

LYNWOOD UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION
TUESDAY, OCTOBER 12, 2010
CLOSED SESSION - 5:00 PM – 6:00 PM
MINUTES

Board Room, Education Center
11321 Bullis Road
Lynwood, California 90262

The regular meeting of the Board of Education held on October 12, 2010, was called to order at 5:00 p.m. to conduct closed session from 5:00 pm-6:00 pm by the President, Mr. Solache. All board members were present as well as the superintendent, except Mr. Espinoza and Mrs. Chavez who arrived after the meeting adjourned into closed session.

ROLL CALL:

José Luis Solache, President
Oscar Espinoza, Vice President
Maria G. Lopez, Clerk
Rachel Chavez, Member
Alfonso Morales, Esq., Member
Mr. Edward Velasquez, Superintendent and Secretary to the Board

Administrators Present:

Paul Gothold, Chief Academic Officer
Peter Wong, Acting Business Manager/CFO

Eric Hall, Fiscal Advisor
Bill Trejo, Attorney (Leal & Trejo)

PUBLIC COMMENT/COMMUNICATIONS - None

CLOSED SESSION

Motion by Mrs. Lopez, second by Mr. Morales, to adjourn the meeting into closed session at 5:02 pm. Motion carried 3-0.

4. GOVERNING BOARD

- 4.1 Conference With Legal Counsel – Anticipated Litigation (GC 54956.9(b)(3)(A) Significant Exposure to Litigation pursuant to subdivision (b) of Section 54956.9:
- 4.2 Conference With Legal Counsel – Existing Litigation (GC 54956.9)
: Ngozi Usim v. LUSD

7. ACADEMIC SERVICES

- Suspension or Expulsion of Pupil(s)
- 7.6 Recommendation for Expulsion of Lynwood MS Student #091710-01
 - 7.7 Recommendation for Expulsion of Lynwood MS Student #091710-02
 - 7.8 Recommendation for Expulsion of Lynwood MS Student #091710-03
 - 7.9 Recommendation for Expulsion of Vista Continuation HS Student #091710-04

10. PERSONNEL ITEMS/CLASSIFIED

- 10.1 Public Employee Discipline/Dismissal/Release
Suspension of Classified Employees

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12. ADMINISTRATION

- 12.1 Public Employee Appointment/Employment
- 12.2 Public Employee Discipline/Dismissal/Release
- 12.3 Public Employee Complaint
- 12.4 Conference With Labor Negotiator

Agency Designated Representatives: Jose Urias

Employee Organizations: LTA, CSEA #116/SEIU Local 99

OPEN SESSION 6:00 PM

Board Room, Education Center

11321 Bullis Road

Lynwood, California 90262

The regular meeting of the Board of Education held on October 12, 2010, was called to order at 6:01 p.m. to conduct the regular business meeting, by the President, Mr. Solache. All board members were present, including the superintendent.

ROLL CALL:

José Luis Solache, President

Oscar Espinoza, Vice President

Maria G. Lopez, Clerk

Rachel Chavez, Member

Alfonso Morales, Esq., Member

Mr. Edward Velasquez, Superintendent and Secretary to the Board

3. PLEDGE OF ALLEGIANCE TO THE FLAG

Cesar Chavez Middle School Student: Susan Herrera, Eighth Grade Student
Dr. Nick Velasquez, Principal

Presentation of Colors: Lynwood Unified School District Color Guard

4. GOVERNING BOARD

4.3 Request Approval of Agenda for the Regular Board Meeting of October 12, 2010

Motion by Mrs. Chavez, second by Mr. Espinoza, to approve the agenda for the meeting of October 12, 2010. Motion carried 5-0.

Minutes Request Approval of Minutes, Regular Board Meeting September 28, 2010

Motion by Mrs. Lopez, second by Mrs. Chavez, to approve the Minutes for the regular meeting September 28, 2010. Motion carried 5-0.

