



LOMPOC UNIFIED SCHOOL DISTRICT
Superintendent's Community Transmittal

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Dear Lompoc Community,

Legal Trainings

We attended several legal trainings this last week. One of the trainings focused on how to ensure the District is protected, as much as possible, from potential litigation over COVID-19. In addition, we attended the Governor's Budget Overview provided by Capitol Advisors. One thing for *certain* is that there is considerable *uncertainty* with our budget given the pandemic, the newly elected President, and the Safe Schools for All Plan that the Legislature is currently considering.

Interim Financial Report Analysis

As required by Ed Code Section 42131, SBCEO has reviewed LUSD's first interim report which was certified at the December 15 board meeting. We filed a positive certification and following their analysis, SBCEO concurred with our positive certification.

TSPs

The Teacher Support Providers were in seventy-three (73) classrooms this last week! They are focusing on guiding the teachers through self-reflection so each teacher may identify something they want to work on that resonates with them personally. Collectively, the TSP and the teacher will then work on identifying strategies and tools to use in order to assist them with that professional goal.

LUSD Community Collaboration

LUSD Pupil Support administrators met with community agencies on January 26 to continue the discussion on reopening plans and student social-emotional concerns. Agencies represented at this meeting included Behavioral Wellness, Vandenberg Air Force Base Family Support, and North County Rape Crisis and Child Protection Center. LUSD shared information with the community agencies about our COVID plan, updates regarding reopening plans, school site parent meeting dates and times, as well as information from the Superintendent's Community Transmittal.

Special Education Plan

A presentation on the Special Education Plan was recently presented to the Board. The Special Education department has met multiple times to discuss implementation of the plan. The Special Education Plan committee will have its first Spring meeting for oversight on February 2.

Youth Violence Grant - Office of Juvenile Justice and Delinquency Programs

LUSD continues to implement the activities of the OJJDP grant, which is providing funding for additional counseling to students in grades 5-8, Joven Noble/Xinacthli character building groups for student in grades 7-9, and support for the Second Step Social Emotional Learning curriculum.

January 29, 2021

LCAP Update

LUSD staff are working on the 2021-2022 Local Control Accountability Plan. The District is excited about the opportunity to develop a robust plan with maximum stakeholder engagement that will address the following areas: Basic information, state standards, parental involvement, student achievement, student engagement, and climate. The LCAP will also include increased and improved services for our Foster Youth, English Learners and low income students. The Parent Advisory Committee will meet on February 1 to learn about the Local Control Funding Formula (LCFF), review the State Priority areas, discuss the District's previous LCAP goals, and have the opportunity to provide input on new goals, actions, strategies and expenditures. LUSD District staff will attend upcoming site staff meetings, Site Council meetings, DELAC/ELAC meetings, ASB meetings, as well as consult with community partners to seek feedback on the new LCAP. Parents, teachers, staff and students can also expect to receive a survey in the coming months in order to review the plan and submit comments. LUSD staff will begin providing updates to the School Board at the March 9 meeting. For more information about LCFF go to: <https://www.cde.ca.gov/fg/aa/lc/>

For more information about LCAP go here: <https://www.cde.ca.gov/re/lc/>

Title IV Update

The Student Support and Academic Enrichment (SSAE) program under Title IV, Part A of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), is a federal categorical program contained in the Consolidated Application (CONAP). These funds are intended to increase the capacity of local education agencies to meet the goals of ESEA by providing all students with access to a well-rounded education, improving school conditions for student learning, and improving use of technology in order to improve the academic achievement and digital literacy of all students. School sites received an allocation to purchase programs and/or supplies to provide enrichment in a variety of areas. The funds are being spent on guest speakers and motivational assemblies, physical fitness equipment for school gyms, partnerships with the Children's Creative Project for Art, Music and Dance instruction, musical instruments, art supplies, math supplies and hardware.

Attendance

An updated attendance report will be provided at the February 9 board meeting.

Foster Youth/Homeless

At the last liaison meeting, all liaisons and outreach consultants were provided with the link to the McKinney Vento online training. Two liaisons have already completed both lessons have been awarded their completion certificates. These lessons impart necessary information on how to better serve our homeless population and foster youth.

Also discussed was the purchase of resources and materials from the National Center for Homeless Education so that each site would be equipped with folders containing information on local and national resources for LUSD families in need.

