

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

84 EAST "J" STREET • CHULA VISTA, CALIFORNIA 91910 • (619) 425-9600
EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

MINUTES BOARD OF EDUCATION

Organizational Meeting – December 16, 2024

Closed Session – 4 P.M.

Open Session – 6 P.M.

Dr. Lowell J. Billings Board Room, Education Service and Support Center
Streamed Online

ORDER OF BUSINESS

1. OPENING PROCEDURES

A. Call to Order

President Ugarte called the meeting to order at 4:24 P.M.

B. Administer Oath of Office to Newly Elected Board Members

Superintendent announced the newly elected Board members Francisco Tamayo and Lucy Ugarte. The administration of the oath of office was conducted as follows: CVCEO President Rosi Martinez administered the Oath of Office to both and presented each with a Certificate of Election from the San Diego County Registrar of Voters. Additionally, a Certificate of Recognition was given to Board Member Tamayo for 10 Years of Service to CVESD.

Board Member Dominguez Cervantes congratulated Trustees Tamayo and Ugarte.

C. Roll Call

Members Present:

Ms. Lucy Ugarte, President

Mr. Francisco Tamayo, Vice President

Ms. Delia Dominguez Cervantes, Member

Members Absent:

None.

Others Present:

Dr. Eduardo Reyes, Superintendent

Ms. Sharon Casey, Asst. Supt., Student Services

Mr. Jason Romero, Asst. Supt. Human Resources
Ms. Rochelle Carroll, Asst. Supt. of Achievement, Instructional Design, and
Instruction Services and Support
Mr. Mark Pong, Asst. Supt. of Business Services and Support
Ms. Giovanna Castro, Director of Communications
Ms. Araceli Guzman, Supt. and Board of Education Administrative Manager
Ms. Paloma Romo, Secretary II

2. APPROVE AGENDA

A. Approval of Agenda

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES,

Vote: Ayes: DOMINGUEZ CERVANTES, TAMAYO, UGARTE;

Absent: NONE, Noes: NONE; Abstain: NONE

B. Conduct Annual Organizational Business of the Chula Vista Elementary School District Board of Education to:

(1) Elect Officers;

Vice President Tamayo presented the following slate of officers for
consideration: Trustee Ugarte as President, Trustee Tamayo as Vice
President, and Trustee Dominguez Cervantes as Clerk.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

(2) Appoint Superintendent as Secretary; and

Vice President Tamayo motioned to appoint Dr. Reyes as Secretary.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

(3) Adopt Dates, Time, and Place for Regular Board Meetings in 2025

The Board adopted the following dates:

January 22	May 21	September 10
February 19	June 11	October 8
March 5	July 9	November 12
April 16	August 13	December 10

Meetings will be held at 6 P.M. at the Education Service and Support Center, 84
East "J" Street, Chula Vista, in the Dr. Lowell J. Billings Board Room.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

3. ORAL COMMUNICATIONS ON CLOSED SESSION ITEMS

A. Oral Communications for Closed Session Items

The Oral Communications section provides the public with an opportunity to
address the Board on closed session items only. Persons wishing to be heard may
attend in person and should complete a "Request to Be Heard" card and submit it
to the Recording Secretary before the start of the meeting. Speakers are requested

to limit their remarks to three minutes and speak in a respectful and professional manner. The Board shall limit the total time for public input on each topic to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public comments depending on the number of persons wishing to be heard. No Board action can be taken.

No speakers.

4. ADJOURN TO CLOSED SESSION

A. Closed Session Information

President Ugarte adjourned to closed session at 4:35 P.M. in accordance with the following:

- B. Government Code Sections 3549.1(d) and 54957.6: Collective Bargaining/Employee Negotiations; Agency Negotiator: Adams Silva & McNally LLP; Employee Organizations: Chula Vista Classified Employees Organization (CVCEO); Chula Vista Educators (CVE); Nonrepresented Employees; Administrators Association Chula Vista (AACV)**
- C. Government Code Section 54957(b)(1): Public Employee Discipline/Dismissal/Release**
- D. Government Code Section 54957: Public Employee Appointment/Employment Title: Principal (1)**
- E. Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Superior Court of the State of California, County of San Diego, Case No. 37-2024-00003941-CU-WM-CTL**

5. RECONVENE TO OPEN SESSION

A. Call to Order/Roll Call

President Ugarte reconvened to open session at 6:07 P.M. with all Board Members present.

