

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

REGULAR MEETING OF THE GOVERNING BOARD
THURSDAY, FEBRUARY 9, 2017
CLOSED SESSION: 5:00 p.m. – 6:00 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, February 9, 2017, with Closed Session held at 5:00 p.m. to 6:00 p.m., and reconvened into Open Session at 6:00 p.m. and conducted its business meeting at **Sunset School, 3825 Sunset Lane, San Ysidro, CA 92173**. Closed Session was conducted in accordance with applicable sections of California Law.

MINUTES

1. **CALL TO ORDER** Who: President Pallasigue Time: 5:00 p.m.

2. **ROLL CALL** by Julio Fonseca, Ed.D., Superintendent & Secretary to the Board
 Mrs. Rosaleah Pallasigue, President
 Mrs. Irene Lopez, Vice-President
 Mr. Rodolfo Linares, Clerk
 Mr. Marcos A. Diaz, Member
 Mr. Antonio Martinez, Member

3. **PUBLIC COMMENT/COMMUNICATIONS ON CLOSED SESSION ITEMS**
 None at this time.

Member Martinez made a motion to recess to Closed Session, seconded by Member Diaz. The vote was unanimous.

4. **GOVERNING BOARD – RECESSED to CLOSED SESSION at 5:02 p.m. in accordance with section 54954.5 regarding:**
 - 4.1 **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:**
 Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) and (e)(1): 1 case

 - 4.2 **GOVERNMENT CODE SECTION 54957.6**
CONFERENCE WITH LABOR NEGOTIATORS
 Agency Negotiators: Julio Fonseca, Ed.D., Superintendent and Jose Arturo Sanchez-Macias, Deputy Superintendent
 Employee Organizations:
 San Ysidro Education Association/CTA
 California School Employees Association, Chapter 154
 Unrepresented:
 Administrators, Classified Management, Confidential/Supervisory

RECONVENED into OPEN SESSION at 6:10 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 reported the following from Closed Session:

In Closed Session at its regular Board Meeting on April 14, 2016, the Board unanimously approved a settlement agreement between the Board and an employee, pending approval by the employee. The settlement agreement awarded the employee \$115,000.00 in exchange for the employee resigning effective June 30, 2016, and releasing the District of liability for any and all alleged claims.

5. **CALL TO ORDER** Who: President Pallasigue Time: 6:10 p.m.
6. **ROLL CALL** by Julio Fonseca, Ed.D., Superintendent & Secretary to the Board
 - Mrs. Rosaleah Pallasigue, President
 - Mrs. Irene Lopez, Vice-President
 - Mr. Rodolfo Linares, Clerk
 - Mr. Marcos A. Diaz, Member
 - Mr. Antonio Martinez, Member
7. **FLAG SALUTE** by Julio Fonseca, Ed.D., Superintendent & Secretary to the Board
8. **CONFERENCE SESSION**
 - Reports/Presentations**
 - 8.1 Solar Panel Project Update - Art Castanares -- *Member Martinez directed staff to post the timeline for the project on the District's website, proposed to create an Independent Citizens' Bonds Oversight Committee, requested an Independent Audit of all District construction spending and outside contracts and would like Mr. Castanares or a representative to be present at all meetings*
 - 8.2 Reconfiguration Update (Boundaries & Staffing)
 - 8.3 Parent Community Center Update
9. **PUBLIC COMMENT/COMMUNICATIONS ON OPEN SESSION ITEMS**
 - Ivan Ottaviano, Employee,** 1) Shared comments about the positive experience of working in the San Ysidro School District with the current Administration and seeing everything they've been able to accomplish.
 - Raquel Maden, Parent,** 1) Commended the Board for the great work they're doing. 2) Thanked the Board for extending an invitation to parents to participate in the discussions for the reconfiguration and boundaries. 3) Mentioned that at a meeting she attended, there was discussion about transfers being approved for students in the Dual Language and Special Education programs. 4) Asked the Board and Administration to consider approving intra-district transfers for working class parents who have childcare needs.
 - Olga Espinoza, Parent,** 1) Commented that at the last Board meeting, she addressed concerns about an incident involving her son and has not received an update on the investigation. 2) Mentioned that at the Board meeting, she requested to hire more supervisors and securities to monitor the children. Instead, the security was moved to another location.
 - Olga Espinoza, Parent,** 1) Shared concerns about not getting a call with an update on another incident involving her cousin's son which was reported to Smythe's Principal. 2) Commented that the student was transferred to her son's classroom and was involved in another incident with her son during the Think Together program. Her son reported the incident and it was never reported to the office. 3) Commented that Smythe's