5. REPORTS

Student Representative Reports

Lynwood High School - Vanessa Serrano

Firebaugh High School - Ismael Delgado

Lynwood Adult School – Not Present

Vista Continuation High School – Tania Araujo

The student reports are attached as part of the minutes

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Superintendent's Report

Mr. Velasquez, Superintendent, reported he met with parents at Firebaugh HS. They had concerns about additional security at the school and he reported additional security is scheduled to be added on October 11. The Superintendent reported he also met with PTA parents at Lincoln ES and tomorrow will be escorting PTA parents from Lincoln and LMS to the Superintendent's Breakfast Meeting in Long Beach held by the 33rd District PTA Council.

Mr. Velasquez reported he was a participant at the Mexican American Correction Association (MACA) Latino Youth in the Criminal Justice System Presentation Panel. The panel consisted of himself, Donald Blevins, Chief Probation Officer, Los Angeles County; Rachel Rios, Chief Deputy Secretary, Division of Juvenile Justice; Jacquelyn White, Deputy Chief Executive Officer Public Safety, Los Angeles County; Cynthia Lu, Los Angeles County Superior Court Judge, East Lake Juvenile Court. He stated he will be continuing to serve so that our students are provided support when they need assistance through the system.

Board Member Reports

Alfonso Morales No Report

Rachel Chavez Mrs. Chavez reported she attended two open houses at Vista and Keller and there were a lot of parents visiting the classrooms. She also attended the Lynwood Adult School graduation and initiation of our Vocational Nursing Program, which was great. Mrs. Chavez also announced that Congresswoman Linda Sanchez is holding a forum for any students who want to attend West Point, the Naval Academy, or the Air Force Academy, as it is a great free public education opportunity. A recommendation from Congresswoman Sanchez is needed. She inquired whether any of the high school students were attending.

Maria Lopez Mrs. Lopez congratulated the graduates from the Nursing Program and stated she was sorry she was not able to attend the event. She also reminded everyone that the birthday of Marco Antonio Firebaugh is tomorrow, and FHS usually commemorates the event with school activities.

Oscar Espinoza Mr. Espinoza reported he participated in the L A Shares Program, in which companies donate office supplies and other items to this organization, who in turn has a list of groups to whom they distribute the donations. He gave the information to administration as to where the schools can sign up to be a part of this.

José Solache Mr. Solache reported he met with the superintendent regarding ongoing issues including security as we want to be sure to provide safety for our students. He also announced that the district is providing an early retirement incentive for teachers. He stated that the former LTA President had previously asked the board to consider this option and encouraged the teachers to look into what is being offered if they are eligible.

6. PUBLIC COMMENT/COMMUNICATIONS

No action or discussion is permitted on any item not included on the posted agenda per GC § 54954.2 (a). No action may be taken and no discussion held on items raised by the public except as provided in GC § 54954.2 (b).

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6. PUBLIC COMMENT/COMMUNICATIONS

Margaret Araujo

Ms. Araujo commented that it was good the teachers are being offered an early retirement incentive; however, she stated that the classified employees also need to be included and asked the board to consider this.

Ms. Araujo stated that regarding the Bond Measure, that the community needs to be involved and informed as to how the money will be used. Also, that an Oversight Committee needs to be formed and asked when this will be done. She commented she has heard many good things about the new principal at LHS and is happy he is here.

Victor Ortiz
Sophomore
LHS

Mr. Ortiz reported on concerns that students at LHS have such as the need for more security, more discipline, enforcement of students wearing ID's at all times, and they want to see the elimination of the graffiti and checking for drugs. He suggested that cameras could be provided before, after, and during school hours to help detect some of these problems.

Ms. Demerau
VA Teacher
ASB Advisor
FHS

Ms. Demerau reported she came to present the ASB Officers at FHS. She also spoke in support of the Block Schedule, the need for more help for the students for college entrance as they only have one counselor. She also was glad that IT person was sent to hook up the Mac computers in her classroom

Jose Sandoval
Student
Jr. Class
FHS

Mr. Sandoval thanked the superintendent and board for bringing in a full time, nurse, but they still need more counselors and more security. He also expressed concerns about their homeroom which he says is important to the students and the problem regarding the teacher contract, and the union is there for teachers, but who is there for students.