Members Present:

Ms. Lucy Ugarte, President
Mr. Francisco Tamayo, Vice President
Ms. Delia Dominguez Cervantes, Member

Members Absent:

None.

Others Present:

Dr. Eduardo Reyes, Superintendent
Ms. Sharon Casey, Asst. Supt., Student Services
Mr. Jason Romero, Asst. Supt. Human Resources
Ms. Rochelle Carroll, Asst. Supt. of Achievement, Instructional Design, and Instruction Services and Support

Mr. Mark Pong, Asst. Supt. of Business Services and Support
Ms. Araceli Guzman, Supt. and Board of Education Administrative Manager
Ms. Paloma Romo, Secretary II

B. Report Out from Closed Session

Clerk Dominguez Cervantes reported that in closed session, the Board:

Government Code Section 54957: Public Employee Appointment Title:
Principal II

Approved Dr. Elizabeth Carzoli as Principal II at Kellogg Elementary.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

Government Code Section 54956.9(d)(1): Conference with Legal Counsel –
Superior Court of the State of California, County of San Diego, Case No. 37-
2024-00003941-CU-WM-CTL

Employee ID No. 2010924981

Approved.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES,

Vote: Ayes: DOMINGUEZ CERVANTES, TAMAYO,

Absent: NONE; Noes: Abstain: UGARTE

President Ugarte reconvened to open session at 6:09 P.M. with all Board Members present.

C. Pledge of Allegiance

President Ugarte called on Asst. Superintendent Jason Romero to lead the Pledge of Allegiance.

6. APPROVE AGENDA

A. Approval of Agenda

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

7. SPECIAL RECOGNITION, AWARDS, AND HONORS

A. Presentation of District Winners of the Holiday Greeting Card Competition

Dr. Reyes shared that a Holiday Greeting Card Competition was conducted at our schools to encourage student artists to provide artwork for the District's official holiday greeting card. Winners of the competition are:

Place	Name	Grade	School
First	Arianna Elizabeth Tantra	6	Anne & William Hedenkamp
Second	Avery Lee Karns	5	Olympic View
Third	Rylie George Capua Perez	4	Parkview

Cash prizes of \$100, \$75, and \$50 will be awarded to the first, second, and third-place winners through a sponsorship with California Coast Credit Union.

The Board had an opportunity to congratulate winners and present them with Certificates of Recognition and the check.

B. Recognition of Country Music Association (CMA) Foundation's Music Teacher of Excellence Recipient

Ms. Rochelle Carroll shared that the Music Teachers of Excellence (MToE) is the Country Music Association Foundation's commitment to the music teachers who exemplify excellence in the field. Casillas Music Teacher Jonathan Seligman was honored at the historic Country Music Hall of Fame in downtown Nashville, Tennessee, for his outstanding work and dedication to the Chula Vista Elementary School District students.

Board Members had an opportunity to congratulate and present Mr. Seligman with a Certificate of Recognition.

C. Recognition of Chula Vista Elementary School District Staff

Dr. Reyes acknowledged Ms. Rochelle Carroll for her distinguished service, leadership, and dedication to the students, staff, and families of the Chula Vista Elementary School District.

Board Members had an opportunity to congratulate and present Ms. Carroll with a Certificate of Recognition.

8. COMMUNICATIONS TO THE BOARD OF EDUCATION

A. Chula Vista Classified Employees Organization

President Angela Reed stated it was a good time to reflect on what was changed in this school year and assess what can be improved. Professional Development (PD) for classified employees. The District has proven to be vested in its employees. However, the execution of PD is flawed. There needs to be an overarching plan. There are four Tiers in the PD plan, and the majority of training has been at Tier 1, which is the primary level. There should be an assessment phase, an identification of skills and abilities, and development. She implored the Board to direct the District to sit at the table with CVCEO to discuss the MOU on training, mentoring, and professional growth which was signed in June of 2023 to create a robust professional development program for all classified employees.

