

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

June 19, 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 6:11 P.M.

B. Roll Call

Members Present:

Mrs. Laurie K. Humphrey, President

Mr. Armando Farías, Vice President

Dr. Eduardo Reyes, Clerk

Mrs. Leslie Ray Bunker, Member

Mr. Francisco Tamayo, Member

Members Absent:

Mrs. Laurie K. Humphrey, President

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, Director, Communications and Community Development

Mrs. María Mayela Couturier, Translator/Interpreter

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.

2. APPROVE AGENDA (Action)

Approve Agenda

Motion: TAMAYO, Second: BUNKER, 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. Presentation of North Island Credit Union Grant Check

Dr. Escobedo said that North Island Credit Union (North Island CU) has a long history of supporting education and that last year, the company gave \$1,000 to the San Diego Superintendent of the Year. He added that, for some chance, he earned the honor this year, so North Island CU was there to present a \$1,000 check. Dr. Escobedo said he would like to donate the money to the District's amazing Visual and Performing Arts program, which will be used to purchase more instruments for students. He introduced North Island CU's Senior School and Community Development Officer Jennifer Walker.

Ms. Walker said it was a pleasure to be at the meeting with fellow associates Vice President and Regional Manager Therese Caballes and School and Community Development Officer Joshua Rehhaus. She provided a short history of North Island CU and presented Dr. Escobedo with a \$1,000 grant in recognition of being selected ACSA Region 18 Superintendent of the Year for 2019, saying it was the second annual grant. Ms. Walker thanked Dr. Escobedo for his leadership for students, parents, and community. Dr. Escobedo thanked Ms. Walker and said it was an honor.

C. Annual Report of the Chula Vista Elementary School District Independent Citizens Oversight Committee, and Recognition of Outgoing Members

Mr. Esquivel said that every year, the Independent Citizens Oversight Committee (ICOC) provides a report to the Board. He acknowledged ICOC members in attendance and introduced ICOC Chairperson Jason Hurtado-Prater. Mr. Hurtado-Prater said it is an honor to serve on the ICOC and that he has the privilege of sitting on a few boards and committees, but the ICOC is one of his favorites, an engaged group that asks a lot of good questions. He presented the annual report that covered the scope, reporting responsibilities, and activities of the ICOC; Proposition E audits, modernization sites and years when work took place; Series A, B, and C bond issuances and use of funds; the timeline, estimated cost, and sources and use of funds for the 2019 modernization of Sunnyside; and major categories for improvement. Mr. Hurtado-Prater also provided some history, scope of work, and project plans for Proposition VV. He said the ICOC concluded that all expenditures under Proposition E have been in compliance with the requirements of the California constitution.

Mr. Esquivel recognized the four members who provided six years of service on the committee and discharged them of their duties: Taxpayers Organization Representative Sean R. Dumbar, Business Community Representative Dr. Diane Gerken, and Senior Citizens Organization Representative Mary I. Helvie. He also acknowledged At-Large Representative Karyn Koenig, who could not attend the meeting.

President Humphrey thanked Mr. Hurtado-prater for his presentation and presented outgoing members with Certificates of Recognition, thanking them for their service. She asked Mrs. Helvie, a former employee, how long she had worked in the District. Mrs. Helvie said she served in the District for 32 years and has been retired for 20 years, adding that she considers the District a family.

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 told President Humphrey that he appreciated attending her father's funeral, saying that he was an institution in Chula Vista and a hero in our country.

Mr. Zeitler expressed concerns on the Assistant Superintendent position [included in the agenda]. Stated that CVCEO is going through negotiations and the "mantra" is that the District is deficit spending, so he questioned adding a position in the \$270,000 range. Mr. Zeitler said he believes the District can utilize some of the current Executive Directors for those duties, that there will be classified layoffs, and that \$95,000 would take care of the Noon Duty issue.

Thanked the Board for their service and the outgoing ICOC members, saying they do it for the love of the community, which really makes a difference. Remarked that he appreciated President Humphrey calling on Mrs. Helvie, stressing her comment that the District is a family.

