



MINUTES OF THE REGULAR MEETING

OF THE
BOARD OF EDUCATION

September 5, 2017

Closed Session 6:00 p.m./Regular Meeting 7:00 p.m.

Board Members Present: Mr. Ron Heberle, President; Mr. George Neely, Vice-President; Dr. Daryl Talken, Clerk; Ms. Bonnie Cassel*; Mr. Ron Freitas; Mr. Gary Knackstedt; and Mr. Joe Nava

*Ms. Cassel was absent from Closed Session.

Administrative Staff: Dr. Cathy Washer, Superintendent; Mr. Leonard Kahn, Chief Business Officer; and Mr. Mike McKilligan, Assistant Superintendent, Personnel

Student Representative: Mr. Rajan Nathaniel, Bear Creek High School and Mr. Felipe de Jesus Ortiz Mejia, Lodi High School

Meeting Recorder: Ms. Valerie McFee, Executive Assistant to the Board

Call to Order

The meeting was called to order at 6:00 p.m. at the James Areida Education Support Center, 1305 East Vine Street, Lodi, CA.

Public Comment on Closed Session Items

No public comments were received prior to Closed Session.

Adjourn to Closed Session

The Board adjourned to Closed Session.

Reconvene Open Session

The meeting was reconvened at 7:02 p.m. Attendance was recorded and President Heberle led in reciting the Pledge of Allegiance.

Closed Session

President Heberle reported on the following action taken in Closed Session:

- **2017-18 Renewal Replacements of Non-Public School Students:**

Mr. Freitas motioned, Mr. Nava seconded and the Board voted, as follows, to approve the 2017-18 Renewal Replacements of Non-Public School students #1 through #62:

Ayes:	Freitas; Heberle; Knackstedt; Nava; Neely and Talken
No:	None
Absent:	Cassel
Abstain:	None

Motion carried

- **Non-Public School Students:**

Mr. Neely motioned, Mr. Nava seconded and the Board voted, as follows, to approve the placement of Non-Public School Students 2017-18 #63 through #71:

Ayes: Freitas; Heberle; Knackstedt; Nava; Neely and Talken
No: None
Absent: Cassel
Abstain: None

Motion carried

- **Closed Session Personnel Matters:**

Dr. Talken motioned, Mr. Neely seconded and the Board voted, as follows, to approve the appointment of Benjamin Rechter as Middle School Vice Principal, Millswood and Morada Middle Schools, effective date TBD.

Ayes: Freitas; Heberle; Knackstedt; Nava; Neely and Talken
No: None
Absent: Cassel
Abstain: None

Motion carried

Moment of Silence

President Heberle asked for a moment of silence in honor of former Lodi Unified Educator, Shirley Ford, who recently passed away. Ms. Ford taught for decades in Lodi Unified and was last assigned to Bear Creek High School. Mr. Heberle noted she was an avid supporter and volunteer for student activities even after her retirement from the District.

Superintendent and Staff Member Reports

Dr. Washer shared details of the recent "Friday Lunch on the Lawn" event at Morada Middle School. Once a month Morada school will host this event that will bring parents, extended family members and their children together to have lunch on campus. She reported that College and Career Night was a success with a large number of students and parents attending despite the hot weather. McNair High School will host the event next year. Dr. Washer acknowledged Lodi Adult School Student, Cameron Cooper, who along with some other folks went to the aid of an adult and child that were being attacked by a dog near the campus. She announced that the District is seeking input for the LCAP and has scheduled an English Learner LCAP Meeting on September 13th and a District Advisory Committee LCAP meeting on September 18th (details can be found on the LUSD website). Dr. Washer announced that "LUSD Connection" will air live via YouTube on September 13th at 3:00 p.m. The topic will be LCAP and she and Ms. Kotowski will answer questions live. Additional "LUSD Connection" sessions will be conducted throughout the year and will be announced prior to the airings.

Public Hearing

Resolution 2017-60 Sufficiency of Instructional Materials

President Heberle declared the Public Hearing "Resolution 2017-60 Sufficiency of Instructional Materials" open.