B. Chula Vista Educators

President Rosi Martinez congratulated Asst. Superintendent Ms. Rochelle Carroll, Casillas Elementary Music Teacher Jonathan Seligman, Harborside School Secretary Patty Montoy, and new Harborside Principal Mr. Luis Aparicio. She highlighted agendas item to convert 27 temporary teachers to probationary status, and health benefits article to cover family members getting relief in out-of-pocket costs. Safety is one of the Articles that CVE has been focused on. Staffing in

special education has been a challenge, and the signing bonus will help alleviate some of the challenges being faced by unfilled positions.

In closing out the first part of this year, CVE is proud of the work that has been done but there is still much to do. CVE looks forward to continuing the collaboration with District leadership to serve the needs of our students. She wished everyone a happy and restful holiday season.

C. Administrators Association Chula Vista

President Theresa Corona addressed the AACV and CVESD agreement which was finalized in June 2024 and should serve the foundation in which they collaborate. As she has mentioned before, AACV seeks to work in a professional partnership with the District. It's about respecting what has been negotiated, ensuring it is consistently referenced. An example is the consultation committee. The AACV agreement is publicly available on the District's website and should be used as a resource to guide interactions and decisions to ensure the work is grounded in respect and professionalism.

She referenced the importance of clarity as she has mentioned in the past. Members need clarity in programs and procedures by the District to be able to deliver the message to the school level.

Finally, she addressed the transition from a decentralized approach to a centralized operational model. While it has its benefits, it requires careful planning and alignment of systems and should be done with input from all stakeholders. The shift also ties into the Rigorous Learning for All initiative and all stakeholders should be included in the planning.

Prior to continuing, President Ugarte called on Asst. Superintendent of Human Resources Mr. Jason Romero.

Mr. Romero introduced Dr. Elizabeth Carzoli, newly hired principal at Kellogg Elementary. Dr. Carzoli thanked the Board and District leadership team for giving her the opportunity to this assignment.

9. ORAL COMMUNICATIONS

A. Oral Communications Guidelines

The Oral Communications section provides the public with an opportunity to address the Board on non-agenda items. Persons wishing to be heard may attend in person and should complete a "Request to Be Heard" card and submit it to the Recording Secretary before the start of the meeting. Speakers are requested to limit their remarks to three minutes and speak in a respectful and professional manner. The Board shall limit the total time for public input on each topic to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public comments depending on the number of persons wishing to be heard. No Board action can be taken.

President Ugarte reiterated that these are non-agenda items. Speakers will be stopped and asked to wait if the topic they begin to speak on is agendaized. She gave examples.

There were nine speakers.

- Greg Rogers Elementary Parent Maribel Martinez expressed concern about the lack of response from the District on her emails in support of Principal Porras and retaining her at the school.
- Chula Vista Hills Elementary Parent Jenn Faulkner expressed concerns of the water fountain and implored the District to consider a water bottle refill station.
- Fahari L. Jeffers Elementary Parent Noelle Cravens is thankful to have a platform to address concerns and is most appreciative of the Board for its due diligence in the betterment of the District.
- Kellogg Elementary Parent Ashley Barba expressed frustration with losing Principal Aparicio to Harborside Elementary
- Greg Rogers Elementary Staff Member Claudia Perezchica expressed concerns about the lack of support from the school principal and looks forward to working with the new principal.
- Greg Rogers Elementary Parent Christy M. expressed concerns about the lack of support from the school principal and also requested the District to reinstate impact teachers.
- Parent Steven Vasquez expressed appreciation to Board members for communicating with parents and addressing their concerns.
- Greg Rogers Elementary Staff Member Linda Garcia feels that the current principal is not qualified for the position.
- Francisco Martinez was not present to speak.

