CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

MINUTES
BOARD OF EDUCATION

Regular Meeting
September 11, 2019
6 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 Humphrey called the meeting to order at 6 P.M.

B. Roll Call

Members Present:
Mrs. Laurie K. Humphrey, President
Mr. Armando Farías, Vice President
Dr. Eduardo Reyes, Clerk (Arrived at 6:31 P.M.)
Mrs. Leslie Ray Bunker, Member

Members Absent:
Mr. Francisco Tamayo, Member

Others Present:
Mr. Oscar Esquivel, Deputy Superintendent
Dr. Jeffrey Thiel, Asst. Supt., Human Resources
Dr. Matthew Tessier, Asst. Supt., Innovation and Instruction
Mr. Anthony Millican, DireXctor, Communications and Community Development
Ms. Laura Casas, Communications Supervisor
Mrs. Soreli M. Norton, Asst. to the Supt. and Board of Education
Mrs. Araceli Vargas, Administrative Assistant II

C. Pledge of Allegiance

Board Member Bunker led the Pledge of Allegiance.

After the Pledge and in honor of the victims of the September 11 attacks, Dr. Escobedo showed a portion of the "One World Trade Center: Engineering an Icon" video. The video is a brief story of the reconstruction of One World Trade Center.

2. APPROVE AGENDA (Action) *Approve Agenda*

Motion: FARÍAS, Second: BUNKER
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY
Absent: REYES, TAMAYO

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

A. Presentation of Newly Hired and Promoted Employees

There were no introductions.

B. Report on Multi-Tiered Systems of Support

Dr. Tessier explained that based on input from staff, the District realized there was more to do in order to support the social and emotional wellness of District students. He added that the Board had approved a Director of Multi-Tiered Systems of Support (MTSS) and introduced Mrs. Elizabeth Gianulis.

Mrs. Gianulis presented an update on MTSS that included a short description of MTSS, the District's five-year plan, results of the fidelity inventory, program recognition by the California Positive Behavior Interventions and Support Coalition, District trends, results of the MTSS perception survey, and information on staff trainings. She also reported on next steps for parent trainings, applying for an MTSS Climate Grant, and possible participation in an MTSS-Reading study. Mrs. Gianulis also responded to question from the Board.

Board Members thanked Mrs. Gianulis for the report, commented on the topic, and asked questions.

C. Report on Results of Voter and Staff Surveys

Mr. Esquivel said the next statewide election in California is in March 2020 and that the District worked with Dale Scott and Company to prepare a voter survey and a staff survey.

Dr. Tessier introduced Mr. Dale Scott, who presented information regarding the results of both surveys. He provided detailed information on the voter survey, which gauged community support for a general obligation bond, and on the staff survey that measured staff interest on District-built, below-rent staff housing. Mr. Scott concluded there is enough voter support for a general obligation bond as well as staff interest in staff housing.

President Humphrey thanked Mr. Scott for the report.

President Humphrey noted that Clerk Reyes arrived at 6:31 P.M.

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 thanked Dr. Escobedo for the staff housing survey. He also thanked the Facilities Department for efforts related to the modernization of Sunnyside Elementary, saying it rolled out really well. Mr. Zeitler stated the District is facing a shortage of custodians and has less than 40 substitutes, in part because neighbor districts pay higher wages. He said there is also a shortage of bus drivers, and only four substitute. Mr. Zeitler said a date is set for negotiations and that the contract should be settled. He commented the District is one of five doing a great job in achievement, due to its quality teachers.

B. Chula Vista Educators

Chula Vista Educators (CVE) President Susan Skala asked the Board to support Arroyo Vista Charter School (AVCS) teachers, who have petitioned the Public Employment Relations Board to add them as members of CVE. Ms. Skala said AVCS teachers, 80 percent of which signed the petition, are District employees, earn permanent status, and have transfer rights. She addressed negotiations, saying the District offered $1,000 on the health benefits cap—tied to accepting a one half-percent, off-schedule bonus. Ms. Skala stated the District's counterproposal does not address CVE's request for pay for overnight field trips. She expressed disappointment and said she hopes the Board can provide an offer with which everyone can live.