CTE

LUSD continues to proffer required budget reports to the state and county in order to remain compliant with the District's CTEIG grant. We would like to give a shout out and huge thank

you to John Greleck, LUSD Budget Analyst, and John Metzger, CTE staff secretary, for their ongoing support with these reports.

Safety

At the last Safety Meeting, principals were presented with all of the information regarding drills so that when school resumes they can begin conducting drills with their students. Principals were encouraged to review the drill information with staff members who come on site. Principals were also provided online training information regarding ALICE, which is the District's practice/procedure for emergency situations on campus.

M&O Update

The Maintenance Direct online work order system, which is distorted due to our closure, lists a total of 338 open work orders this morning. Among other things, LUSD staff responded to the following:

- Approximately 15 downed trees at LHS including the O Street perimeter, Pine Street perimeter, and sidewalk, and the bulk at the eastern perimeter (behind the Visitor's bleachers) blocking the neighboring apartment complex's parking lot. Much of the debris has been removed, some of the debris has been pulled back on to the site and will be removed
- Fallen gate at LVMS has been repaired
- Broken irrigation line at CHS - shut off and will be repaired
- Generator welfare checks at Central Kitchen & IT Server Room - complete
- Maple High water main break - complete
- Maple High gas line break - repaired two locations and it is still dropping pressure. Will begin excavation once the weather dries out and makes excavation safe. The gas to the site is currently turned off.
- Multiple HVAC furnace calls from occupied rooms at LVMS, Hapgood, LHS, Clarence Ruth and Buena Vista - repaired
- Graffiti at BV - complete

Construction

- Clarence Ruth gas line replacement - As of today, we have replaced all mechanical services. The lines held at low-pressure overnight and The Gas Company is on site and restoring gas service to the site.
- Exterior LED lighting at multiple sites - completing punch list items
- Furnace, boiler and pool heater replacement projects at LHS, La Honda and CHS - ongoing
- Irrigation Smart-Controller installations - all sites ongoing
- CHS solar array is at DSA and on schedule for March construction
- BV solar array - location determined at the east perimeter of playing fields, start date TBD, but most likely during Summer Break
- Ed Center complex asphalt - construction slated for March
- El Camino licensed server and installation of seven security cameras - scheduling pre-construction meeting in mid-February

Child Nutrition Services - COVID-19 Emergency Feeding

Since March, LUSD's Child Nutrition Services entire way of service, the way of operating nutrition programs, and everything we have always known was just was not going to work for our students. We made an overnight pivot to respond to the pandemic with the goal of making sure that all LUSD students still had access to food. We kept all sites open, created grab-n-go menus, allowed parents to pick up meals, and even sent out LUSD school buses to distribute food. Thank you to our community partners, LUSD administration and staff, LUSD custodial staff and most importantly our LUSD Child Nutrition Services staff, as they have shown such resilience and willingness to be flexible and learn new ways of doing their work. We appreciate and applaud the entire CNS staff for working together to feed our kids.

Below is the link to the presentation Hannah Carroll, Director of CNS, presented at the January 26, 2021 board meeting:

<https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:007caac6-fa69-49d5-8705-bdbfc77a8fce>

Board Meeting Update

At the last Board Meeting, the idea of virtual classes was discussed to allow students the opportunity, at our secondary school sites, to be able to take advantage of specialty classes, such as Advanced Placement. As you know, in 2022-2023 we will be required to change the start times of our secondary schools due to new laws. Staff have requested that we implement the change with the upcoming school year, rather than return to "normal" and then change it again in one year. Therefore, we are forming a committee to study how we can align the secondary schedules so that class periods are more in line, making it easier for students to take courses at either high school. We will keep you informed as the plans progress.

In addition, a request was made regarding a third party Climate and Culture Survey. The Curriculum and Instruction Department has engaged in preliminary discussions with the Hanover Group to have them conduct a study that could be used for the LCAP and additionally it would meet the needs of the Board. When we shared our plans with the Santa Barbara County-wide Curriculum and Instruction team this week, others shared that they too are working with Hanover for similar studies.

Brown Act Information

DWK
DANNIS WOLIVER KELLEY
Attorneys at Law

**COVID-19
Resource**

Board Meetings: Conducting the Public's Business During the Pandemic
By Gregory J. Dannis

Nearly 70 years ago, the Ralph M. Brown Act was enacted to guarantee the public's right to attend and participate in meetings of local legislative bodies. It remained relatively unchanged for about the first half of its existence, but has been revised more frequently over the last three decades, primarily to address real or perceived abuses and to adapt to new technologies.