President Ugarte shared that the remaining speakers noted on the Request to Be Heard card they would be speaking on the Board vacancy. Those speakers were moved to the corresponding agenda item 13.B. She asked Dr. Reyes to share information about the legal firm present to answer questions about Board protocol.

Dr. Reyes introduced the District represented legal firm DWK to share information regarding the three-member board.

10. ORAL PRESENTATIONS AND WRITTEN REPORTS

A. District Safety/Health Update

Mr. Jason Romero shared the different topics discussed at the District's Safety Committee Meeting, school site crosswalks, the camera project, AEGIX, and staff trainings. He also provided an example of AEGIX.

Heritage Elementary had a town hall meeting following an unfortunate safety situation. Information was provided on access control, quarterly staff training, AEGIX, and the camera project.

Board Members had an opportunity to comment and ask questions.

11. CONSENT CALENDAR

A. Approval of Consent Calendar

The following items listed under Consent Calendar are considered by the Board in one action. There will be no discussion on these items prior to the time the Board votes on the motion unless members of the Board, staff, or public request specific items to be discussed and/or removed from the Consent Calendar.

Prior to approval of the Consent Calendar, Items 11.C., 11.D., 11.H., 11.I., 11.P., and 11.Q. were pulled by Board Member Dominguez Cervantes; and Item 11.T. was pulled by Vice President Tamayo.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES;

Vote: Ayes: DOMINGUEZ CERVANTES, TAMAYO, UGARTE;

Absent: NONE; Noes: NONE; Abstain: NONE

B. Adopt Board of Education Meeting Minutes: Regular Meetings and Special Meetings

C. Approve and/or Ratify Human Resources Items A Through M **(2024-25.057)**

Clerk Dominguez Cervantes inquired on:

Subsection C (F) Resignations:

- Senior Director of Student Services job description. Ms. Casey stated it is to support her department in the areas of early childhood, special education, community schools, student placement, and litigation. Mr. Romero gave examples related to teaching experience, which include early childhood education, special education, and educationally related.

Subsection J. Consultants:

- Aya Therapy, Inc. and E-Therapy Intermediate, Inc.: Ms. Casey stated these are non-public agencies supporting vacancies for our teachers and special education service providers.
- Community Matters: Ms. Morales explained that this is the Safe Schools Ambassadors program at several schools. It is an antibullying program providing assemblies and sessions to students and parents.
- Lexia Voyager Sopris, Inc.: Ms. Morales explained this is a professional development for a writing program at many schools. Principals share the success of the programs via their leads or cohorts.
- Turboescape: Facilities Operations Manager Alejandro Guevara stated that they provide mulch and the application (blowing it onto the landscape) to all our schools. The mulch maintains landscaping and weed control. As stated in our agreement with the company, the cost does not exceed \$100,000.

Motion: DOMINGUEZ CERVANTES, Second: TAMAYO, Vote: UNANIMOUS

D. Approve Comprehensive School Safety Plans for the 2024-25 School Year

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

- E. Approve Memorandum of Understanding with Chula Vista Educators Regarding Lead Teachers (TK-6)
- F. Approve New Salary Schedule for Classified Substitutes Effective January 1, 2025
- G. Approve Memorandum of Understanding with Chula Vista Educators Regarding Special Education Teacher Sign-On Bonus
- H. Approve School Plans for Student Achievement for the 2024-25 School Year

Clerk Dominguez Cervantes asked which District administrator reviews these plans. Dr. Reyes stated it is Executive Director, Language Development/State & Federal Programs Lalaine Perez.

Motion: DOMINGUEZ CERVANTES, Second: TAMAYO, Vote: UNANIMOUS

- I. Approve Agreement and Purchase of Library Services from San Diego County Office of Education for the Period of December 1, 2024, Through June 30, 2025

President Ugarte revised the dates of the agenda title to the Period of January 1, 2025, Through June 30, 2025.

