

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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

MINUTES BOARD OF EDUCATION

Regular Meeting
September 12, 2018
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 Bunker called the meeting to order at 6:06 P.M.

B. Roll Call

Members Present:

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

Members Absent:

None.

Others Present:

Dr. Francisco Escobedo, Superintendent
Mr. Oscar Esquivel, Deputy Superintendent
Dr. Jeffrey Thiel, Asst. Supt., Human Resources
Dr. Matthew Tessier, Asst. Supt., Innovation and Instruction
Mr. Anthony Millican, Director, Communications and Community Development
Mrs. Laura Casas, Communications Supervisor
Mrs. María Mayela Couturier, Translator/Interpreter
Mrs. Soreli M. Norton, Asst. to the Supt. and Board of Education

C. Pledge of Allegiance

Mr. Esquivel led the Pledge of Allegiance.

2. APPROVE AGENDA (Action)

Approve Agenda

Motion: TAMAYO, Second: HUMPHREY, Vote: UNANIMOUS

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 Early Childhood Education Programs

Dr. Tessier introduced Early Childhood Education Director Rita Palet, who provided an update on the District's Early Childhood Education Programs. Ms. Palet reported on the special education and general education preschool programs and on additional services the District offers to early learners. She provided information on the Diagnostic Teams model and the Parent Intervention Program and touched on the social emotional aspect, teacher professional development, accomplishments of the program, and focus for the 2018-19 school year. Ms. Palet acknowledged the Early Education staff who were in attendance and introduced Special Education Teachers Jessica McCabe (Cook) and Sarah McCormack (Otay/Rogers), who shared their experiences with the Diagnostic Teams model and with inclusion at the preschool stage. Ms. Palet also answered questions from the Board and invited them to visit the program.

Chula Vista Educators (CVE) President Susan Skala spoke on this item and thanked preschool teachers.

Board Members thanked the presenters and commented on varied portions of the report.

C. Report on Dual Language Immersion Instructional Programs

Dr. Tessier introduced Language Development and Instruction Executive Director Keith Malcom and Executive Director Dr. Jorge Ramirez (Chula Vista Learning Community Charter) presented information on the District's Dual Language Immersion (DLI) Programs. They provided information on the DLI models in the District, the Biliteracy Committee, Biliteracy Teacher Leads, the partnership with the San Diego County Office of Education, the state's Global California 2030 initiative, and the District's plan for improving and growing DLI Programs. They also answered questions from the Board.

Ms. Skala expressed excitement to be working with Mr. Malcom and Dr. Ramirez; said bilingual education is near and dear to her heart.

Board Members thanked the presenters and commented on several aspects of the presentation.

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 said he has followed the preschool program for some time now and expressed concerns regarding funding challenges. He thanked Facilities and Warehouse staff members for their work on the three modernized sites. Expressed concerns regarding how the increased noon duty supervisor hours will affect sites' funding. Thanked Facilities for upgrading the kitchen air conditioning at EastLake and Olympic View. Said the San Diego Futures Foundation contract will be on the October meeting agenda.

B. Chula Vista Educators

Ms. Skala thanked Vice President Humphrey for attending the New Educator Orientation; and said that every new teacher who was there signed up to be a CVE member. Said that a New Education Weekend is being sponsored by the California Teachers Association on December 15 and that the District will match the 25 CVE-funded spots, so 50 new teachers will participate. Announced that a tentative agreement was reached and thanked Board Members for their support; said voting will take place October 10 through October 17, with ballots being counted October 18.

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.

Resource Specialist Program Teacher Vanessa Luzzaro Braitto (Cook) notified the Board of a grievance filed by CVE against the District regarding Article 17 – Personal Necessity Leave/Compelling Personal Importance Leave.

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 Bunker pulled Item 6.H. to be discussed and voted on separately.

Motion: TAMAYO, Second: HUMPHREY, Vote: UNANIMOUS

- A. Adopt Board of Education Meeting Minutes: Regular Meeting August 15, 2018
- B. Approve and/or Ratify Human Resources Items A Through I **2018-19.019**
- C. Approve Memorandum of Understanding with Chula Vista Classified Employees Organization Regarding Field Trip Assignments for Bus Drivers
- D. Adopt Resolution Endorsing the 2018 *RED RIBBON CAMPAIGN* **2018-19.020**
- E. Adopt Resolution Proclaiming October 8-14, 2018, as *Week of the School Administrator* in the Chula Vista Elementary School District **2018-19.021**
- F. Ratify Master Agreement with Family Health Centers of San Diego for the 2018-19 School Year
- G. Ratify Memorandum of Understanding with Novata Behavioral Health for the Novata Family Forces Program for the Period of July 1, 2018, Through June 30, 2019
- H. Ratify Memorandum of Understanding with Sweetwater Union High School District on Behalf of Arroyo Vista, Chula Vista Learning Community, Discovery, Mae L. Feaster, Robert L. Mueller, and Howard Gardner Community Charter Schools for Participation in Middle School Sports League for the 2018-19 School Year

Board Member Reyes said he would abstain from voting on this item.

