

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

AGENDA

SPECIAL MEETING – JULY 26, 2021 – 6 P.M.

BOARD OF EDUCATION

KATE BISHOP • LESLIE RAY BUNKER •
FRANCISCO TAMAYO • LUCY UGARTE

FRANCISCO ESCOBEDO, Ed.D.
SECRETARY/SUPERINTENDENT



THIS MEETING IS BEING RECORDED

In accordance with the Brown Act, all public Board meeting recordings are available for review for 30 days following the meeting, after which they are recycled. If you wish to review a recording, please contact 619-425-9600, x1311. Audio recordings are available on the District website at www.cvesd.org.

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IF YOU WISH TO ADDRESS THE BOARD OF EDUCATION

Persons wishing to address the Board of Education on any special meeting agenda item must attend in person and complete a "Request to Be Heard" card and submit it to the Recording Secretary before the start of the meeting. No action or discussion shall be undertaken on any item not appearing on the posted agenda, except the Board of Education or District staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code Section 54954.3. Speakers must limit remarks to three minutes (generally, statements of 390 words may be spoken out loud within three minutes). 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 presentation depending on the subject and the number of persons wishing to be heard. The meeting will also be livestreamed. For access to the livestream, [please click here \(English\)](#) and [click here \(Spanish\)](#) or on the links at the bottom of this page. .

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AGENDA AND DISTRIBUTION OF WRITINGS TO MEMBERS OF THE PUBLIC

In compliance with Government Code Section 54957.5, nonexempt writings that are distributed to a majority or all of the Board of Education in advance of a meeting may be reviewed on our website by clicking on the following link: http://cvesd.org/board_of_education/board_meetings.

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EQUAL OPPORTUNITY EMPLOYER

The Chula Vista Elementary School District prohibits discrimination, harassment, intimidation and bullying based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; the perception of one or more of such characteristics, or association with a person or group with one or more of these actual or perceived characteristics in any program, practice, or activity it conducts. The Chula Vista Elementary School District is committed to providing equal educational, contracting, and employment opportunity to all in strict compliance with all applicable State and Federal laws and regulations. Any individual who believes they have been a victim of unlawful discrimination in employment, contracting or in an education program or activity may file a formal complaint.

- To watch the livestream of the Board Meeting: https://teams.microsoft.com/l/meetup-join/19%3ameeting_OGYxYmI5MTgtM2MxMi00MTA3LW1MjMtZTdiMzVmZmlzODZm%40thread.v2/0?context=%7b%22Tid%22%3a%22e87a6e0c-c08e-46b2-bb73-45dd072baa33%22%2c%22Oid%22%3a%22af92a27c-ab25-47cd-bce4-2b08102509e6%22%2c%22IsBroadcastMeeting%22%3atrue%7d&btype=a&role=a
- To watch the livestream of the Board Meeting in Spanish: https://teams.microsoft.com/l/meetup-join/19%3ameeting_OGFYzk3N2EtZGU5MS00NTJhLTgwMTetNGlwNTg5ZGFYjE5%40thread.v2/0?context=%7b%22Tid%22%3a%22e87a6e0c-c08e-46b2-bb73-45dd072baa33%22%2c%22Oid%22%3a%22af92a27c-ab25-47cd-bce4-2b08102509e6%22%2c%22IsBroadcastMeeting%22%3atrue%7d&btype=a&role=a
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CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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

AGENDA BOARD OF EDUCATION

NOTICE OF SPECIAL MEETING

Written notice is hereby given, in accordance with Education Code Section 35144 and Government Code Section 54956, that a special meeting of the Board of Education of the Chula Vista Elementary School District will be held as follows:

July 26, 2021

6 P.M.

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

ORDER OF BUSINESS

1. OPENING PROCEDURES

*Opening
Procedures*

A. Call to Order

B. Roll Call

Members Present:

Members Absent:

Others Present:

C. Pledge of Allegiance

2. APPROVE AGENDA (Action)

Approve Agenda

*Motion:*_____, *Second:*_____, *Vote:*_____

3. ORAL COMMUNICATIONS

*Oral
Communications*

The Oral Communications portion of this special meeting provides the public with information regarding addressing the Board, as follows: The public has the opportunity to be heard on any items included in the agenda. Speakers are requested to limit their remarks to three minutes (approximately 390 words). Community members wishing to comment must attend the meeting in person, complete a "Request to Be Heard" card, and submit it to the Recording Secretary before the start of the meeting. 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 presentation depending on the subject and the number of persons wishing to be heard. No Board action can be taken.

