

REGULAR MEETING OF THE GOVERNING BOARD
THURSDAY, SEPTEMBER 14, 2017
CLOSED SESSION: 5:00 p.m. – 7:00 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, September 14, 2017, with Closed Session held at 5:00 p.m. to 7:00 p.m., and reconvened into Open Session at 7:00 p.m. and conducted its business meeting at the **Multicultural Complex, 4345 Otay Mesa Round, 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: 5:01 p.m.

2. ROLL CALL by J. Arturo Sanchez-Macias, Interim Superintendent

Mrs. Rosaleah Pallasigue, President

Mrs. Irene Lopez, Vice-President

Mr. Marcos A. Diaz, Clerk

Mr. Rodolfo Linares, Member

Mr. Antonio Martinez, Member

Flag Salute by J. Arturo Sanchez- Macias, Interim Superintendent

3. PUBLIC COMMENT/COMMUNICATIONS ON CLOSED SESSION ITEMS

None at this time.

Member Martinez made a motion to recess to Closed Session, seconded by Vice-President Lopez. The vote was unanimous.

4. GOVERNING BOARD – RECESSED to CLOSED SESSION at 5:03 p.m. in accordance with section 54954.5 regarding:

4.1 GOVERNMENT CODE SECTION 54957

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/REASSIGNMENT

4.2 CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION

(Subdivision (d)(1) of Government Code Section 54956.9)

Case/Claim: San Diegans for Open Government v. San Ysidro School District

4.3 GOVERNMENT CODE SECTION 54957

PUBLIC EMPLOYEE APPOINTMENT

Title: Interim Superintendent

4.4 GOVERNMENT CODE SECTION 54957

PUBLIC EMPLOYEE APPOINTMENT

Title: Interim Director of Child Nutrition Services

4.5 CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION

(Subdivision (d)(1) of Government Code Section 54956.9)

Name of Case Special Education Due Process Hearing Student v. SYSD

OAH Case No.: 2017070838

4.6 CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION

(Subdivision (d)(1) of Government Code Section 54956.9)

Name of Case Special Education Due Process Hearing Student v. SYSD

OAH Case No.: 2017061028

4.7 GOVERNMENT CODE SECTION 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators: J. Arturo Sanchez-Macias, Interim 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 7:01 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 took the following action in Closed Session:

- 1) By a 5 to 0 vote, the Board considered and approved a Special Education Settlement Agreement for OAH Case No. 2017070838.
- 2) By a 5 to 0 vote, the Board considered and approved a Special Education Settlement Agreement for OAH Case No. 2017061028.

5. CALL TO ORDER Who: President Pallasigue Time: 7:01 p.m.

6. ROLL CALL by J. Arturo Sanchez-Macias, Interim Superintendent

Mrs. Rosaleah Pallasigue, President

Mrs. Irene Lopez, Vice-President

Mr. Marcos A. Diaz, Clerk

Mr. Rodolfo Linares, Member

Mr. Antonio Martinez, Member

7. FLAG SALUTE was conducted earlier in the meeting.

8. CONFERENCE SESSION**Reports/Presentations**

- 8.1 Solar Panel Project Update – Art Castanares
- 8.2 Child Nutrition Services – Paloma Perez
- 8.3 Construction Update – J. Arturo Sanchez-Macias

PUBLIC COMMENTS/COMMUNICATIONS ON OPEN SESSION ITEMS

- 8.4 AB 1200 – J. Arturo Sanchez-Macias
- 8.5 Attendance Plan – Kelli Hay/Omar Calleros

9. PUBLIC COMMENT/COMMUNICATIONS ON OPEN SESSION ITEMS – *MOVED UP TO FOLLOW CONSTRUCTION UPDATE***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