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 five minutes. The Board shall limit the total time for public input on each agenda item to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public presentation depending on the topic and the number of persons wishing to be heard. No Board action can be taken.

Teachers Yvonne Dawson and Jane Glickman and Teacher/Parent Xochitl Mercado (AVCS) presented the reasons why they want to unionize and join CVE. They asked the Board to support their request.

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.

Before approval of the Consent Calendar, President Humphrey pulled Item 6.D., Section I for separate discussion and vote.

Motion: BUNKER, Second: FARÍAS
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

A. Adopt Board of Education Meeting Minutes: Regular Meeting August 14, 2019

B. Adopt Resolution Regarding Absence of Board Member Francisco Tamayo from the August 14, 2019, Regular Board Meeting Due to Illness **2019-20.021**

C. Adopt Resolution in Support of South Bay Community Services' "Change Their Lives 2019" Fundraising Event **2019-20.022**

D. Approve and/or Ratify Human Resources Items A Through I **2019-20.023**

Clerk Reyes asked about approval of a contract with Consultant Catapult Learning West, LLC, to provide services to Mater Dei Juan Diego Academy. Dr. Escobedo explained these are federal funds, which follow the students. He added the District oversees contracting for private schools, but the schools select services and contractors.

Motion: REYES, Second: BUNKER
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY
Absent: TAMAYO

E. Adopt Resolution Endorsing the 2019 *RED RIBBON CAMPAIGN* **2019-20.024**

F. Adopt Resolution Proclaiming October 13-19, 2019, as *Week of the School Administrator* in the Chula Vista Elementary School District **2019-20.025**

G. Ratify Agreement with the City of Chula Vista for the 2020 Census Outreach and Education Project for the 2019-20 School Year

H. Ratify Memorandum of Understanding with Family Forces, Inc., for the Period of July 1, 2019, Through June 30, 2020

I. Ratify Memorandum of Understanding with Jacobs & Cushman San Diego Food Bank for the Food 4 Kids Backpack Program for the 2019-20 School Year

J. Ratify Memorandum of Understanding with Sweetwater Union High School District on Behalf of Arroyo Vista, Chula Vista Learning Community, Mae L. Feaster, and Howard Gardner Community Charter Schools for Participation in Middle School Sports League for the 2019-20 School Year

K. Ratify Nonpublic, Nonsectarian Individual Services Agreement with ACES Academy for Student No. 304158 for the 2019-20 School Year

L. Adopt Resolution Establishing Appropriations Limits for Fiscal Years 2018-19 and 2019-20 Pursuant to Article XIIIB (Gann Amendment) of the California State Constitution **2019-20.026**

M. (1) Approve Renewal of Two-Year Terms for Members of the Chula Vista Elementary School District Independent Citizens Oversight Committee; and

(2) Appoint New Members to the Chula Vista Elementary School District Independent Citizens Oversight Committee

N. Adopt Resolution Regarding the State Allocation Board's "Applications Received Beyond Bond Authority List" and Acknowledging the State's School Facility Program Funding Limitations **2019-20.027**

O. Approve Acceptance of Work and Notice of Completion for Chambers, Inc., dba Roof Construction for Roofing Replacement at Greg Rogers Elementary School

P. Approve Partial Retention Release for All Prime Contractors for Modernization/Renovation of Sunnyside Elementary School

Q. Adopt Resolution Authorizing Utilization of the Irvine Unified School District Bid No. 19/20-01FA, Furniture and Equipment for the Period of September 12, 2019, Through June 30, 2020 **2019-20.028**

R. Approve Overnight Study Trip for Fourth Grade Students from Ella B. Allen Elementary School to the Star of India on April 9-10, 2020

S. Approve Overnight Study Trip for Fourth Grade Students from Loma Verde Elementary School to the Star of India on March 17-18, 2020

T. Approve Overnight Study Trips for Fourth Grade Students from Corky McMillin Elementary School to the Star of India on January 16-17 and January 23-24, 2020

U. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through August 30, 2019 **2019-20.029**

V. Approve and/or Ratify Inservice/Travel Requests **2019-20.030**

7. PUBLIC HEARINGS

Public Hearings

A. (1) Conduct Public Hearing Regarding Sufficiency of Instructional Materials and the *Williams* Class Action Settlement; and

Dr. Tessier said this item comes to the Board every year since settlement of the *Williams* Class Action by the State of California.