Clerk Dominguez Cervantes stated the agenda item is misleading because it states it is free of charge and discounted. Ms. Carroll explained that according to Ed. Code, we are required to have a librarian of record. Since we do not, we pay 49 cents per student, for the school year. The fee covers the service they provide with guidance on book selection, library systems, and tools, such as the cataloging system.

Since it is not free, Clerk Dominguez Cervantes stated the item should not read that it is free of charge.

Vice President Tamayo stated that since he works for San Diego County of Education (SDCOE), he would normally abstain. Attorney John Pearl from Dannis Woliver and Kelley (DWK) Law was present. He stated that because Vice President Tamayo works in the IT department and not the library department, he may vote on the item.

Motion: DOMINGUEZ CERVANTES, Second: TAMAYO, Vote: UNANIMOUS

- J. Approve Nonpublic, Nonsectarian Individual Services Agreement with The Institute for Effective Education for Student No. 308095 for the 2024-25 School Year
President Ugarte and Vice President Fernandez abstained from the item.

- K. 1) Approve Retention Release for American Modular Systems, Inc., for the Purchase and Installation of Two (2) 24'x40' Portable Classroom Buildings to Support the Extended Learning Opportunity Program; and
2) Approve Notice of Completion for Purchase and Installation of Two (2) 24'x40' Portable Classroom Buildings

- L. Approve Award of Bid No. 24/25-4 to AMS.NET for the Purchase of Network Hardware Equipment, for the Period of July 1, 2025, Through September 30, 2026

- M. Adopt Resolution Authorizing Utilization of the Irvine Unified School District Bid No. 23/24-1IT, Technology Equipment and Peripherals with CDW Government, LLC, for the Period of January 1, 2025, Through December 31, 2029 **(2024-25.058)**
- N. 1) Approve Retention Release for Bid Package No. 3 for the Otay Ranch Village; 2, Site 2 Elementary School Project to PremierWest Landscape, Inc.;
- 2) Approve Change Order for Bid Package No. 3 for a Decrease in the Amount of <\$26,107.87>; and
- 3) Approve Notice of Completion for Bid Package No. 3
- O. 1) Approve Retention Release for Bid Package Nos. 1 through 14 for a New Classroom Building at Sonia Sotomayor Elementary School to Multiple Prime Contractors;
- 2) Approve Change Order for Multiple Prime Contractors for a Decrease in the Amount of \$1,198,225.43; and
- 3) Approve Notice of Completion for Bid Package Nos. 1 Through 14
- P. Approve Award of Request for Qualifications and Request for Proposals No. 24/25-6 Children & Youth Behavioral Health Initiative Software Provider to Healthy Campus

Clerk Dominguez Cervantes asked for the exact description of the service. Mr. Pong stated that we received a grant from the State of California for the implementation of this software. We provide 52 claimable services we provide. This software helps monitor and, in turn, request reimbursement from the State. Mr. Romero stated the software tracks the number of times a service is provided and the amount of time. It does not record the interaction/session or information about the child. Of the three companies researched, this is the sole source with the safety certification that data is not shared with outside agencies. As always, services require parental consent.

Motion: DOMINGUEZ CERVANTES, Second: TAMAYO, Vote: UNANIMOUS

- Q. Ratify Amendment to Two Grant Agreements with the San Diego County Air Pollution Control District

Clerk Dominguez Cervantes expressed concern about fiscal impact and proposed to amend the item to only purchase what is covered by the grant.

Mr. Pong stated that the grant program helps us replace diesel buses with electric or CHG busses. Four have been replaced with the first round of the grant. He added that we need the CNG busses because of the longer distance, whereas the electric busses do not reach long-distance sites for sixth-grade camps.

The grant does not cover the complete cost of the bus. Because the amount of the grant was reduced, we are only purchasing two instead of the three originally planned. If we do not purchase and receive the busses by February 28th, we lose the grant. If this is the case, we would need to pay the full cost of the buses without

the grant. Without the grant, the cost would be \$280,000 each for each bus. With the grant, the cost would be \$89,000 for each.

Approved.