Olga Espinoza, Parent, 1) Asked the Board to help her son and all the children by starting an anti-bullying campaign at the schools. 2) Commented that her son was pushed by a fifth grader who wanted his ball and her son ended up in urgent care. His brothers are upset and asked why the District doesn't do anything. 3) Mentioned that she's expressed concerns to the Board on several occasions. Her son has been pushed, choked, and punched, over and over. The Board has failed her son. 4) Mentioned that the Board has better things to do than approving positions at the District when positions are needed the most at schools for the childrens' safety. 5) Commented that she was called by administrators telling her not to do protests and an employee sent the police to her. 6) Commented that no child should experience this and no parent should go through this pain. Bullying needs to stop and requested that the Board revise the bullying regulations. 7) Provided the Board a copy of some reports she's made to the District. 8) Commented that her son's brother is skipping lunch to supervise him at the field. 9) Asked the Board to make the schools safe.

Esther Gutierrez, Parent Volunteer, 1) Mentioned that she is a parent volunteer at Sunset School. 2) Commented that she is going to start collecting signatures because what is happening in the District needs to stop. No more stealing from the kids. 3) Commented that if Mr. Martinez wants to pay extra money, to pay it out of his pocket and not use the childrens' money. 4) Shared concerns about the Principals. 5) Mentioned that she understands what the parent is going through about bullying because she also went through it. Asked the Board to go to the schools to see what is happening. 6) Commented that parents at Sunset are scared to come and speak because they fear retaliation. 7) Mentioned that she no longer has children in the District, but she is spending her retirement helping kids. 8) Commented that parents work and can't be there for their children and are treated badly by employees. It's not right and she will do whatever she needs to do. 9) Mentioned that Mr. Martinez needs to go.

Carmen Ordoñez, Parent, 1) Commented that at the Board meeting on September 1, 2017, Dr. Fonseca viciously attacked her son with a statement he made. 2) Mentioned that her son doesn't feel safe at Smythe and is on independent study again. She would like to know what actions the District will take to provide a safe learning environment for her son. 3) Mentioned that the District has failed her for the past twenty-three months. Mrs. Saponara and herself have spoken to the Board, expressed concerns, and nothing has been done. 4) Commented that at the Board meeting on September 1, 2017, there was no mention on the agenda of buying out an employee's contract. The agenda stated discipline action, reassignment etc. After waiting almost five hours, the audience found out that Dr. Fonseca was being paid eighteen months salary. Commented that a January 2016 law, states that a Superintendent can only be paid a salary of twelve months. 5) Mentioned that if Mr. Martinez doesn't step down from the School Board, the community will get signatures for a recall. 6) Thanked President Pallasigue for opening up her heart to a child whose rights have been violated.

Marianna Saponara, Representing Community Members, 1) Thanked President Pallasigue for understanding what the parent who just spoke and herself have been dealing with for the last twenty-three months. 2) Commented that the community is upset because they feel Mr. Martinez orchestrated the September 1, 2017 Board meeting, when Dr. Fonseca resigned and was paid amply. 3) Thanked Mr. Macias for speaking about safety first. 4) Mentioned that the student who's been on independent study doesn't feel safe at Smythe School. She agreed with the parent that something has to be done. 5) Mentioned that she and the parent she's representing started the Peace Patrol, and because of that, she received a letter from a staff member saying they are the bullies of the school. 6) Commented that a complaint was given to her yesterday, nine months after it was filed by a person in December. 7) Commented that she is willing to work with Mr. Macias and Mrs. Pallasigue to protect student rights.

Zenaida Rosario, Teacher, 1) Thanked the Board and everyone involved for the beautiful school. 2) Commented that she was one of many who were skeptical about the school being ready on the day when they returned. 3) Mentioned that she talked to an architect that said he hadn't seen his little girl in weeks, worked many hours but was motivated by the thought that the school would open the doors to children that deserved it. 4) Commented that she shares with her students the importance of senses and surroundings. There are so many teachable moments outside. 5) Commented that the extra ten days waiting for the school was worth it. Thanked Mr. Macias because without his knowledge, expertise on money, and everything he brings to the District, this couldn't have happened and with the support of the Board. 6) Mentioned that she hopes the Board continues to support future projects and is transparent with a timeline for our next leader. 7) Commented that we need a Superintendent that is committed. 8) Asked the Board not to spend money on a Superintendent Search. 9) Mentioned that she would like to be on the interviewing committee for the Superintendent.

