CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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MINUTES
BOARD OF EDUCATION

Regular Meeting
April 22, 2020
3:30 P.M.
Dr. Lowell J. Billings Board Room
Education Service and Support Center

ORDER OF BUSINESS

1. OPENING PROCEDURES

Opening Procedures

A. Call to Order

President Farías called the meeting to order at 3:30 P.M.

Dr. Escobedo said the meeting was the first to be held virtually, that no masks were needed because he and the Board were practicing social distancing, and that all meeting room surfaces had been sanitized. President Farías thanked the employees who helped get the meeting ready and employees who ensured everyone was safe.

B. Roll Call

Members Present:
Mr. Armando Farías, President
Dr. Eduardo Reyes, Vice President
Mrs. Laurie K. Humphrey, Clerk
Mrs. Leslie Ray Bunker, Member
Mr. Francisco Tamayo, Member

Members Absent:
None.

Others Present:
Dr. Francisco Escobedo, Superintendent
Mr. Oscar Esquivel, Deputy Superintendent (Virtually)
Dr. Jeffrey Thiel, Asst. Supt., Human Resources (Virtually)
Dr. Matthew Tessier, Asst. Supt., Innovation and Instruction (Virtually)
Ms. Sharon Casey, Exec. Director, Special Education and Instruction
Mrs. Soreli M. Norton, Asst. to the Supt. and Board of Education

C. Pledge of Allegiance

Ms. Casey led the Pledge of Allegiance.

2. APPROVE AGENDA (Action) *Approve Agenda*

Motion: HUMPHREY, Second: TAMAYO, Vote: UNANIMOUS

3. SPECIAL RECOGNITION, ORAL PRESENTATIONS, WRITTEN REPORTS, AWARDS, AND HONORS *Presentations/ Awards*

None.

4. COMMUNICATIONS TO THE BOARD OF EDUCATION *Communications to the Board*

A. Chula Vista Classified Employees Organization

Chula Vista Classified Employees Organization (CVCEO) President Peter Zeitler mentioned that last week was the one-year anniversary of his son's kidney transplant and that he is doing well. Regarding the [classified] layoffs on the agenda, he said he hopes for the best and appreciates everyone's work on it, remarking that Dr. Thiel and [Human Resources Director] Jorge Mora have been instrumental. Mr. Zeitler commented that Extended School Year will be held virtually and expressed concerns because the 15 days of work are important for some classified employees. He said he understands and will communicate with employees affected. He finished by saying he appreciates the Board being there and moving forward.

B. Chula Vista Educators

Chula Vista Educators (CVE) President Susan Skala said we are in such a completely different world from the last BOE mtg and that she hoped Board Members are able to stay home with their families. She announced that CVE membership ratified the tentative agreement with 96 percent in favor. Reiterated that members appreciated the work done by both sides to reach the innovative change in the pay structure. Ms. Skala addressed the Memorandum of Understanding (MOU) regarding distance learning saying its focus on social emotional learning on students and staff makes it one of the best MOUs around. She expressed concerns regarding the messaging from administrators and about the plan to have family pick up materials and student belongings because it may put people in potential danger of exposure and due to other issues, stressing that nonessential employees should not be going to schools.

5. ORAL COMMUNICATIONS *Oral Communications*

Oral Communications provides the public with an opportunity to address the Board on non-agenda items. Speakers are requested to limit their remarks to three minutes. Comments submitted by the deadline of 9 a.m. on Wednesday, April 22, will be read during the meeting. No Board action can be taken.

Ms. Casey read the communications submitted by the public.

- Parents Marianne Grosner and Dona Kislaitis, who have students in special education programs at San Dieguito Union High School District and Temecula Valley Unified School District respectively – Commented on how special education legal issues are handled by district and expressed concerns regarding special education legal fees paid by districts.

- Parent David Bame – Commented on a variety of topics related to the current reality. Made some suggestions regarding continued support for students. Said the District Advisory Council and District English Learner Advisory Committee leaders are working to stay in touch with parent representatives from each school and committed to growing the dialogue between parents, the Board, and the District team.

  President Farías thanked everyone who submitted comments and Ms. Casey for reading them.

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.

