

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

Regular Meeting – October 9, 2024

Closed Session – 3:00 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

In the absence of President Ugarte, Vice President Fernandez acts as President. He called the meeting to order at 3:03 P.M. with all Board Members present, except for Clerk Tamayo.

A. Roll Call

Members Present:

Mr. Cesar T. Fernandez, Vice President

Ms. Kate Bishop, Member

Ms. Delia Dominguez Cervantes, Member

Members Absent:

Mr. Francisco Tamayo, Clerk

Ms. Lucy Ugarte, President

Others Present:

Dr. Eduardo Reyes, Superintendent

Ms. Jessica Morales, Area Asst. Supt., Innovation and Instruction

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: BISHOP, Second: DOMINGUEZ CERVANTES,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ,

Absent: TAMAYO, UGARTE; Noes: NONE; Abstain: NONE

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

Vice President Fernandez adjourned to closed session at 3:05 P.M. in accordance with the following:

- B. Government Code Sections 3549.1(d) and 54957.6: Collective Bargaining/Employee Negotiations; Agency Negotiators: Fagen Friedman & Fulfroft, LLP and 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: Public Employee Discipline/Dismissal/Release
- D. Government Code Section 54957: Public Employee Appointment Title: Principal II – (2)
- E. Government Code Section 54957: Public Employee Appointment Title: Chief Operations Officer
- F. Government Code Section 54957(b)(1): Complaint or Charge Brought Against Employee
- G. Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2024070076

5. RECONVENE TO OPEN SESSION

A. Call to Order/Roll Call

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

Members Present:

Mr. Cesar T. Fernandez, Vice President

Mr. Francisco Tamayo, Clerk

Ms. Kate Bishop, Member

Ms. Delia Dominguez Cervantes, Member

Members Absent:

Ms. Lucy Ugarte, President

Others Present:

Dr. Eduardo Reyes, Superintendent

Ms. Jessica Morales, Area Asst. Supt., Innovation and Instruction

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. 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

B. Report Out from Closed Session

Clerk Tamayo announced that he arrived to closed session at 3:43 P.M. He reported that in closed session, the Board:

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

Approved Elizabeth Diaz-Tucker as Principal II at Liberty Elementary.

Motion: TAMAYO, Second: BISHOP,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

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

Approved Krista Cardenas as Principal II at Halecrest Elementary.

Motion: BISHOP, Second: TAMAYO,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

Government Code Section 54957: Public Employee Appointment Title: Chief Operations Officer

Approved Jovanim Martinez as Chief Operations Officer.

Motion: BISHOP, Second: DOMINGUEZ CERVANTES,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2024070076

Approved.

Motion: BISHOP, Second: DOMINGUEZ CERVANTES,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ,

Absent: TAMAYO, UGARTE; Noes: NONE; Abstain: NONE

Government Code Section 54957(b)(1): Complaint or Charge Brought Against Employee

Denied the appeal of the District's August 16, 2024, Uniform Complaint Procedure Investigation Report

Motion: BISHOP, Second: TAMAYO,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

Vice President Fernandez reconvened to open session at 6:10 P.M. with all Board Members present, except President Ugarte.

C. Pledge of Allegiance

Vice President Fernandez called on Chief Operations Officer Jovanim Martinez to lead the Pledge of Allegiance.

Vice President Fernandez invited Mr. Martinez to sit alongside Executive Cabinet.

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

Mr. Romero proudly announced recently promoted employees. He also announced newly promoted staff: Elizabeth Diaz-Tucker as Principal II at Liberty Elementary, Krista Cardenas as Principal II at Halecrest Elementary, and Jovanim Martinez as Chief Operations Officer. They were given the opportunity to address the Board, Superintendent, and Executive Cabinet. Each one thanked the Board, Superintendent, and Executive Cabinet for the opportunity in their new role in the District.