Jose Luis Perez, Student, 1) Mentioned that he is an eighth grader and the ASB Treasurer. 2) Commented that he doesn't want his brother to suffer anymore. The bullying needs to stop. 3) Mentioned that his teacher has made him late to his fourth period and told him he will put him in afterschool detention because he doesn't do his work. He responded and his teacher said that he will no longer be in that class. 4) Commented that the issue was resolved, but asked what disciplinary action will take place for this teacher. The teacher gets him in trouble because he helps the newcomers.

Jose Luis Perez, Student, 1) Commented that we need bilingual teachers. 2) Mentioned that his teacher gives detention for speaking Spanish and helping other students that don't speak English.

Nadia Contreras, People Over Profits – San Diego, 1) Commented that it's great that the District focuses on nutrition and wellness but thinks it's secondary to the children's mental state. 2) Mentioned that if trauma isn't addressed, children won't succeed long term. 3) Commented that a child committed suicide due to bullying. This is a serious conversation to have. 4) Mentioned that someone from the District threatened a parent and that is unacceptable. 5) Commented that children must feel safe at school and bullying needs to be a top priority. 6) Mentioned that the Board should consider a Restorative Justice Program. 7) Commented that children are being surveyed for bullying and the Board should respond with actions, not with words.

8) Commented that the Board should think about transborder lives and how children treat each other differently. She wouldn't want another child to commit suicide.

Olga Espinoza, Parent, 1) Commented that she called the police to try and make a report on school grounds but somebody called the police on her. She was made to look like the bad person.

2) Mentioned that she is waiting on the results of the investigation.

Lupe Aguilar, Former Community Member, 1) Suggested that the podium be placed at an angle so the public and Board can see the person speaking.

Brenda Ramos, Parent, 1) Shared concerns regarding the cafeteria food that children eat at school.

2) Commented that her children would sometimes not eat lunch because the food didn't taste good, was cold and almost frozen. 3) Mentioned that children are limited with options and go a full day without eating. 4)

Commented that she works at a restaurant and is very particular with cleanliness. She is concerned about tuberculosis and asked if the District follows adequate procedures for the food. 5) Mentioned that she would like the Board to evaluate the companies that provide the food and to get student and parent feedback. 6) Commented that she just met a student and would like to ask her some questions about the cafeteria food and invited her to the podium.

Jannette Garcia, Student, 1) Commented that she ate food that was expired last year and was in the hospital with an infection. 2) Mentioned that she's had cold food that's not always cooked right.

3) Commented that she would like healthier food served in the cafeteria.

Mohamed Abdallah, People Over Profits – San Diego, 1) Commented that as a Muslim person of color, bullying has impacted his life growing up. 2) Mentioned that he grew up in a town in New Jersey feeling unsafe and scared. He was beaten up and bruised mentally and emotionally. 3) Commented that he moved forward since then and vowed to speak up strongly against bullying. 4) Mentioned that because of amazing community members here, he was emboldened to speak out about bullying. 5) Commented that many community members don't trust the police. 6) Mentioned that we shouldn't criminalize bullies, but help them. 7) Asked the Board to look into the bullying issues, amend policies, and adopt procedures that will help handle the bullying situations. 8) Commented that children should not be committing suicide. Being empathetic, understanding and listening is valuable.

President Pallasigue, 1) Commented that she wants to possibly re-explore having an internal bullying hotline and a body of persons comprised of community members and trusted teachers to have a safe space to report and to get resources. 2) Mentioned that she was bullied constantly because her family had no money, food or clothes. It's a mental and emotional abuse. 3) Commented that her daughter was bullied, having anxiety attacks, and her grades lowered. She was able to get the issues addressed and hopes that everyone gets the same help and attention. 4) Mentioned that she's talked about having Restorative Justice, yoga, art therapy, big brother and big sister programs within the school grounds. 5) Commented that we should bring law enforcement and focus on building trust within the community and bring empowerment for young girls and young men. 6) Mentioned that everyone has been bullied at some point in the workplace, as adults and as young people. 7) Commented that she doesn't want San Ysidro to be a place like this.