Public Comments

Michelle Orgon, President, Lodi Education Association (LEA)

The Public Hearing was declared closed.

Comments From The Public

Sharon Huisman, Teacher, Tokay High School, cited the number of English learner and English-learner-monitored students at Tokay High and reviewed the steps she has taken to acquire additional hours for a community liaison to service this population of students and their parents. As a result, a part time (seven hours per day) community liaison has been allocated to the campus; Ms. Huisman continues to advocate for a full-time position.

Julie Thompson, Past President of the Lodi Chapter of American Association of University Women (AAUW), detailed attempts to coordinate a program last April with LUSD for Lodi Unified seniors to attend a movie screening in relation to National Sexual Assault Month. She stated that LUSD printed flyers, however support was not directed to the school site level and expected attendance and a LUSD speaker did not materialize. AAUW will again work with Lodi Unified to bring this program to students and are hoping for positive results.

Courtney Porter, Teacher/Coach, Tokay High School, explained that when a coaching position is unfilled and the sport (team) is in jeopardy of being cancelled, a coach may step in and take on two coaching positions; however the District will only provide a stipend one position. This currently affects him and two other coaches.

Consent Agenda A, Routine Business

Mr. Neely asked to remove Item A-3 and Mr. Heberle asked to remove Item A-6 from Consent Agenda A. No items were removed by the public or student representatives.

- Item A-1 Changes to the Adopted Budget
- Item A-2 Contracts List
- Item A-4 Resolution 2017-58 Authorizing the Filing of the Notice Of Completion (NOC) for the Westwood Roofing Project No. 0901-8201
- Item A-5 Resolution 2017-59 Authorizing the Filing of the Notice Of Completion (NOC) for the Portable Roofing at Various Sites Project
- Item A-7 Resolution 2017-61 Authorizing the Filing of the Notice Of Completion (NOC) for the Lodi USD Food Services Operation Center Project No. 0070-8940
- Item A-8 Minutes of the Regular Board of Education Meeting of August 15, 2017

Mr. Freitas moved, Dr. Talken seconded and the Board voted unanimously to approve Consent Agenda A, Routine Business, as amended.

The Student Representative preferential vote was unanimously aye.

Individual Action on Items Pulled from Consent Agenda A – Routine Business

Item A-3 Approval of Construction Project Change Orders for Joe Serna, Jr. Charter School Roofing Project No. 0904-8204

Mr. Neely explained why he believes the District is being overcharged for the change orders for the roofing project. He addressed the cost per sheet of plywood and the loaded labor rate. Mr. Kahn explained the exhibit related to the loaded labor rate. Mr. Neely thinks these are two areas of concern that should have been caught by the District. Mr. Freitas would like additional information related to the loaded wage calculations and why we were billed over 2,000 hours. Ms. Cassel asked for a report as to whether this is an exception or a far reaching problem. Discussion ensued. Although not in favor, consensus is that project change orders are a contractual obligation and need to be paid.

Mr. Nava moved, Dr. Talken seconded and the Board voted, as follows, to approve the Construction Project Change Orders for Joe Serna, Jr. Charter School Roofing Project No. 0904-8204:

Ayes: Cassel; Heberle; Knackstedt; Nava; Neely and Talken
No: Freitas
Absent: None
Abstain: None

Motion carried

No comments were received by the public.

The Student Representative preferential vote was unanimously aye.

Item A-6 Resolution 2017-60 Sufficiency of Instructional Materials

Mr. Heberle asked Ms. Kotowski questions pertaining to the county office of education's selection of schools to survey. Ms. Kotowski reported that one high school, one middle school and several elementary schools were surveyed. Ms. Kotowski explained that she has tried to work with the county regarding school selection. The county receives the list of schools from the state and they have remained the same for many years. Mr. Heberle said he would have a philosophical problem voting yes, as he is aware of current school sites that do not have adequate science laboratory materials.

Mr. Neely moved, Mr. Nava seconded and the Board voted, as follows, to approve Resolution 2017-60 Sufficiency of Instructional Materials:

Ayes: Cassel; Freitas; Knackstedt; Nava; Neely and Talken
No: Heberle
Absent: None
Abstain: None

Motion carried

No comments were received by the public.