6. APPROVE AGENDA

A. Approval of Agenda

Motion: TAMAYO, Second: BISHOP,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

7. COMMUNICATIONS TO THE BOARD OF EDUCATION

A. Chula Vista Classified Employees Organization

President Angela Reed congratulated new administrators. This current school year, she has become increasingly aware of and alarmed by the utilization of contracted services that overlap duties currently performed by classified employees. The magnitude of this expense exceeds \$18 million dollars. This will continue to grow with upcoming, new vendor agreements. It has become apparent that using vendors to displace employees devalues the service of our members. CVCEO would not object to vendors if the District demonstrated an ongoing effort to fill vacant positions. For example, there is no posting for registered technicians, yet we currently have 24 contractors to fill this role.

CVCEO requests that any vendor contract affecting classified employment be reviewed with the utmost security and that a posting be advertised to show the District's good faith effort to fill these needs with classified employees.

A. Chula Vista Educators

Not present.

C. Administrators Association Chula Vista

Not present.

8. 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.

Because of the large number of speakers, Vice President Fernandez determined to reduce each speaker to two minutes.

There were 12 speakers.

- Allen Elementary Aspire Program Parent Bianca Carbajal expressed concerns about the safety of her son and assaults. He arrives home with bruises, scrapes, and scratches.

- Sharmane Estolano spoke as a parent and community member and expressed concerns about the misuse of funds by Trustee Fernandez.
- Laura Loza expressed concerns regarding the initial appointment of Trustee Fernandez on the Board and his current campaigning to the City of Chula Vista.
- Teacher Jennifer Konnight expressed concerns regarding her teacher placement and staffing protocol.
- Parent Jesse Sanchez preached his Christian beliefs and expressed concerns with the Board's negativity and personal agendas.
- Cheryl addressed concerns regarding political campaign signs posted in non-permitted areas.
- Wolf Canyon Parent Yvonne Wright addressed concerns with special education enrollment registration and lack of school safety.
- Parent Christy M. advocated for resources at Greg Rogers Elementary and expressed concerns about the lack of safety and communication.
- Parent Jade Bautista expressed ongoing safety concerns at Greg Rogers Elementary.
- Rosemary Lowery, parent of two children inquired on the status of the special education parent committee and the community advisory committee appointments.
- Parent Randi Lynn Herrera expressed safety concerns with students at Greg Rogers Elementary.
- Mary Davis introduced herself as a government watchdog steward and accountability partner expressed concerns with the District's use of PowerSchool Group.

9. ORAL PRESENTATIONS AND WRITTEN REPORTS

A. District Safety/Health Update

Mr. Jason Romero announced the safety workshop at the next CVESD University, scheduled for October 28th, at 5:00 pm, at the District Office. The workshop is titled "How to Navigate Difficult Conversations with Your Children." The topics include parent/guardian role in an emergency, recommended topics to talk with the child about, and how to support the child after a tragedy.

Mr. Romero provided an update on the CVESD Camera Project.

Board Members had an opportunity to comment and ask questions.

10. 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, Item 10.B., 10. C., 10.F., 10.G., 10.K., 10.N., and 10.T. were pulled by Board Member Dominguez Cervantes; Items 10.D,

and 10.E. were pulled by Board Member Bishop; Items 10.M., and 10.C. were pulled by Clerk Tamayo, and Item 10.G. was pulled by Vice President Fernandez.

Motion: TAMAYO, Second: BISHOP,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

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

Board Member Dominguez Cervantes stated that Items 10.B. and 14.B. and the numbering sequence of the September 11, 2024, minutes are inaccurate. Dr. Reyes stated he would have Ms. Araceli Guzman listen to the audio and revise the minutes accordingly.