Vice-President Lopez, 1) Commented that the Board talked about changing the Bullying Policy but it never came back to the Board. 2) Mentioned that we don't want students to be suspended, we want them to be helped. 3) Commented that we need to bring services to help them so they can be accepted by society and have a future.

Clerk Diaz made a motion to recess at 9:09 p.m., seconded by Member Martinez. The vote was unanimous.

The Board reconvened at 9:38 p.m.

At this time, the Board continued with Reports/Presentations Items 8.4 and 8.5.

10. ITEMS FROM THE BOARD & SUPERINTENDENT

Vice-President Lopez, 1) Mentioned that the Interim Director of Special Education has done a good job, but thinks it's critical to look for a Director of Special Education. There are a lot of needs in Special Education. 2) Thanked Todd Lewis, Director of IT. Commented that the position was crucial and she is glad he is on board. 3) Commented that middle school students were throwing trash at 7/11 and moving the merchandise. Thanked Mr. Lovelace and Mr. Carrillo for looking into it and for teaching the students responsibility for their actions and respect for the community.

Member Linares, 1) Mentioned that he is disturbed and concerned about the future of our District due to the latest events affecting our District and community. Having read some of the comments made in the media and Facebook, he feels that the Board and administration have been highly ridiculed. 2) Commented that for the first time since February 16, when a smear campaign was started against him by the administration and some Board members, he can say thank you to the Board President for reaching out to us and in unity being able to cast a unanimous vote at the September 1, 2017, Board meeting. 3) Mentioned that he is proud to say that we have accomplished great things in San Ysidro and once again the District has become stable with multiple accomplishments. Thanks to the competence of Mr. Macias and his background in the business sector, now our Interim Superintendent, we now enjoy a prosperous District and have been able to work with our employee unions in offering salary raises and have also remodeled some old schools.

4) Commented that he strongly disagreed and has concerns with legal counsel and the ramifications that may come in regards to the separation agreement submitted on behalf of Dr. Fonseca. He agreed in accepting the resignation of the Superintendent based on the severity of the situation, but not in the buyout.

5) Commented that the purpose of the Special Meeting called by the President on September 1, 2017, was to address the seriousness of accusations against Dr. Fonseca which were corroborated by the HR Department.

He was going to be placed on administrative leave under Government Code Section 53260 and that it was the only item on the agenda. 6) Mentioned that we were informed that Dr. Fonseca did not accept and did not want to be put on administrative leave, instead, he wanted to resign and get a payout. A separation agreement was presented to the Board and already negotiated with Dr. Julio Fonseca and Fagen Friedman & Fulfroost LLC law firm, to the tune of about \$400,000 pending minor details. Mentioned that he emphatically opposed to any buyout especially when he offered his resignation. 7) Commented that Dr. Fonseca's misconduct sealed his fate. With the assistance of dubious attorneys, plotted and preyed on the inexperience of Board Members to craft an illegal separation agreement for his own personal benefit. Such an agreement was not part of the agenda and was rushed and made part of the resignation. 8) Commented that an item discussed in closed session and not posted on the agenda doesn't have the protection of the Brown Act.

