SAN YSIDRO SCHOOL DISTRICT
4350 Otay Mesa Road San Ysidro, CA 92173
Phone Number: (619) 428-4476 Fax Number: (619) 428-1505

REGULAR MEETING OF THE GOVERNING BOARD
THURSDAY, MARCH 10, 2022
5:00 p.m.

Pursuant to Government Code Sections 54954 and 54954.2 and Education Code Section 35140, the Regular Meeting of the Governing Board was held on Thursday, March 10, 2022, and conducted its business meeting at **Smythe School - Auditorium, 1880 Smythe Ave, San Ysidro, CA 92173.** Any meeting participant who engages in disorderly conduct which disturbs the peace and good order of the meeting, or refuses to comply with the lawful orders of the Board may be ordered removed from the meeting, and may be guilty of a misdemeanor (Cal. Penal Code Sec. 403). Closed Session was held at 5:00 p.m. to 6:00 p.m., and reconvened into Open Session at 6:00 p.m. Closed Session was conducted in accordance with applicable sections of California Law.

MINUTES

1. CALL TO ORDER Who: President R. Lopez Time: 5:00 p.m.

2. ROLL CALL by Gina A. Potter, Ed.D., Superintendent & Secretary to the Board
Board Members Present:
Mr. Rudy Lopez, Board President
Mrs. Rosaleah Pallasigue, Board Vice-President - *Absent due to a loss in her family.*
Mrs. Irene Lopez, Board Clerk
Mr. Humberto Gurmilan, Member
Mr. Antonio Martinez, Member

3. AGENDA
The Board approved the agenda with the following correction:
1) Pulled Consent Calendar Item 14C.1 - Employment of Assistant Principal.

Motion: Martinez Second: Gurmilan Vote: 4-0

4. PUBLIC COMMENT/COMMUNICATIONS ON CLOSED SESSION ITEMS
Please submit public comment forms prior to start of meeting at 5:00 p.m. Per Board Policy #9323, three (3) minutes may be allotted to each speaker and five (5) minutes for organizations to address Closed Session Items Only. (Closed Session Items may be continued to the end of meeting if necessary.)

There were no public comments.

Board Clerk I. Lopez made the motion to recess to Closed Session, seconded by Board Member Martinez. The vote was 4-0.

5. GOVERNING BOARD – RECESSED to CLOSED SESSION at 5:02 p.m. in accordance with section 54954.5 regarding:

5.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Potter)
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:
No. of cases: 1

5.2 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION (Potter)
Pursuant to Government Code Section 54956.9(d)(1)
Case: San Diegans for Open Government vs. San Ysidro School District, et. al.
Case No. 37-2017-00048800-CU-MC-CTL

5.3 GOVERNMENT CODE SECTION 54957 (Heath)
PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/REASSIGNMENT

5.4 GOVERNMENT CODE SECTION 54957.6 (Heath)
CONFERENCE WITH LABOR NEGOTIATORS
Agency Negotiators: Glenn Heath, Sub Executive Director of Human Resources
Employee Organizations:
San Ysidro Education Association/CTA
California School Employees Association, Chapter 154
Unrepresented:
Administrators, Classified Management, Confidential/Supervisory

RECONVENED into OPEN SESSION at 6:00 p.m. to take action on items discussed in closed session, or to make disclosures of action taken in closed session, if any, as required by Government Code section 54957.7 and section 54957.1.

The Board had nothing to report from Closed Session.