Motion: BISHOP, Second: DOMINGUEZ CERVANTES,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

C. Approve and/or Ratify Human Resources Items A Through M
(2024-25.038)

Board Member Dominguez Cervantes inquired on:

Subsection M Consultants:

- Covelo Group, Inc.: Ms. Morales stated they provide two different services. One is for registered nursing, and the other is for licensed vocational nursing. They have different rates of pay.
- Food 4 Kids: Ms. Morales stated they will provide services at Los Altos Elementary by distributing food and backpacks to families. They also have ongoing food distribution records, so they can track it over time.
- Kyocera Document Solutions West, LLC.: They provide maintenance service for copiers.
- Neisha's Dance and Music Academy: Ms. Morales stated they provide after-school services and added services at no cost.
- Elliot Paul Schlang, DDS, Professional Corporation dba Big Smiles: Coordinator Joshua Kohler stated they would provide mobile dental clinic services such as cleaning, sealants, and extractions at the schools.

Trustee Dominguez Cervantes expressed discontent about items being deleted or added after her review of the draft agenda with the superintendent. Particularly, The Solis Group and the Stapleton Group.

She asked the following questions:

- Why was Stapleton removed from the final agenda?
- When we hire a union company, do we still have to hire another entity to monitor that they are paying their employees correctly?
- Doesn't that build cost on top of cost?

Mr. Pong concurred. He explained that these two items are for Phase 8 of the HVAC project. He clarified that Stapleton is the Division of State Architect (DSA) Inspector, and Solis Group is the Project Labor Agreement Compliance Monitor. They are two different companies. They do not monitor each other. Stapleton ensures compliance in accordance with DSA regulations. Solis Group monitors payroll, and payment of prevailing wages in accordance with union agreements. Vendors need to ensure they are paying their employees correctly. While it is an added cost, it is required for compliance. Furthermore, Stapleton was removed from the agenda and work has not begun. We are in the final stages of collecting bids for the HVAC project.

Motion: BISHOP, Second: DOMINGUEZ CERVANTES,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

- D. Adopt Resolution Designating September 15, 2024, to October 15, 2024, as National Hispanic Heritage Month **(2024-25.039)**

Board Member Bishop pulled the item to emphasize, acknowledge, and recognize the contributions of this group of individuals.

Motion: TAMAYO, Second: BISHOP,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

- E. Adopt Resolution Designating the Month of October 2024, as Filipino American History Month **(2024-25.040)**

Board Member Bishop pulled the item to emphasize, acknowledge, and recognize the contributions of this group of individuals.

Motion: TAMAYO, Second: BISHOP,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

- F. Adopt Resolution Endorsing the 2024 Red Ribbon Campaign Year **(2024-25.041)**

Board Member Dominguez Cervantes pulled the item to emphasize the 2024 Red Ribbon Campaign and the excellent opportunity to unite families and communities in supporting drug-free and tobacco-free lifestyles. Ms. Carroll shared that the District will be providing materials to the sites for the campaign.

Motion: TAMAYO, Second: BISHOP,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

- G. Approve Service Agreement with Hanover Research Council for Research Services for the Period of October 10, 2024, Through October 9, 2027

There was one speaker:

- Community Member Mary Davis expressed concern with the lack of information on this important topic.

Dr. Reyes pointed out a correction to the funding source on the agenda item. The correct funding is the Unrestricted General Fund. The item incorrectly states Expanded Learning Opportunities Grant. He explained the content of the survey.

Board Members had an opportunity to comment and ask questions.

Ms. Morales explained how the results of the survey will be utilized. She added that students have the option to opt-out, and parental consent is required.

Board Member Dominguez Cervantes stated she had a sample questionnaire. She requested a presentation to see what type of questions would be on the survey. Her concern is that some student participants are not at the reading level to understand and appropriately respond to the questions and/or the implications of their responses. A presentation would ease the uncertainty of the survey. She feels parents should see the questions prior to children having the option to participate. She expressed concern about the cost of the survey and feels that money would be better spent on tutoring.