Fannie Jones Hundley
Teacher
Vista

Ms. Hundley expressed concerns regarding the master keys at the school and asked that this be looked into.

Lesbia Silvestre
Parent, LMS

Ms. Silvestre stated she is here representing parents from LMS on concerns regarding the programs for the children that they want reinstated. Also, concerns regarding suspension of the students and that they are losing instructional time and will not be able to succeed academically. She thanked the board for the opportunity to speak and is asking for help.

Arturo Ramos
Parent, LMS

Mr. Ramos commented on agenda item #11.5 and concerns regarding the way the contract is written and that it should be reviewed as the way it is written they will get their allocation for the first million and they don't necessarily need to go any further to recover the eight million.

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6. PUBLIC COMMENT/COMMUNICATIONS

Arturo Ramos

Mr. Ramos reported that no one contacted him after the last meeting regarding concerns he expressed. He also expressed concerns the same as the previous speaker regarding discipline issues and students losing instruction time and the cases being presented for expulsion. He stated that last year there were no problems with handling discipline. He commented that when they first met with the superintendent regarding problems at LMS, he stated he would bring programs to help students as he had experience with At Risk Youth and they want to see that happen.

Maria Alvarado

SOS Ms. Alvarado reported that she has observed LMS and feels LMS has problems.
Parent Regarding students, she stated if they don't have ID's they are sent home and if the parents don't come they are suspended. She would like to see them be given opportunities, the way other people here have been given opportunities. She stated the students are the victims, as there are no programs, drug or gang intervention, and the number that go to universities are much smaller than the number that goes to juvenile halls/jail - it is a problem we have in the community.

Rev. John Alizor

Mr. Alizor stated he is a Representative of the California Community Parent School Institute, a non profit California Corporation and is a member of this community. He stated that two years ago they submitted an application for a Charter School and was denied but sees you are deciding on a new charter school petition and asked if you will allow them to resubmit their petition as they have done so much for this community.

Mr. Solache commented that the board does not engage in discussion regarding issues expressed and if there is a question, staff will get back to you.

CONSENT AGENDA

Motion by Mr. Espinoza, second by Mr. Morales, to approve the consent agenda with corrections as noted. Motion carried 5-0.

All Items on the Consent Agenda will be approved with one motion, which is not debatable and which requires a unanimous vote for passage, and if any member of the Board, the Superintendent, or the public, so requests, an item shall be removed from this section and placed in the regular order of business following the approval of the Consent Agenda.

7. ACADEMIC SERVICES

- 7.1 Request Approval for Vicente Marino, School Psychologist to Attend the Classroom Management and Student Discipline Workshop Conference on April 29, 2011
- 7.2 Request Approval For Students in the Migrant Education Program to Participate in the Science Institute Sponsored by the Los Angeles County Office of Education (LACOE) Migrant Education Department from October 16, 2010 to June 25, 2011

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CONSENT AGENDA

7. ACADEMIC SERVICES

- 7.3 Request Approval to Attend the California Association of Administrators of State & Federal Education Programs (CAASFEP) at La Quinta, CA From October 19-21, 2010
- 7.4 Request Approval for Marco Antonio Firebaugh High School Students to Participate in an Advancement Via Individual Determination (AVID) Field Trip to Central California on October 21-22, 2010 and November 5, 2010
- 7.5 Request Approval of Saturday School Attendance Recovery Program (SSARP) for 2010-2011

9. PERSONNEL ITEMS/CERTIFICATED

- 9.1 Certificated Personnel Schedule, No. 10-11-05 (Approval of Resignations, Special Assignments, Changes in Status and Appointments)

10. PERSONNEL ITEMS/CLASSIFIED

- 10.1 Classified Personnel Schedule No. 10/11-05 (Approval of Leaves, Resignations, Special Assignments, Changes in Status and Appointments)
- 10.2 Approval is Requested for the Bilingual Stipend for Classified Employees (CSEA/Confidential) -
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for Payment for Services Rendered as Per Contractual Obligation for the 2009-10 School Year in the Amount of \$770.00
- 10.3 Approval is Requested for the Attendance Incentive/Perfect Attendance Stipend for Classified Employees (CSEA/SEIU) Non-Represented Confidential and Supervisory) for Maintaining A Minimal Absence Record (Use of two or less sick days per fiscal year) as Per Contractual Obligation and District Past Practice for the 2009-2010 Fiscal Year in the Amount of \$250.00