He added that, although District schools do not receive *Williams* visits (because it does not have schools in the lowest deciles), the public hearing and resolution are required on sufficiency of instructional materials. Dr. Tessier stated the District has sufficient instructional materials for every student and clarified that the visits do not take place because the District does not have schools in the lowest deciles.

President Humphrey opened the public hearing and asked if anyone wished to be heard. No one spoke. President Humphrey closed the public hearing.

(2) Adopt Resolution for the 2019-20 School Year Regarding Sufficiency of Instructional Materials and the *Williams* Class Action Settlement with the State of California **2019-20.031**

Motion: FARÍAS, Second: HUMPHREY
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

B. (1) Conduct Public Hearing Pertaining to Proposed Agreement for Lighting Retrofit Project with ENGIE Services U.S., Inc.; and

Mr. Esquivel said that over the last six years, the District has been retrofitting school sites with light-emitting diode (LED) lights to replace older systems. He added that this contract would allow the District to complete the nine remaining schools that need interior/exterior lighting and another sixteen schools that only need exterior lighting. Mr. Esquivel explained that the work will commence once the contract is approved and be completed by June 2020, at which point 100 percent of District schools will have energy-efficient lighting. He added that Measure VV funds would be used to cover this expense.

President Humphrey opened the public hearing and asked if anyone wished to be heard. No one spoke. President Humphrey closed the public hearing.

(2) Adopt Resolution Approving Agreement for Lighting Retrofit Project with ENGIE Services, U.S., Inc., for the Implementation of Lighting Retrofits at Enrique S. Camarena, Joseph Casillas, Chula Vista Hills, Clear View, Hazel Goes Cook, EastLake, Myrtle S. Finney, Halecrest, Heritage, Juarez-Lincoln, Liberty, Loma Verde, Thurgood Marshall, Olympic View, Otay, Palomar, Parkview, Fred H. Rohr, Silver Wing, Burton C. Tiffany, Valle Lindo, Valley Vista, Veterans, and Wolf Canyon Elementary Schools and Maxwell Corporate Bus Yard **2019-20.032**

Motion: BUNKER, Second: REYES
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

8. ADMINISTRATIVE ACTION ITEMS

Administrative Action Items

A. Nominations for California School Boards Association Directors-at-Large: African American and American Indian

No action was taken on this item.

B. Approve Submittal of 2018-19 Year-End Summary of Revenues, Expenditures, and Changes in Fund Balances

Mr. Esquivel reviewed the report of 2018-19 District unaudited actuals. The report covered changes in General Fund revenues and expenditures, in unrestricted revenue and expenditures, and in the Reserve for Economic Uncertainties (REU). Mr. Esquivel also reported on multiyear financial projections 2019-20 through 2021-22, unrestricted vs. expenditures/contributions, and the historical REU from 2015-16 to 2019-20; addressed challenges such as increased employer retirement costs, declined attendance, and higher special education expenditures; explained fiscal and economic items the District is watching; and answered questions from Board Members.

Motion: FARÍAS, Second: BUNKER
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

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

First and Second Readings

A. First Reading/Possible Adoption/Approval: Board Policy and Administrative Regulation 3250 (New), Business and Noninstructional Operations, Transportation Fees

Mr. Esquivel said this new Board Policy (BP) and Administrative Regulation (AR) would allow the District to assess regular education fees. He explained fees are not currently charged and the District does not intend to do so in the near future. Mr. Esquivel also said a there would be a process before charging fees and that specific student students would be exempted (low income, and specific special education students).

Clerk Reyes expressed concerns with the BP and AR. The Board requested to hold a second reading.

B. First Reading/Possible Adoption: Board Policy 3513.4 (New), Business and Noninstructional Operations, Drug- and Alcohol-Free Schools

Mr. Esquivel said this new BP specifies which substances are prohibited on District property and lists enforcement and discipline procedures when this prohibition is violated.