Motion: TAMAYO, Second: BISHOP,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

- H. Approve Memorandum of Understanding with University of San Diego Teacher Residency Grant
- I. Nonpublic, Nonsectarian Individual Services Agreement with Community School of San Diego for Student No. 307498 for the 2024-25 School Year
- J. Approve the Submission Application to the California Department of Education for Continued Funding for Fiscal Year 2025-26
- K. Review and Accept Quarterly Report to the San Diego County Office of Education on Williams Complaints for the Period of July Through September 2024

Board Members had an opportunity to comment and ask questions.

Motion: BISHOP, Second: TAMAYO,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

- L. Approve Purchase of Benchmark English Language Development Express with Supporting Student Materials for the Period of July 11, 2024, Through June 30, 2025
- M. Approve Renewal for Bid No. 22/23-1, Transportation Service, with HopSkipDrive, Inc., for the Period of November 14, 2024, through November 13, 2025

Board Members had an opportunity to comment and ask questions.

Clerk Tamayo inquired about the types of services provided. Mr. Pong explained that they provide transportation services for McKinney Vento and Special Education students when we cannot provide services with our existing District transportation routes.

*Motion: BISHOP, Second: DOMINGUEZ CERVANTES,
Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,
Absent: UGARTE; Noes: NONE; Abstain: NONE*

- N. Approve Report on Annual Community Facilities Districts Activity for Fiscal Year 2023-24

Board Member Dominguez Cervantes requested a map of all the District's Community Facilities Districts (CFD's.) Board Member Bishop requested that moving forward, the maps be attached to the agenda item.

*Motion: TAMAYO, Second: BISHOP,
Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,
Absent: UGARTE; Noes: NONE; Abstain: NONE*

- O. Approve Annual Report on Statutory Fees and Mitigation Payments for Fiscal Year 2023-24, and Five-Year Report for Fiscal Years 2019-20 Through 2023-24
- P. Adopt Resolution for Emergency Services and Equipment Pursuant to Public Contract Code Sections 22035 and 22050 **(2024-25.042)**
- Q. Adopt Resolution Approving the Purchase of Automobiles, SUVs, Vans, and Trucks Without Competitive Bidding **(2024-25.043)**
- R. Accept Donation **(2024-25.044)**
- S. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through September 30, 2024 **(2024-25.045)**
- T. Approve and/or Ratify Inservice/Travel Requests School Year (Revised) **(2024-25.046)**

Board Member Dominguez Cervantes inquired about the guidelines for approved travel expenditures. Dr. Reyes stated that the conference must be professional development that benefits the District. Expenditures must align with the conference. Certain expenditures are prohibited, such as alcohol, or any expense not related to professional development travel. Mr. Pong will provide the Board with detailed guidelines for approved expenditures and include some examples.

*Motion: BISHOP, Second: AMAYO,
Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,
Absent: UGARTE; Noes: NONE; Abstain: NONE*

11. PUBLIC HEARINGS

A. Public Hearing Guidelines

None.

12. ADMINISTRATIVE ACTION ITEMS

None.

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

A. First Reading: Proposed Revisions to Chula Vista Learning Community Charter School Petition

Mr. Romero introduced Chula Vista Learning Community Charter School (CVLCC) Chief Executive Officer Eduardo Caballero. Mr. Caballero was accompanied by the CVLCC Board and staff to present updates and the renewal process. CVLCC was the first start-up Charter in the District and opened as an innovative hub for dual language as a model to open additional programs throughout the district. There are several programs based on the 50/50 model. The first school opened in 1998 serving an elementary K-6. T-K was then added. As student achievement increased, parents requested the opening of a middle school, followed by a high school. He explained the requirements and the steps they have taken for the renewal process.