11. BUSINESS SERVICES DIVISION

- 11.1 Request Approval of Purchase Order Schedule
- 11.2 Request Approval of Warrant Schedule
- 11.3 Request Approval of Report of Revolving Cash Fund #1

DISCUSSION/APPROVAL AGENDA

7. ACADEMIC SERVICES

- 7.10 Public Hearing Pursuant to California Education Code Section 47605(b) Regarding the Submittal of the Crest Charter Academy Charter Petition and Support for the Petition by District Teachers, Employees and Parents of Lynwood Unified School District Students
Motion by Mrs. Chavez, second by Mr. Espinoza, to open the public hearing at 6:50 pm. Motion carried 5-0.

Arturo Ramos

Mr. Ramos spoke in support of the charter, and hopes the board studies this charter, stating they have to abide by the same California rules, and same curriculum as public schools and are governed by the state, the only difference is they are privately run. He feels it is an opportunity and choice for LUSD students.

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DISCUSSION/APPROVAL AGENDA

7. ACADEMIC SERVICES

- 7.10 Public Hearing Pursuant to California Education Code Section 47605(b) Regarding the Submittal of the Crest Charter Academy Charter Petition and Support for the Petition by District

Ms. Taylor, Teacher, Rosa Parks

Ms. Taylor spoke against the charter schools as she feels there is a national movement to replace public schools with charter schools and she feels it is a threat to the community and teachers as they are non union and will cause more bumping and job losses and asked the board to carefully consider this.

Liz Logan, Special Ed Teacher, Rosa Parks

Ms. Logan spoke against the charter schools, as they know nothing about our community and our children, and they can pick and choose the students they want. She stated we are struggling, and need security, classified employees, and assistance.

Ms. Gregoria

Ms. Gregoria spoke in favor of the charter schools as she has concerns about the education of her children. She has investigated the charter elementary schools, middle schools and high schools and was impressed at the discipline and the excellent academics and is in favor of those schools, as the only thing she wants is for her children to grow academically and we get money, but the academics do not grow.

Maria Alvarado

Ms. Alvarado spoke In favor of charter schools and stated that as parents we have the option to bring a charter school and we as parents are tired, and we want other options. She stated the money goes to staff and not to the children's education, so many parents will support it

Mr. Z, former LTA President

Mr. Z stated he is addressing the charter school situation in a thoughtful way and the ADA that would be gone, also dealing with charter school problems and reduction in enrollment which would probably destroy the district. He stated the district should concentrate on improving the district and put differences away and see what is good for the kids. We are facing a crisis, financially and academically.

Mary Ransom

Ms. Ransom spoke against the charter school, and stated parents complained about FHS, so who will choose who goes. She asked the board to look at what you are doing, as we have people out of jobs, and money, no security, and the finances will not allow this. Every child deserves a good education and the charter school is not the answer.

Lynn Robles

Ms. Robles spoke against the charter school at this time, as we have a new superintendent and administration in place and we need to give them the opportunity to develop and move the district forward to bring children up to where they need to be and we don't need a charter school. She believes the Golden Handshake for teachers and classified employees will help.

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DISCUSSION/APPROVAL AGENDA

7. ACADEMIC SERVICES

- 7.10 Public Hearing Pursuant to California Education Code Section 47605(b) Regarding the Submittal of the Crest Charter Academy Charter Petition and Support for the Petition by District

Brandy Price, Lead Petitioner for Crest Charter Academy reported she will take any questions anyone has.

Ron Cloutier, Employee/Resident

Mr. Cloutier spoke against the charter school at this time, as the district has enough problems. He has concerns that they will pick students, and that is wrong as every child should have the opportunity to go where he wants. This district is hurting and we are losing employees and this is not the time for a charter school as we will lose more ADA money and more people.

