CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

MINUTES
BOARD OF EDUCATION

Regular Meeting
July 14, 2021
6 P.M.
Dr. Lowell J. Billings Board Room, Education Service and Support Center
Streamed Online

ORDER OF BUSINESS

1. OPENING PROCEDURES

Opening Procedures

A. Call to Order

President Reyes called the meeting to order at 6:08 P.M.

B. Roll Call

Dr. Eduardo Reyes, President
Ms. Kate Bishop, Vice President
Ms. Lucy Ugarte, Clerk
Mrs. Leslie Ray Bunker, Member
Mr. Francisco Tamayo, Member

Members Absent:
None.

Others Present:
Dr. Francisco Escobedo, Superintendent
Mr. Oscar Esquivel, Deputy Superintendent
Dr. Matthew Tessier, Asst. Supt., Instructional Services
Mr. Jason Romero, Asst. Supt., Human Resources
Mrs. Nancy Teahan, Asst. to the Supt. and Board of Education
Mrs. Araceli Vargas, Administrative Assistant II

C. Pledge of Allegiance

Clerk Ugarte led the Pledge of Allegiance.

2. APPROVE AGENDA (Action)

Approve Agenda

Motion: BUNKER, Second: TAMAYO, Vote: UNANIMOUS

3. SPECIAL RECOGNITION, ORAL PRESENTATIONS, WRITTEN REPORTS, AWARDS, AND HONORS

Presentations/ Awards

A. Presentation of Newly Hired and Promoted Employees

Human Resources Assistant Superintendent Mr. Jason Romero introduced employees Lorena Beifuss promoted to Assistant Principal at Rice; Alicia Flores promoted to Principal at Castle Park; and new employee Casey Lange Principal at Wolf Canyon.

President Reyes recognized Chula Vista Educators (CVE) President Susan Skala who served as the president for four years (two consecutive terms). Board Members shared their experiences working with Ms. Skala and thanked her for her leadership, all she accomplished, and congratulated and wished her well in her future endeavors in retirement.

4. COMMUNICATIONS TO THE BOARD OF EDUCATION

Communications to the Board

A. Chula Vista Classified Employees Organization

None.

B. Chula Vista Educators

CVE President Rosi Martinez congratulated Ms. Skala on her 27 years of dedication to students, thanked her for her leadership, and wished the best to all the retirees. Ms. Martinez said to those coming back next week, she hopes they are enjoying the break to re-energize and spending quality time with family. She appreciated Dr. Escobedo's communication that had been recently sent and the upcoming Town Hall that will inform the community about the District's plan for returning to campus as well as the certificated and classified chats. Ms. Martinez said there are members with questions about the specifics pertaining to the safety and logistics of the return to school. She referenced an item on the agenda about the District's plan and the fact it did not contain information about the plan. Ms. Martinez said it is difficult to prepare both physically and mentally for the unknown. She referenced CDC guidelines that came out recently and hopes to see them addressed in a safety plan. She added CVE has not been part of the conversation around the return to the [upcoming] school year, bargaining dates have not been scheduled to do so, and there are many questions. Ms. Martinez said CVE is focused on meeting the emotional and academic needs of students and they understand there will be a transition period when students will need support and interventions. They feel strongly that keeping class sizes as small as possible and minimizing the number of combination classes will allow for better support of students. She added it is troubling to see the number of combo classes that have been created for next year and the high number of students on the roster. Ms. Martinez said this Board had previously expressed its commitment to reduce those whenever possible and this would be an important time to follow-through with that priority. Ms. Martinez is committed to continuing the

collaboration between CVE and the District in order to have a smooth transition back, as well as maintain the high quality of education that Chula Vista is used to getting from its public schools. She looks forward to a positive school year.

5. ORAL COMMUNICATIONS

Oral Communications

The Oral Communications section provides the public with an opportunity to address the Board on non-agenda items. Persons wishing to be heard 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. 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.

