CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

MINUTES
BOARD OF EDUCATION

Regular Meeting
July 15, 2020
6 P.M.
Dr. Lowell J. Billings Board Room, Education Service and Support Center
Live Stream of the Meeting Here

ORDER OF BUSINESS

1. OPENING PROCEDURES *Opening Procedures*

A. Call to Order

President Farías called the meeting to order at 6 P.M.

B. Roll Call

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

Members Absent:
None.

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

C. Pledge of Allegiance

Clerk Humphrey led the Pledge of Allegiance.

2. APPROVE AGENDA (Action) *Approve Agenda*

Motion: HUMPHREY, 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. Recognition of The Molina Foundation and The San Diego Council on Literacy

Dr. Escobedo said partnerships are one of the strengths of the District and that the District is very grateful to the San Diego Council on Literacy (SDCOL) and The Molina Foundation for the donation of over 35,000 books for District students. He added this donation will be a great help for students, especially during the pandemic, saying books are a window to the world.

Dr. Escobedo introduced SDCOL Chief Executive Officer Jose Cruz, who said SDCOL has been helping The Molina Foundation to get books out to communities throughout the country. He added that not everyone is be excited about this task, as it is a big job to get the books in the hands of children. Mr. Cruz stated he is a Chula Vista resident and thought about getting books for District children. He added he is honored and happy to be part of the effort and that the books are brand new and will help the students during this time. Mr. Cruz also applauded the District for the work it is doing.

Board Members thanked The Molina Foundation and San Diego Council on Literacy for the donation and for thinking to include the District. They also commented that reading is the foundation of learning and that books expose children to new things and take them on journeys, allow them to be lifelong learners, support and increase critical thinking skills.

4. COMMUNICATIONS TO THE BOARD OF EDUCATION

Communications to the Board

A. Chula Vista Classified Employees Organization

Due to technical difficulties, Chula Vista Classified Employees Organization (CVCEO) President Peter Zeitler did not speak until after the Public Hearings.

Mr. Zeitler expressed his concerns regarding the salary discrepancies, saying he still believes it is not equitable and adding that he would like a meeting to discuss the issues. He thanked SDCOL and The Molina Foundation and gave a shout out to District Classified Employee Jonalee Inzunza, who is helping sort the books and get them ready for distribution.

Clerk Humphrey suggested that Mr. Zeitler meet with Mr. Esquivel to share concerns and review the information. She also asked that Ms. Inzunza be recognized. Board Member Tamayo said that it is a good idea to sit down with Mr. Zeitler and discuss the numbers, as they can be confusing. Dr. Escobedo clarified that some District library technicians will also help sort the books. President Farías requested Dr. Escobedo meet with Mr. Zeitler and Mr. Esquivel to ensure there is clarification on the issues.

B. Chula Vista Educators

Chula Vista Educators President Susan Skala thanked the Board for putting off the physical opening of schools and said CVE agrees that schools cannot reopen until it is safe for everyone. Ms. Skala mentioned CVE's resolution regarding standards for a safe reopening and asked that the District Negotiations Team review it prior to the upcoming bargaining session. She addressed CVE's cease and desist letter regarding CVE's demand to bargain safety protocols and requested a copy of the reopening plan.

5. ORAL COMMUNICATIONS

Oral Communications

Oral Communications provides the public with an opportunity to address the Board on non-agenda items. Speakers are requested to limit their remarks to three minutes (approximately 390 words). Comments submitted by completing the "Request To Be Heard" form accessible here (English) and here (Spanish) by the deadline of 12 noon on Wednesday, July 15, will be read during the meeting. No Board action can be taken.

Dr. Ciriza and Ms. Casey read comments submitted by community members as follows:

- An anonymous employee on concerns about CVE's decision not to support the two Board Members who are running for reelection.
- An anonymous parent/teacher and an anonymous teacher regarding concerns about in-person reopening of schools.
- Parent/PTA President Tiffany Bruno; Parent/Teacher Cathy Celestial; Parent Samantha Jones; Teachers Linda Brown-Key, Emmercelle Hernandez, Colleen Hill, and Traci Talamantez; advocating against in-person reopening of schools
- Teacher Emily Claypool regarding concerns with in-person reopening of schools and thanking the Board and Dr. Escobedo for deciding to begin the school year via distance learning.
- Teacher Mireya Melendez Lousteau thanking the Board to willing to listen to teacher concerns regarding reopening of schools.
- Anonymous Special Education Teacher urging for choices for parents and teachers.

