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 – August 14, 2024

Closed Session – 4:00 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

President Ugarte called the meeting to order at 4:05 P.M. with all Board Members present, except for Vice President Fernandez.

A. Roll Call

Members Present:
Ms. Lucy Ugarte, President
Mr. Cesar T. Fernandez, Vice President
Mr. Francisco Tamayo, Clerk
Ms. Kate Bishop, Member
Ms. Delia Dominguez Cervantes, Member

Members Absent:
None.

Others Present:
Dr. Eduardo Reyes, Superintendent
Ms. Sharon Casey, Asst. Supt. Student Services
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: TAMAYO, Second: BISHOP,
Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, TAMAYO, UGARTE;
Absent: NONE; 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

President Ugarte adjourned to closed session at 4:08 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 & Fulfrost, 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(b)(1): Public Employee Discipline/Dismissal/ Release

D. Government Code Section 54957(a): allows for discussion of potential threats to the security of buildings, services, or public's access to services or facilities. Note, the chief of police, a deputy, security consultant, or a security operations manager must participate in that portion of the closed session

E. Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2024050011

F. Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2024060665

G. Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2024070131

5. RECONVENE TO OPEN SESSION

A. Call to Order/Roll Call

President Ugarte reconvened to open session at 6:05 P.M. with all Board Members present.

Members Present:

Ms. Lucy Ugarte, President
Mr. Cesar T. Fernandez, Vice President
Mr. Francisco Tamayo, Clerk
Ms. Kate Bishop, Member
Ms. Delia Dominguez Cervantes, Member

Members Absent:

None.

Others Present:

Dr. Eduardo Reyes, Superintendent
Ms. Sharon Casey, Asst. Supt. Student Services
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 in closed session, the Board:

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2024070131

Approved.

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

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2024060665

Approved.

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

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2024050011

Approved.

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

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

C. Pledge of Allegiance

LCRD Terrie Lohmeyer, USN, M.Ed.D. Senior Naval Science Instructor San Ysidro High School NJROTC and Cadets Melanie Delgado, Arantza Lara Acosta, Keyry Martinez, and Ximena Ruiz led the Presentation of Colors.

6. APPROVE AGENDA

A. Approval of Agenda

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

7. COMMUNICATIONS TO THE BOARD OF EDUCATION

A. Chula Vista Classified Employees Organization

President Angela Reed expressed concern regarding the assignment of tasks given to classified employees which are inconsistent with job descriptions. For the District, job descriptions define roles and responsibilities for classified employees. Not only are employees held accountable, but also define what is expected and rightfully demanded. To the employee, they provide clarity, protection, and guidance, and help prioritize activities. Unfortunately, there has been a recent increase in the utilization of classified staff outside of the realm of the job description. For example, custodians are forced to put traffic cones on the street, direct traffic, perform noon duties, and recess duties, and teach an entire class by themselves. Library staff are asked to monitor VAPA task rotation. Secretaries are expected to supervise students in the office. Equitable treatment of classified employees is the highest priority. It is expected that roles and responsibilities be respected for classified as they most clearly are for certificated staff. She looks forward to working with the District and schools to find solutions.

A. Chula Vista Educators

President Rosi Martinez welcomed everyone to the new year. As a teacher, she knows how exciting and invigorating the new year is, but also time-consuming to set up. Many spend days setting up the classroom. Sadly, 16 teachers were notified by Human Resources the day prior to reporting back that they were being displaced, creating anxiety and confusion for impacted teachers as well as the entire campus. CVE understands unpredictability and the need to be flexible, but enrollment is not that unpredictable. This District has failed to review strategies and trends in teacher placement. CVE requests to give affected teachers at least an additional day of pay to cover the wasted time on planning and the time spent and disruption on making the change/move. Moreover, the challenge this year is changes in common assessments which now take 30-40 minutes, one-on-one with students in classrooms. There is frustration and anxiety among teachers and students. What's worse is that the platform to submit data is not even up and running yet. Furthermore, teachers have not yet received math or reading books and materials.

Also of concern is the amount of time needed to complete the required JPA-mandated training, approximately four and a half hours for each educator. No training should be expected to be done during personal time. She thanked Trustee Dominguez Cervantes for listening to her concerns, Vice President Fernandez for the quick response about the conditions of the playgrounds at west side schools, and President Ugarte and Clerk Tamayo for accompanying her to visit schools to observe these issues. There was a broken slide, boarded up for the year. For the younger grades, play is part of instructional minutes. Playground equipment is as important as curriculum material. Furthermore, it is even more concerning because children in west-side schools don't have access to neighborhood parks like the east-side schools.