- Parent Debra Vigil expressed the inappropriateness of the Welcoming Schools curriculum for elementary age students.
- Parent Jesse Vigil expressed concern regarding the lack of communication from the school regarding the Welcoming Schools curriculum and the topics of conversation in the classroom without parent consent.
- Parent Rosy Rodriguez expressed concern on the Welcoming Schools curriculum and that it was implemented without prior parent consent.
- Parent David Bame addressed the superintendent selection process, police and social justice issues, and parental involvement.
- Parent Sophia Canedo addressed mask mandate, Welcoming Schools curriculum, and critical race theory.
- Parent Maira Miranda addressed in-person learning, mask mandate, and access to funds.
- Parent Scott Anderson addressed the superintendent search and critical race theory.
- Uns addressed the agenda being pushed out to kids and what options do parents have if kids continue to be pushed out.
- Parent Monica Magana expressed concern against the Welcoming Schools agenda, to be transparent with parents, mask mandates, and critical race theory.
- Parent Mike Rodriguez addressed critical race theory. He also requested that sexuality be taught in the home by parents.

6. APPROVE CONSENT CALENDAR (Action)

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, President Reyes pulled Items 6.B., 6.C., 6.F., 6.I., 6.J., and 6.P.

Motion:, UGARTE, Second: TAMAYO, Vote: UNANIMOUS

A. Adopt Board of Education Meeting Minutes: Special and Regular Meetings June 16, 2021

B. Approve and/or Ratify Human Resources Items A Through J **2021-22.002**

Vice President Bishop asked about new hires, specifically the hiring of counselors, social workers, and psychologists. Assistant Superintendent of Human Resources Mr. Romero said this has been a priority and there have been new hires using ESSER [Elementary and Secondary School Emergency Relief] funds and other funds specifically geared toward critical needs. Mr. Romero shared there are no vacancies to fill. Dr. Tessier added there is an item on the agenda to approve a contract with South Bay Community Services to provide mental health support to students. Once approved, all goals will be met under the Expanded Learning Opportunities Grant.

Motion: BISHOP, Second: TAMAYO, Vote: UNANIMOUS

C. Approve Memorandum of Understanding with Chula Vista Educators Regarding the Virtual School Program

Vice President Bishop asked about open enrollment and said as a parent, she never saw communication that the enrollment for Virtual Academy was reopened. Dr. Tessier said an open enrollment interest form went out and with the most recent legislation this will have to reopen again so parents will have another opportunity [to enroll]. Dr. Escobedo said during the Town Hall meeting on Thursday he will reiterate the Virtual Academy and how to apply any of the new legislation. There was discussion about the IEP [Individualized Education Program] process and the limited time between when the IEP meeting can take place and the beginning of school. Concern for families who have a medically fragile child with an IEP and where to place them during the 30-day IEP meeting window was also discussed. Vice President Bishop asked for support for Dual Immersion students who attend the Virtual Academy that they not lose their spot in the Dual Immersion Program at their home school. Dr. Escobedo said if there is not space at their home school they will be placed in Dual Immersion at a nearby school. Dr. Escobedo addressed the question of Dual Immersion at the Virtual Academy and why it will not be offered this year. Board Member Bunker asked for research on whether Dual Immersion is successful in distance learning.

Motion: TAMAYO, Second: UGARTE, Vote: UNANIMOUS

D. Approve Memorandum of Understanding with Chula Vista Classified Employees Organization Regarding Increases and Reductions in Instructional Assistant-ELL Hours

E. Ratify Agreements with the San Diego County Office of Education for:

(1) Participation in the Outdoor Education Program for the Period of July 1, 2021 Through, June 30, 2022; and

(2) Participation in the Science Outreach Program for the Period of July 1, 2021 Through, June 30, 2022

F. Ratify Amendment #1 to Operating Agreement with the San Diego County Superintendent of Schools San Diego Quality Preschool Initiative for Preschool Enrichment Services for the Period of July 2, 2020, Through June 30, 2023

Board Member Tamayo said he would abstain from voting [on Items 6.F., 6.I., and 6.J.] as SDCOE [San Diego County Office of Education] is his employer. Board members agreed to vote on all three items together.

