treating everyone with civility and respect,” and “[k]eep confidential matters confidential;” and

WHEREAS, Board Bylaw 9010 states that, “Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board;” and

WHEREAS, Board Bylaw 9011 forbids Board members from releasing confidential information; and

WHEREAS, Board Bylaw 9200 limits Board authority to the Board as a whole, and no individual Board trustee has authority on his or her own. Further, “Board members shall hold the education of students above any partisan principle, group interest, or personal interest.” With respect to complaints about the District, “Individual Board members do not have the authority to resolve complaints. Any Board member approached directly by a person with a complaint should refer the complainant to the Superintendent or designee so that the problem may receive proper consideration and be handled through the appropriate district process;” and

WHEREAS, Board Bylaw 9270 requires that Board members, “maintain the highest ethical standards” and make decisions “in the best interest of the district and the public. Accordingly, no Board member. . . shall participate in the making of any decision for the district when the decision will or may be affected by his/her . . . family, or other personal interest or consideration. A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.” When Board members have a conflict of interest, they are required to abstain from voting on such matters; and

WHEREAS, Board Bylaw 9321.1 provides that no information shall be released in violation of student privacy rights provided in law; and

WHEREAS, the District’s Board Policy 1100 specifically encourages community members to participate on school committees and to provide input at Board meetings; and

WHEREAS, Board Policy 1400 recognizes the importance of positive community relationships with “agencies at all levels of government [that] share the district’s concern and responsibility for the health, safety, and welfare of youth.” The Board and Superintendent or designee shall initiate and maintain good working relationships with representatives of these agencies in order to help district schools and students make use of the resources which governmental agencies can provide;” and

WHEREAS, on December 8, 2015, Ms. Knight was sworn into the office of District Trustee where she made an oath to uphold her duties as a Board member, consistent with the laws of the State of California and to uphold the duties of her position; and

WHEREAS, Ms. Knight has received multiple trainings from the District regarding Board Governance, Board member conduct, and conflicts of interest laws, and participated in the creation of the District’s Governance Handbook which was signed by all Board members on December 13, 2016; and

WHEREAS, on December 8, 2015 and December 3, 2016, Ms. Knight was voted in as one of two Board representatives on the Athletic Policy Advisory Committee; and

WHEREAS, on December 1, 2016, Ms. Knight’s sister filed a complaint related to her child, a student of the District and Ms. Knight’s nephew, regarding the student’s participation on the varsity basketball team; and

WHEREAS, during the 2016-2017 school year on the Athletic Policy Advisory Committee, Ms. Knight stated that the purpose of this annual committee was to respond to her sister’s complaint, which was not true. Ms. Knight brought up the subject of her sister’s complaint at every meeting of this committee. Ms. Knight was disrespectful to staff and parents at these meetings and spoke disparagingly about the varsity coach, whom she blamed for the decision not to place her nephew to varsity basketball. Ms. Knight also spoke about individual students during these meetings. Ms. Knight’s behavior continued, despite district administrators instructing her repeatedly to stop; and

WHEREAS, members of the public complained about Ms. Knight using her position on the Athletic Policy Advisory Committee to pursue her personal and familial interests in support of her sister’s complaint, including at a public Board meeting on March 14, 2017, where one parent noted that Ms.

Knight had a conflict of interest in her position on the committee. After this meeting, Ms. Knight stated to Board members that the Board should attempt to limit the community member's speech; and

WHEREAS, Ms. Knight continued to pursue her familial and personal interests frequently at closed and open sessions of regular Board meetings following her sister's December 1, 2016 complaint. At the Board meeting on October 10, 2017, she raised the issue of her sister's complaint and attacked the coach whom Ms. Knight held responsible for the adverse decision related to her nephew. At the same meeting, Ms. Knight also verbally disparaged a community member who was a nominee for the Athletic Policy Advisory Committee for the 2017-2018 school year, because of this community member's opposition to Ms. Knight's conduct on the Athletic Review Committee for the 2016-2017 school year. Ms. Knight distributed to the public materials of a private nature, including emails and confidential student information, to suggest the community member should not be appointed in the role of a parent representative on the Athletic Policy Advisory Committee, due to the community member's opposition to Ms. Knight's conduct the preceding year, leading to this community member coming to the podium during public comment in tears, stating that she was humiliated; and

WHEREAS, Ms. Knight opposed the appointment of the varsity basketball coach solely because of his participation in the decision that was the subject of her sister's complaint. Ms. Knight objected to the appointment of the nominated junior varsity basketball coach, who is close to the varsity coach, without any stated reason to the Superintendent other than his silent body language at an event they both attended. On October 10, 2017, Ms. Knight chose to participate in the Board meeting discussion and the vote regarding the appointment of these two individuals, despite her ongoing complaint against the varsity coach, and despite the fact that Ms. Knight had a nephew who would be trying out for the basketball team to potentially be placed on the varsity or junior varsity team for the 2017-2018 school year; and