4. APPROVE CONSENT CALENDAR

*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.

*Motion:*_____, *Second:*_____, *Vote:*_____

A. Adopt Resolution in Support of High Tech Schools to be Certified by California Public Employee Relations Board as the Association Representing Nonmanagement Certificated Educators at High Tech Schools

B. Approve Human Resources Item A

5. ADMINISTRATIVE ACTION ITEMS

*Administrative
Action Items*

A. (1) Approve Option to Fill Board of Education Vacancy for Seat 5; and

(2) Approve Board of Education Vacancy Application (Seat 5)

*Motion:*_____, *Second:*_____, *Vote:*_____

B. Craft and Approve Vacancy Timeline and Process for Selection/Appointment of Provisional Board Member for Seat 5

*Motion:*_____, *Second:*_____, *Vote:*_____

C. Approve Process to Fill Superintendent Vacancy

*Motion:*_____, *Second:*_____, *Vote:*_____

6. ADJOURNMENT

Adjournment

Kate Bishop, President
Board of Education

KB/FE:nt
July 23, 2021

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Superintendent's Office

ITEM TITLE:

Adopt Resolution in Support of High Tech Schools to be Certified by California Public Employee Relations Board as the Association Representing Nonmanagement Certificated Educators at High Tech Schools

 X Action

 Information

BACKGROUND INFORMATION:

San Diego County Office of Education is the designated Local Education Agency overseeing this charter network. The High Tech Education Collective has formally petitioned the California Public Employee Relations Board to be certified as the association representing nonmanagement certificated educators at High Tech Schools.

The California Public Employee Relations Board has confirmed support from a majority of nonmanagement certificated educators at High Tech Schools.

ADDITIONAL DATA:

The California Educational Employee Relations Act (EERA) explicitly protects the right of public sector workers to organize and associate with organizations like the California Teachers Association. At all sixteen High Tech Schools the Charter and Charter Renewal Agreement expressly declare High Tech to be the exclusive public school employer within the meaning of EERA.

The Chula Vista Elementary School District Board of Education calls on the management leadership, staff, and Board of High Tech Schools to engage with their organizing employees in a lawful, respectful, and productive way.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend adoption.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. _____

Resolution in Support of High Tech Schools)
to be Certified by California Public Employee)
Relations Board as the Association Representing)
Nonmanagement Certificated Educators at)
High Tech Schools)

On motion of Member _____, seconded by Member
_____, the following resolution is adopted:

WHEREAS, the High Tech Education Collective has formally petitioned the California Public Employee Relations Board to be certified as the association representing nonmanagement certificated educators at High Tech Schools; and

WHEREAS, the California Public Employee Relations Board has confirmed support from a majority of nonmanagement certificated educators at High Tech Schools; and

WHEREAS, the High Tech Board and staff leadership have been made reasonably aware of the petition made by the nonmanagement certificated educators at High Tech; and

WHEREAS, the California Educational Employee Relations Act (EERA) explicitly protects the right of public sector workers to organize and associate with organizations like the California Teachers Association; and

WHEREAS, at all sixteen High Tech Schools the Charter and Charter Renewal Agreement expressly declare High Tech to be the exclusive public school employer within the meaning of EERA; and

WHEREAS, EERA prohibits public school employers from interfering in employees' decision to join organizations like the High Tech Education Collective.

NOW, THEREFORE, BE IT RESOLVED, that the Chula Vista Elementary School District Board of Education calls on the management leadership, staff, and Board of High Tech Schools to engage with their organizing employees in a lawful, respectful, and productive way.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 26th day of July 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

I, Francisco Escobedo, Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at its regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Secretary to the Board of Education

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Human Resources
Services and Support

ITEM TITLE:

Approve Human Resources Item A

 X Action

 Information

BACKGROUND INFORMATION:

A. PROMOTION

Erika Gregg, from Resource Teacher to Associate Principal, 204 days, Management Range J, Step 1, salary \$461.04 per day, effective date to be determined.

ADDITIONAL DATA:

Additional information is available for review in the Office of the Assistant Superintendent for Human Resources Services and Support.