Motion:, BISHOP, Second: UGARTE,
Vote: Ayes: BISHOP, BUNKER, REYES, UGARTE
Noes: NONE, Abstain: TAMAYO

G. Approve Renewal of Agreement with Bloom Software, Inc., dba Thrively, Inc., for Thrively Pro Services for the 2021-22 School Year

H. Adopt COVID-19 Safe Return to In-Person Instruction and Continuity of Services Plan and the COVID-19 Prevention Program for the 2021-22 School Year

I. Approve Agreement with the YMCA of San Diego County for Participation in the Outdoor Education Program for the Period of July 21, 2021, Through June 3, 2022

J. Approve Memorandum of Agreement with the YMCA of San Diego County for the After-School Education and Safety Program for the 2021-22 School Year

K. Approve Memorandum of Understanding with South Bay Community Services to Provide Mental Health Support to Students for the Period of July 19, 2021, Through June 30, 2022

L. Approve Memorandum of Understanding with Western Educational Equity Assistance Center to Provide Parent Leadership Training and Development for the 2021-22 School Year

M. Approve Acceptance of Work and Notice of Completion for Bid No. 19/20-13 to Frank & Son Paving, Inc., for Asphalt Repairs and Replacement at Multiple School Sites

N. Adopt Resolution in Recognition and Appreciation of the Cultural, Ethnic, and Linguistic Diversity in the Chula Vista Elementary School District for the 2021-22 School Year **2021-22.003**

O. Adopt Resolution in Support of Civic Learning for College, Career, and Civic Life for the 2021-22 School Year **2021-22.004**

P. Adopt Resolution Establishing the Annual Special Taxes for Community Facilities Districts No. 1 (EastLake), No. 3 (Rancho Del Rey), No. 4 (Sunbow), No. 5 (First Generic District), No. 6 (Otay Ranch Village One), No. 10 (Second Generic District), No. 11 (McMillin Lomas Verdes), No. 12 (Otay Ranch Village One West), No. 13 (San Miguel Ranch), No. 14 (Otay Ranch Village 11), No. 15 (Otay Ranch Village 6), No. 17 (Otay Ranch Villages 2 and 7), No. 18 (Otay Ranch Millenia - Eastern Urban Center), No. 19 (Public Access 12 Freeway Commercial and Portions of Otay Ranch Village 2), and No. 20 (Otay Ranch Village 3) for Fiscal Year 2021-22 **2021-22.005**

Nick Lee, from Baldwin and Sons, addressed the Board concerning the increase in the special tax rate. Mr. Lee stated homeowners would not be expecting such a large increase. Due to current economic and construction environment, a 2% increase would be more reasonable and in line with what would be expected. Board Member Tamayo asked if the 15.3% is something the Board could revise or is it set in stone. Mr. Esquivel said the requirement in the Community Facilities District agreement, agreed to by the Developer and the District, is that the tax increase shall be the greater of 2% or the annual increase in the building costs for those parcels where 2021-22 is the first year of special tax assessment. The District is required to provide the County of San Diego the rates by August 10. Board Member Bunker asked if the 15.3% rate affecting the new group of homes and all the previous ones were being increased only by 2%. Mr. Esquivel explained that approximately 730 units will be impacted by the 15.3% increase in the 2021-22 year. All previously assessed properties, about 27,000 plus, will only be subject to the 2% maximum increase.