Motion: HUMPHREY, Second: BUNKER, Vote: UNANIMOUS

A. Adopt Board of Education Meeting Minutes: Special and Regular Meetings March 4, 2020

B. Approve Superintendent's Evaluation for the 2018-19 School Year

C. Adopt Resolution Establishing Zero-Emissions School Transportation **2019-20.073A**

D. Approve and/or Ratify Human Resources Items A Through K **2019-20.074**

E. Adopt Resolution in Recognition of Classified School Employees and Designating May 17-23, 2020, as *Classified School Employee Week* in the Chula Vista Elementary School District **2019-20.075**

F. Adopt Resolution in Recognition of School Nurses and Designating May 6, 2020, as *School Nurse Day* in the Chula Vista Elementary School District **2019-20.076**

G. Adopt Resolution in Recognition of Teachers and Designating May 13, 2020, as *Day of the Teacher* in the Chula Vista Elementary School District **2019-20.077**

H. Approve Memorandum of Understanding with Chula Vista Educators Regarding COVID-19 Coronavirus

I. Adopt Resolution Designating May 10-16, 2020, as *National Charter Schools Week* in the Chula Vista Elementary School District **2019-20.078**

J. Review and Accept Quarterly Report to the San Diego County Office of Education on *Williams* Complaints for the Period of January Through March 2020

K. Ratify Agreement with Scripps Health for COVID-19 Training and Community Outreach Services for the Period of March 23 Through August 31, 2020

L. Ratify Memorandum of Agreement with the University of California, San Diego, Autism Center of Excellence for the Collection of Certain Autism-Related Data Effective April 22, 2020, Until Terminated by Either Party

M. Ratify Neighborhood Reinvestment Program Grant Agreement on Behalf of the Chula Vista Community Collaborative for the Period of December 4, 2019, Through June 30, 2020

N. Ratify Nonpublic, Nonsectarian Individual Services Agreement with Aseltine School for Student No. 304182 for the Period of March 4 Through June 30, 2020

O. Approve Memorandum of Understanding with the California Association for Bilingual Education for the Binational Project GLAD® Professional Development Learning Program for Teachers for the Period of June 1 Through December 31, 2020

P. Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Certifying All Proceedings in the March 3, 2020, General Obligation Bond Election for Measure M **2019-20.079**

Q. Adopt Resolution Adding Independent Citizens Oversight of Measure M to the Scope of the Duties of the Existing Chula Vista Elementary School District Independent Citizens Oversight Committee for General Obligation Bond Proceeds **2019-20.080**

R. Approve $7.5 Million in Budget Reductions for the 2020-21 School Year

S. Adopt Resolution Approving the Chula Vista Elementary School District 2019-20 Education Protection Account Expenditures **2019-20.081**

T. Adopt Resolution Authorizing Utilization of the Waterford Unified School District Bid No. 01/17 School Buses for the Period of April 22 Through December 31, 2020 **2019-20.082**

U. Adopt Resolution Authorizing Utilization of Texas School District Region XIV Education Service Center Contract No. 02-27 for Janitorial Supplies, Equipment, Maintenance, and Repair-Related Products to **2019-20.083**

Waxie Enterprises, Inc., for the Period of May 1, 2020, Through April 30, 2021

V. Approve Award of Bid No. 19/20-12 to APR Construction, Inc., for Removal and Replacement of Covered Walkway at Sunnyside Elementary School in the Amount of $117,000 for the Period of April 23, 2020, Through Completion of the Project

W. Approve Acceptance of Work and Notice of Completion for Bid No. 19/20-3 to A.B. Hashmi, Inc., for Installation of New Lunch Structure, Hardscape, and Landscape at Valley Vista Elementary School

X. (1) Approve Change Order for a Decrease in the Amount of <$549,141> to Silver Creek Industries, Inc., for Deletion of Exterior Plaster, Painting, and Below Grade Foundation from the Scope of Work for Saburo Muraoka Elementary School; and

(2) Approve Acceptance of Work and Notice of Completion for Silver Creek Industries, Inc., for the Purchase and Installation of One Two-Story Relocatable Classroom and Restroom Building for Saburo Muraoka Elementary School

Y. Approve Partial Retention Release for All Prime Contractors for Classroom and Restroom Additions at Saburo Muraoka Elementary School

Z. Adopt Designation of Applicant's Agent Resolution for Non-State Agencies with the State of California, Governor's Office of Emergency Services for Disasters Occurring Within Three Years from April 22, 2020 – April 22, 2023 **2019-20.084**

AA. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through March 31, 2020 **2019-20.085**

BB. Approve and/or Ratify Inservice/Travel Requests **2019-20.086**

7. PUBLIC HEARINGS

Public Hearings

A. (1) Conduct Public Hearing on Discontinuance of Certain Classified Services; and

Dr. Thiel stated a public hearing is required to get input on the discontinuation of classified services due to lack of work or funds. He added that close to forty-eight full-time equivalent (FTE) positions are proposed for discontinuance effective June 30, 2020. Of those, 28 are special education instructional assistant or student attendants, positions that will be eliminated mostly due to sixth grade students leaving the District. Dr. Thiel said that many employees will be placed in open or new positions and that

an anticipated seven employees will be laid off, while 13 employees will have a reduction of hours. He explained the employees that were laid off and those whose hours were reduced would be the first ones hired back as services are needed. Dr. Thiel thanked Mr. Zeitler for working closely with the District to try to limit the ramification of the layoffs to the least number of employees as possible.