Martina Rodriguez

Ms. Rodriguez expressed concerns about the parents that want a better opportunity for their children and how to respond. She stated they were against what happened with FHS and the way students were picked and the board allowed that to happen. Also, the charter schools need to know that this is not an easy community that will sit back and allow them to come in and spend the money. Also, if there are any issues the parents will go to the state, but if you get approved, you don't get to pick, you have to accept all.

Motion by Mrs. Chavez, second by Mr. Espinoza, to close the public hearing at 7:13 pm. Motion carried 5-0.

10. PERSONNEL ITEMS/CLASSIFIED

- 10.4 Approval is Requested for Resolution No. 10-11/15 to Reduce and/or Restructure Certain Represented and/or Non-Represented Classified Employee Positions Due to Lack of Funds, Effective on or after December 3, 2010

Motion by Mrs. Chavez, second by Mr. Espinoza, to approve Resolution No. 10-11/15. Motion carried 4-1.

Mr. Morales	Yes
Mrs. Chavez	Yes
Mrs. Lopez	No
Mr. Espinoza	Yes
Mr. Solache	Yes

11. BUSINESS SERVICES

- 11.4 Request Approval for Payment for Financial Services Rendered by School Services of California
Motion by Mr. Espinoza, second by Mrs. Chavez, to approve payment to School Services in the amount of \$15,000.00 from Unrestricted General Fund for 2009-10 and 2010-11. Mr. Wong reported they came in during the budget crisis and this is the last payment and the service is not being continued. Motion carried 5-0.

- 11.5 Request Approval for Contract Services With Hancock, Gonos and Park, Inc.
Motion by Mr. Morales, second by Mrs. Chavez, to approve agreement.
Discussion followed regarding wording in the agreement.
The motion was rescinded by Mr. Morales and Mrs. Chavez, and the Superintendent withdrew the item from the agenda, and will renegotiate the agreement.

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DISCUSSION/APPROVAL AGENDA

11. BUSINESS SERVICES

- 11.6 Request Approval for Payment of Legal Services Rendered by Kinaga, Olivarez, LLP
Motion by Mrs. Chavez, second by Mr. Espinoza, to approve payment of fees in the amount of \$8,056.75 from Unrestricted General Fund to Kinaga, Olivarez, LLP.
- 11.7 Request Approval for Contract Services With William Scotsman to Remove Eleven Leased Portable Classrooms at Lynwood Middle School
Motion by Mr. Morales, second by Mrs. Lopez, to approve contract services for removal cost of 11 portable classrooms with William Scotsman in the amount of \$86,000 from Unrestricted General Fund. Motion carried 5-0.
- 11.8 Request Approval for Payment for 2009-10 and 2010-11 Membership of the School Employers Association of California
Motion by Mrs. Chavez, second by Mr. Espinoza, to approve payment for 2009-10 and 2010-11 membership of SEAC in the amount of \$4,472 from Unrestricted General Fund. Mr. Wong reported the previous administration contracted the services and it will end next year. Motion carried 5-0.
- 11.9 Request Approval to Utilize Various Agreements for Goods and Services (Piggyback)
Motion by Mrs. Lopez, second by Mrs. Chavez, to approve piggyback bid for the 2010-2011 school year. Motion carried 5-0.
- 11.10 Request Approval of Contract for Workers' Compensation Claims Audit Services
Motion by Mrs. Lopez, second by Mr. Morales, to approve a contract with Nicholas L. Cali, Claim Consultant/Auditor, to complete an audit in conjunction with the handling of its Worker's Compensation claims in the amount of \$4500 from Self Insurance fund. Motion carried 5-0.
- 11.11 Request Approval for Bond Underwriter Services for the Prospective \$45 Million General Bond Measure L on the November 2, 2010 Ballot
Motion by Mrs. Chavez, second by Mr. Espinoza, to approve entering of an agreement with De LA Rosa & Co. for underwriting services in conjunction with the prospective \$45 million General Obligation Bond on November 2, 2010 ballot. Mrs. Lopez expressed concerns about not getting information in a timely manner.
Motion carried 3 Yes – 1 Abstention – 1 No.
- | | |
|--------------|---------|
| Mr. Morales | Yes |
| Mrs. Chavez | Yes |
| Mrs. Lopez | No |
| Mr. Espinoza | Yes |
| Mr. Solache | Abstain |