9) Mentioned that he is not an attorney, nor does he practice law, but has experience in the legal field while doing research in case law with attorneys. 10) Commented that the Board approved an illegal separation agreement which included salary compensation equitable to 18 months. Governor Brown recently amended the Government Code by signing Assembly Bill 215 into law. This law shortens K-12 Superintendent's buyouts specifically for contracts executed on or after January 1, 2016 and the maximum cash settlement has been reduced to an amount equal to the Superintendent's monthly salary multiplied by twelve. 11) Mentioned that Government Code 53264 states: "This article shall apply prospectively and shall affect any contract originally approved by the governing body or any existing contract that is extended by the governing body, after the effective date of this article." 12) Commented that on March 10, 2016, the Board approved the second amendment to Dr. Fonseca's contract effective July 1, 2016, extending the original contract. This contract became governed by the Government Code section mentioned. When this information was presented, I was ignored by the Board and legal counsel. 13) Shared Government Code Sections 53260 (b) (1) mentioning that the local agency employer shall not provide a cash or non-cash settlement to its Superintendent in any amount if the local employer believes, and subsequently confirms, pursuant to an independent audit, that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices. Mentioned that in this case, the Superintendent not only resigned, but is being sued personally by a non-profit taxpayer association, "San Diegans for Open Government," for misappropriation of funds under Penal Code Section 424.

14) Commented that the language is clear and was once again overlooked by both the Board and legal counsel. We should not make the same mistake as the previous Board did in the settlement of Manuel Paul. It is illegal for our own attorneys to represent both parties in an illegal separation agreement and to maliciously ignore the statutes. We are exposing ourselves to a possible lawsuit for illegally giving away public funds.

15) Mentioned that the legal firm from L.A. brought in by Dr. Fonseca exclusively to assist him, Fagen Friedman & Fulfrost LLC, colluded and acted in bad faith for the benefit of Dr. Fonseca and have exposed themselves to a Bar complaint for conflict of interest and legal malpractice. 16) Commented that he is perplexed that our District Financial Adviser, the County, sided with the LA firm and approved this illegal separation agreement. He requested that this law firm be dismissed immediately.

Clerk Diaz, 1) Commented that parents sometimes don't feel comfortable speaking out. Mentioned this is a forum for parents and community members to address the Board and let the Board know what is going on.

2) Asked everyone to invite parents to Board meetings. 3) Commented that two and half years ago, the District was broke and fortunately, we had a change in leadership. The District received positive ratings, finances improved, redid the instructional design, reconfiguration happened and the remodeling of schools.

4) Mentioned that the schools look good. The community feels better and wants to maintain and fix up their homes. It's a trickle down situation. 5) Mentioned that the accomplishments are amazing but improvements continue.

6) Thanked everyone for all the hard work, especially, the employees that work at the school sites.

Member Martinez, 1) Thanked Mr. Carrillo for hosting the Board meeting. 2) Commented that we need to work together to get the bullying resolved. Gave direction to Mr. Macias and his staff to look into having protection for students not just inside our schools, but outside of our schools where the kids might go and fight. Suggested collaborating with other organizations and taking a proactive approach to come up with the solution.

3) Mentioned that an internal hotline is a great idea because kids are afraid to tell. If the other kids find out, they will continue to be bullied. 4) Thanked Olga for speaking up and sharing her concerns.

5) Mentioned that we need to look into what is causing kids to be bullies. There are many circumstances that make them a bully and in his opinion, that's how we end bullying. 6) Commented that he would like options for the Beyer School site. 7) Mentioned that he agrees with Mrs. Rosario. We need to have a community process for a Superintendent Search with the support of teachers and classified.

Interim Superintendent, 1) Commented that the more I learn, the less I know. It's quite eye opening.

11. GENERAL ADMINISTRATION

11.1 MINUTES

The Board approved the minutes of the Regular Board meetings of June 8, 2017 and July 13, 2017.

Motion: Martinez

Second: Pallasigue

Vote: Unanimous

Member Martinez made a motion to amend the agenda and move Items 11.2, 11.3, 11.8, 11.9 and 11.10 after the Board returns from the next Closed Session, seconded by Clerk Diaz. The vote was unanimous.

Member Martinez made a motion to move Item 11.11 after the Board returns from the next Closed Session, seconded by Clerk Diaz. The vote was unanimous.