C. Administrators Association Chula Vista

President Theresa Corona recognized the principals for their amazing work in kicking off a new year by welcoming back teachers, students, and families. She mentioned the Rigorous Learning For All academic plan and how vital our members are to its success. Principals are fully committed to that vision, and they have the ability to inspire teams. To carry out its effectiveness, principals need continued clarity, ongoing support, and open lines of communication from District leadership. Professional Partnership Plan is a phrase she has used many times to express the importance of continued clarity. She shared that there has been more clarity this year.

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.

There were four speakers.

- Parent Jacqueline Gonzalez announced her candidacy for seat on the CVESD Board of Education.
- Sharmane Estolano announced her candidacy for seat two on the CVESD Board of Education.
- Parent Roxanne Palestino thanked CVESD for establishing the CAC Committee and support from Board Candidate Francisco Tamayo.
- Retired Educator Mariana Saponara expressed concern regarding student safety along J Street due to reckless driving.

9. ORAL PRESENTATIONS AND WRITTEN REPORTS

A. District Safety/Health Update

As mentioned previously, and as expected by the Board, Mr. Jason Romero stated that safety is prioritized. Quarterly updates will be provided to the Board.

Workplace Violence strategies were presented. Safety strategies are reviewed, and corrections are made as deemed necessary. He shared the Safety and Security Training Menu, and the flowchart available to sites on who to notify should an emergency or safety issue arise. Listed were the multiple trainings that are available to staff. Some are in-person, and some are virtual or both. He added that the CVESD Safety Committee discussed the safety articles with CVE, CVCEO, and AACV. The information was communicated to staff.

There was one speaker.

- Parent Cara Good expressed concerns about school facilities being used for polling sites.

Board Member Dominguez Cervantes inquired about safety training and polling sites. Dr. Reyes explained that we cannot close schools when it is used as a polling site. The only viable option is to have the voting booth in an area where voters don't have access to the main campus or access to students or staff. Safety Team will be available for safety monitoring.

Board Member Bishop inquired about the availability of online trainings sessions.

Clerk Tamayo expressed concern about the multitude of trainings that staff need to complete and not enough time to complete them. He feels that trainings need to be prioritized by level of urgency. Mr. Romero shared that time is allotted during professional development to complete the trainings.

President Ugarte thanked Human Resources for being invited to the pre-implementation of JPA training. She referenced SB553 requiring that any safety/security event at the site or districtwide needs to be recorded in an ongoing log for workplace violence. Mr. Romero concurred. Both union groups are in alignment with notification. A Google Form was created for an ongoing tracking system. As for sharing information, identifying information is redacted.

B. Report on Rigorous Learning For All: Taking the Next Steps

Dr. Reyes repeated his message from last month: Rigorous Learning For All is not simply a theme but a framework. It is a call to action for continuous improvement. We must take the right steps to address student needs. This framework is a five-year process, not a one-time deal. It will be ongoing and focused.

The presentation included the journey of centralization and decentralization. In the past, the District had site-based decision-making. To some degree, it worked well. Being a big district, we have to look at creative systems that work throughout the District. We are shifting to a more centralization approach. It's about equity and alignment so that all students districtwide have the same opportunities and access.

What will the District hold tight vs. loose? There are things unique to specific sites. Decentralized examples are sites having a large English Learner population, or the International Baccalaureate Program. There must be flexibility to site uniqueness. Centralized examples are Common Assessments, Walkthroughs, Learning Walks, and finding best teaching practices.

There are critical questions for leadership.

1. Leadership practices making a difference for all students at your school?
2. What needs to be disrupted to improve student achievement?
3. How do we do more with less (budget constraints), and how do we communicate it to teachers and staff?

The Process for Developing a five-year Rigorous Learning For All plan was shared. It included the completed tasks and the tasks currently in progress. Slides highlighted the following:

- Instructional Transformation and High-Quality Professional Learning
- Preliminary – Overall CAASPP in English Language Arts and Mathematics
- Preliminary EL and Reclassified Fluent English Proficient
- Preliminary Students with Disabilities (SWD) Socio Economically Advantaged (SED)

CVESD's Strategic Goals include:

- Literacy: all students will exit elementary school as multiliterate, life-long learners with a mastery of essential skills.

- Equity: all students will have access to academic programs and resources enabling each child to achieve his/her full potential.

The objective of Instructional Transformation is to improve student learning outcomes by creating systemwide supports for changes in classroom instruction. Examples were presented of the Intentional Practices and Expected Outcomes.

CVESD will provide High Quality Professional Learning: Examples were presented of the Intentional Practices and Expected Outcomes.

There was an explanation of questions to consider, and the next steps.