Motion: DOMINGUEZ CERVANTES, Second: TAMAYO, Vote: UNANIMOUS

- R. Approve Change Order for Bid No. 23/24-24 to Top Line, Inc., for Replacement of the Electrical Transformer at the District Education Services and Support Center for an Increase in the Amount of \$25,135
- S. Approve Overnight Study Trip for Fourth Grade Students from Corky McMillin Elementary School to the Star of India on January 23-24 and January 30-31, 2025
- T. Ratify Agreement for the Provision of Services Between San Diego Superintendent of Schools (SDCOE) and Chula Vista Elementary School District (CVESD)

As in the previous item with SDCOE, Vice President Tamayo stated he will not need to abstain because he works in IT department and not in the department with this agreement.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

- U. Approve Continuation of Emergency Services and Equipment Pursuant to Public Contract Code Sections 22035 and 22050
- V. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through November 30, 2024 **(2024-25.059)**
- W. Approve and/or Ratify Inservice/Travel Requests School Year **(2024-25.060)**

President Ugarte announced a break at 8:13 P.M., and the meeting reconvened at 8:23 P.M.

Prior to continuing, President Ugarte called on Assistant Superintendent of Human Resources Mr. Jason Romero:

Mr. Romero proudly announced recently promoted employees.

President Ugarte congratulated the 27 temporary teachers reclassified to probationary teachers.

12. PUBLIC HEARINGS

A. Public Hearing Guidelines

The Public Hearings section provides the public with an opportunity to address the Board on specific items. Persons wishing to address the Board on any public hearing items must complete a "Request to Be Heard" card and submit it to the Recording Secretary before the start of the meeting. Speakers are requested to limit their remarks to three minutes and speak in a respectful and professional manner. The Board shall limit the total time for input on each public hearing item to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public comments on each public hearing item depending on the topic and the number of persons wishing to be heard.

- B. 1. Conduct Public Hearing to Receive Input on the Agreement with Chula Vista Educators; and
2. Ratify/Amend the Tentative Agreement with Chula Vista Educators for Article 51. HEALTH

President Ugarte opened the public hearing, said no comments were received, and closed the public hearing.

Clerk Dominguez Cervantes appreciates the benefits increase for employees. However, she questioned the statement in the agreement regarding budget cuts. Mr. Pong stated we continue to meet the 3% minimum state reserve in the three years without any cuts.

Vice President Tamayo thanked the District and CVE for coming to an agreement that honors the work of families.

Motion: UGARTE, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

- C. 1) Conduct Public Hearing to Receive Input on the Tentative Agreement with Administrators Association Chula Vista; and
- 2) Ratify/Amend the Tentative Agreement with Administrators Association Chula Vista for Article 17. HEALTH BENEFITS

President Ugarte asked about this bargaining agreement with AACV. She was told AACV did not bargain the “me too” clause. She added that bargaining is not an easy task. It requires preparation, tenacity, and resiliency. Also needed is organization, mobilization, and motivation of association members to act for the benefit of all over the wants of the individual. She emphasized this because she hopes that AACV acknowledges and recognizes CVE for the work they did in carrying that burden.

Motion: UGARTE, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

13. ADMINISTRATIVE ACTION ITEMS

- A. 1) Approve Revisions to Fiscal Year 2024-25 Budget;
- 2) Approve First Interim Financial Report at October 31, 2024; and
- 3) Certify District's Financial Status for Fiscal Year 2024-25

Mr. Pong reviewed slides of the first interim budget: General Fund Changes; 2024-25 General Fund Unaudited and Restricted Allocation; General Fund Revenue Changes; General Fund Expenditure Change; District Commitments; General Fund MYP – Unrestricted; General Fund MYP – Restricted; General Fund MYP – Combined; and Multi-Year Projection through 2026-27 Projected. The Looking Ahead slide included a discussion of the January Governor's Budget Proposal, 2025-26 Budget Planning (monitoring enrollment and staffing deficiencies), Implementation of Children and Youth Behavior Health Initiative (CYBHI Grant), LCAP Update February 2025 Board Meeting, and Facilities needs and prioritizing projects.