11.2 ADDENDUM NO. 2 TO THE EMPLOYMENT AGREEMENT OF THE DEPUTY SUPERINTENDENT – Moved to follow Closed Session

The Board approved/ratified revised Addendum No. 2 to the Employment Agreement with Mr. Jose Arturo Sanchez Macias to the position of Interim Superintendent.

Motion: Pallasigue

Second: Lopez

Vote: Unanimous

- 11.3 APPOINTMENT OF BOARD SECRETARY – Moved to follow Closed Session**
The Board appointed J. Arturo Sanchez-Macias, Interim Superintendent, as the Board Secretary.
- Motion: Martinez Second: Diaz Vote: Unanimous
- 11.4 ADOPTION OF 2016-2017 UNAUDITED ACTUALS FINANCIAL REPORT**
The Board approved the adoption of the 2016-2017 Unaudited Actuals Financial Report.
- Motion: Martinez Second: Lopez Vote: Unanimous
- 11.5 2016-2017 EDUCATION PROTECTION ACCOUNT (EPA) YEAR-END EXPENDITURE REPORT**
Information Only – See attached 2016-2017 EPA Expenditure Report (Proposition 30 funds). The EPA Expenditure Report for 2016-2017 will be published on the District’s website for public view.
- Motion: Diaz Second: Pallasigue Vote: Unanimous
- 11.6 COLLECTIVE BARGAINING AGREEMENT WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (CSEA) CHAPTER 154 AND AB1200**
The Board approved the Collective Bargaining Agreement between the San Ysidro School District and the California School Employees Association (CSEA) Chapter 154 and submittal of AB1200.
- Motion: Martinez Second: Diaz Vote: Unanimous
- 11.7 COLLECTIVE BARGAINING AGREEMENT WITH THE SAN YSIDRO EDUCATION ASSOCIATION (SYEA) AND AB1200**
The Board approved the Collective Bargaining Agreement between the San Ysidro School District and the San Ysidro Education Association (SYEA) and submittal of AB1200.
- Motion: Diaz Second: Martinez Vote: Unanimous
- 11.8 RESOLUTION NO. 17/18-3103 DESIGNATING AUTHORIZED AGENTS TO SIGN SCHOOL ORDERS (COMMERCIAL WARRANTS) – Moved to follow Closed Session**
The Board approved/ratified Resolution No. 17/18-3103 removing Dr. Julio Fonseca and adding Ms. Laura Caballero, Controller to be an authorized agent to sign school orders (commercial warrants) effective September 2, 2017.
- Motion: Diaz Second: Lopez Vote: Unanimous
- 11.9 RESOLUTION NO. 17/18-3104 AUTHORIZING AGENT TO SIGN PAYMENT ORDERS- Moved to follow Closed Session**
The Board approved/ratified Resolution No. 17/18-3104 removing Dr. Julio Fonseca and adding Ms. Laura Caballero, Controller to be an authorized agent to sign payment orders effective September 2, 2017.
- Motion: Martinez Second: Lopez Vote: Unanimous

**11.10 RESOLUTION NO. 17/18-3105 AUTHORIZING REPLACEMENT OF WARRANTS -
Moved to follow Closed Session**

The Board approved/ratified Resolution No. 17/18-3105 removing Dr. Julio Fonseca and adding Ms. Laura Caballero, Controller to be an authorized agent to reissue new payroll and commercial warrants effective September 2, 2017.

Motion: Martinez

Second: Lopez

Vote: Unanimous

**11.11 RESOLUTION NO. 17/18-3106 AUTHORIZING AGENTS TO SIGN BANK ACCOUNT
CHECKS AND SCHOOL ORDERS FOR FISCAL YEAR 2017-18 – Moved to follow Closed
Session**

The Board approved/ratified Resolution No. 17/18-3106 removing Dr. Julio Fonseca and adding Ms. Laura Caballero, Controller to be an authorized agent to sign bank account checks and school orders effective September 2, 2017.