B. Chula Vista Educators

Chula Vista Educators (CVE) President Susan Skala extended her condolences to President Humphrey and her family on the loss of her father, saying that she knows what a great impact he had on the community. Ms. Skala thanked everyone in the District for the service provided during this school year, saying it is her opinion that Chula Vista Elementary is the best school district in the state, which can be attributed to the employees who work so hard for the students. She shared a bargaining update from the June 17 session, saying that CVE

proposed a four and-a-half percent increase, another \$1,000 to the health cap, and a stipend for unit members who supervise overnight study trips; also that the E3 evaluation is being negotiated but no Memorandum of Understanding has been signed yet. Ms. Skala said other issues to be discussed are Resource Teachers, collaboration time, the Visual and Performing Arts program, and the transfer of a teacher who was displaced. She said CVE knows money is an issue, but it believes the proposal is fair and requested the Board provide a counterproposal quickly. Finalized by saying there are three upcoming bargaining dates—two in August and one in September—and she believes those would be sufficient to settle the contract, at least as it relates to wages.

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.

Chula Vista National Little League (CVNLL) Parent and Coach Carla Padilla and CVNLL Board member Edgar Lim spoke to advocate for keeping a T-ball field instead of converting it to a parking lot at Harborside and proposed some alternatives. Mr. Lim also read a letter of support from Communities Through Hope Representative Rosy Vasquez.

Third Grade Dual Immersion Teacher Nancy Alonso, representing the Harborside staff; Instructional Assistant Behavioral Specialist Dianna Lopez; and Principal Lisa Forehand (Harborside) spoke regarding the many issues experienced by employees and parents at the site due to the lack of adequate parking and highlighted the need for additional spaces. Parent Mr. Perez (Harborside) also expressed safety concerns.

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 Humphrey pulled Items 6.B., 6.C. Section D, and 6.L.

Motion: TAMAYO, Second: BUNKER, Vote: UNANIMOUS

- A. Adopt Board of Education Meeting Minutes: Regular Meeting May 8, 2019, and Special and Regular Meetings May 29, 2019

- B. Adopt Resolution Regarding Absence of Board President Laurie K. Humphrey from the May 29, 2019, Special and Regular Board Meetings Due to Bereavement **2018-19.118**

Motion: TAMAYO, Second: BUNKER

Vote: Ayes: BUNKER, FARÍAS, REYES, TAMAYO

Noes: NONE Abstain: HUMPHREY

- C. Approve and/or Ratify Human Resources Items A Through K **2018-19.119**

All sections of this item were approved along with all other items of the Consent Calendar with the exception of Section D.

Clerk Reyes questioned the need for the Assistant Superintendent of Achievement, Instructional Design, and Instruction Services and Support job description. An in-depth discussion took place, during which Board Members expressed their opinions, and asked questions that were answered by Dr. Escobedo. The job description was ultimately approved, with the understanding that there will be no hiring until a reorganization plan is proposed and the Board has an opportunity for input.

Motion: TAMAYO, Second: FARÍAS, Vote: UNANIMOUS

- D. Authorize the Assistant Superintendent for Human Resources Services and Support to Execute Agreements with Universities and Colleges for Administrative Services and Dietician Internships; Counselor, Social Worker, Speech Pathologist, and Psychologist Internships/Practicums; Student Nursing Programs; and Student Teaching for the 2019-20 School Year
- E. Authorize the Possible Employment of Limited-Term Management Employees for the 2019-20 School Year
- F. Approve Purchase of Excess Workers' Compensation Policy from US Specialty Underwriters for the Period of July 1, 2019, Through June 30, 2020
- G. Approve the 2019-20 Local Control and Accountability Plan Federal Addendum for Titles I, II, III, and IV
- H. Approve the 2019-20 Consolidated Application and Reporting System
- I. Approve Medi-Cal Collaborative's Recommendations for Use of Medi-Cal Funds for the 2019-20 School Year
- J. Approve Agreement with the City of Chula Vista for the Community Development Block Grant Project for the 2019-20 School Year

K. Approve Agreement with Discovery Education for Digital Content Services for the 2019-20 School Year

L. Approve Agreement with Curriculum Associates for the i-Ready Online Diagnostic Assessment for the Period of July 1, 2019, Through June 30, 2020

Board Member Bunker brought up a question regarding the need for administering the end-of-year assessment. There was a thorough discussion, and Board Members asked questions that were answered by Drs. Escobedo and Tessier. CVE Vice President Rosy Martinez also spoke on the item.