The Student Representative preferential vote was unanimously aye.

Consent Agenda B – Student Discipline Cases

- Item B-1 Expulsion: Student #16/17-10-80
- Item B-2 Suspended Expulsion: Student #16/17-7-81
- Item B-3 Expulsion: Student #16/17-8-82
- Item B-4 Expulsion: Student #14/15-10-83

Mr. Nava motioned, Mr. Neely seconded and the Board voted unanimously to approve Consent Agenda B – Student Discipline Cases, as presented.

Other Action Items

(Item OAI-1) Appointment of Board Subcommittee for Measure U Projects

Mr. Heberle brought forth the item for consideration to form a Board subcommittee to keep an eye on projects and the budget process for the upcoming projects. After much discussion it was decided that to provide transparency for constituents and to provide information to everyone, not just the three Board members that would sit on the committee, it would be best to have scheduled updates at Board of Education meetings regarding Measure U projects.

No motion regarding this action item was initiated.

Public comments

Michelle Orgon, President, LEA; Courtney Porter, Teacher, Tokay High School

(Item OAI-2) Resolution 2017-63 Denouncing Acts of Hate

Mr. Neely stated this proposed resolution is not politically motivated, but is a moral resolution to denounce hate groups. Discussion ensued.

Dr. Washer noted it is up to the Board to adopt or not; however, she asked that we keep in mind that as a public school system, we welcome all parents. A parent's group affiliation is not nor should it be taken into account when we are welcoming parents on to our campuses. All LUSD children are entitled to an education in a safe environment. We do not want to set up a situation that might subject a student to bullying, harassment or discrimination based on what their parents do, think or are.

Dr. Talken noted the Board's primary goal is to educate students and take care of staff. We cannot be Democratic or Republican, right or left when educating our students. Dr. Talken stated he would go with the resolution prepared by legal counsel; but he does not believe an educational group needs to make such a pronouncement.

Ms. Cassel thanked Dr. Washer for authoring the draft policies and sending them to legal counsel for review. Ms. Cassel cited Justice Samuel Alito's opinion in the "Slants" case (*Matal v. Tam*): *[The idea that the government may restrict] speech expressing ideas that offend ... strikes at the heart of the First Amendment. Speech that demeans on the basis of race, ethnicity, gender, religion, age, disability, or any other similar ground is hateful; but the proudest boast of our free speech jurisprudence is that we protect the freedom to express "the thought that we hate."*

Student Representative, Mr. Nathaniel noted that racial tensions are high and felt at the high school level. He stated he likes draft A, but would go with draft B due to potential litigation concerns.

Student Representative, Mr. Mejia agrees and added that specifying names of specific hate groups could target students and be potentially harmful. Thus, he would favor resolution draft B.

Mr. Freitas agreed that the District has policies in place, however it is important to students and staff that we won't tolerate hate groups and we want campuses to be safe.

Mr. Nava read excerpts from District Board policy 5145.3 and he, along with other Board members, agree that Board policies and rules that are currently in place suffice.

Public Comments

Becky Hamner, Community Member/AAUW; Carolyn Ross, Community Member/AAUW

Mr. Freitas moved, Mr. Knackstedt seconded and the Board voted, as follows, to approve Draft "B" of Resolution 2017-63 Denouncing Acts of Hate:

Ayes: Cassel; Freitas; Heberle; Knackstedt; Neely and Talken

No: Nava

Absent: None

Abstain: None

Motion carried

The Student Representative preferential vote was unanimously aye.

(Item OAI-3) Provisional Internship Permit and Approval

Mr. McKilligan presented information for Board consideration to assign five certificated personnel on a Provisional Internship Permit.

Dr. Talken moved, Mr. Nava seconded and the Board voted unanimously to approve Item OAI-3 Provisional Internship Permit and Approval.