Principal said he would investigate further and she has been waiting for a response. 4) Mentioned that she is disappointed with staff and feels the principal and staff failed to help. 5) Commented that she will take her concerns to the San Diego County Office of Education. 6) Mentioned that children's safety at Smythe School is a concern to parents.

Olga Espinoza, Community Member, 1) Mentioned that she was wrongly accused of threatening an employee and the police were involved. 2) Commented that she feels she is being bullied by District personnel for defending her son. 3) Mentioned that the police told her to stay away from the employee. 4) Asked the Board if transportation will be provided for her son since she is staying away from the employee and the school. 5) Asked the Board to remove the employee from the school for insulting her son.

Olga Espinoza, Community Member, 1) Commented that she received a call from District personnel telling her not to protest at Smythe School. Feels this is in retaliation for defending her son. 2) Mentioned that she is an activist and was only organizing a protest at the border to ban the border wall. 3) Commented that due to the misinformation, she feels harassed and her freedom of speech rights violated.

Marianna Saponara, Retired Administrator, 1) Mentioned that she was representing a parent that was not present. 2) Commented that the parent shared concerns about harassment, intimidation and retaliation at the January 26, 2017, Board meeting. 3) Mentioned that the Uniform Complaint Parent Procedure was not given due process to the parent and her child. 4) Commented that the District violated the parent's freedom of speech when asked not to speak at the Board Meeting of January 26, 2017, and received another call asking her not to strike because the District is conducting an investigation and legal charges will be placed against her.

5) Commented that the parent received a call letting her know the investigation would start next week.

6) Mentioned that the parent filed the complaint with the San Diego County Office of Education.

Zenaida Rosario, Smythe Teacher, 1) Shared her positive experience working with Mr. Tapia, Smythe Principal. 2) Commented that Mr. Tapia is positive and inspires teachers. 3) Mentioned that he has addressed bullying with staff and teachers in turn are having class meetings with students focusing on getting along.

4) Commented that Mr. Tapia needs a support and that's Laura English. 5) Mentioned that teachers are happy to have Mr. Tapia and his leadership.

Maggy Portillo, Smythe Teacher, 1) Thanked the Board for all the work they do. 2) Commented that thanks to Mr. Tapia, Smythe School has taken the commitment of participating in literacy programs such as Razkids and Accelerated Readers. 3) Mentioned that on the week of February 27 to March 3, Smythe will be celebrating Read Across America and invited everyone to read to a group of students.

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 and address.**

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 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

10. ITEMS FROM THE BOARD & SUPERINTENDENT

Vice-President Lopez, 1) Commented that she was raised in the San Ysidro community. 2) Mentioned that we need to work together. 3) Commented that it hurts to see what's going on and we need to understand that it can't be corrected in one day. There is a process to follow to come to a solution. 4) Mentioned that she took

this responsibility because she cares about the community. 5) Commented that the Board wants to hear input and concerns. 6) Mentioned that the Board makes mistakes but we are here to help, not to judge.

7) Commented that we are mentors for our kids. We need to show them respect in order to gain respect.

8) Mentioned that we need to be positive and put San Ysidro where it used to be.

President Pallasigie, 1) Thanked Mr. Burciaga for hosting the Board Meeting. 2) Mentioned that she is glad to see the Parent Centers come to fruition. 3) Commented that she would like to see a better restorative justice plan with more creative outlets. 4) Mentioned that we need a Code of Conduct and Code of Ethics to address how PTA treats staff and students when volunteering. 5) Commented that Board members need to be educated. Would like to have more workshops for the Board. 6) Mentioned that given the situation, she hopes parents and students feel that the San Ysidro School District is a safe place. 7) Thanked everyone for attending.

8) Commented that Dr. Fonseca has her unwavering support. She has the utmost respect for him and his staff and supports him one hundred percent.