No motion was put forth; therefore, the agreement was not approved.

M. Approve Agreement with the YMCA of San Diego County for Participation in the Outdoor Education Program for the Period of July 22, 2019, Through June 11, 2020

N. Approve Memorandum of Agreement with the YMCA of San Diego County for the After-School Education and Safety Program for the 2019-20 School Year

O. Approve Memorandum of Understanding with Leonardo da Vinci Health Sciences Charter School for the Period of July 1, 2019, Through June 30, 2024

P. Approve Memorandum of Understanding with School Shine for Video Production Services for the Period of June 20, 2019, Through June 20, 2020

Q. Adopt Resolution Approving the Chula Vista Elementary School District 2019-20 Estimated Education Protection Account Expenditures **2018-19.120**

R. Approve Agreement with San Diego Futures Foundation for Disposal of Obsolete Technology Equipment for the Period of July 1, 2019, Through June 30, 2020

S. Approve Memorandum of Agreement with the County of San Diego for Foster Care Student Transportation Services for the Period of July 1, 2019, Through June 30, 2020

T. Approve Renewal of Contract with PowerSchool Group LLC in the Amount of \$234,190.28 for Maintenance Services Related to *eSchoolPLUS* and *BusinessPLUS* Applications for the Period of July 1, 2019, Through June 30, 2020

U. Approve Renewal of Customer Agreement with Frontline Technologies Group LLC dba Frontline Education in the Amount of

\$16,774.50 for Absence Management and Substitute Placement Services for the Period of July 1, 2019, Through June 30, 2020

- V. Approve Renewal of Contract with Raptor Technologies, LLC, in the Amount of \$26,250 for Visitor Identification and Management System for the Period of July 1, 2019, Through June 30, 2020
- W. (1) Approve Change Order in the Amount of <\$3,000> to GEM Industrial Electric, Inc.; and
- (2) Approve Acceptance of Work and Notice of Completion for GEM Industrial Electric, Inc., for Site Work Preparation, and Utilities for One 36' x 40' Relocatable Classroom Building for Mi Escuelita Therapeutic Preschool at Lilian J. Rice Elementary School
- X. (1) Approve Change Order in the Amount of <\$3,890.30> to Silver Creek Industries, Inc.; and
- (2) Approve Acceptance of Work and Notice of Completion for Silver Creek Industries, Inc., for Purchase and Installation for One 36' x 40' Relocatable Classroom Building for Mi Escuelita Therapeutic Preschool at Lilian J. Rice Elementary School
- Y. Approve Award of Bid No. 18/19-9 to CMT Engineering, Inc., for Repairs, Replacement, and New Installation of Concrete Work and Minor Grading at Multiple School Sites in the Amount of \$375,837.50 for the Period of July 1, 2019, Through June 30, 2020
- Z. Approve Award of Bid No. 18/19-10 to RGC General Engineering, Inc., for Asphalt Repairs and Replacement at Multiple School Sites in the Amount of \$363,875 for the Period of July 1, 2019, Through June 30, 2020
- AA. Approve Overnight Study Trips for Fourth Grade Students from Liberty Elementary School to the Star of India on September 12-13, 2019, and February 26-27, 2020
- BB. Accept Donations **2018-19.121**
- CC. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through May 31, 2019 **2018-19.122**
- DD. Approve and/or Ratify Inservice/Travel Requests **2018-19.123**
- EE. Approve Requests for Use of District Facilities **2018-19.124**

7. PUBLIC HEARINGS

Public Hearings

None.

8. ADMINISTRATIVE ACTION ITEMS

Administrative Action Items

- A. Approve Chula Vista Elementary School District's Updated Local Control and Accountability Plan for the 2019-20 School Year **2018-19.125**

Dr. Tessier provided a recap of the Local Control and Accountability Plan (LCAP), emphasizing its goals for the 2019-20 school year. President Humphrey thanked Dr. Tessier for the presentation.