Motion: Martinez

Second: Lopez

Vote: Unanimous

**11.12 NOMINATIONS - CSBA DIRECTORS-AT-LARGE AFRICAN AMERICAN AND
AMERICAN INDIAN**

The Board accepted nominations for the CSBA Directors-at-Large African American and American Indian and nominated Bettye Lusk (African American).

Motion: Pallasigue

Second: Martinez

Vote: Unanimous

**11.13 ANNUAL PUBLIC HEARING REGARDING SUFFICIENCY OF INSTRUCTIONAL
MATERIALS AND WILLIAMS LEGISLATION**

The Board opened the annual public hearing regarding Sufficiency of Instructional Materials and Williams Settlement Instructional Materials funds for the 2017-2018 fiscal year.

Motion: Diaz

Second: Lopez

Vote: Unanimous

There were no public comments.

**11.14 ANNUAL PUBLIC HEARING REGARDING SUFFICIENCY OF INSTRUCTIONAL
MATERIALS AND WILLIAMS LEGISLATION**

The Board closed the annual public hearing regarding Sufficiency of Instructional Materials and Williams Settlement Instructional Materials funds for the 2017-2018 fiscal year.

Motion: Diaz

Second: Martinez

Vote: Unanimous

**11.15 RESOLUTION DETERMINING SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR
FISCAL YEAR 2017-2018**

The Board adopted Resolution No.17/18-0002 determining Sufficiency of Instructional Materials for fiscal year 2017-2018.

Motion: Martinez

Second: Lopez

Vote: Unanimous

11.16 RESOLUTION TO SUPPORT RED RIBBON WEEK, OCTOBER 23-31, 2017: “YOUR FUTURE IS KEY, SO STAY DRUG FREE”

The Board approved Resolution No. 17/18-0003 to support the activities during the Red Ribbon Week on October 23-31, 2017, with expenditures not to exceed \$1,500.00 for bracelets from the general fund.

Motion: Diaz

Second: Lopez

Vote: Unanimous

12. CONSENT CALENDAR

The Board approved the Consent Calendar with the following changes:

- 1) Pulled Consent Calendar Items 12A.3, 12A.6 and 12E.1 for discussion and to be voted on separately.

Motion: Martinez

Second: Diaz

Vote: Unanimous

12A. CURRICULUM & INSTRUCTION

12A.1 PARTICIPATION IN THE 7TH GRADE COMPACT FOR SUCCESS CAMPUS VISIT TO SAN DIEGO STATE UNIVERSITY

The Board approved the participation of Seventh grade students from Vista Del Mar and San Ysidro Middle Schools to the Compact for Success Campus visit to the San Diego State University on Saturday, October 21, 2017 at an estimated cost of \$3,500.00 from the supplemental and concentration fund.

12A.2 APPROVAL OF SINGLE PLANS FOR STUDENT ACHIEVEMENT (SPSA)

The Board approved the 2017-2018 Single Plans for Student Achievement for La Mirada, Smythe, Sunset, Willow, Ocean View Hills, Vista Del Mar and San Ysidro Middle Schools.

12A.3 LICENSES FOR THE RENAISSANCE LEARNING PROGRAM AS A SUPPLEMENTAL CURRICULUM FOR INDEPENDENT LITERACY/NUMERACY

The Board approved the purchase of the Renaissance Learning Program for all sites at an estimated cost of \$136,544.60 from the supplemental and concentration fund.

Motion: Diaz

Second: Martinez

Vote: Unanimous

12A.4 ANNUAL REPORT OF HEALTH OFFICE VISITS AND HEARING, VISION AND DENTAL SCREENINGS FOR SCHOOL YEAR 2016-2017

Information only.

12A.5 FIELDTRIPS TO OPERATION SCHOOL BELL

The Board approved the fieldtrips to Operation School Bell for La Mirada, Willow, Smythe, and Sunset Schools on the following dates: September 23, 2017, January 20, February 17 and March 17, 2018. The estimated cost for transportation is \$2,500.00 from the supplemental and concentration fund.