Clerk Reyes motioned for adoption of the BP, but with addition of wording regarding prohibiting vaping on District property.

Motion: REYES, Second: HUMPHREY
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

C. First Reading/Possible Adoption: Board Policy 3515.21 (New), Business and Noninstructional Operations, Unmanned Aircraft Systems

Mr. Esquivel explained this new BP specifies the allowable use of unmanned aircraft systems (drones) on District properties. He said it holds the District harmless when people use drones on District property [without District permission], and states federal guidelines that must be followed when using drones on school sites.

Motion: REYES, Second: FARÍAS
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

D. First Reading/Possible Revision: Board Policy 3540, Business and Noninstructional Operations, Transportation

Mr. Esquivel said revisions add green school operations references, bidding and contracts, mileage reimbursement to parents in lieu of District transportation, safety guidelines, and the installation of Global Positioning Systems (GPS) in District school buses.

Motion: FARÍAS, Second: BUNKER
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

E. (1) Delete Board Policy 3541.1, Business and Noninstructional Operations, School Related Trips; and

(2) First Reading/Possible Revision: Administrative Regulation 3541.1, Business and Noninstructional Operations, School Related Trips

Mr. Esquivel commented the BP is obsolete and that relevant information is included in the AR. He said the AR discusses field and other trips that can be contracted to private vehicles, includes revisions to the form that needs to be completed for such trips, and states that passenger restrain systems must be operable.

Motion: REYES, Second: BUNKER
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

F. First Reading/Possible Adoption: Board Policy 3541.2 (New), Business and Noninstructional Operations, Transportation for Students with Disabilities

Mr. Esquivel explained this new BP primarily discusses the District's obligations to provide transportation to students whose Individual Education Plans or 504 Accommodations specify such services. He said the BP also addresses that students with disabilities can be accompanied by service dogs.

Answering a question from Board Member Bunker, Mr. Esquivel said dogs are the only service animals currently allowed on school buses.

Motion: REYES, Second: FARÍAS
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

G. Delete Board Policy 3541.5, Business and Noninstructional Operations, Alternative Transportation Arrangements

Mr. Esquivel explained the information in this BP is already included in BP 3540.

Motion: BUNKER, Second: HUMPHREY
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

H. First Reading/Possible Revision: Board Policy 3542, Business and Noninstructional Operations, School Bus Drivers

Mr. Esquivel remarked the only change to the BP is the addition of a requirement that bus drivers possess a special certificate certified by the California Highway Patrol and issued by the Department of Motor Vehicles. He said the District already complies with the requirement.

Motion: FARÍAS, Second: HUMPHREY
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

I. First Reading/Possible Approval: Administrative Regulation 3543 (New), Business and Noninstructional Operations, Transportation Safety and Emergencies

Mr. Esquivel said that many of the safety and emergency procedures listed in this new AR are in place and followed by the District.

Motion: FARÍAS, Second: BUNKER
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

J. First Reading/Possible Revision: Board Policy and Administrative Regulation 5020, Students, Parent/Guardian Rights and Responsibilities

Dr. Tessier remarked that revisions spell out target populations, such as English Learners, instead of "all students" and also specifies parent rights and responsibilities for a variety of instances.

Answering a question from Clerk Reyes, Dr. Tessier said that if a parent who has educational rights and is registered as a sexual predator wants to attend his or her son's school activities, arrangements can be made. He added procedures include a dialogue between the principal and law enforcement authorities, after which the parent is allowed to visit only by appointment and always accompanied [by the principal or the School Resource Officer], who will escort him/her on and off campus to ensure the safety of students.

Motion: BUNKER, Second: FARÍAS
Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES
Absent: TAMAYO

10. GENERAL INFORMATION ITEMS/REPORTS

Information Items/Reports

A. Report Calendar to Board of Education

Clerk Reyes requested a list of legal expenses, itemized by type of case.