Motion: TAMAYO, Second: FARÍAS, Vote: UNANIMOUS

- B. Adopt 2019-20 Proposed Budget of the Chula Vista Elementary School District **2018-19.126**

Mr. Esquivel reviewed the District's proposed budget, which is based on the Governor's May Revise. He also addressed the 2019-20 Budget Deal approved by the Legislature, which the Governor has to sign by June 25 and explained that the District will have to revise the budget 45 days after it is signed. Mr. Esquivel provided an overview of the General Fund budget; changes in unrestricted revenue, expenditures, and contributions; multiyear assumptions; cumulative employer retirement costs increase; the District's historical unrestricted contributions to special education; attendance numbers, multiyear projections through 2020-21; and related issues and items the District is watching. He and Dr. Escobedo also answered questions from Board Members, specifically addressing the District's declining enrollment.

President Humphrey requested that the enrollment campaign be ramped up. Board Member Tamayo expressed his gratitude to Mr. Esquivel and his team for doing such a great job in preparing the budget and ensuring the District enjoys a positive certification. Mr. Esquivel said that the work is definitely a team effort and acknowledged Finance Director Theresa Villanueva, who was in the audience.

Motion: BUNKER, Second: FARÍAS, Vote: UNANIMOUS

- C. Review Criteria and Standards for the 2019-20 Budget and Authorize the Superintendent to Sign Certification

Mr. Esquivel stated that as part of the process of preparing the budget the District has to provide information related to the criteria and standards managed by the California Department of Education. This item allows the Superintendent to sign a certification affirming that all the LCAP information is contained in the budget, that the budget meets the minimum criteria established by Education Code 42127 for the current year and for the following two years, that the District is fully funded for self-insurance, and other criteria.

Motion: REYES, Second: TAMAYO, Vote: UNANIMOUS

- D. Adopt Resolution to Identify the Amount of Budget Reductions Needed in 2020-21 and to Require that a List of Budget Reductions for 2020-21 Be Included in the 2019-20 First Interim Report

2018-19.127

Mr. Esquivel said that, because the District's 2019-20 budget includes planned budget reductions in its multiyear projections for 2020-21 and for 2021-22, the San Diego County Office of Education (SDCOE) requires a resolution stating the District will review its budget at the first interim in December 2019 and provide a detailed listing of the planned reductions for the 2021-22 school year (\$7.5 million). He added that this resolution will be provided to SDCOE as a separate document and that SDCOE will review it to ensure the numbers are "real" and the District has plans in place prior to the year when the reductions are scheduled to take place.

Motion: REYES, Second: HUMPHREY, Vote: UNANIMOUS

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

First and Second Readings

- A. First Reading/Possible Revision: Board Policy and Administrative Regulation 3100, Business and Noninstructional Operations, Budget

Mr. Esquivel said that proposed revisions to the Board Policy (BP) and Administrative Regulation (AR) includes addressing four areas—the latest Local Control Funding Formula requirements, addition of governmental accounting standards fund balance designations, moving the debt policy to BP 3470 to match the California School Boards Association's numbering system; and establishing a minimum balance target level of eight percent in the Reserve for Economic Uncertainties (REU). He explained the eight percent REU minimum would maintain a fiscally sound financial system and noted recommendations from sources such as the Government Finance Officers Association and School Services of California to maintain a 10-percent REU level. Mr. Esquivel further explained that the eight percent affords the District four or four-and-a-half weeks' worth of operating expenditures, while the minimum required level of three percent only provides one-and-a-half weeks. He stated that surrounding districts have established varying minimum levels—five percent, seven-and-a-half percent, ten percent, etc., and that municipalities have also established higher minimum levels, mentioning the City of Chula Vista, at 15 percent.

Ms. Skala expressed concerns about the lack of consultation on the BP and AR and regarding more than doubling the minimum required REU balance, which could be used to support educational programs. She also said that to make the change prior to finalizing negotiations could be seen as a gesture of bad faith.

Motion: TAMAYO, Second: FARÍAS, Vote: UNANIMOUS

10. GENERAL INFORMATION ITEMS/REPORTS

*Information
Items/Reports*

A. Report Calendar to Board of Education

Clerk Reyes said having the PowerPoints for the reports beforehand would be very helpful for the Board. He requested those be provided to Board Members prior to the meeting, so they can review the information and better prepare.