The Power Point presentation included:

- Charter School Renewal Stakeholder Input
- Key Stakeholder Thoughts
- Element 1: Educational Program
- Elements 2-3: Student Outcomes and Progress
- Element 4: Governance
- Elements 5-6: Employee Qualifications and Health and Safety Procedures
- Elements 7, 8, 10, and 12: Student Population, Admission, Attendance, Suspension, and Expulsion
- Elements 9, 11, 13, and 14: Financial Audit, Employee Retirement, Rights, and Dispute Resolution
- Element 15: Closure Procedures and Miscellaneous Charter Provisions
- Evidence of Meeting Charter Renewal 2025-2030
- 3-Year Financial Projections
- California Dashboard Comparison

Board Members had an opportunity to comment and ask questions.

Vice President Fernandez stated that this is an information item.

Clerk Tamayo motioned to approve the revisions to the petition as a First and Second Reading.

Motion: TAMAYO, Second: BISHOP,

Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO,

Absent: UGARTE; Noes: NONE; Abstain: NONE

Vice President Fernandez announced a break at 8:20 PM, and the meeting reconvened at 8:29 PM.

14. GENERAL INFORMATION ITEMS/REPORTS

A. Report Calendar to Board of Education

Board Member Dominguez Cervantes requested the following:

- Timely posting of Board meeting minutes on the District's website.
- Report to track staff receiving de-escalation training.

Motion: DOMINGUEZ CERVANTES, Second: TAMAYO

- Provide a guide to parents on how to read the results of their child's state exam.
- Update on the status of cell phone policy
- Status of the audit of construction contracts
- Discussion from Board Member Dominguez Cervantes is verbatim and *italicized*:

"I received communication from a gentleman who apparently wants me to mention his name, John Brinkley, related to paying one's own health benefits. As a norm, how long can staff go without paying their health benefits before being discontinued?"

Mr. Romero stated there is no automatic discontinuation of benefits. It is up to the District to monitor and collect payment. Dr. Reyes shared our past practice and added that a lapse in payment may be considered a gift of public funds. Additionally, in the past, if there was a one-month lapse in payment, the benefits were discontinued.

"And that goes for us if we have health coverage?" Dr. Reyes confirmed it includes anyone who has coverage that is part of CVESD. Nonpayment would be construed as a gift of public funds. Mr. Romero added that we have a fiduciary right to collect money for insurance payments.

"And for the record, I don't get those benefits. My husband is Tricare, and I'm Medicare. I'm one of the people that are cleared. My husband earned

it. He was in the military. So the government did not pay it, and I pay my taxes, thank you very much."

"And the next question is because I received this, and I'm not going to be used by anyone for their political gain, no one. But if something crosses my desk, I have to address it. I will not be complicit to anyone or anything. Not anyone. I promised the community to be transparent and that's what I'm going to do. But in the process, I will try very hard not to play right into people's hands, which is difficult when, in essence, they're trying to use me. Okay. So, I understand that. But when I get something this thick, I have to look at it. So, my apologies to everyone or anyone but I do have to address what's brought to me. And in the process, I'll try not to go overboard. "

"So another question, so in this particular question that's being asked, do we have GATE in every school? Or not any school, or some schools?"

Dr. Reyes stated that GATE is no longer funded. Ms. Carroll explained that we have students identified as GATE, but it is no longer a funded program for at least 10 years now.

"Since when?" Ms. Carroll stated it's been a while since this funding has ended.

"OK, and so I'll only read a piece of this because that's what was sent to me. And I'm not going to mention names, I'm not going to give anybody the benefit of mentioning names. So, in this particular concern that's being called out, the concern is that there are, or is an individual conducting GATE instruction and so if we're not, don't have that program, which is why I ask the questions in advance, if the GATE program does not exist why is someone teaching GATE. And whoever did teach GATE, if we did have it, do they have to have teaching credentials?"

Mr. Romero stated that GATE is an extension of a credential, it's not a credential in itself. It's a branded program. If you teach that class labeled GATE, it requires that certification.

"So, um, are any of our members here on the board teaching in this school district that you're aware of? In this school district. Are any one of us, or even Ms. Ugarte teaching in this school district?"