Board Members had the opportunity to comment and ask questions.
Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

B. Contingent Upon Board Approval of Provisional Appointments Described in Board Bylaw 9223:

1. Approve Vacancy Timeline and Process for Selection/Appointment(s) of Provisional Board Members for Seat 1, and Seat 5, and Schedule a Special Meeting

There were four speakers:

- Parent Manny Rubio feels this is a great opportunity to create a legacy of appointing two individuals whose only interest is the students and families of the District.
- Parent and Employee Keren Ramirez Dominguez is in favor of a provisional appointment and expressed interest in applying for the vacant positions.
- Elizabeth Efird expressed interest in applying for the vacant positions.
- Parent Zenith Khan expressed interest in applying for the vacant positions.

Dr. Reyes introduced an independent legal firm, Attorney John Pearl from Dannis Woliver and Kelley(DWK) Law, to answer questions concerning the protocol for the process and Board appointments and special elections, per Ed. Code.

When a vacancy arises, when the resignation is filed with the County Superintendent. Once that happens, there is a 60-day time period where the Board has the right to make a provisional appointment, which would be effective through 2026, the next regularly scheduled election. The other option is to call a special election. If the Board members do not take either action, then the authority goes to the County Superintendent, who will, as a matter of law, call for a special election. The reality is that a special election is a very expensive proposition because CVESD has two vacancies. Dr. Reyes stated that his office called the Registrar of Voters Office for a cost estimate. It ranges between \$2.2 to \$2.9 million and that's just an estimate. Mr. Pearl stated that for the Board to make a provisional appointment, the vote must be unanimous, meaning that all three current Board members must approve the appointment.

If there is a provisional appointment, the relevant CVESD Board Bylaw is 9223 and the California Ed. Code is Sections 5091 through 5094. There are two options. One is a nominating process where there could be nominations to fill the vacancy. The other is a detailed application process where a subcommittee is appointed by the Board. The subcommittee reviews applications for eligibility. Eligible candidates are interviewed at a Board meeting, and the Board must make a selection. This Board Meeting must be in open session. Once the process is identified, the key is to advertise it in the local paper and post it on the website so that interested individuals and the public know the process and timeline. He added that if the Board exercises the right to make

the provisional appointment decision, within 10 days, notification must be publicized in the newspaper. Even then, the public may request a special election.

Mr. Pearl shared that this agenda item meets substantial compliance.

Dr. Reyes stated that DWK is one of the District's contracted law firms, but they normally do not advise on Board matters. Dean Adams & McNalley is the contacted law firm that normally advises on Board matters.

Clerk Dominguez Cervantes stated that she is in favor of the appointment process; however, if there is no agreement on selecting/appointing candidates, then by default, the process will go to a special election. Because of the excessive cost of a special election, she leans toward the appointment process but with very clear guidelines. She recommends two separate agenda items so that each candidate is selected separately rather than with a single agenda item for a slate motion.

President Ugarte agrees that the appointment process is her preference because of the high cost of the special election process. She agrees to establish a subcommittee to screen applicants and interview questions.

Vice President Tamayo Board is in the position of trying to shy away from opting for a special election. He agrees with Clerk Dominguez Cervantes' recommendation that listing each seat as an individual item is feasible.

Mr. Pearl confirmed that when having two separate items, if there is a Board consensus on one seat appointment but not on the second seat, then the second seat could go to a special election process.

Board Members discussed the process for filling vacant Board member seats. The Board item should have a separate item for each vacancy.

Vice President Tamayo motioned to take the appointment process route.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

Vice President Tamayo motioned to direct the superintendent to develop an application for interested candidates consistent with the law, to apply and publish it on the website and local media.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

Vice President Tamayo motioned to establish a subcommittee of two Board members, including Clerk Dominguez Cervantes and himself, to review applications.