Motion: TAMAYO, Second: FARÍAS

Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, TAMAYO

Abstain: REYES

- I. Ratify Nonpublic, Nonsectarian School Master Contracts with Community School of San Diego and The Institute for Effective Education for Special Education and Related Services for Individuals with Exceptional Needs for the 2018-19 School Year

- J. Ratify Nonpublic, Nonsectarian Individual Services Agreements with Community School of San Diego for Student No. 303532 and The Institute for Effective Education for Student No. 304182 for the 2018-19 School Year
- K. Approve Agreement with San Diego County Superintendent of Schools for Project Cal-Well for the Period of September 13- 30, 2018
- L. Adopt Resolution Establishing Appropriations Limits for Fiscal Years 2017-18 and 2018-19 Pursuant to Article XIII B (Gann Amendment) of the California State Constitution **2018-19.022**
- M. Adopt Resolution Authorizing the Purchase of One 36' x 40' Relocatable Classroom Building for Lilian J. Rice Elementary School in the Amount of \$142,452.45 from Silver Creek Industries, Inc., Pursuant to Bid No. 14/15-3 **2018-19.023**
- N. Approve Acceptance of Work and Notice of Completion for the Removal, Replacement, and Additional Installation of Cafeteria Heating, Ventilating, and Air Conditioning (HVAC) Equipment for Castle Park, EastLake, Olympic View, and Rosebank Elementary Schools
- O. Approve International Study Trip for Sixth Grade Students from EastLake Elementary School to Shanghai, Whenzhou, and Luoyang, China on October 12-22, 2018
- P. Approve Overnight Study Trips for Fourth Grade Students from Liberty Elementary School to the Star of India on September 13-14, 2018, and March 1-2, 2019
- Q. Approve Overnight Study Trips for Fourth Grade Students from Corky McMillin Elementary School to the Star of India on January 17-18 and January 24-25, 2019
- R. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through August 31, 2018 **2018-19.024**
- S. Approve and/or Ratify Inservice/Travel Requests **2018-19.025**
- T. Approve and/or Ratify Requests for Use of District Facilities **2018-19.026**

7. PUBLIC HEARINGS

Public Hearings

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

Mr. Tessier explained that based on a lawsuit filed in 2000 and settled in 2004, the Board must conduct a public hearing, make a determination, and adopt a resolution regarding the sufficiency of instructional materials per child. He added that the District has checks and balances in place to ensure each student has California Board of Education-adopted curriculum.

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

- (2) Adopt Resolution for the 2018-19 School Year Regarding Sufficiency of Instructional Materials and the *Williams* Class Action Settlement with the State of California **2018-19.027**

Motion: TAMAYO, Second: REYES, Vote: UNANIMOUS

- B. (1) Conduct Public Hearing on a General Waiver Request to Provide a Reduced-Day Extended School Year Program; and

Mr. Tessier said that, in consultation with CVE, the District agrees that a reduced-day extended school year program for special education students is the best option. It provides the same number of instructional minutes by establishing longer school days and allows an opportunity for students and teachers to enjoy more time off, which results in higher participation rates.

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

- (2) Authorize Application for the General Waiver Request to Provide a Reduced-Day Extended School Year Program from June 18 Through July 10, 2019

Motion: REYES, Second: FARÍAS, Vote: UNANIMOUS

8. ADMINISTRATIVE ACTION ITEMS

*Administrative
Action Items*

- A. Approve Submittal of 2017-18 Year-End Summary of Revenues, Expenditures, and Changes in Fund Balances

Mr. Esquivel reviewed the District's 2017-18 Unaudited Actuals Financial Report, which is required to be delivered to the State of California. He touched on several portions of the financials, such as a summary of the General Fund's restricted and unrestricted funds; the Reserve for Economic Uncertainties (REU); detailed unrestricted revenues, expenditures, and contribution changes; a multiyear projection through 2020-21. He also touched on the District's

financial challenges and items the District is watching such as enrollment, pension and special education costs, the economic recovery, cash reserves, and REU/deficit spending. Mr. Esquivel also answered questions from the Board.

Motion: TAMAYO, Second: HUMPHREY, Vote: UNANIMOUS

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

First and Second Readings

- A. First Reading: Proposed Board Policy and Administrative Regulation 3230 (New), Business and Noninstructional Operations, Federal Grant Funds

Mr. Esquivel explained the new Board Policy (BP) and Administrative Regulation (AR) were created to document procedures for managing internal control process for federal grant awards. He said it would be brought back for second reading and hopefully approval at the next Board meeting.

- B. First Reading/Possible Revision/Review: Proposed Amendments to Board Policy, Administrative Regulation, and Exhibit (A) 4019, All Personnel, Sexual Harassment

Dr. Thiel explained the revision is to renumber the BP and AR in order to align to California School Boards Association (CSBA) BP/AR template system.