President Farías opened the public hearing and said that no comments were received. He closed the public hearing.

(2) Adopt Resolution on Discontinuance of Certain Classified Services for the 2020-21 School Year **2019-20.087**

Motion: TAMAYO, Second: HUMPHREY, Vote: UNANIMOUS

B. (1) Conduct Public Hearing Regarding Material Revision to the Arroyo Vista Charter School Charter; and

Dr. Tessier said that Arroyo Vista Charter School had requested approval for material revisions to its charter. He explained the revisions memorialize the school's intention to offer its seventh and eighth grades programs at facilities located at certain available District facilities. Dr. Tessier added that this revision, which has been approved by the school's Team Council, was in response to community interested, previously conducted surveys, and the continued success of its students.

President Farías opened the public hearing and said comments were received. Ms. Casey read the comments received.

Teachers Ruby Baker and Vanessa Luzzaro-Braito; Teacher/Parent Lisandra Cazares de Gomez; Parent/Sweetwater Education Association Vice President Cesar Fernandez; Teacher/CVE Organizing Chair Courtney Green; Community Members Carla Kriss, Lucy Ugarte, and Julie Walker; and Ms. Skala spoke against the material revision.

President Farías thanked everyone who submitted comments and Ms. Casey for reading them. He closed the public hearing.

There was in-depth discussion regarding the material revision and a variety of issues associated with a possible expansion of the middle school program. Dr. Escobedo, Dr. Thiel, and Ms. Casey answered questions from Board Members. Dr. Escobedo explained that approval of the revision only gives Arroyo Vista the go ahead to explore possibilities and that the school would have to engage stakeholders and present a plan for Board approval before taking the step of expanding the program.

(2) Approve Material Revision to the Arroyo Vista Charter School Charter

Motion: TAMAYO, Second: FARÍAS
Vote: Ayes: FARÍAS, HUMPHREY, TAMAYO
Noes: BUNKER, REYES, Abstain: NONE

C. (1) Conduct Public Hearing;

(2) Accept Public Comments by the Chula Vista Elementary School District Regarding the Investigation Results of the Preliminary Environmental Assessment for the Otay Ranch Village 2 S-2 School Site; and

Mr. Esquivel said this is the second site in the Otay Ranch area owned by Baldwin [Properties]. He added that, as of April 15, no public comments had been received regarding the investigation results of the preliminary environmental assessment. Mr. Esquivel stated that the District is requesting approval to forward the environmental assessment to the Department of Toxic Substances Control.

President Farías opened the public hearing and said that no comments had been received for this item. He closed the public hearing.

(3) Forward all Public Comments Received on the Preliminary Environmental Assessment for the Otay Ranch Village 2 S-2 School Site to the Department of Toxic Substances Control for Consideration

Motion: BUNKER, Second: TAMAYO, Vote: UNANIMOUS

8. ADMINISTRATIVE ACTION ITEMS

Administrative Action Items

None.

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

First and Second Readings

None.

10. GENERAL INFORMATION ITEMS/REPORTS

Information Items/Reports

A. Report Calendar to Board of Education

Clerk Humphrey requested a report regarding unreachable students. She would like the District to verify their welfare.

11. BOARD COMMUNICATIONS

Board Communications

Mrs. Bunker:

- Thanked District employees for their work to set up the Board meeting, for launching distance learning, and for all their efforts on behalf of students. Said everyone has done a tremendous job.
- Expressed her appreciation for the newsletters to support teachers.

Mr. Farías:

- Gave a shout out to all the unsung heroes that work day in and day out to ensure the conditions are in place for every single student—from gardeners to custodians, from CNS workers to principals, Cabinet, and all other District team members. Added that this system is successful because of the team effort and collaboration and because everyone ensures we provide an education where every student feels successful.
- Commented that distance learning is new for everyone. Added that he feels very comfortable because his third grader tells him the teacher asks the students how they are doing and feeling, so it is not just about the letters and the numbers, it is about the wellbeing of each one of the students. Appreciates everything every single employee does.
- To District families, said that he knows it is hard to have the kids home all day, every day and that nobody asked for this situation, but we are in this together and moving forward.
- Expressed that he feels blessed to be part of a system that is really caring and empathetic that has learned to engage in rich dialogue, that can agree and disagree, and that sometimes makes mistakes but corrects them. Said he appreciates the opportunity to be part of the team.
- Emphasized his appreciation to everyone for working every day to make sure students and families are served.