- Parent Jaclyn Alvarez requesting the Board provide options for parents who want their students in schools.
- Parent Angelina Suarez regarding concerns with special education, including use of lawyers.
- Parent Candi Redona posing questions regarding the requirements for distance learning.
- Special Education Teacher Paula Marez regarding concerns for in-person schooling for students with special needs.
- Special Education Parent Debbie Smith on how distance learning will work for students with special needs.
- Parents Miguel Lopez and Joe Sherman regarding concerns with distance learning.
- Teacher/Parents Carolina Dumas and Michelle Kohler and Teacher Courtney Green thanking the District for choosing to begin the school year through distance learning.
- Teachers John Lake and Lisa Niemela supporting CVE's Resolution for a Safe Return to Schools.
- Teacher Liza Tuscano urging the Board to ensure the safety of all school community members and requesting there is no time spent discussing partnerships with bioscience companies for data collection.
- Community Member Marianne Grosner regarding concerns with special education legal expenses.

President Farías thanked Dr. Ciriza and Ms. Casey for reading the comments as well as everyone who submitted comments and assured everyone that the safety of students, community, and employees is the Board's top priority.

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, Item 6.A.; Item 6.C., Section F; and Item 6.C, Section G, were pulled.

Motion: TAMAYO, Second: FARÍAS, Vote: UNANIMOUS

A. Adopt Board of Education Meeting Minutes: Special and Regular Meetings June 17, 2020, and Special Meeting June 30, 2020

Ms. Casey read a comment by Community Member Marianne Grosner regarding the June 17 minutes on the request from Board Member Tamayo for additional quotes for legal fees.

Dr. Escobedo said the information was provided through the Board update and that Mr. Oscar Esquivel was available to provide a summary of the fees charged by legal firms.

Motion: REYES, Second: FARÍAS, Vote: UNANIMOUS

B. Adopt Resolution Recognizing the Guiding Principles of the Black Lives Matter Movement **2020-21.001**

C. Approve and/or Ratify Human Resources Items A Through G **2020-21.002**

For Item 6.C., Section F, Vice President Reyes asked questions regarding the doctoral stipend proposed for management employees and requested it is also offered to all staff. Clerk Humphrey presented a motion to approve the stipend with the understanding that it would be offered to all other employees also. Dr. Escobedo said an agreement on the stipend would be negotiated with the labor groups for approval at a subsequent meeting.

Motion: HUMPHREY, Second: REYES, Vote: UNANIMOUS

Still on Item 6.C., Section F, Vice President Reyes asked about the additional percentage to the benefits cap for unrepresented employees. Dr. Escobedo said he would ask Mr. Esquivel to explain but that a comment on the same issue was received and asked if it could be read prior to Mr. Esquivel's explanation. President Farías agreed.

Dr. Ciriza read a comment from Ms. Skala regarding concerns with the increase in the health benefits cap and the doctoral stipend.

Mr. Esquivel presented a table showing the salary and benefits for each of the three employee groups—CVE members, CVCEO members, and nonrepresented. He shared that the overall ongoing salary increase percentages are: 3.45 percent for CVE, 3.44 percent for CVCEO, and 1.5 percent for nonrepresented. He also explained that, adding the health cap increase, the percentages are 5.86 percent for CVE, 5.98 percent for CVCEO, and 4.62 percent for nonrepresented, including the $3,000 stated in the item. He also shared numbers from prior years.

President Farías said Mr. Zeitler had mentioned a salary discrepancy, with management was getting .5 percent more. Mr. Esquivel clarified that benefits for nonrepresented employees are around 1.1 percent lower than those for CVCEO members.

Motion: BUNKER, Second: HUMPHREY, Vote: UNANIMOUS

Note: Item 6.C., Section G, was discussed and voted on prior to Item 6.C., Section F. For Item 6.C., Section G, Vice President Reyes requested the average per-hour rate charged to the District by each of the legal firms in order to compare "apples to apples."

At 7:15 P.M., President Farías called for a recess in order for staff members to address some technical difficulties that were being experienced. President Farías reconvened the meeting at 7:25 P.M. with all Board Members present.

Discussion on Item 6.C., Section G, continued and after the rates charged by the different legal firms were reviewed and questions from the Board were answered by Dr. Escobedo, Mr. Esquivel, and Ms. Casey, Vice President Reyes presented a motion to table the item. However, since the contract already expired but the attorneys are still working on current cases, Vice President Reyes amended the motion to approve the contract for a term of two months to let current work to continue and allow additional time for the District to provide the information requested by the Board.