Member Martinez, 1) Thanked Mr. Burciaga for hosting the Board Meeting. 2) Commented that during the strike and proposed salary cuts, he cut his stipend until everything was resolved. He learned to lead by example. 3) Applauded staff for taking immediate action when water quality issues were discovered. 4) Mentioned that he would like the District to provide to the community a decisive timeline of steps taken to protect our kids. 5) Proposed that as a Board, to work with elected leaders and community members to make sure we have water quality advocacy and to make sure there are state requirements for water quality testing. 6) Commented that he took the day off and collected water samples from the schools. He brought the samples to the Board meeting and invited the Board members to join him in drinking the samples in public to ensure everyone that the water is safe at Sunset, Willow, OVH and VDM. 7) Mentioned that when the day comes to reinstate the usage of the water faucets at Smythe, La Mirada and SYMS, the District should hold a press conference and the Board should be the first to drink the water.

Member Diaz, 1) Thanked everyone for attending the meeting. 2) Commented that the Board tries to stay proactive instead of reactive of issues that come up at the District. 3) Mentioned that the issue with the water was addressed immediately by the Administration and Board. We moved to make sure everything was safe for the kids. 4) Commented that the Board is here for the children first and foremost and to ensure they get the best education and care. 5) Mentioned that parents need to call the police if there is suspicion of abuse and not wait for the Board to take action. 6) Commented that when he first started coming to Board meetings, the District was heading into the wrong direction. Since then, things have turned around and we are still working. 7) Mentioned that the Board is not done yet with the reconfiguration, programs and getting students educated to be ready for college.

Clerk Linares, 1) Commented that if his child was abused at the school, he would call the police and child protective services immediately. 2) Mentioned that when parents entrust the students to the Board, it's the responsibility of the Board to act or they will be failing the students and community. We need to focus more on those problems. 3) Commented that he didn't have the support of the Board in regards to building new schools instead of remodeling. 4) Mentioned that there is a new community being built in Otay Mesa that will have 4,500 homes and 6,000 District students and another in the Beyer area with 10,000 homes. Wants to know where we will place these students. 5) Commented that he wants to pass an amendment for the Bonds to use that money and be ready. 6) Mentioned that the developers want to give the District an empty lot but it's possible they could build the schools. He is trying to get the developers to build the schools for the District. 7) Commented that we need to engage now and think about the future.

Dr. Fonseca, Superintendent, 1) Commented that District had a lot of media coverage due to the water issue. 2) Mentioned that it was reported to him that La Mirada had an oily black substance coming out of two faucets. To immediately ensure the safety of our students, the water was shut off and bottled water was provided for students and staff regardless of the cost. Parents were notified. 3) Commented that a professional environmental firm conducted a whole school sampling of the water. The results were received and the District issued letters to parents and the community discussing the findings and the plan to ensure safe drinking water. 4) Mentioned that he then ordered the shutdown of drinking water at Smythe and San Ysidro Middle School and requested the testing of water by an environmental firm and began to provide bottled water for students

and staff until further notice. 5) Commented that local businesses donated water bottles to support the District's efforts. 6) Mentioned that faucets have begun to be replaced. 7) Commented that we have not received any reported incidents yet, however, the San Diego County of Education will assist us with questions on health issues that might arise due to the drinking of the contaminated water.

11. GENERAL ADMINISTRATION

11.1 MINUTES

The Board approved the minutes of the Organizational Board Meeting of December 14, 2016 and Special Board Meeting of January 12, 2017.

Motion: Martinez Second: Lopez Vote: 4 Ayes – 1 Noe (Linares)

11.2 THIRD READING AND ADOPTION OF BOARD POLICY 1251 (A-B) BOARD MEMBER VISITS TO SCHOOLS

The Board approved third reading and adoption of Board Policy 1251 (a-b) Board Member Visits to Schools.

Clerk Linares commented that he will vote no because he believes his First Amendment might be violated even though he hasn't suffered any damages.