6. CALL TO ORDER Who: President R. Lopez Time: 6:00 p.m.

7. ROLL CALL by Gina A. Potter, Ed.D., Superintendent & Secretary to the Board
Board Members Present:
Mr. Rudy Lopez, Board President
Mrs. Rosaleah Pallasigue, Board Vice-President - *Absent due to a loss in her family.*
Mrs. Irene Lopez, Board Clerk
Mr. Humberto Gurmilan, Member
Mr. Antonio Martinez, Member

8. FLAG SALUTE by Isabella Lamas, Smythe School Student

9. BOARD RECOGNITION/DISTINGUISHED CHAMPIONS (Farkas)
9.1 Willow Elementary 6th Grade Teacher Elizabeth Gomez - Presented by Willow School Principal Maria Connie Rodriguez
9.2 Willow Elementary 6th Grade Student Esteban Servin (Top Achiever in the State of California Award for Achieve 3000) - Presented by Willow School Principal Maria Connie Rodriguez
9.3 Temporary Certificated Management/Administrative Support, Manuela Colom - Presented by Assistant Superintendent of Educational Leadership, Pupil Services and Safety Dr. David Farkas
9.4 Assistant Superintendent of Educational Leadership, Pupil Services and Safety Dr. David Farkas (COVID Leadership) - Presented by Superintendent Dr. Gina Potter

10. PUBLIC COMMENT/COMMUNICATIONS ON OPEN SESSION ITEMS

PLEASE SUBMIT PUBLIC COMMENT FORMS PRIOR TO START OF MEETING
Per Board Policy #9323, three (3) minutes may be allotted to each speaker and five (5) minutes for organizations to address **all of their items**. If translation services are required, please state that, and an additional one (1) minute will be allotted. **Approach the lectern and give your name.**

The public has the opportunity to address the Board on any item appearing on the agenda or not on the agenda. Persons wishing to address the Board are asked to fill out a ***Public Comment Form*** located at the sign-in area, and submit the completed form to the administrative assistant prior to start of the meeting. Those who have a group concern are encouraged to select a spokesperson to address the Board. A copy of the full agenda is available for view at the Superintendent's Office located at 4350 Otay Mesa Road, San Ysidro, California. Also, at the district website: www.sysdschools.org.

Karla Montanez, CSEA Employee, Commented: 1) We have dealt with emotional, health related situations and financial inconveniences with the pandemic. Everything has gone up in price. 2) We support teachers, principals and go above and beyond and never say no. 3) Asked the board to care about CSEA employees and their families just like CSEA cares for the students.

Lucero Gomez, CSEA Employee, Commented: 1) She has worked for the district since 2001. 2) She is the head of household and lost her second job during the pandemic. It's hard to make all her payments. The economy is in a crisis. 3) Employees love their jobs and support the district. They care about the education of the students and care about the community. 4) Asked the board for their support for a fair raise.

Yolanda Olzewski on behalf of Yesenia Villasenor, CSEA Employee, Commented: 1) The pandemic changed her life. She lost her husband, has three children and lives from paycheck to paycheck. 2) A one percent raise will not help. The cost of living keeps on increasing. 3) When making a decision, please consider that not everyone owns their house and has someone to help them. All jobs are important and we all deserve a just salary.

Claudia Meza, CSEA Employee, Commented: 1) She is a single parent and is going through hard times. 2) The economic situation is difficult. Her rent increased and her salary is not enough. 3) Both her and her daughter are in college and doesn't want to see her daughter's dreams affected because of the economy. 4) She has no family here and no one to support her. 5) Appreciates the board's attention and support.

Margarita Meza, CSEA Employee, Commented: 1) Despite having worked for the district for a little over fifteen years, and being in one of the higher classified positions than her coworkers, she lives paycheck to paycheck and it's impossible. 2) She pays high healthcare premiums and helps her son with university expenses besides other necessary expenses. A one percent salary increase is not enough for classified workers. Your employees shouldn't have to live paycheck to paycheck. 3) Asked the board to touch their hearts. The struggle is real and one percent isn't enough.

Juan Morales, Parent, Commented: 1) We can't move forward unless we all move together. 2) COVID is gone. 3) Let's move together and drop the masks. 4) Shared a statement from another school district regarding mask choice for students. It can be done. Let parents make their own choices. 5) There are more things to worry about than masks. His kids need help. Let's shoot for the stars with academics.