Dr. Reyes stated there is a Board member who had been teaching an afterschool GATE program, focusing on GATE students only. He has since

informed that Board member that the afterschool program could not be for GATE-only students. We cannot differentiate, and we would need to allow non-GATE students to participate. This is an enrichment program and would need to be offered to all students. This applies to any school districtwide. Ms. Morales explained the guidelines for ELOP and enrichment classes.

"Thank you. It was consistent with what was said by Ms. Rochelle. This parent, I suppose, I don't know who this person is, was asking the same thing and wanted the same opportunities for all family members. So, your response is consistent with what this person was asking about. Thank you."

"May I interject or ask I don't know that it requires a resolution, but I believe that as Board members we should be held to the same standard that it comes when teaching our students. Any other teacher, we should have the same requirement. I'm not a teacher, I can't teach."

Clerk Tamayo suggested that an Administrative Regulation or Board Policy be created to impose regulations and enforce equal guidelines/restrictions/requirements to Board members as any other staff member. He questioned whether passing the CBEST qualifies Board Member Bishop to teach. Additionally, he inquired about her being a LEAD instructor along with a certificated substitute.

Board Member Bishop added that she provided GATE enrichment services as a parent volunteer prior to becoming a Board member in 2020. She had seen the need to support GATE children, so she wanted to address the need. She emphasized that she was certified for the program, passed her CBEST, and was not compensated for her service. Furthermore, she went through the process of being an ELOP instructor for any child who needs educational enrichment.

"Trustee Bishop, I'd like to ask you to not say anything else only because there's documentation in here of you reporting to work even as of last year as far as logging in. So, I would recommend that you guard what you are saying and only because it would contradict the paperwork, and I'll leave it at that. And I know you got your CBEST this last year or this year, right? Last year? But in any case, I was trying to keep your name out of it. So that I would not be used as a tool for any of that, but you chose to speak to it. All I was trying to do was to um, ask for maybe a resolution or some kind of guidance that provides us all direction moving forward."

Mr. Romero clarified that the CBEST is a minimum qualification to be a guest teacher in a classroom (substitute.) It is not a credential, and in no way equal

to what a credential is. Ms. Morales explained the process of being eligible to become a LEAD. She will research being LEAD and a substitute.

"Can I motion to have some kind of guideline or something provided so that we're all clear and provide a little bit of guidance?"

Dr. Reyes stated there is no clear guidance for a Board Member being a LEAD. *"But you said you he couldn't be a LEAD."*

There was a dialogue about the process of applying for clearing as a LEAD. Board Member Bishop shared that she followed the established process as a volunteer. She encouraged Board Members to experience the fingerprinting process. *"I did. I was officially life-scanned. We were."*

"I had a motion I need clarified."

"I think we had a motion, and Dr. Reyes clarified what we're asking."

Dr. Reyes will communicate with the legal team to establish Board Member roles and responsibilities. Board Members will have the opportunity to collectively review and vote on the item. This will establish guidelines to address the concerns brought forward.

Motion: DOMINGUEZ CERVANTES, Second: TAMAYO

- Discussion from Board Member Dominguez Cervantes is verbatim and italicized:

I just wanna clarify a vote that I made. Um, we have different, um, ways that we get contacted by our community and I was contacted a few times to clarify my vote. And so for whoever's watching and for the record, on April the 17th, agenda item 12.X, it was to approve PowerSchools, the contract. So, I didn't pull the item. My colleague Trustee Bishop pulled the item, and she wanted to clarify and was actually going to abstain or recuse, I can't remember which one of the two. And the concern that my colleague had was that the software that updates the database with the alternate names used by children, if they are trans, if the child uses a different name at school. My colleague was concerned that the software outs children to their parents. It was clarified by our staff that there was coding, or work around inserted, to prevent parents from having access to that information. And I know my colleague's position on that is that she makes it very clear, and she's not shy about it. But I'm not shy about it either. And I believe in parental notification, and my colleague goes to other school districts to protest parental policies. But I wanna be clear that we all know the vote before us was. The vote was solely the approval