Motion: REYES, Second: HUMPHREY, Vote: UNANIMOUS

D. Approve List of Administrative Positions for Certificate of Competence in Evaluation for the 2020-21 School Year

E. Review and Accept Quarterly Report to the San Diego County Office of Education on *Williams* Complaints for the Period of April Through June 2020

F. Adopt Resolution in Recognition and Appreciation of the Cultural, Ethnic, and Linguistic Diversity in the Chula Vista Elementary School District for the 2020-21 School Year **2020-21.003**

G. Adopt Resolution in Support of Civic Learning for College, Career, and Civic Life for the 2020-21 School Year **2020-21.004**

H. Ratify the Second Amendment to the Subcontract Agreement with South Bay Community Services for the Chula Vista Promise Neighborhood Program for the Period of July 1, 2020, Through June 30, 2022

I. Approve Operating Agreement with the South Bay Family YMCA for the Dynamic After-School Hours Program for the 2020-21 School Year

J. Approve Memorandum of Agreement with the YMCA of San Diego County for the After-School Education and Safety Program for the 2020-21 School Year

K. Approve Agreement with Bloom Software, Inc., dba Thrively, Inc., for Thrively Pro Services for the 2020-21 School Year

L. Approve Agreement with Curriculum Associates for the i-Ready® Personalized Math Online Instruction and Diagnostic Assessment for the Period of July 31, 2020, Through June 30, 2023

M. Approve Agreement with Illuminate Education, Inc., for the Illuminate Data and Assessment Management System for the Period of July 16, 2020, Through June 30, 2023

N. Adopt Resolution Establishing the Annual Special Taxes for Community Facilities Districts No. 1 (EastLake), No. 3 (Rancho Del Rey), No. 4 (Sunbow), No. 5 (First Generic District), No. 6 (Otay Ranch Village One), No. 10 (Second Generic District), No. 11 (McMillin Lomas Verdes), No. 12 (Otay Ranch Village One West), No. 13 (San Miguel Ranch), No. 14 (Otay Ranch Village 11), No. 15 (Otay Ranch Village 6), No. 17 (Otay Ranch Villages 2 and 7), No. 18 (Otay Ranch Millenia – Eastern Urban Center), No. 19 (Public Access 12 Freeway Commercial and Portions of Otay Ranch Village 2), and No. 20 (Otay Ranch Village 3) for Fiscal Year 2020-21 **2020-21.005**

O. Adopt Resolution Approving and Ratifying the Ground Leases of Properties Located at the Myrtle S. Finney and Hilltop Drive Elementary School Sites to Education Enrichment Systems, Inc., for the Operation of Preschool Programs **2020-21.006**

P. Approve Renewal of iboss Web Filter Subscription with BorderLAN Security for the Period of August 1, 2020, Through July 31, 2023

Q. Approve Change Order for an Increase in the Amount of $188,578 for Western Rim Constructors, Inc., for the Removal, Relocation, and Replacement of Existing Underground Plumbing Infrastructure, Removal, and Replacement of Existing Substandard Soil, Revised Structural Changes to New Refrigerator/Freezer and Replacement of Existing Electrical Service at the Education Services and Support Child Nutrition Services Warehouse

R. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through June 30, 2020 **2020-21.007**

7. PUBLIC HEARINGS

Public Hearings

A. (1) Conduct Public Hearing to Receive Input on the Tentative Agreement with Chula Vista Classified Employees Organization and Reallocation Guidelines; and

Dr. Thiel said a hearing was required to receive input from the public on the tentative agreement negotiated with CVCEO for the period of July 1, 2019, through June 30, 2022. He added the tentative agreement covers new or revised language in 20 articles, the reallocation guidelines, and a memorandum of understanding regarding professional growth.

Dr. .Thiel said the District is asking the Board to ratify the agreement, which has been ratified by CVCEO membership. He also thanked CVCEO leadership, especially President Peter Zeitler and Vice President Chris Mages, for the collaborative and professional manner in which the negotiations were handled.

President Farías opened the public hearing. No comments were received. President Farías closed the public hearing.

(2) Ratify the Tentative Agreement with Chula Vista Classified Employees Organization for the Period of July 1, 2020, Through June 30, 2022, and the Reallocation Guidelines

Motion: HUMPHREY, Second: BUNKER, Vote: UNANIMOUS

8. ADMINISTRATIVE ACTION ITEMS

Administrative Action Items

None.

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

First and Second Readings

None.

10. GENERAL INFORMATION ITEMS/REPORTS

Information Items/Reports

None.

11. BOARD COMMUNICATIONS

Board Communications

Mrs. Bunker:

- Thanked the organizations that donated the books and the employees who are helping to sort them. Added that books are a great treasure for students, especially at this time.
- Shared she has been participating in Task Force meetings and believes it is going well and more consensus is being reached. Recognized and thanked Task Force participants, who are spending a lot of their time sharing their perspective and providing varying ideas on how to pursue the reopening.