11. ITEMS FROM THE BOARD & SUPERINTENDENT

Board Member Martinez, Commented: 1) Thanked Principal Little for hosting the board meeting. 2) Appreciates CSEA for coming to the board and speaking. He has faith that we will get this resolved. 3) He knows living month to month is not easy and has CSEA in his heart.

Board Member Gurmilan, Commented: 1) Thanked Principal Little for hosting the board meeting. 2) Met with South Bay boards, superintendents, union leaders and California School Board Association representatives to discuss legislation. We primarily talked about school finance and will send a letter of support to the state level. This would help our students and our labor groups. 3) We want to focus on our students and their education. We know that our classified employees, teachers and administrators have gone beyond their duties and we need support from the state. 4) Thanked CSEA for coming with an open heart. Appreciates the sincere message and understands what you are going through. 5) We've gone through amazing things together and we will get through this together.

Board Clerk Lopez, Commented: 1) Thanked Principal Little for hosting the board meeting. 2) Children that returned to school are suffering mentally, physically, socially and can't be educated until we give them the services they need. We need to invest in counselors, social workers and psychologists at each school, especially at the elementary level. 3) Our community was hit hard with COVID. Thanked Dr. Farkas for bringing help. 4) Thanked CSEA for coming. She understands and respects CSEA. We need to do something good for everyone. Let's sit down and work together. 5) Thanked everyone for their support and for believing in our community.

Board President R. Lopez, Commented: 1) Thanked the speakers. 2) Thanked Mr. Gurmilan for attending the Legislative Meeting. 3) He will be a legislative advocate for San Ysidro at the state and federal level. He will do what he can to bring more resources and to get us more attention.

Superintendent Potter, Commented: 1) Thanked Principal Little and Smythe for hosting the board meeting. 2) Thanked staff for all their hard work for open houses, parent conferences and report cards. 3) Thanked CSEA members for speaking from their heart and for their hard work, particularly, during the pandemic. We value you and are listening to your words. 4) Thanked Mr. Morales. Appreciates his comments from the heart as a father.

12. CONFERENCE SESSION

Reports/Presentations

12.1 2021-22 Second Interim Financial Report - Presented by Chief Business Official, Marilyn Adrianzen

12.2 Long Range Master Facilities Implementation Plan Revisions - Presented by Director of Maintenance Operations, Transportation and Facilities, Paulo Azevedo and Construction Project Manager, Tom Silva

13. GENERAL ADMINISTRATION

13.1 MINUTES (Potter)

The Board approved the minutes of the Regular Board Meeting of February 10, 2022 and the minutes of the Special Board Meeting of February 24, 2022.

Motion: Martinez Second: I. Lopez Vote: 4-0

13.2 RESOLUTION NO. 21/22-0026 - CONTINUING GOVERNING BOARD AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO AB 361 (Potter)

The Board approved Resolution No. 21/22-0026 - Continuing Governing Board Authority to hold Virtual Meetings Pursuant to AB 361.

Motion: I. Lopez Second: Gurmilan Vote: 4-0

13.3 RESOLUTION NO. 21/22-0027 - CESAR CHAVEZ DAY (Potter)
The Board adopted Resolution No. 21/22-0027 celebrating the life, values and sacrifices of Cesar Chavez by honoring his birthday on March 31st as "Cesar Chavez Day."

Motion: I. Lopez Second: Martinez Vote: 4-0

13.4 FIRST READING AND ADOPTION OF REVISED BOARD POLICIES - 0000 SERIES (Farkas)
The Board approved First Reading and Adoption of Revised Board Policies - 0000 series: Revised BP 0420.42 - Charter School Renewal and Revised BP 0470 - COVID-19 Mitigation Plan.

Motion: I. Lopez Second: Martinez Vote: 4-0

13.5 FIRST READING AND ADOPTION OF REVISED ADMINISTRATIVE REGULATION AND EXHIBITS - 1000 SERIES (Farkas)
The Board approved the First Reading and Adoption of Revised Administrative Regulation and Exhibits - 1000 series: Revised AR 1312.3 - Uniform Complaint Procedures, Revised Exhibit(1) 1312.3 - Uniform Complaint Procedures and Revised Exhibit(2) 1312.3 - Uniform Complaint Procedures.