There was one speaker.

- Liberty Elementary Parent Cara Good expressed concerns about class size and combo classes.

Board Member Dominguez Cervantes asked what types of support are given to teachers for this rigorous approach and if there are target dates. Ms. Carroll stated we purchased additional scientifically awareness phonics programs to help with foundational skills.

Board Member Bishop asked how Community Schools tie in with the shared leadership and get their input, and what are we taking away with decentralization? Ms. Carroll stated Community Schools Director Joshua Kohler has been working closely with them. Ms. Casey referenced the culture shift and getting community partners to help support these sites. Additionally, site supplemental material cannot supplant the District's adopted curriculum and core instruction. Furthermore, although one-on-one assessments are time-consuming, but they help teachers identify the kinds of challenges students may have.

Clerk Tamayo commended the District for taking a bold step with this culture change. He asked what interventions we have for students with disabilities and English Learner students. Ms. Casey said special education is a level of service. Students are no longer pulled out of the classroom core instruction to get extra support- it's now done in the classroom. Dr. Reyes stated that scores for English Learner students improved significantly.

Vice President Fernandez thanked staff from the district level to the site level. This is an enormous undertaking, and communication is key. He asked about Turnaround plans. Ms. Morales stated a draft of the plan is due August 20th. The plan is a live document which means it can be revamped as deemed necessary.

President Ugarte agrees that change is scary. She has been at sites recently, talked to teachers, staff, and principals, and heard excitement about this new academic plan.

President Ugarte requested a break at 8:03 P.M., and the meeting reconvened at 8:13 P.M.

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.C. Subsection L, and Items 10.D, 10.M, and 10.O. were pulled by Board Member Dominguez Cervantes.

Motion: TAMAYO, Second: BISHOP,
Vote: Ayes: BISHOP, DOMINGUEZ CERVANTES, FERNANDEZ, 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 L REVISED **(2024-25.020)**

Board Member Dominguez Cervantes inquired on:

Subsection J Job Descriptions:

- Chief Operations Officer (COO): Dr. Reyes explained that Mr. Oscar Esquivel held the position of Deputy Superintendent which encompassed the duties of a Chief Business Officer (CBO) and Head of Facilities. When he retired, his replacement, Mr. Pong, was hired as Assistant Superintendent with CBO duties and with a lower salary than Deputy Superintendent. The position of COO will encompass facilities duties. He added that there is a net gain (cost savings) of $4,820. This is a correction to the initial $16,773.03 calculation stated on the agenda.

Subsection L Consultants:

- Brookwood Group: Mr. Pong explained this is a consulting firm utilized to help with the planning of the employee housing project supported by Measure M. The $92,000 is to extend the contract and covers the initial consultation, preliminary design, and feasibility study.
- New Leaf Electric, Inc.: Mr. Pong stated this covers a maintenance fee for the charging stations.
- Ninyo & Moore: Mr. Pong explained there was a change in the scope of the project resulting in an additional environmental cost. This was an unanticipated expense.
- Televisa/Energy Communications Group: Dr. Reyes explained that the group was initially contracted to increase enrollment but is now used to promote our Districtwide programs to stakeholders, parents, and the community.

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

D. Adopt Resolution Regarding Absence of Board Member Cesar T. Fernandez from the July 10, 2024, Board Meeting Due to Out of Town Travel **(2024-25.021)**

Board Member Dominguez Cervantes expressed that the monthly stipend should not be issued if not in attendance. President Ugarte clarified that aside from attending monthly Board meetings, the stipend is also for representing the District, going to community events, school functions, and all other duties performed.

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

E. Adopt Resolution Designating Authorized Representatives to the San Diego County Schools Risk Management Joint Powers Authority for Workers' Compensation, Property, and Liability or Any Other Risk or Plan Authorized By Law **(2024-25.022)**

F. Ratify Nonpublic, Nonsectarian Individual Services Agreement with San Diego Center for Children for Student No. 501962 for the 2023-24 School Year

G. Authorize Independent Contract Agreements for Nursing Services for the 2024-25 School Year

H. Adopt Resolution Authorizing Designated Agents to Sign and Submit Information Required by the Department of General Services and the State Allocation Board **(2024-25.023)**

I. Ratify Resolution Authorizing Utilization of the Downey Unified School District Bid No. 22/23-06 Food Service Dry, Refrigerated, Frozen Food Products with Gold Star Foods for the Period of July 1, 2024, Through July 31, 2025 **(2024-25.024)**