Motion: TAMAYO, Second: HUMPHREY, Vote: UNANIMOUS

- C. First Reading/Possible Revision: Proposed Amendments to Administrative Regulation 4031, All Personnel, Complaints Concerning Harassment or Discrimination in Employment

Dr. Thiel said the AR also needs renumbering and a new title assigned to it, also to align with CSBA.

Motion: FARÍAS, Second: REYES, Vote: UNANIMOUS

- D. Approve Deletion of Board Policy and Administrative Regulation 4111.1, 4211.1, 4311.1, All Personnel, Affirmative Action

Dr. Thiel explained the BP and AR are obsolete as Affirmative Action is no longer a federal or state policy. He added that most of its content is out of date and its relevant language is covered under BP and AR 4030, Nondiscrimination in Employment.

Motion: HUMPHREY, Second: FARÍAS

Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES

Noes: TAMAYO

- E. Second Reading/Approve: Proposed Amendments to Board Policy and Administrative Regulation 6174, Instruction, Education for English Learners

Dr. Tessier explained the major revisions to the BP and AR are to replace "California English Language Development Test" with "English Language Proficiency Assessment for California." He said the revisions were discussed with parents, CVE through consultation, and other stakeholders.

Motion: FARÍAS, Second: HUMPHREY, Vote: UNANIMOUS

- F. First Reading/Possible Revision: Exhibit (B) 9270, Bylaws of the Board, Conflict of Interest

Dr. Escobedo explained conflict of interest is something the Board needs to always have in mind and provided examples of covered conflicts.

Motion: HUMPHREY, Second: TAMAYO, Vote: UNANIMOUS

10. GENERAL INFORMATION ITEMS/REPORTS

*Information
Items/Reports*

- A. Report Calendar to Board of Education

Vice President Humphrey requested information on Personal Necessity Leave, noon duty hours, credit for coursework, and first reporting period report cards.

11. BOARD COMMUNICATIONS

*Board
Communications*

Mrs. Bunker:

- Reiterated Mr. Zeitler's thanks to Facilities and others involved in final cleanup of the modernized schools, saying it is a lot of work that has to be done in limited time. Also thanked teachers for their efforts and said she is excited to see the students learning in the new environment.
- Said she is always proud of District accomplishments and for being frequently recognized for many things. Added that the reports presented at the meeting were excellent examples.

Mr. Farías:

- Thanked everyone who attended the meeting.

Mrs. Humphrey:

- Shared that she attended the funeral for Teacher Mr. Leonard "Lee" Sison (Casillas), a touching and beautiful ceremony. Mentioned the choir that comprised children who seemed to be singing directly to Mr. Sison.

12. SUPERINTENDENT'S COMMUNICATION

*Superintendent's
Communication*

Dr. Escobedo:

- Commented that in a few days, all the schools with the exception of the three sites that were modernized, will be on Fall Break. Remarked that it has been a great quarter and congratulated District leaders and teachers who have done an amazing job in successfully starting the 2018-19 school year.
- Shared that the next day, he would travel to Sacramento to receive an award from The Education Trust—West for being an “outlier district.” Said the award was achieved due to the great work District leaders and teachers have been doing for many years.

13. ADJOURN TO CLOSED SESSION

Closed Session

President Bunker adjourned to closed session at 7:50 P.M. in accordance with the following:

Government Code Sections 3549.1(d) and 54957.6: Collective Bargaining/Employee Negotiations; Agency Negotiators: Fagen Friedman & Fulfroft, 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 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2017030442 for Student No. 305489

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2018060718 for Student No. 305208

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2018061072 for Student No. 112886

14. RECONVENE TO OPEN SESSION

Open Session

President Bunker reconvened to open session at 8:21 P.M. with all Board Members present.

Clerk Farías announced that in closed session, the Board:

Approved a settlement agreement in Office of Administrative Hearings,
Case No. 2017030442 for Student No. 305489.

Motion: TAMAYO, Second: BUNKER

Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES, TAMAYO

Noes: NONE, Abstain: NONE

Approved a settlement agreement in Office of Administrative Hearings,
Case No. 2018060718 for Student No. 305208.

Motion: TAMAYO, Second: HUMPHREY

Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES, TAMAYO

Noes: NONE, Abstain: NONE

Approved a settlement agreement in Office of Administrative Hearings,
Case No. 2018061072 for Student No. 112886.

Motion: FARÍAS Second: REYES

Vote: Ayes: BUNKER, FARÍAS, HUMPHREY, REYES, TAMAYO

Noes: NONE, Abstain: NONE

15. ADJOURNMENT

Adjournment

President Bunker adjourned the meeting at 8:24 P.M.


Francisco Escobedo, Ed.D., Secretary


Armando Farías, Clerk

THE NEXT REGULAR MEETING OF THE BOARD OF EDUCATION OF
THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT IS SCHEDULED
ON WEDNESDAY, OCTOBER 10, 2018, AT 6 P.M.