STAFF RECOMMENDATION:

Recommend approval.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
GOVERNING BOARD AGENDA ITEM

Prepared by: Superintendent's Office

ITEM TITLE:

- (1) Approve Option to Fill Board of Education Vacancy for Seat 5; and
- (2) Approve Board of Education Vacancy Application (Seat 5)

 X **Action**

 Information

BACKGROUND INFORMATION:

Board Member Eduardo Reyes, Ed.D. has submitted his resignation from the Chula Vista Elementary School District Board of Education on July 14, 2021.

In accordance with Board Bylaw 9223, if a vacancy occurs four or more months before the end of a Board member's term, the Board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either order an election or make a provisional appointment.

Provisional Appointments or Special Election

When an election is not ordered, the Board may approve one of two options for a provisional appointment. (Education Code Sections 5091 and 5093)

- **Provisional Appointment Option 1**

In order to draw from the largest possible number of candidates, the Board shall advertise in the local media to solicit candidate applications or nominations.

A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

- **Provisional Appointment Option 2**

The Board shall accept nominations for Board membership at a public meeting and shall select the provisional appointee from among these nominees by a majority vote.

- Special Election Option 3

The Board will approve a special election.

ADDITIONAL DATA:

None.

FISCAL IMPACT/FUNDING SOURCE:

The estimated cost for a special election is projected to cost approximately \$1,000,000.

STAFF RECOMMENDATION:

Recommend approval.

Chula Vista Elementary School District

Superintendent's Office

2021-22



Board of Education Vacancy Application (Seat 5)

**This application, including all attachments,
constitutes a public record**

***Deadline for Submission:
August 6, 2021 ♦ 12:00 P.M.***

Board of Education

Kate Bishop • Leslie Ray Bunker
Francisco Tamayo • Lucy Ugarte

Superintendent

Francisco Escobedo, Ed.D.

EQUAL OPPORTUNITY EMPLOYER

The Chula Vista Elementary School District is committed to providing equal educational, contracting, and employment opportunity to all in strict compliance with all applicable state and federal laws and regulations. The District office that monitors compliance is the Human Resources Services and Support Office, 84 East J Street, Chula Vista, CA 91910, phone 619-425-9600, Extension 1340. Any individual who believes s/he has been a victim of unlawful discrimination in employment, contracting, or in an educational program may file a formal complaint with the District's Human Resources Office.

Chula Vista Elementary School District

Board of Education Vacancy Application

This application, including all attachments, constitutes a public record.

To be considered, applicants must submit via e-mail a letter of intent, this completed application, and two letters of recommendation to:

Mrs. Nancy Teahan (**nancy.teahan@cvesd.org**)
Assistant to the Superintendent and Board of Education

Applications must be received no later than **12:00 p.m. on August 6, 2021.** All applications will be date and time stamped.

To be eligible for consideration, applicants must (Education Code 35107):

- Be 18 years of age or older.
- Be a citizen of the state.
- Be a resident of the Chula Vista Elementary School District.
- Be a registered voter.
- Not be disqualified by the Constitution or laws of the state to hold a civil office.*

*Conviction of any of the crimes listed on Page 6 of this application precludes a person from holding public office in the State of California. Conviction of any of these crimes renders a person "forever disqualified from holding any office in this state."

At the August 31, 2021, Special Board of Education meeting, the Board will interview candidates, appoint the provisional Board Member, and administer the Oath of Office. Finalists must be present to be considered, provide a three-minute presentation, and answer questions from Board Members. Applicants selected for the interview will be notified via telephone call.

***This application was approved by the Board of Education
of the Chula Vista Elementary School District on July 26, 2021.
Information contained on this application may be subject to verification.***

Personal Information

Name

Last

First

Address

Number

Street

City

Zip Code

Telephone

[Home](#)

Business

Cell

Education

Name of School and Location

Diploma, Degree, or Certificate

Current Employment Information

Employer _____

Job Title _____

Full Address _____

Phone No.

Duties

Letters of Recommendation

☐ Y ☐ N

☐ Y ☐ N

From (Name)

Address

Attached?

Community Involvement/Public Service Background

PLEASE TYPE OR PRINT LEGIBLY

Information contained on this application may be subject to verification.