Motion: Martinez Second: Gurmilan Vote: 4-0

13.6 FIRST READING AND ADOPTION OF REVISED BOARD POLICY AND ADMINISTRATIVE REGULATION - 3000 SERIES (Adrianzen)
The Board approved First Reading and Adoption of New & Revised Board Policies and Administrative Regulation - 3000 series: Revised BP 3516.5 - Emergency Schedules and Revised AR 3515.6 - Criminal Background Check for Contractors.

Motion: I. Lopez Second: Martinez Vote: 4-0

13.7 FIRST READING AND ADOPTION OF REVISED BOARD POLICY AND ADMINISTRATIVE REGULATION - 4000 SERIES (Heath)
The Board approved First Reading and Adoption of Revised Board Policy and Administrative Regulation - 4000 series: Revised BP 4131 - Staff Development and Revised AR 4217.3 - Layoff/Rehire.

Motion: I. Lopez Second: Martinez Vote: 4-0

13.8 FIRST READING AND ADOPTION OF REVISED BOARD POLICIES AND ADMINISTRATIVE REGULATIONS - 5000 SERIES (Farkas/González)
The Board approved First Reading and Adoption of Revised Board Policies and Administrative Regulations - 5000 series: Revised AR 5125 - Student Records, Revised AR 5145.3 - Nondiscrimination/Harassment, Revised BP/AR 5148 - Child Care and Development, Revised BP/AR 5148.2 - Before/After School Programs and Revised BP/AR 5148.3 - Preschool/Early Childhood Education.

Motion: Martinez Second: Gurmilan Vote: 4-0

13.9 FIRST READING AND ADOPTION OF REVISED BOARD POLICIES AND ADMINISTRATIVE REGULATIONS - 6000 SERIES (González/Farkas)

- The Board approved First Reading and Adoption of Revised Board Policies and Administrative Regulations 6000 series: Revised BP/AR 6112 - School Day, Revised BP 6120 - Response to Instruction and Intervention, Revised BP/AR 6143 - Courses of Study, Revised BP/AR 6158 - Independent Study, Revised BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education, Revised BP/AR 6164.41 - Children with Disabilities Enrolled by their Parents in Private School, Revised BP/AR 6164.5 - Student Success Teams and Revised BP 6170.1 - Transitional Kindergarten.

Motion: Gurmilan Second: Martinez Vote: 4-0

13.10 FIRST READING AND ADOPTION OF REVISED BOARD BYLAW 9320 - MEETING AND NOTICES (Potter)
The Board approved First Reading and Adoption of Revised Board Bylaw 9320 - Meeting and Notices.

Motion: I. Lopez Second: Martinez Vote: 4-0

13.11 SECOND INTERIM FINANCIAL REPORT FOR 2021-22 FISCAL YEAR (Adrianzen)
The Board approved the 2021-22 Second Interim Financial Report.

Motion: Martinez Second: I. Lopez Vote: 4-0

13.12 AUTHORIZE AMENDMENT TO THE COVID PREVENTION PLAN (CPP) REGARDING OUTDOOR SCHOOL MASKS (Farkas)
The Board authorized shift to optional masking outdoors for students and staff beginning March 14, 2022, unless required by the state or county public health department. The district will reevaluate the indoor mask requirement in April 2022.

Motion: I. Lopez Second: Gurmilan Vote: 4-0

13.13 AB1200 AND TENTATIVE AGREEMENT WITH THE CLASSIFIED SCHOOL EMPLOYEES ASSOCIATION (CSEA) AND ITS SAN YSIDRO CHAPTER NO. 154 (Adrianzen)
The Board approved/ratified the submittal of AB1200 to the San Diego County Office of Education and approval of the Tentative Agreement with the Classified School Employees Association (CSEA) and its San Ysidro Chapter No. 154 related to Out-of-Class Compensation.