J. Ratify Resolution Authorizing Utilization of the Los Angeles County Office of Education Bid No. 23/24-1719 Standard School Supplies & Equipment – Computers, Software, and Computer-Related Equipment with Arey Jones Educational Solutions, Continuity Focus, Golden Star Technology, JourneyEd.com, and New Tech Solutions for the Period of July 1, 2024, Through December 31, 2024 **(2024-25.025)**

K. 1) Approve Retention Release for Bid Package No. 1 – Prime Contractor for Extended Learning Opportunity Program Portables Project to OT Electrical;

2) Approve Change Order to Core Contracting for a Decrease in the Amount of $47,686.33; and

3) Approve Notice of Completion for Bid Package No. 1 – Prime Contractor to OT Electrical2024-25 School Year

L. Ratify Resolution Authorizing Utilization of the Val Verde Unified School District Bid No. 24/25-01 Just In Time Classroom and Office Supplies with Southwest School Supply, Inc., for the Period of July 1, 2024, Through June 14, 2025 **(2024-25.026)**

M. Approve Overnight Study Trip for Fifth Grade Students from Sunnyside Elementary School to the Star of India Maritime Museum on April 18-19, 2025

Board Member Dominguez Cervantes repeated her stance on ensuring each student is given the opportunity to attend field trips, regardless of lack of funds. Dr. Reyes concurred and affirmed every effort is made.

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

N. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through July 31, 2024 **(2024-25.027)**

O. Approve and/or Ratify Inservice/Travel Requests School Year **(2024-25.028)**

Board Member Dominguez Cervantes motioned to remove the Taste of Eastlake from the travel requests. She opposes using District funds to cover registration fees for fundraisers.

Motion: DOMINGUEZ CERVANTES, Second: TAMAYO,

Dr. Reyes clarified that he and the Director of Communications attend these events to create partnerships and relationships with educational and non-educational organizations.

Board Member Dominguez Cervantes amended her motion to only strike out registration for Board Members and leave registration for Dr. Reyes and Ms. Castro.

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

11. 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. ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 10:

1) Conduct the Second Reading of Ordinance of Community Facilities District No. 10 of the Chula Vista Elementary School District Authorizing the Levy of Special Taxes on Certain Property Annexed to Community Facilities District No.10; and **(2024-25.029)**

2) Enact Ordinance of Community Facilities District No. 10 of the Chula Vista Elementary School District Authorizing the Levy of Special Taxes on Certain Property Annexed to Community Facilities District No.10 **(2024-25.030)**

Mr. Pong explained that the first reading of this ordinance was conducted at the July 10, 2024, Board meeting, and the second reading would be conducted at this meeting with the approval of the Board. This would complete the process.

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

President Ugarte announced that a second reading of Ordinance of Community Facilities District No. 10 of CVESD Authorizing the Levy of a Special Tax Within Community Facilities District No. 10 would be conducted. She added that the first reading of this Ordinance took place at the July 10, 2024, Board meeting. A copy of the proposed ordinance has been posted as required and made available in the District's Business Services Office for public inspection by any interested member of the public prior to this proposed adoption.

Board Member Bishop motioned that the ordinance be introduced by reading of the title only and that the Clerk of the Board forego reading of the entire ordinance. Vice President Fernandez seconded the motion.

Board Member Dominguez Cervantes stated that she does not approve of the special tax levy on certain property. She stated Sections 7, 8, and 9 reference additional costs on top of the levy taxes, such as administrative costs. Additionally, home would be foreclosed if not paid. The special tax would be levied for up to 25 years, and a lien would be placed against property. Our families purchase their homes not realizing there will be an added levy. This adds to the burden of inflation and taxes. She affirmed that she could not, in good conscience, levy a special tax on the families she was selected to represent.

Dr. Reyes clarified that this levy is like a Mello-Roos CFD for new developments. The homeowner purchases the property with the understanding that the levy is to be paid off in a certain number of years. He added that a portion of the levied funds go to schools and education.

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

President Ugarte presented the second reading by title only.

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

President Ugarte reported that this matter related to Community Facilities District No. 10 was complete. The Board will no longer be acting as the Legislative Body of Community Facilities District No. 10 for the remaining items of the agenda.

12. ADMINISTRATIVE ACTION ITEMS

A. Consider and Potentially Approve Unconditional Commitment and Cease and Desist Letter to Kenan Gultekin

President Ugarte offered Board Member Bishop to recuse herself for discussion and voting on this item. Board Member Bishop requested that both the cease-and-desist letter and the response letter be read out loud for transparency. Dr. Reyes, President Ugarte, and Clerk Tamayo clarified that this Board item solely references the response letter. Dr. Reyes added that the public may request a copy of the letter by contacting Araceli Guzman. Board Member Bishop recused herself.