Motion: TAMAYO, Second: UGARTE, Vote: UNANIMOUS

Vice President Tamayo motioned to adopt Friday, January 17, 2025, at 6:00 pm, as a Special Board Meeting date, for the interview process and selection of candidates.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

Vice President Tamayo motioned to adopt Option 1 as set forth in Board Bylaw 9223 with the application and appointment process and subcommittee. Clerk Dominguez Cervantes stated that Options 1 and 2 on the agenda item are reversed and should be corrected on the minutes.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

Board members instructed the superintendent to publish the application on December 18, 2024, and closed on January 8, 2025. The subcommittee will review applications one week after the posting closes.

14. FIRST AND SECOND READINGS, BOARD POLICIES, ADMINISTRATIVE REGULATIONS, AND BOARD BYLAWS

A. Second Reading/Revision/Readoption: Board Bylaw 9200 Bylaws of the Board

Dr. Reyes shared that this bylaw was brought forward for approval at the November 13, 2024, Board meeting.

Adopted.

Motion: TAMAYO, Second: DOMINGUEZ CERVANTES, Vote: UNANIMOUS

15. GENERAL INFORMATION ITEMS/REPORTS

A. Report Calendar to Board of Education

Clerk Dominquez Cervantes requested the following:

- Report on the high number of special education staff resigning, salary comparisons, and the number of vacancies. Mr. Romero provided the information in a Board update. He will share the information with labor partners.
- Report on Sweetwater Authority: Intent to put solar panels on the water reservoir. Dr. Reyes and Mr. Pong met with the agency's administrator. Information will be included in the Board update.
- Report on Tijuana River Valley Sewage crisis: Due to the holidays, the weekly meetings were postponed until January.
- Report on qualifications required for the position of Associate Principal: Dr. Reyes will review positions and school needs with the Executive Cabinet and provide a Board update.
- Update on the cell phone usage and dress code policy.
- Report on the tracking of Title I funds: Dr. Reyes stated it was included in a Board update. It will be included again in the next Board update.

Vice President Tamayo requested an update on the Chula Vista Hills quality water refill station. Any expense should be covered with District funds.

President Ugarte requested what sites are doing in terms of cell phone use.

16. BOARD COMMUNICATIONS

A. Members of the Board of Education Communications to the Public

Clerk Dominguez Cervantes was invited by Dr. Jerry Rindone to the Metro Conference Hall of Fame. On November 21st, she assisted in the distribution of 453 turkeys to CVESD families. She attended the Ribbon Cutting Ceremony for the mural at Rice Elementary, and the Holiday Winter Concert at McMillin Elementary. She wished everyone a wonderful holiday season.

Vice President Tamayo expressed appreciation for Clerk Dominguez Cervantes for taking the lead on the turkey distribution. He wished everyone a restful and enjoyable holiday season.

President Ugarte attended the Chula Vista Starlight Parade. She wished everyone a Merry Christmas, Happy Hanukkah, a joyous Kwanzaa, and a Happy New Year. She thanked Clerk Dominguez Cervantes for her work on the turkey distribution

17. SUPERINTENDENT'S COMMUNICATION

A. Superintendent's Communications to the Public

Dr. Reyes thanked everyone for all that they do and wished everyone Happy Holidays and the best for 2025.

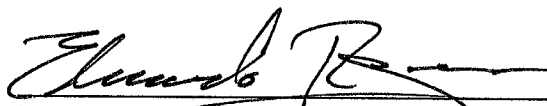
18. ADJOURNMENT

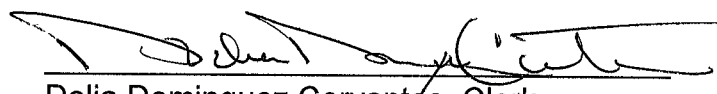
A. Adjourn the Meeting

President Ugarte adjourned the meeting at 10:01 P.M.

Motion: DOMINGUEZ CERVANTES, Second: TAMAYO, Vote: UNANIMOUS

- B. The next Regular Meeting of the Board of Education of the Chula Vista Elementary School District will be held on January 22, 2025, at 4:00 PM for Closed Session and 6:00 PM for the Open Session


Eduardo Reyes, Ed.D. Secretary


Delia Dominguez Cervantes, Clerk