(Item OAI-4) Resolution 2017-62 Authorizing the Purchase of Real Property located at 880 N. Guild Ave., Lodi, CA

Mr. Kahn introduced Resolution 2017-62 that would authorize the purchase of fourteen acres for the purchase price of \$1,600,000.00. The real property acquisition would enable construction of a Maintenance & Operations facility which, in turn, would free up space on the Lodi High School campus for expansion purposes.

Public Comments

None

Dr. Talken motioned, Mr. Nava seconded and the Board voted unanimously to approve Resolution 2017-62 Authorizing the Purchase of Real Property located at 880 N. Guild Ave., Lodi, CA.

The Student Representative preferential vote was unanimously aye.

Personnel Matters

Mike McKilligan, Assistant Superintendent, Personnel, presented Personnel Matters for Board consideration.

Mr. Nava asked about the ten community liaison positions on the document and inquired if the employees had already been placed. Dr. Washer responded that the majority have been placed at school sites, as per the Learning Communities for School Success Program Grant intervention plan.

Mr. Nava motioned, Dr. Talken seconded and the Board voted unanimously to approve Personnel Matters, as presented.

Communications

Comments from Student Representatives

Rajan Nathaniel, Bear Creek High School and Felipe de Jesus Ortiz Mejia, Lodi High School, presented reports from their respective schools.

Reports

Title IX Report

Dawn Vetica, Assistant Superintendent, Secondary Education; Enrique Avalos, Coordinator, Positive School Climate and Erik Sandstrom, Principal, Tokay High School, presented the report. Ms. Vetica explained that the Lodi Chapter of the American Association of University Women (AAUW) asked for the report to be presented. Ms. Vetica explained the key issues for a school district related to Title IX are as follows: athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; and single sex education. Mr. Avalos explained the five-year implementation plan for the Positive Behavior Interventions and Supports (PBIS) program's efforts to build up school culture that is inclusive. Discussion ensued. Advanced placement courses, career technical education courses and trainings for staff were discussed.

Ms. Cassel welcomed the AAUW members seated in the audience and noted their mission statement that seeks advancement of equity for women and girls.

Mr. Sandstrom noted there is a challenge at some school sites regarding facilities or lack of room to add facilities for some girls' sports.

Public Comments

Sharon Ceresa, Community Member/AAUW Member, discussed the lack of facilities at Lodi High School for girls softball and other Title IX facilities in Lodi Unified are lacking, as some girls teams are forced to train and play off campus and there is also lack of adequate storage facilities for some girls sports athletic gear.

Pat Drouin, Community Member/AAUW Member, asked for an additional report to include how the teams are represented and additional information regarding enrollment in some of the courses discussed earlier in the report.

Mary Ann Cox-Martin, Community Member/AAUW Member, noted the report emphasized advance placement courses. She would like to see a broader representation of course offerings, including college preparatory courses, etc. Dr. Cox-Martin would also like a future report to include information related to counseling services and teachers' career counseling.

Suga Moriwaki, Community Member/AAUW Member, thanked Mr. Neely and Ms. Cassel for requesting the report. For the next report she would like elementary-aged students included, as this is not just a high school issue.

Becky Hamner, Community Member/AAUW Member, asked how the program for senior students that the association presents in April can be a successful partnership with the District. Dr. Washer asked her to contact Ms. Vetica, who could help with marketing strategies and advertisement. Ms. Vetica noted that attendance might increase if the program was hosted on a school campus, perhaps during the after school programs.

Jen Cassel, Teacher, Tokay High School, stated it was nice to see community stakeholders attend a Board meeting and noted she would welcome the AAUW's program into her classroom and mentioned it would also be suitable for the after-school program. She also commented that the Board is working on involving more community members in the LCAP process.

Communications – continued

Employee Group Representatives

Michelle Orgon, President, Lodi Education Association, reported that ILC members are working jointly with staff to offer additional professional development opportunities; an overview will be presented on November 8th and an invitation will be forthcoming. Ms. Orgon reported that a teacher has been trained to provide Jump Start training to assist other teachers in attaining national board certification. Twenty teachers have signed up for the Jump Start training. Ms. Orgon asked about next steps to provide support for teachers in an attempt to retain the sixty-five interns currently working in LUSD. She is working to facilitate dialogue and an exchange of ideas from teachers in regards to the LCAP information gathering process. In response to the issue with coaching stipends, she feels that coaches should be compensated for their time and students should not miss out on sports because we don't have coaches. She reported that teachers are looking forward to involvement in the Measure U processes.