President Humphrey asked for information on the reason why professional development was scheduled for the last day of school, saying that should not happen. She also asked about the music teacher at Finney who is in the running for a Grammy award.

B. Report on Leonardo da Vinci Health Sciences Charter School's Compliance with Renewal Petition Conditions of Approval

Dr. Tessier explained that the existing charter for Leonardo da Vinci Health Sciences Charter School (LdVCS) expires on June 30, 2019, and that a petition was submitted seeking renewal for a five-year term, from July 1, 2019, through June 30, 2024. He said that as part of the renewal, the Board had some concerns regarding mathematics achievement, particularly for English Learners (ELs) and that one of the requests was that LdVCS develop a plan to address this matter. Dr. Tessier commented that Executive Director of Technology and Instruction Dr. Ernesto Villanueva has been working with LdVCS and will make sure the plan is in place and that LdVCS will report to the Board on a quarterly basis on its mathematics achievement levels for ELs. He ended by saying that he was reporting that District staff members reviewed the plan; are in agreement with it; and will ensure the Board receives quarterly reports, beginning with the California Assessment of Student Performance and Progress results that should be published soon.

11. BOARD COMMUNICATIONS

*Board
Communications*

Mrs. Bunker:

- Thanked Dr. Tessier and everyone else involved in the preparation of the LCAP, saying that it is a huge job.
- Thanked Mr. Esquivel for his work on the budget.
- Congratulated all the students who promoted.
- Said she hopes teachers are enjoying the break.
- Wished everyone a Happy Fourth of July.

Mr. Farías:

- Thanked everyone for the amazing work and for the commitment to and the passion for the Chula Vista community.

- Shared that he attended the promotion ceremony at EastLake, where his daughter promoted to seventh grade, and also the promotion at Veterans. Said his takeaway from the experiences was how much love there was. Added that he left with a sense of pride because as a system, he thinks the District continues to support every stakeholder and that we are producing kids who have a lot of love, are very competitive, and will be leaders not just in Chula Vista and San Diego but across the world. Said this is a testament to the work employees are doing and thanked everyone.

Mrs. Humphrey:

- Thanked everyone for supporting her during this difficult time in her life [her father's passing], for attending the funeral and Rosary, for the flowers, for the cards, and for showing up at her house with food. Said she could not say "thank you" enough and that as she sat there looking at his gavel, she knew he was there also. Remarked that she knew it would get easier, but it is very hard. Reiterated her thanks, saying that she considers District people her family. Commented that the love was very much appreciated, and that seeing District staff members' faces [at the funeral] and at the council meeting where her father was honored meant a lot to her.

Dr. Reyes:

- Thanked all employees for a great year, saying everyone does a great job ensuring the District continues to be an incredible district.
- Wished everyone a happy summer.

12. SUPERINTENDENT'S COMMUNICATION

*Superintendent's
Communication*

Dr. Escobedo:

- Welcomed President Humphrey back and said that Vice President Fariás did an awesome job in her place but that everyone was happy she was back.

13. ADJOURN TO CLOSED SESSION

Closed Session

President Humphrey adjourned to closed session at 8:08 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 Nos. 2018110967 and 2019030194 for Student No. 305413

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2019010083 for Student No. 391925

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2019051014 for Student No. 303527

14. RECONVENE TO OPEN SESSION

Open Session

President Humphrey reconvened to open session at 8:53 P.M. with all Board Members present.

Clerk Reyes announced that in closed session, the Board:

Approved the non-reelection of Employee No. 2100419924.

Motion: HUMPHREY, Second: TAMAYO

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

Noes: NONE, Abstain: NONE

Approved the Notice of Intent to Dismiss and Statement of Charges for Employee No. 2011219762.

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 Nos. 2018110967 and 2019030194 for Student No. 305413.

Motion: HUMPHREY, Second: FARÍAS

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

Noes: NONE, Abstain: NONE

Approved a settlement agreement in Office of Administrative Hearings, Case No. 2019010083 for Student No. 391925.

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. 2019051014 for Student No. 303527.

Motion: BUNKER, Second: HUMPHREY

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

Noes: NONE, Abstain: NONE

15. ADJOURNMENT

Adjournment

President Humphrey adjourned the meeting at 8:56 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, JULY 17, 2019, AT 6 P.M.