Motion: I. Lopez Second: Gurmilan Vote: 4-0

13.14 MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN YSIDRO SCHOOL DISTRICT AND THE SAN YSIDRO EDUCATION ASSOCIATION REGARDING INDEPENDENT STUDY FOR THE 2021-2022 SCHOOL YEAR (Heath)
The Board approved the Memorandum of Understanding between the San Ysidro School District and the San Ysidro Education Association regarding the issues related to independent study and the COVID-19 pandemic in which the California Legislature adopted Assembly Bill 130 to expand independent study through three types of programs for the 2021-2022 school year.

Motion: I. Lopez Second: Martinez Vote: 4-0

13.15 RESOLUTION NO. 21/22-0028 – TEMPORARY CERTIFICATED EMPLOYEE RELEASE (Heath)
The Board adopted Resolution No. 21/22-0028 authorizing the District to notice individual, temporary employees of the district's intent to release at the close of the 2021-2022 school year.

Motion: I. Lopez Second: Gurmilan Vote: 4-0

13.16 RESOLUTION NO. 21/22-0029 – LAYOFF OF CLASSIFIED STAFF (Heath)

The Board approved Resolution No. 21/22-0029 authorizing the District to reduce and/or eliminate the following particular kinds of services of the District at the close of the 2021-2022 school year for fiscal and budgetary reasons.

Motion: Gurmilan Second: R. Lopez Vote: 4-0

13.17 LONG RANGE MASTER FACILITIES IMPLEMENTATION PLAN - REVISED (Adrianzen/Azevedo)

The Board approved the revised District's Long Range Master Facilities Implementation Plan to provide the District with a roadmap that will help guide facilities decisions over the next 15 to 20 years.

Motion: I. Lopez Second: Martinez Vote: 4-0

14. CONSENT CALENDAR

The Board approved the Consent Calendar and pulled Consent Calendar Item 14C.1 from the agenda at the beginning of the meeting during the approval of the agenda.

Motion: Martinez Second: Gurmilan Vote: 4-0

14A. PERSONNEL – CLASSIFIED

EMPLOYMENT (Heath)

The Board approved/ratified the employment for the following as recommended by staff:

14A.1 Campus Aides
14A.2 Health Clerk
14A.3 Instructional Aide
14A.4 Instructional Aides, Special Education
14A.5 Substitute Campus Security
14A.6 Substitute Child Nutrition Specialist
14A.7 Substitute Clerks

LEAVE OF ABSENCE (Heath)

The Board approved/ratified the leave of absence without pay for the following as recommended by staff:

14A.8 Instructional Aide

14B. PERSONNEL – CERTIFICATED

RESIGNATION (Heath)

The Board approved the resignation for the following as recommended by staff:

14B.1 Resource Specialists

EMPLOYMENT (Heath)

The Board approved/ratified the employment for the following as recommended by staff:

14B.2 Substitute Teachers
14B.3 Substitute Permit Teacher

14C. PERSONNEL – MANAGEMENT

EMPLOYMENT (Heath)
The Board approved/ratified the employment for the following as recommended by staff:
14C.1 Assistant Principal - *PULLED*
14C.2 Coordinator of Pupil Services

14D. CURRICULUM & INSTRUCTION

14D.1 RENEWAL OF FLOCABULARY LICENSES FROM NEARPOD, INC. (González/Madera)
The Board approved the purchase/renewal of Flocabulary licenses from Nearpod, Inc. for 8 special education teachers at the total cost of $1,104.00 from the Special Education fund.

14D.2 PROFESSIONAL DEVELOPMENTS - MARCH (González)
The Board approved/ratified the attendance and participation of District staff to the different professional developments as attached.

14E. BUSINESS

14E.1 PURCHASING REPORT (Adrianzen)
The Board approved/ratified the following purchase orders incurred by the District during the period February 3, 2022 through February 28, 2022. This includes all agreements along with those with cost implications that fall within the authorized delegation of authority limits of up to $15,000 for public project contracts and up to $30,000 for all other contracts from the various funding sources.