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DISCUSSION/APPROVAL AGENDA

11. BUSINESS SERVICES

- 11.12 Request Approval for Bond Counsel Services for the Prospective \$45 Million General Bond Measure L on the November 2, 2010 Ballot

Motion by Mr. Morales, second by Mr. Espinoza, to approve entering into an agreement with Stradling, Yocca, Carlson & Rauth for bond counsel services in conjunction with the prospective \$45 million general obligation bond on the November 2, 2010 ballot.

Mrs. Lopez expressed the same concerns about not getting information in a timely manner.

Mr. Solache explained he originally voted for this item and tried to rescind his vote due to the amount, but was not able to do that so he is taking a neutral stand and will not be for or against the bond and will let the community decide. Motion carried 3 Yes – 1 Abstention – 1 No. Roll call:

Mr. Morales	Yes
Mrs. Chavez	Yes
Mrs. Lopez	No
Mr. Espinoza	Yes
Mr. Solache	Abstain

Report Out of Closed Session Pursuant to Government Code Section 54957

Items Taken to Closed Session

CLOSED SESSION.

4. GOVERNING BOARD

- 4.2 Conference With Legal Counsel – Anticipated Litigation (GC 54956.9(b)(3)(A) Significant Exposure to litigation pursuant to subdivision (b) of Section 54956.9:
No action
- 4.3 Conference With Legal Counsel – Existing Litigation (GC 54956.9)
1. Ngozi Usim v. LUSD
The board gave authority to staff to settle the agreement.

7. ACADEMIC SERVICES

Suspension or Expulsion of Pupil(s)

7.6 Recommendation for Expulsion of Lynwood MS Student #091710-01

7.7 Recommendation for Expulsion of Lynwood MS Student #091710-02

7.8 Recommendation for Expulsion of Lynwood MS Student #091710-03

7.9 Recommendation for Expulsion of Vista Continuation HS Student #091710-04

Mr. Solache reported the items were pulled to be brought back.

Mrs. Chavez stated that due to the comments and concerns made they are being addressed.

Mr. Solache stated it was not just the comments, but other concerns staff received

10. PERSONNEL ITEMS/CLASSIFIED

- 10.1 Public Employee Discipline/Dismissal/Release

Suspension of Classified Employees

It was reported that on a 5-0 vote, the board accepted staff recommendation.

12. ADMINISTRATION

12.2 Public Employee Discipline/Dismissal/Release – No action

12.3 Public Employee Complaint – No action

12.4 Suspension or Expulsion of a Pupil(s) - No action

12.5 Conference With Labor Negotiator - No action

Agency Designated Representatives: Jose Urias

Employee Organizations: LTA, CSEA #116/SEIU Local 99 – No Action

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14. ITEMS FOR FUTURE AGENDAS:

1. Adopt policy regarding use of the bond and establish oversight committee.
2. Hold forums to give information/education on the bond issue
3. Special meeting to be held for Board/Superintendent Retreat on moving district forward
4. Plan from superintendent on gang, drug, truancy intervention
5. Mock elections on gubernatorial election to be held in the schools

ANNOUNCEMENTS

Next Regular Board Meeting, October 26, 2010

CLOSED SESSION

The board adjourned the meeting into closed session to finish taking action on an agenda item at 7:44 pm. Motion carried 5-0.

RECONVENE INTO OPEN SESSION

The board reconvened the meeting into open session at 7:45 pm. Motion carried 5-0.

10. PERSONNEL ITEMS/CLASSIFIED

10.1 Public Employee Discipline/Dismissal/Release

Suspension of Classified Employees

Mr. Solache reported that on a 5-0 vote, the board accepted staff recommendation.

15. ADJOURNMENT

Motion by Mrs. Lopez, second by Mr. Morales, to adjourn the the meeting at 7:46 pm.. Motion carried 5-0.

Respectfully Submitted,

Edward Velasquez
Superintendent

Attest:

Maria G. Lopez, Clerk