I have been advising school boards for 40 years, and for the last 13 years have served and continue to serve on my own school board. I can say with certainty that the very nature of board meetings and the rules for conducting them have changed more dramatically in the last 10 months than in all the years preceding the pandemic. Why is this so?

An obvious part of the answer is the subject matter boards have been compelled to address: Should we pursue a waiver to open schools? Which grades should return? Is it safe for students and staff to return to school? Even what (or who?) the heck is MERV 13!

Often we found that the desired rational discussions based on science and data gave way—or seemed to be taken away—to be replaced by words of fear, anxiety and feelings. Board members have even been accused of being unqualified to make life and death decisions for children and adults.

But there is a secondary, more evident impact of the pandemic on our board meetings: Since we cannot gather indoors in large groups, our meetings have gone virtual—our Board rooms are now Zoom rooms. This accommodation has expanded the public's ability to attend and participate in board meetings. It is simply easier to show up in the comfort of your own home.

This has resulted in:

- More people **attending** our meetings;
- More people **observing** our meetings;
- More public **comment** at our meetings; and
- More **scrutiny** of our discussions, deliberations and actions.

One might say, "Great! More public participation is exactly what the Brown Act is intended to promote and protect." This is true. But I have also seen some harmful side effects to this change. As public attendance has increased, it appears adherence to standards of basic civility and courtesy have decreased. Perhaps it is easier to be impolite or rude when you are just a voice—sometimes an anonymous voice—coming from a black box on the screen rather than when one is standing up in person in front of your community.

There is also a heightened sense of "a right to know" and a right of access to information which often exceeds the legal boundaries of such rights.

I suspect the vast majority of these new participants have **never** attended a board meeting and do not understand the *purpose* of a board meeting or the **protocols** for conducting the district's business in public.

A board meeting is not a town hall, or an open forum for debate, or a meeting of the British House of Commons. But many of the new participants may not know this and they may not be familiar with the Brown Act. It is not surprising to those of us who study and live with it every day that some will get frustrated when they think they have gained an understanding of the Brown Act from a first reading. Like many statutes, the Brown Act does not always mean what it appears to say.

As a result, there has been disruption and loss of control. And the core purpose of board meetings has been blurred. Consequently, governance team members must redouble their ongoing professional development efforts to learn about the Brown Act and stay apprised of rapid changes in the contours and application of the law. Continuing education, such as through our Brown Act Survival Training can provide you with tools to regain or preserve that appropriate level of control and sense of purpose in board meetings.

Board meetings are comprised of legislative, judicial and executive actions. The overriding purpose of board meetings, however, is to conduct the business of the district while allowing the public to observe the process and deliberations, comment briefly thereon, and understand the reasons underlying Board decisions. Meeting this definition will almost guarantee Brown Act compliance, no matter the subject.

In order to do this successfully, governance team members must have at least a general awareness of the following:

- New legal requirements regarding agendas, attendance and intra-board communications in a virtual environment.
- How to facilitate but manage public comment when many virtual attendees wish to exercise that right.
- New laws and cases addressing use of social media, agenda descriptions and free speech limits.
- Best practices and permissible subjects for closed sessions.
- Application of the Brown Act and other laws to employer-employee issues, including negotiations.
- Protecting student privacy rights at public meetings.

In order to preemptively alleviate any pressure governance team members might feel to memorize all these laws, orders and cases, let me say this clearly: You are not expected to ... but WE are.

What you **should** have is enough information so that in any confusing or contentious situation a "light bulb" goes on in your head and you think to yourself, "I know there is a law or a case or a rule relevant to this situation that we need to stop and check."

In these challenging times, it is especially important to keep the original legislative intent of the Brown Act front and center at all times. It states in part that "the public ... boards and councils and the other public agencies in this State exist to aid in the **conduct** of the **people's business**."

The conduct of business. Board meetings exist to conduct the District's business in public on behalf of the public. The Brown Act is a tool to accomplish this purpose effectively and efficiently and is not a not a tool to be used to impede the conduct of the public's business. Staying current on changes to the Brown Act and learning together as a governance team will further the accomplishment of these goals.



Gregory J. Dannis is a Shareholder and President of Dannis Woliver Kelley (DWK). This article was presented as the opening remarks for DWK's statewide "Brown Act Survival Training" on January 26, 2021.

Thank you for your support.

Trevor McDonald
Superintendent of Schools