Motion: Martinez Second: Lopez Vote: 3 Ayes – 2 Noes (Linares & Diaz)

11.3 RESOLUTION NO. 16/17-0008 DECLARING THE SAN YSIDRO SCHOOL DISTRICT AS A SAFE ZONE AND RESOURCE CENTER FOR STUDENTS AND FAMILIES

The Board adopted Resolution No. 16/17- 0008 Declaring the San Ysidro School District a Safe Zone and Resource Center for Students and Families.

Motion: Martinez Second: Pallasigue Vote: Unanimous

11.4 SCHOOL BOUNDARY CHANGES

The Board approved the establishment of the La Mirada Elementary School TK-6 boundary, Smythe Elementary School TK-6 boundary, San Ysidro Middle School new boundary and adjustment to the Sunset Elementary School K-6 boundary as depicted on Exhibit A effective for the 2017-18 school year.

Member Diaz requested a parent survey on day one on their recommendations to make this go smoother.

Motion: Diaz Second: Linares Vote: Unanimous

12. CONSENT CALENDAR

The Board approved the Consent Calendar with the following changes:

- 1) Pulled Consent Items 12A.1, 12B.12, 12B.13, 12B.14 and 12B.15 for discussion and to be voted on separately.

Motion: Martinez Second: Diaz Vote: Unanimous

12A. CURRICULUM & INSTRUCTION

12A.1 COMPREHENSIVE SCHOOL SITE SAFETY PLANS

The Board approved the Comprehensive School Site Safety Plans for the 2016-17 school year.

Motion: Martinez Second: Diaz Vote: Unanimous

12A.2 STAFF DEVELOPMENT

The Board approved/ratified the attendance to the following workshops/trainings/events listed.

PARTICIPANT(S)	EVENT	PLACE	FROM/TO	COST	FUNDING
Kelli Hay, Marta Rodriguez	Pupil Services Administrators' Meetings	SDCOE	February 7, 2017 May 10, 2017	\$0	No Cost
Kelli Hay, Manuela Colom, Melissa Brown, Cynthia Gonzalez	Getting Smarter About California Assessments and Accountability	SDCOE	February 16, 2017	\$300.00	Supplemental and Concentration Fund
Veronica Medina, Kelli Hay, Marta Rodriguez	McKinney-Vento Homeless Assistance Act Training	SDCOE	March 21, 2017	\$0	No Cost
Francisco Mata	California School Public Relations Association Conference	Sacramento	March 2-4, 2017	\$1,500.00	General Fund
Daniel Chavez	COBRA Seminar	Escondido	March 9, 2017	\$50.00	General Fund
Janette Ridgels	Improving Outcomes for Students with Disabilities: Tapping the Genius of the Collaborative Conference	Denver, CO	May 10-12, 2017	\$1,500.00	Special Education Fund

12B. BUSINESS**12B.1 PURCHASING REPORT**

The Board approved/ratified the following purchase orders incurred by the District during the period of January 23, 2017 through February 3, 2017. (Report #7): ■ General Fund: 0000001266-0000001270, 0000001273-0000001275, 0000001277-0000001287, 0000001289-0000001292, 0000001295, 0000001298, 0000001300-0000001314 ■ Child Development Fund: 0000001288, 0000001293-0000001294 ■ Cafeteria Fund: 0000001271 ■ Building Fund: 0000001263-0000001264, 0000001276, 0000001301 ■ Capital Projects Fund: 0000001272.

12B.2 EXPENDITURE REPORT

The Board approved/ratified expenditures incurred by the District during the period of January 19, 2017 through February 01, 2017. Listing sheets #972 through #981. Payments were made with checks #14-210484 through #14-215918 for a total expenditure of \$984,523.55.

12B.3 ACCEPTANCE OF DONATIONS

The Board accepted donations valued at \$24,439.60 to help support and enrich our educational programs.

12B.4 AGREEMENT WITH SAN YSIDRO HEALTH CENTER, INC. – MOBILE CLINIC

The Board approved/ratified the agreement with the San Ysidro Health Center, Inc. for Preventive Health Care Services provided through their Mobile Clinic at no cost to the District.

12B.5 SAN DIEGO COUNTY INTERAGENCY AGREEMENT

The approved/ratified the San Diego County Interagency Agreement and continue to provide educational support to students in Foster Care with partnering stakeholders listed in the Interagency Agreement.