Deadline for submission of this application is 12 P.M. on August 6, 2021.

What skills, abilities, and experience would you bring to the Board to assist in carrying out its responsibilities?

In 200 words or less, describe your philosophy regarding public education and more specifically, how your philosophy aligns with the mission of the Chula Vista Elementary School District. *(Note: No attachments)*

PLEASE TYPE OR PRINT LEGIBLY

***Information contained on this application may be subject to verification.
Deadline for submission of this application is 12 P.M. on August 6, 2021.***

In 200 words or less, describe your personal view of the role of a School Board Member. *(Note: No attachments)*

PLEASE TYPE OR PRINT LEGIBLY

Information contained on this application may be subject to verification.

Deadline for submission of this application is 12 P.M. on August 6, 2021.

CERTIFICATION

I, _____, am hereby applying for the vacancy (Seat 5) on the Board of Education of the Chula Vista Elementary School District.

I understand that this application, including all attachments, constitutes a public record and may be available to the public on the Chula Vista Elementary School District website.

I understand that upon appointment, I would be required to file a Conflict of Interest Statement and take an Oath of Office.

I certify that I understand the eligibility requirements for this provisional appointment.

I certify that I am 18 years of age or older, a citizen of the State of California, a resident of the Chula Vista Elementary School District, and a registered voter.

I further certify that I am not disqualified to hold this office because of a conviction of any of the crimes listed on Page 6 of this application and that I am not otherwise disqualified under the California Constitution or laws from holding public office.

I attest the foregoing information is true to the best of my knowledge.

Signature of Applicant

Date

***Information contained on this application may be subject to verification.
Deadline for submission of this application is 12 P.M. on August 6, 2021.***

List of crimes that conviction of which precludes a person from holding public office in the State of California:

- Bribing executive officer. (Penal Code § 67)
- Officer asking or receiving bribes. (Penal Code §§ 68 and 88)
- Receiving gratuity for appointment to office. (Penal Code § 74)
- Judicial Officer who has asked for or received emoluments, gratuities, rewards, or the fee of a stenographer. (Penal Code § 94)
- Giving or offering bribe to Councilman or Supervisor. (Penal Code § 165)
- Misappropriation of public funds. (Penal Code § 424)
- Interference with work or discipline of, or giving certain articles to prisoners. (Penal Code § 2772)
- Interference with or giving certain articles to convicts. (Penal Code § 2790)
- Officer making contracts in which he or she is interested. (Government Code § 1097)
- Members of the Legislature convicted of any crime. (Government Code § 9055)
- Corrupting the voting process. (Election Code § 18501)

Please note that in addition to the above restrictions, Government Code § 1126 prohibits any local agency official from engaging “. . . in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as a local agency officer or employee or with the duties, functions, or responsibilities of his or her appointing power or the agency by which he or she is employed.”

***Information contained on this application may be subject to verification.
Deadline for submission of this application is 12 P.M. on August 6, 2021.***

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Superintendent's Office

ITEM TITLE:

Craft and Approve Vacancy Timeline and Process for Selection/Appointment of Provisional Board Member for Seat 5

 X **Action**

 Information

BACKGROUND INFORMATION:

Board Member Eduardo Reyes, Ed.D. has submitted his resignation from the Chula Vista Elementary School District Board of Education to be effective July 14, 2021. Tonight, the Board will craft and approve a vacancy timeline and process for selection/appointment of Provisional Board Member for Seat 5

ADDITIONAL DATA:

None.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend approval.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Superintendent's Office

ITEM TITLE:

Approve Process to Fill Superintendent Vacancy

 X Action

 Information

BACKGROUND INFORMATION:

Superintendent Jose Francisco Escobedo, Ed.D. submitted his notice of retirement from the Chula Vista Elementary School District to be effective September 1, 2021, and was approved by the Board of Education at the May 19, 2021 meeting.

At a Special Board of Education meeting held May 27, 2021, District Counsel Peter Fagen, from Fagen Friedman and Fulfroest LLP, reviewed the role of school district governing boards in hiring a superintendent. The most important responsibility of any Board of Education is the selection of its Superintendent of Schools. Many models exist for conducting a search in urban school districts. During tonight's meeting, the Board of Education will craft and decide on a model to help them make the best selection.

ADDITIONAL DATA:

None.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Develop and approve superintendent selection process.