Dr. Reyes provided a history of events. On or about July 11, 2024, Attorney Gultekan issued a cease and desist and correct letter to the Board contending the Board incorrectly discussed topics in closed session that were not on the agenda, failed to appropriately specify agenda items, and excluded Board Member from closed session. This agenda item is to approve the letter in response to Attorney Gultekan sent on behalf of Board Member Bishop.

Dr. Reyes read the District's response letter out loud and explained and interpreted its content. He affirmed that the District violated the Ralph M. Brown Act by omitting five words on the closed session agenda item. The District unconditionally commits that it will cease, desist from, and not repeat the error. He also emphasized the paragraph in the response letter:

"In closing, it bears noting that your correspondence includes several other allegations and arguments. Please do not interpret the Board's silence concerning any of those allegations and arguments as our acquiescence to them and the Board strenuously objects to them, but has determined response to them in this correspondence is unnecessary."

Clerk Tamayo motioned to approve the response letter, seconded by Vice President Fernandez.

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

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

None.

14. GENERAL INFORMATION ITEMS/REPORTS

A. Information on Cure and Correct Closed Session Discussion on May 22, 2024 Closed Session

President Ugarte stated that Board Member Bishop recused herself from this item.

Dr. Reyes stated that the discussion in closed session on May 22, 2024, was not on the regular agenda to share with the public. This agenda item is the cure and correct action. It will disclose general information of the discussion.

He reported out:

"As stated on the letter, at the May 2024 Board meeting, there was a discussion in close session that was not on the agenda. We will cure and correct this matter by describing the relevant discussions that took place in open session. During the May close session meeting, I brought to the attention of the Board that it had come to my attention from different sources that one Trustee had been spreading false rumors about the district and other trustees. That these false allegations and rumors could be damaging to the reputation and image of the district. In addition, I shared that since these false accusation and rumors were being spread by a Trustee that it could impact the district negatively. I did not identify the trustee by name who had been spreading the rumors. There was some discussion from the Board and it was disclosed and confirmed by other board members that the Trustee who had been spreading the false rumors about the district and other trustees was Trustee Kate Bishop. One of the Trustees asked for the discussion to stop and to seek legal counsel to see if there was any possible impact to the district or if there was any possible legal action that could be taken to protect the district. The discussion ended at this point."

Board Member Dominguez Cervantes disclosed that she was the one who requested legal support.

President Ugarte confirmed that the cure and correct have been addressed on May 22, and June 12, 2024, and Dr. Reyes concurred.

B. Report Calendar to Board of Education

Board Member Dominguez Cervantes requested a budget update, an update on T&T Consulting, and an Aspire Program update. She requested an update from the Policy Review Committee regarding her request to address the cell phone use policy, and the dress code policy.

- Dr. Reyes stated that Mr. Pong will present a year-end summary of revenues at the September Board meeting.
- Mr. Pong shared that T&T Consulting has been contacted for environmental testing and is in the process of providing a report.

- Mr. Romero stated that the Aspire Program is in full swing with 19 teachers enrolled. This program offers staff with a bachelor's degree an opportunity to do student teaching in a residency-style program.
- Clerk Tamayo stated that Governor Newson has taken a strong stance on cell phone and social media use in the classroom. Senate bills mandate that Districts have a policy in place, but the county office is waiting on assembly bills for additional guidelines.

Board Member Bishop requested a presentation on the Visual and Performance Arts Program (VAPA.)

Clerk Tamayo requested an update on the poor conditions of playgrounds, the status of repairs, and the plan to upgrade or replace them. More concerning is west side schools don't have parks.

Vice President Fernandez would like to know what schools are in need of playground repairs and what temporary solutions we have for providing playground equipment. He requested a presentation on the Project Labor Agreement (PLA) and the processes to keep a project on schedule and within budget. In a Friday Update, he requested information on combo classes, the sites, and grade levels.

Vice President Fernandez motioned to adjourn the meeting, and Clerk Tamayo seconded the motion.

15. BOARD COMMUNICATIONS

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

16. SUPERINTENDENT'S COMMUNICATION

A. Superintendent's Communications to the Public

17. ADJOURNMENT

A. Adjourn the Meeting

Vice President Fernandez motioned to adjourn the meeting, and Clerk Tamayo seconded the motion.

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

President Ugarte adjourned the meeting at 8:53 P.M.

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

B. The next Regular Meeting of the Board of Education of the Chula Vista Elementary School District will be held on September 11, 2024, at 4:00 PM for Closed Session and 6:00 PM for the Open Session

Eduardo Reyes, Ed.D. Secretary

Francisco Tamayo, Clerk