Mrs. Humphrey:

- Reiterated the appreciation to teachers for all they have been doing for students. Mentioned that teachers have been setting up wonderful opportunities for students, cool things they are able to experience during this very unusual time.
- Thanked Child Nutrition Services (CNS) workers who have tirelessly prepared and handed out food to students. Said she witnessed at Castle Park how kind, compassionate, and helpful the CNS workers are to the community, adding that Dr. Tessier was also there helping distribute food. Said that it was wonderful that Dr. Escobedo and Cabinet Members participated in this effort.
- Thanked the Information Technology (IT) Department, mentioning Russ Lopez, for setting up the Board meeting and for all the hours they worked to make it happen.
- Thanked Dr. Escobedo for the amazing job he is doing with leaders throughout the state and county putting together this very new and unprecedented experience for families.
- Shared the exciting news that she will be a grandmother in September.

Dr. Reyes:

- Reiterated the appreciation to District staff.
- Said it is very challenging because teachers are having to educate students in a challenging situation with a lot of unknowns and where we have no control over many things.
- Said the District for doing a great job ensuring students are fed. Said many families have struggled and have difficult situations at home that prevented them from securing food. Thanked everyone who helped with the food distribution.
- Acknowledged and thanked District and site leadership for coming up with a plan, in days, for something completely new and without knowing if it was going to work or not.
- Thanked the IT department not only for setting up the Board meeting but for ensuring the District has successful distance learning.
- Expressed his appreciation for teachers for an amazing job providing not just the academic but perhaps most importantly social-emotional support and making sure students feel valued, and know they are missed and teachers want them back. Mentioned that many students are facing very difficult situations at home and that for them, school is a sanctuary that has been taken away and said that teachers help these students feel cared for.
- Remarked that it is amazing to see what can be accomplished by everyone working together for a common goal. Said he hopes everyone continues the great work.

Mr. Tamayo:

- Echoed Mrs. Bunkers' comments regarding employees doing a tremendous job.
- Applauded the IT Department for a monumental job.
- Applauded and thanked the teachers, who in a matter of a week completely changed the entire classroom setting and environment under dramatic circumstances. Thanked them for all they are doing for each student and said it is impressive to see the quality of work that is being produced.
- Highlighted the Visual and Performing Arts Program and their YouTube channel. Said he saw some of the videos and was impressed.
- Emphasized it is amazing to see how teachers are rising to the occasion and how they are going well beyond their duty. Said it is much appreciated.
- Said that everyone needs to stay safe and healthy and to remember our focus on the social-emotional wellbeing of students

12. SUPERINTENDENT'S COMMUNICATION

Superintendent's Communication

Dr. Escobedo:

- Expressed his appreciation for the discourse and dialogue that took place earlier in the meeting and said having different opinions makes us better.

- Gave a shout out to the five District Social Workers, who communicated with the majority of the District's foster and homeless students to ensure their primary needs were met.
- Shared that starting the Friday after the meeting, around 1,000 computers and connectivity will be provided to foster, homeless, and special education students. Added that Chula Vista council members should be thanked for providing over 2,000 hot spots.
- Commented that Classroom of the Future Foundation is also working with Cox [Communications] on increasing bandwidth to improve Internet access.
- Thanked the City of Chula Vista, Chula Vista Foundation, teachers, and Resource Teachers. Gave kudos to Montgomery Elementary Resource Teacher Mr. [Anthony] Morales for his courage and tenacity in helping teachers navigate the new pedagogy. Thanked all the brave individuals in the District.
- Said the District continues to innovate, adding that he thinks next school year will be similar, maybe with a hybrid type of instruction. Added that next month will be critical with May Revise and encouraged everyone to connect with elected representatives to ensure school revenues stay intact.

13. CLOSED SESSION *Closed Session*

President Farías adjourned to closed session at 5:15 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

Education Code Section 35146: Student Request to Postpone Expulsion Hearing and Continuance of Expulsion Hearing for Remainder of School Closure; Student No. 155852

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2019120590 for Student No. 121857

14 RECONVENE TO OPEN SESSION *Open Session*

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

Clerk Humphrey announced that in closed session, the Board:

Approved a settlement agreement with Employee No. 2011320983.

Motion: TAMAYO, Second: FARÍAS
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES, TAMAYO
Noes: NONE, Abstain: NONE

Approved the request from Student No. 155852 to postpone the expulsion hearing and to continue it for the remainder of the school closure.

Motion: TAMAYO, Second: FARÍAS
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES, TAMAYO
Noes: NONE, Abstain: NONE

Approved a settlement agreement in Office of Administrative Hearings, Case No. 2019120590 for Student No. 121857

Motion: HUMPHREY, Second: TAMAYO
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES, TAMAYO
Noes: NONE, Abstain: NONE

15. ADJOURNMENT

Adjournment

President Farías adjourned the meeting at 6:07 P.M.

Francisco Escobedo, Ed.D., Secretary

Laurie K. Humphrey, Clerk

THE NEXT REGULAR MEETING OF THE BOARD OF EDUCATION OF THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT IS SCHEDULED ON WEDNESDAY, MAY 27, 2020, AT 6 P.M.