Debra Ladwig, President, California School Employees Association, Lodi Chapter #77, made reference to the earlier comments regarding the hiring of community liaisons as part of the LCSS grant program and stated the training these employees received prior to beginning their first day of work was spectacular. She said such training would be beneficial to other classified employees new to the District as an effort to gain knowledge of job expectations and protocols. Ms. Ladwig announced that CSEA and the District will attend a negotiation session tomorrow and she voiced optimism for such.

John Hunt, President, Lodi Pupil Personnel Association, apprised Board that members in his unit are in the process of meeting to finalize suggestions for contract reopeners. He said upon completion of this process, LPPA will bring their reopener document to sunshine before the Board.

Comments from the Board

Ms. Cassel asked Dr. Washer to provide additional information regarding allocating hours for the community liaison position at Tokay High School.

Mr. Knackstedt attended College and Career Night. He commented that the District should investigate additional CTE courses at the comprehensive high schools and dual enrollment for students. He asked that Mr. McKilligan pursue getting staffing numbers earlier, as this is an interest of LEA. He would like to obtain the staffing numbers earlier so that we can hire teachers earlier. He also expressed interest in more information related to staffing ratios for counseling staff. Mr. Knackstedt weighted in on the

coaching stipend issue and commented that if a coach is coaching two teams he/she should be compensated accordingly.

Mr. Freitas attended the ribbon cutting ceremony to dedicate the new football field at McNair High School. He thanked Dr. Talken for attending the ceremony as well. Mr. Freitas sent out his thoughts and prayers to the victims and displaced families of Hurricane Harvey and asked Dr. Washer is there is anything we can do to help the students (in Texas).

Mr. Neely asked what we can do for the hurricane victims. He asked Dr. Washer to investigate the coaching stipend situation. He mentioned that he had earlier distributed a news article to fellow Board members regarding later school start times. He inquired about the status of the Review Board for Excellence in Teaching (RBET). Dr. Washer responded that she has not received names from LEA. Mr. Neely gave kudos to Dr. Washer for initiating the "LUSD Connection" concept and upcoming live event and mentioned that "GoToMeeting" is another software that might facilitate this transmission. Mr. Neely reported that next week he will be attending the California School Boards Association Master of Governance training.

Mr. Nava addressed the comments from earlier in the evening made by Mr. Porter regarding coaching stipends and noted that when he was an athletic director, if a coach coached two teams they would receive both stipends. Mr. Nava does not see this action as "double dipping" and asked staff to rectify the situation.

Dr. Talken noted that in the past it was easier to fill coaching positions. He stated that it is harder to find coaches with knowledge of the specific sport and specific coaching skills for a particular sport.

Mr. Heberle also asked for resolution to the stipend situation, noting that the coaches are doing the time and making the effort, thus they should be paid. He attended College and Career Night and said it was an awesome evening. He asked if Dr. Washer might have a creative idea for donations for Hurricane Harvey relief, such as students donating school supplies or pencils. He noted that a local civic group might be of assistance regarding help with mailing the donations.

Comments from the Superintendent

Dr. Washer issued a reminder that October 21st is the GOT Kids Casino Night at Hutchins Street Square. She thanked the Michael David Family Foundation for donating over \$22,000 from the proceeds of their recent Reggae and Rhone event to GOT Kids. She told Mr. Ortiz that the Lodi High supply drive would be featured on the District's Facebook page shortly.

Reports (continued)

Mr. Nava moved, Mr. Freitas seconded and the Board voted unanimously to table the remaining Report Items (Social Studies Framework Update and Historical Perspective on District Unrestricted and Restricted Financials).

Board Advisory Committee Reports


No committee reports were received.

Future Agenda Items

Report on construction costs and formulas.

Adjournment

The meeting adjourned at 10:04 p.m.


Clerk of the Board


President of the Board