of the PowerSchools contract. PowerSchools software does what it's supposed to do. The issue was not about adding a code to prevent parents from knowing by what name the child goes by at school. It was solely about the contract. So, I voted yes to approve the contract. I am of the position, though, that parents have a fundamental right to know everything about their child. So, chairperson, I would like to see if I could get a motion and a second to see what exactly it is that PowerSchools does and what is it that CVESD is inserting in the coding.

Motion: DOMINGUEZ CERVANTES, Second: TAMAYO

Board Member Bishop requested the following:

- Report of special education vendors as addressed by CVCEO.

Motion: BISHOP, Second: FERNANDEZ

- Update on establishing the special education, community advisory, B-LAC, and LGBTQ parent committees.

Clerk Tamayo requested the following:

- Update on Title I funds (information also requested by Board Member Dominguez Cervantes and Vice President Fernandez), and how the Board can help ensure funds are used appropriately and in a timely manner. Dr. Reyes will have staff include the requested information on the November 22nd Board update.

Vice President Fernandez requested the following:

- Report on air quality.
Mr. Pong stated that a monitor was purchased to measure the air quality districtwide during different weather conditions. The monitor did not reveal reportable results. A few schools were tested for lead and the results were negative. More testing will be done for additional chemical testing.

15. BOARD COMMUNICATIONS

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

Board Member Dominguez Cervantes participated in the Chula Vista Police Department sock drive.

Board Member Bishop attended the Mueller Charter School for their 30th-year anniversary extravaganza and congratulated them. She also attended Mueller Bayfront School's student matinee at Cygnet Theater.

Clerk Tamayo welcomed students and staff from the fall break, expressed appreciation for staff support and work, and extended good wishes for the remainder of the semester.

Vice President Fernandez visited Greg Rogers Elementary to observe growing student behavior concerns and thanked the parents for voicing their concerns at the Board meetings. He will be conducting a follow-up visit. He also addressed similar parent concerns at Wolf Canyon and will be visiting that site.

16. SUPERINTENDENT'S COMMUNICATION

A. Superintendent's Communications to the Public

Dr. Reyes shared his experience of the conference/training he attended in Chicago, IL during the fall break. Superintendents nationwide were also in attendance. Topics included crisis communication, working with different stakeholders and community members, and working on a multitude of scenarios. It was evident that educational issues and challenges are similar across the nation. He was pleased to have had the opportunity to network and share our success stories. He realized that we're way above other districts in many areas.

17. ADJOURNMENT

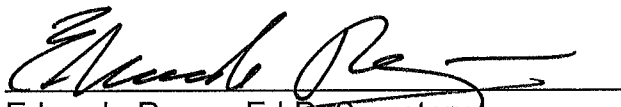
A. Adjourn the Meeting

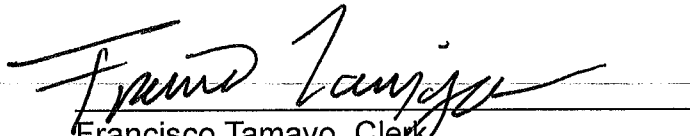
Board Member Bishop motioned to adjourn the meeting.

Vice President Fernandez adjourned the meeting at 9:22 P.M.

*Motion: BISHOP, Second: DOMINGUEZ CERVANTES,
Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ,
Absent: UGARTE; Noes: TAMAYO; Abstain: NONE*

- B. The next Regular Meeting of the Board of Education of the Chula Vista Elementary School District will be held on November 13, 2024, at 4:00 PM for Closed Session and 6:00 PM for the Open Session


Eduardo Reyes, Ed.D. Secretary


Francisco Tamayo, Clerk