WHEREAS, Ms. Knight had a conflict of interest in participating in the Policy Advisory Committees for the 2016-2017 school year and used it to promote her personal and familial agenda; and

WHEREAS, Ms. Knight identified several matters that came before the Board for a vote on October 10, 2017, as relating to the issues raised by her sister's complaint, and she therefore had a conflict of interest with respect to such matters, but she did not abstain from voting on these matters; and

WHEREAS, on October 16, 2017, during the discussion of the appointment of the junior varsity and varsity coach, Ms. Knight again attempted on several occasions to discuss her sister's complaint, which was not on the agenda; and

WHEREAS, Ms. Knight's conflict of interest and pursuit of personal and familial matters as a Trustee led to multiple members of the public on October 16, 2017, calling for her abstention from voting on such matter and for her resignation. The District also received one formal written complaint regarding Ms. Knight's conduct from a community member; and

WHEREAS, on June 22, 2017, Ms. Knight missed a critical Board meeting on the subject of the District's annual budget and the 2017-2018 school year's Local Control Accountability Plan, also known as the "LCAP," stating that she would be out of town on that date; and

WHEREAS, on June 22 and 23, 2017, Ms. Knight was not out of town, and she attended a professional development workshop at the Humboldt County Office of Education, with District staff, staff from the Humboldt County Office of Education, and educators from throughout the county; and

WHEREAS, prior to the first day of the workshop, which was intended for school administrators and personnel, Ms. Knight was told that she needed to register for the workshop before the first date of it. Ms. Knight failed to do so. On the first day of the meeting, Ms. Knight called the Director of Fiscal Services and required her to drop what she was doing to register Ms. Knight. During the workshop, Ms. Knight conducted herself in a fashion that was unbecoming of a Board member, by attempting to abuse her office as a Board member and obtain attendance to the event by asserting that she should be allowed to enroll in the event outside of timelines because she was a Board member of the District. During the workshop, Ms. Knight made a racially-insensitive comment in front of all attendees about "...knowing what it is like to be a black person because she was a punk rocker, ..."; and

WHEREAS, on the second day of the workshop, when another Board member attempted to attend the meeting without being registered and was turned away, Ms. Knight conducted herself in a manner that brought embarrassment to the District. Upon this Board member's departure, Ms. Knight went into the lobby and loudly cried and could not be calmed down. A District staff member took Ms. Knight into the parking lot so that the meeting would not be further interrupted by Ms. Knight's loud cries, and also called the Superintendent requesting guidance on how to handle the situation. The District staff member requested that Ms. Knight not return until she controlled herself. Ms. Knight returned to the meeting and sat next to the presenter. Ms. Knight comported herself disrespectfully by demonstratively rolling her eyes during the presentation, smirking, making sarcastic comments, challenging a facilitator on points he was making, taking out the evaluation form in a highly visible fashion and writing at length in an exaggerated fashion, although there remained approximately two hours before the presentation would be over. Multiple attendees called the matter to the District's Board President's and staff's attention due to the spectacle that Ms. Knight caused; and

WHEREAS, Ms. Knight has contacted District staff to reschedule Board meetings, provide materials prior to when they are due, and otherwise accommodate her personal schedule to a degree that is disruptive to school business; and

WHEREAS, Ms. Knight's behavior fails to meet the professional standards, expectations and obligations of a Board member and violated Board Bylaws 9000, 9005, 9010, 9011, 9200, 9270, 9321.1, 9323 and Board Policies 1100 and 1400; and

WHEREAS, the Board of Trustees wishes to condemn Ms. Knight's actions in the strongest possible terms available to it as a governing body and formally disapprove of the above-recited conduct. Repeated attempts over the last two years by the District's three superintendents, as well as Board members, to instruct Ms. Knight to stop the numerous violations have been unsuccessful. All three superintendents have spent numerous hours focused on this effort, which have taken them away from their primary responsibilities of managing the district and focusing on student achievement.

NOW, THEREFORE, BE IT RESOLVED: The Board hereby censures, disavows, and formally expresses its disapproval of Ms. Knight's conduct as described within this resolution.

BE IT FURTHER RESOLVED: The Board directs Ms. Knight to abstain from voting on any and all matters which pertain to her personal or familial interests, including matters which relate to her sister's complaint filed in December 2016, and to conduct herself in a manner becoming a representative of this community.

PASSED AND ADOPTED by the Board of Trustees for the Northern Humboldt Union High School District at a regular Board meeting held on November 14, 2017, by the following vote:

- ___ AYES
- ___ NAYS
- ___ ABSTENTIONS

PASSED AND ADOPTED this 14th day of November, 2017

_____, Board President
Colleen Toste

ATTEST:

Brian Gerving Board Clerk

Dated: _____