12B.6 AGREEMENT WITH DEPENDABLE NURSING, LCC

The Board approved/ratified the agreement with Dependable Nursing, LCC to provide nursing services to a Special Education student at a cost not to exceed \$12,950.00 from the Special Education fund.

12B.7 AMENDMENT TO THE AGREEMENT WITH DARCY MORALES MONGE, M.S.

The Board approved/ratified the amendment to extend the services of Darcy Morales Monge, M.S. as a school psychologist consultant at an additional cost not to exceed \$30,000.00 from Special Education funds.

12B.8 AMENDMENT TO THE AGREEMENT WITH BRAIN LEARNING PSYCHOLOGICAL CORPORATION

The Board approved/ratified the amendment to the agreement with Brain Learning Psychological Corporation to provide independent evaluations at a cost not to exceed \$11,245.00 from the Special Education fund.

12B.9 AMENDMENT TO THE AGREEMENT WITH DR. LORRAINE JOHNSON

The Board approved the amendment to the agreement with Dr. Lorraine R. Johnson to extend services at an amount not to exceed \$12,000.00 from the Educationally Related Mental Health Services (ERMHS) fund.

12B.10 AGREEMENT WITH PROFESSIONAL IEP TRANSLATOR SERVICES

The Board approved/ratified the agreement with Mr. Alfonso V. Erdmann, Professional IEP Translator Services on an “as needed” basis beginning January 24, 2017.

12B.11 MEMBERSHIP TO THE CALIFORNIA SCHOOL PUBLIC RELATIONS ASSOCIATION

The Board approved the membership of Mr. Francisco Mata, Coordinator of Public Relations and Community Services to the California School Public Relations Association. Membership dues are not to exceed \$148.00 from the general fund.

12B.12 AGREEMENT WITH WESTCOAST SECURITY AND INVESTIGATIVE AGENCY, LLC

The Board approved the agreement with WestCoast Security & Investigative Agency, LLC at a cost not to exceed \$25,000.00 from the general fund.

Motion: Diaz Second: Pallasigue Vote: Unanimous

12B.13 AGREEMENT WITH VECTORUSA FOR COMPUTER IMAGING PROJECT

The Board approved the agreement with VectorUSA for a computer imaging project at a cost not to exceed \$87,500.00 from the general fund.

President Pallasigue would like an update on Chromebooks.

Motion: Diaz Second: Linares Vote: Unanimous

12B.14 AGREEMENT WITH VECTORUSA FOR NETWORK ARCHITECTURE

The Board approved the agreement with VectorUSA for Managed Technology Services Network Architecture at an estimated amount of \$75,258.16 from the general fund.

Motion: Martinez Second: Diaz Vote: Unanimous

12B.15 AGREEMENT WITH VECTORUSA FOR SERVER ARCHITECTURE

The Board approved the agreement with VectorUSA for Managed Technology Services Server Architecture at an estimated amount of \$70,438.72 from the general fund.

Motion: Martinez Second: Linares Vote: Unanimous

12C. PERSONNEL – CLASSIFIED**EMPLOYMENT**

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

12C.1 Campus Security: Peter Humphrey, effective March 1, 2017

- 12C.2** Substitute Child Nutrition Specialist: Mayra Madrigal Vallejo, effective March 1, 2017
- 12C.3** Substitute Instructional Aides: Sheila Costa, Eric Ochoa and Nayelli Sanchez, effective March 1, 2017

RESIGNATION

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

- 12C.4** Noon Supervisor: Maria Guadalupe Tovar-Becerra, effective February 2, 2017

PERSONNEL – CERTIFICATED

EMPLOYMENT

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

- 12D.1** Intervention Support Teachers (p/t): Juan Ortiz, Wilbert Pickett and Latoya Surratt, effective March 1, 2017
- 12D.2** Substitute Teachers: Amber Ackerman, Kari Dukerschein, Amy McCurry-Appel, Adriana Nishimoto, Frank Paiste, Judith Romero and Viridiana Moreno, effective March 1, 2017

Member Martinez made a motion to adjourn the meeting, seconded by Member Diaz. The vote was unanimous.

13. ADJOURNMENT Time: 9:40 p.m.

Respectfully Submitted,

Julio Fonseca, Ed.D., Secretary
Governing Board