B. Report on Solar Feasibility Study

Mr. Esquivel said after changing all lighting to LED lights, the next step is for the District to consider solar energy. For this purpose, the District requested EcoMotion to prepare a feasibility study in an effort to determine if solar is a good option. Mr. Esquivel introduced EcoMotion's President Ted Flanigan and Solar Specialist Michael Ware. Mr. Flanigan and Mr. Ware provided a presentation that included information about EcoMotion, the process utilized for the study, a comparison of purchasing power from a vendor vs. purchasing a system, potential risks, system options, and next steps. They explained that the study determined that converting to solar power—specifically purchasing a system—would be of greatest benefit to the District and would realize 25-year net savings of over $96 million assuming three percent annual utility increases. Mr. Flanigan and Mr. Ware also answered questions from the Board.

11. BOARD COMMUNICATIONS

Board Communications

Mrs. Bunker:

- Remarked that the solar feasibility study was exciting, and that the Board has discussed the topic. Said she thinks it would be good financially and the District would set an example in doing the right thing for conservation.
- Welcomed back the Sunnyside staff and community, adding she was excited to attend the ribbon cutting event, which included students.
- Thanked Dr. Escobedo and staff members who worked on the policy changes, saying it is a lot of work.

- Thanked Mr. Esquivel and his team for his work on the budget summary and always ensuring the Board is informed of what is going on.

Mr. Farías:

- Commented that he attended "A Salute to Teachers" and said it was an amazing event. Remarked that he is always inspired by the teacher's commitment and love and how they transform lives.

Mrs. Humphrey:

- Remarked that she was excited to go to Sacramento with an awesome team to receive recognition for the District's identification as a positive outlier. Said the group met several famous people such as [State Superintendent of Public Instruction] Tony Thurmond and [Learning Policy Institute President and CEO] Linda Darling Hammond. Commented that it was really an honor to be there and said that Dr. Escobedo was on a panel; added that it was exciting to share the District's amazing job with academic achievement and closing the gap.
- Shared that she also attended "A Salute to Teachers" and that it was a fantastic event. Said schools should be encouraged to participate and to understand that it is really not about competition but about elevating the teaching profession in the eyes of the public. Said the Cox "Salute to Teachers" is like the academy awards for educators and the District needs to have representation to showcase its outstanding educators.
- Commented that she visited Allen and Parkview and was impressed with the rigor in the instruction, with how articulate the students are, and with the fact that they know what they are learning and their objectives for the day. Added there is a comfortable feeling tone in classrooms, which she attributed to the Sanford Harmony program.

Dr. Reyes:

- Thanked everyone for attending the Board meeting.
- Wished everyone a great [fall] break, saying it was well deserved.

12. SUPERINTENDENT'S COMMUNICATION

Superintendent's Communication

Dr. Escobedo:

- Remarked that he attended the First Friday Breakfast with President Humphrey and [Special Education and Instruction Executive Director] Sharon Casey. Commented the event featured a nonprofit company called [New] GateWay that works with families that are on the verge of homelessness. Said homelessness is an epidemic in the nation and that the District homeless student population has grown from 90 to 185, adding that the organization has a 40 percent success rate. Remarked that New GateWay is planning to participate in a work fair and hopefully the District will get some custodians and other employees.
- Congratulated District office personnel for raising over $700 for a shoe and sock drive that will take place September 21 and is sponsored by the

[Chula Vista] Police Department. Gave kudos to CVCEO for donating $500 to the effort. Added 180 students will benefit from the event.

13. ADJOURN TO CLOSED SESSION

Closed Session

President Humphrey adjourned to closed session at 8:17 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

14. RECONVENE TO OPEN SESSION

Open Session

President Humphrey reconvened to open session at 9:32 P.M. with all Board Members present except Board Member Tamayo.

Clerk Reyes announced that in closed session, the Board approved the notice of Recommendation for Dismissal and Statement of Charges regarding Employee No. 2011419965.

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

15. ADJOURNMENT

Adjournment

President Humphrey adjourned the meeting at 9:33 P.M.

Francisco Escobedo, Ed.D., Secretary

Eduardo Reyes, Ed.D., Clerk

THE NEXT REGULAR MEETING OF THE BOARD OF EDUCATION OF THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT IS SCHEDULED ON WEDNESDAY, OCTOBER 16, 2019, AT 6 P.M.