Motion:, TAMAYO, Second: BUNKER,
Vote: Ayes: BUNKER, TAMAYO, UGARTE
Noes: BISHOP

Q. Adopt Resolution Authorizing the Chula Vista Elementary School District to Execute a Grant Agreement with the San Diego County Air Pollution Control District and Accept Grant Funds from the California Air Resource Board for School Bus Replacement **2021-22.006**

R. Adopt Resolution Authorizing Utilization of the South County Support Services Piggyback Bid No. 18/19-SC11-01 School Buses for the Period of July 21, 2021, Through December 31, 2022 **2021-22.007**

S. Approve Inservice/Travel Request **2021-22.008**

T. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through June 30, 2021 **2021-22.009**

President Reyes called for a recess at 7:37 p.m. and reconvened the meeting at 7:47 p.m. President Reyes asked Dr. Escobedo about the opt-out process for the Welcoming Schools program and how it is communicated to parents. Dr. Escobedo said he will look at the opt-out aspect and do some research. Vice President Bishop would like more ongoing Town Halls about Welcoming Schools. Communication is key.

7. PUBLIC HEARINGS

Public Hearings

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. 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.

8. ADMINISTRATIVE ACTION ITEMS

Administrative Action Items

A. Approve School Facilities Mitigation Agreement for Otay Ranch Village 8 West

Motion: BUNKER, Second: TAMAYO, Vote: UNANIMOUS

Mr. Esquivel said at the June Board meeting the Board approved the first steps in forming Community Facilities District 21 in Otay Ranch Village 8 West area. The current process is that HomeFed development company and merchant builders are in the process of developing Otay Ranch Village 8 West and approximately 2400 units that will eventually generate about 700 K-6 students. As part of the process, there is a Mitigation Agreement that the District, HomeFed, and related entities have agreed to. Requesting approval of the agreement that includes special tax assessments levied on those properties in order to have the funding to build new school facilities in the Otay Ranch Village 8 West area. If approved, the next steps will be to complete the process at the August Board meeting in forming CFD 21.

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

First and Second Readings

10. GENERAL INFORMATION ITEMS/REPORTS

Information Items/Reports

A. Report Calendar to Board of Education

11. BOARD COMMUNICATIONS

Board Communications

Ms. Bishop:

- Thanked all the people that did so much work over the break and appreciates them all.
- Welcomed Rosi [Martinez] and Courtney [Green] and looks forward to working with CVE as well as Peter [Zeitler]. She welcomed Nancy [Teahan] who supports the Board.
- Said she had questions about reopening and encouraged parents to watch the upcoming Town Hall. She asked about seating in classrooms – will there be single desks and 3-foot distancing. Dr. Escobedo said according to CDC and CDPH requirements if you are wearing masks there is no need for distancing. There are air purifiers in every classroom as well as dividers. Dr. Escobedo shared the latest COVID-19 CDC guidance for K-12 schools. Ms. Bishop asked about lunchtime and when kids take off their masks. Dr. Escobedo said there could be staggered lunch times and eating outside. Overall guidance is to create larger outdoor eating facilities so kids can be separated.
- Shared she has office hours every month and if anyone wants to speak directly to her, information can be found on the School Board page. People can sign up for an appointment or she also offers open house times where people can join as a group.
- Thanked the parents who took the time to come out to the meeting and also those watching online.
- Wished everyone a happy pride week.

Mrs Bunker:

- Welcomed everyone back.
- Congratulated Rosi Martinez in her new position as well as the new principals that were hired.
- Thanked parents and community members who came out to speak at the meeting. She said communication skills are lacking [in response to the oral communications] and thanked parents for bringing this to their attention.

Dr. Reyes:

- Thanked parents for coming to the meeting to share their concerns and also those watching online. Communication is something to reflect on.
- Congratulated Rosi Martinez and Courtney Green and looks forward to working with them in their leadership roles.
- Shared about Dr. Escobedo's retirement and reflected on how the District has become a District of excellence, an outlier District. He shared about his experiences of the teachers and mentors that helped him through his education path. He strongly believes that all students should feel included, respected, embraced, and valued. Over the past seven years

that he served as a Trustee, he said the District has had many successes and a lot to be proud of from a policy perspective.