14E.2 EXPENDITURE REPORT (Adrianzen)
The Board approved/ratified the expenditures incurred by the District during the period of February 1, 2022 through February 28, 2022 for a total expenditure of $1,001,338.41. This includes all agreements along with those with cost implications that fall within the authorized delegation of authority limits of up to $15,000 for public project contracts and up to $30,000 for all other contracts from the various funding sources.

14E.3 APPROVE/RATIFY AGREEMENTS WITHIN DELEGATION OF AUTHORITY LIMITS (Adrianzen)
The Board approved/ratified the agreements on the attached list with cost implications that fall within the authorized delegation of authority limits of up to $15,000 for public project contracts and up to $30,000 for all other contracts from the various funding sources or at no cost to the district.

14E.4 ACCEPTANCE OF DONATIONS (Adrianzen)
The Board accepted donations valued at $1,200.00 to help support and enrich our educational programs.

14E.5 CALIFORNIA RELEAF 2021 TREECOVERY DONATION (Adrianzen/Azevedo)
The Board approved/ratified the acceptance of the California Releaf 2021 Treecovery donation of trees and irrigation system with an estimated value of $20,000.00.

14E.6 AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH SBCS CORPORATION FOR MENTAL HEALTH SERVICES FOR THE 2021-22 SCHOOL YEAR (González/Madera/Herrera-Cevallos)
The Board approved/ratified the amendment of the Memorandum of Understanding with SBCS Corporation to extend the Mental Health Services for Vista Del Mar Middle School during school year

2021-22 at the additional cost of $45,077.00 for a new grand total of $270,077.00 from the Expanded Learning Opportunities Grant and the site Title I funds.

14E.7 AGREEMENT WITH THERAPY TRAVELERS LLC & 3 CHORDS INC. (Farkas)
The Board approved/ratified the agreement with Therapy Travelers, LLC & 3 Chords Inc. to provide a Licensed Vocational Nurse for 2021-2022 School Year at a rate not to exceed $70.00 per hour from the ESSER II fund.

14E.8 RFQ NO. 21/22-004 FOR ARCHITECTURAL AND ENGINEERING SERVICES (Adrianzen/Azevedo)
The Board awarded RFQ No. 21/22-004 to PBK and to Lord Architecture Inc. for Architectural and Engineering Services.

14E.9 RFP NO. 21/22-005 FOR E-RATE CATEGORY 2 EQUIPMENT (Adrianzen/Lewis)
The Board approved to award RFP No. 21/22-005 and approve the agreement with GigaKOM to provide the 2021-22 E-Rate Category 2 Equipment in the amount of $236,269.93 from E-rate funds.

14E.10 RFP NO. 21/22-006 FOR STUDENT CHARTER BUS TRANSPORTATION SERVICES (Farkas/Azevedo)
The Board awarded RFP No. 21/22-006 and approve the agreements with Royal Lines Charters, LLC and Sureride Charter, Inc. dba Sun Diego Charter Co. to provide student charter bus transportation services for extracurricular field trips and transportation needs.

14E.11 PURCHASE OF DELL OPTIPLEX 7490 AIO TECHNOLOGY EQUIPMENT (Adrianzen/Lewis)
The Board approved the purchase of 62 Dell OptiPlex technology equipment in the amount of $58,773.60 from the General Obligation Bond fund.

14E.12 DISPOSAL OF RECORDS BEYOND LEGAL RETENTION PERIOD – EDUCATIONAL SERVICES (González)
The Board approved the destruction of documents related to the Educational Services Department as listed above and dated from 2011 to 2017.

Board Clerk I. Lopez made a motion to adjourn, seconded by Board Member Martinez. The vote was 4-0.

15. ADJOURNMENT Time: 7:17 p.m.

Respectfully Submitted,

Gina A. Potter, Ed.D., Secretary
Governing Board