Mr. Farías:

- Stated that he has truly appreciated every single day, every single meeting, and every single part of serving as a Board Member for the past three and a half years.
- Said this is an amazing school district because of its teachers, students, other employees, community, and more and mentioned two amazing gardeners that he saw working diligently at Palomar Elementary during a hot day. Added that when the success of the District is mentioned, it includes every single employee, students, and community members, and that he is proud to be part of it. Commented the District has accomplished so much, listing a number of programs that included the Visual and Performing Arts (VAPA) and saying they showcase the District's good

faith in providing the conditions for every single one of its students. Said it is an honor to serve the community with dignity, transparency, and honesty—values planted in him by his parents—and that he always does what is right, quoting Martin Luther King, Jr. Thanked everyone and repeated that it is an honor to serve them.

- Thanked all the people in the Board Room who make it possible for the Board to transmit the meetings and who help him (who is technologically impaired) feel like he knows how to do it. Thanked Dr. Ciriza, Ms. Casey, Mrs. Norton and said they are part of the success of the District.

Mrs. Humphrey:

- Thanked Board Member Bunker and everyone else involved in the Task Force.
- Thanked all stakeholders for their patience, understanding and for their concerns. Expressed these are unprecedented times and new for everyone and said many fine minds are involved in the process.
- Remarked that she thinks many teachers who are preparing to learn new ideas for distance learning are true heroes. Said the work they are to putting in and about to put in in goes above and beyond and congratulated them on their efforts.
- Commented that the students are the ones who are impacted and the reason for all the efforts—to keep them from falling further behind. Addressed the parents who need childcare, saying Dr. Escobedo is working with the YMCA to provide some help in that area with enrichment programs.
- Stated that we need to keep in mind programs such as the Nature Center and Innovation Stations and remember the expertise of teachers who work at those programs when planning programs for students.
- Thanked everyone at the District who are working so hard during these scary times.

Dr. Reyes:

- Thanked everyone who is working to ensure a safe reopening that is conducive to learning. Expressed that the focus needs to be on the health and safety of our students, staffs, and community first but at the same time, a firm and strong academic foundation needs to continue to be provided to students as well as social emotional supports. Said the toll on students from being out of school since March is difficult and thanked all the employees who are working hard to ensure students get the best education.

12. SUPERINTENDENT'S COMMUNICATION

Superintendent's Communication

Dr. Escobedo:

- Shared that a couple of days prior to the meeting, the District received two national awards through the National School Public Relations Association. Both were for excellence, one for the District newsletter and

the second one for the type branding/imaging. Mentioned Mr. Millican and Mrs. Norton in the effort and acknowledged the District's Senior Media Analyst Aaron Chavez, who creates icons and images, saying he is the most artistic person he has ever known. Thanked Mr. Chavez for being part of the organization and said he was a major factor in winning the two awards.

- Said his heart goes out to the teachers at Sunnyside, who just lost a colleague to stage 4 cancer. Commented that parents and community members have left flowers at the site and expressed his condolences to the community on the loss of the amazing teacher.

13. CLOSED SESSION

Closed Session

President Farías adjourned to closed session at 8 P.M. in accordance with the following:

Government Code Sections 3549.1(d) and 54957.6: Collective Bargaining/Employee Negotiations; Agency Negotiators: Fagen Friedman & Fulfrost, LLP and Adams Silva & McNally LLP; Employee Organizations: Chula Vista Classified Employees Organization (CVCEO); Chula Vista Educators (CVE); Nonrepresented Employees

Government Code Section 54957: Public Employee Discipline/ Dismissal/Release

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2020010108 for Student No. 263098

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2020030074 for Student No. 273288

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2020040359 for Student No. 273371

14 RECONVENE TO OPEN SESSION

Open Session

President Farías reconvened to open session at 8:20 p.m. with all Board Member present, with Board Member Tamayo being present virtually.

Clerk Humphrey announced that in closed session, the Board:

Approved a settlement agreement in Office of Administrative Hearings Case No. 2020010108 for Student No. 263098.

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

Approved a settlement agreement in Office of Administrative Hearings Case No. 2020030074 for Student No. 273288.

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. 2020040359 for Student No. 273371.

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

15. ADJOURNMENT

Adjournment

President Farías adjourned the meeting at 8:22 P.M.

Francisco Escobedo, Ed.D., Secretary

Laurie K. Humphrey, Clerk

THE NEXT REGULAR MEETING OF THE BOARD OF EDUCATION OF THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT IS SCHEDULED ON WEDNESDAY, AUGUST 12, 2020, AT 6 P.M.