- Spoke about Lakeside School District and how they selected a superintendent who was a Board member and that he was inspired by this that a successful educational administrator can transition from being a Board member to superintendent.
- Announced his resignation from his position on the Board of Trustees so he can be considered as a candidate for the permanent selection of superintendent of Chula Vista Elementary. His resignation was effective at 8:07 PM and he shared he will not be part of any discussions of the selection process of the permanent superintendent selection and he will not attend closed session. He hopes this will be the beginning of a new chapter. He submitted his formal letter of resignation to Dr. Escobedo.
- Thanked everyone and wished a great start to the new school year. Dr. Escobedo thanked Dr. Reyes for his seven years of service and dedication and for the partnership between a Board Member and Superintendent. He wished the best to Dr. Reyes

Mr. Tamayo:

- Thanked the community for sharing things that are often not seen.
- Congratulated Rosi [Martinez] and Courtney [Green] on their new positions and looks forward to working with CVE. He said there will be challenges with a decline in enrollment, but in their leadership capacities they will be able to resolve issues.
- Hoped teachers and staff were able to rest and he looks forward to finding ways to support them. He thanked them for all they do and wished everyone a good start to the year.

Ms. Ugarte:

- Thanked the parents for realizing that our shared goal is students and for making the Board aware of their concerns.
- Welcomed Rosi and Courtney and she looks forward to working with them.
- Thanked all the staff who worked over the break and continued their service to the students. She looks forward to students being on campus and going back to work.

12. SUPERINTENDENT'S COMMUNICATION

Superintendent's Communication

Dr. Escobedo:

- Shared he will communicate with the county board about Dr. Reyes' resignation.
- Said Board members will have the choice of either a special election, which is very costly, or as a group can decide an application process. The decision has to be made in an open meeting. President Bishop said there will be a special Board meeting in about two weeks to discuss filling the vacancy left by Dr. Reyes.

13. CLOSED SESSION

Closed Session

President Bishop adjourned to closed session at 8:15 P.M. in accordance with the following:

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

Government Code Section 54957: Public Employee Discipline/ Dismissal/Release

Government Code Section 54957: Public Employee Appointment: Superintendent

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2021030087 for Student No. 514347

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2021030690 for Student No. 306192

14. RECONVENE TO OPEN SESSION *Open Session*

President Bishop reconvened to open session at 9:20 P.M. with all Board Members present.

Board Member Tamayo announced that in closed session, the Board: Approved the agreement between the District and Chula Vista Classified Employees Organization regarding Employee No. 2011390121

Motion: BUNKER, Second: UGARTE
Vote: Ayes: BISHOP, BUNKER, TAMAYO, UGARTE
Noes: NONE, Abstain: NONE

Approved a settlement agreement in Office of Administrative Hearings, Case No. 2021030087 for Student No. 514347

Motion: TAMAYO, Second: BUNKER
Vote: Ayes: BISHOP, BUNKER, TAMAYO, UGARTE
Noes: NONE, Abstain: NONE

Approved a settlement agreement in Office of Administrative Hearings, Case No. 2021030690 for Student No. 306192

Motion: UGARTE, Second: TAMAYO
Vote: Ayes: BISHOP, BUNKER, TAMAYO, UGARTE
Noes: NONE, Abstain: NONE

Approved the Public Employee Appointment of Interim Superintendent Mr. Oscar Esquivel

Motion: BUNKER, Second: UGARTE
Vote: Ayes: BISHOP, BUNKER, TAMAYO, UGARTE

Noes: NONE, Abstain: NONE

15. ADJOURNMENT

Adjournment

President Bishop announced a special Board meeting on July 26 at 6 P.M. to discuss the Board vacancy and superintendent hiring process. She also requested the October 6 meeting be moved to October 20.

President Bishop adjourned the meeting at 9:24 P.M.
Motion: TAMAYO, Second: UGARTE, Vote: UNANIMOUS

Oscar Esquivel, Interim Superintendent

Francisco Tamayo, Clerk

THE NEXT REGULAR MEETING OF THE BOARD OF EDUCATION OF THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT IS SCHEDULED ON WEDNESDAY, AUGUST 11, 2021, AT 6 P.M.