12A.6 STAFF DEVELOPMENT

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

PARTICIPANT(S)	EVENT	PLACE	FROM/TO	COST	FUNDING
Janette Ridgels, Oscar Madera	Critical Issues Conference	Palm Springs	October 26-27, 2017	\$1,014.00	Special Education & SELPA Funds
Daniel Chavez	Affordable Care Act (ACA) Reporting Workshop	SDCOE	August 25, 2017	\$0	No Cost
Daniel Zummo, Linda Gonzales	FRISK- A Legal Workshop for Managers	SDCOE	October 17, 2017	\$280.00	General Fund
Oscar Madera, Rick Quintana, Denise Villezcas, Martha Murillo, Scott Lovelace, Sylvia Armenta, Dalia Gonzalez-G., Lupita Garcia, Marlo Vasquez, Consuelo Carranza, Erika Meza Catalina Jauregui	Crisis Intervention Recovery: The Roles of School- Based Mental Health	SDCOE	November 15-16, 2017 February 14-15, 2018	\$1,560.00	Educationally Related Mental Health Services (ERMHS) Fund
Nadia Aviles, Elizabeth Moreno, Alejandro Vargas, Terry Williams, Christine Bernard, Vikki Viramontes- Castorena and Eliud Lagarda	Annual Summit on Student Engagement and Attendance	San Diego	September 15, 2017	\$860.00	General Fund
Nadia Aviles, Catalina Jauregui, Manolo Paul, Maida Gonsales, Christine Bernard, Vikki Viramontes	BEST - Best Behavior: Building Positive Behavioral Interventions	SCREC	September 21- 22, 2017	\$1,864.00	General Fund

PARTICIPANT(S)	EVENT	PLACE	FROM/TO	COST	FUNDING
Maria Raygoza, Eliud Lagarda	And Supports Training – OVH				
Luis Ramos, Nadia Aviles, Efrain Burciaga, Joel Tapia, Manuel Bojorquez, Roberto Carrillo, Maria Rodriguez and a teacher from each site TBD	School Climate Conference	Temecula	November 12-13, 2017	\$6,000.00	Title II Fund
Stephanie Hake, Marianne Islas, Sara Tennyson, Lupita Garcia, Arturo Preciado, Denise Villezcas, Maria Rodriguez	BEST-Best Behavior: Building Positive Behavioral Interventions and Supports training - VDM	SCREC	September 21- 22, 2017	\$1,145.06	General Fund
Cesar Mercado	Coding in the Classroom Series	SDCOE	October 3, 2017 October 7, 2017 October 11, 2017	\$508.06	General Fund

Motion: Martinez

Second: Diaz

Vote: Unanimous

12B. BUSINESS

12B.1 PURCHASING REPORT

The Board approved/ratified the following purchase orders incurred by the District during the period of August 7 through September 6, 2017. (Report #2): • General Fund: 0000002151-0000002159, 0000002161-0000002164, 0000002166, 0000002168, 0000002172, 0000002174, 0000002177-0000002185, 0000002188, 0000002231-0000002235, 0000002237-0000002247, 0000002249-0000002251, 0000002253-0000002255, 0000002260-0000002261, 0000002263-0000002276, 0000002283-0000002285, 0000002288-0000002292, 0000002294-0000002298 • Child Development Fund: 0000002160 • Child Nutrition Fund: 0000002189-0000002211, 0000002213-0000002220, 0000002222-0000002230, 0000002248, 0000002257-0000002259, 0000002277-0000002282 • Building Fund: 0000002167, 0000002175-0000002176, 0000002186, 0000002236, 0000002256, 0000002262 • Capital Facilities Fund: 0000002252, 0000002286 • Capital Projects Fund: 0000002212, 0000002221, 0000002287.

12B.2 EXPENDITURE REPORT

The Board approved/ratified the expenditures incurred by the District during the period of July 31, 2017 through August 30, 2017. Listing sheets #1085 through #2006. Payments were made with checks #14-290722 through #14-301126 for a total expenditure of \$5,419,385.50.

12B.3 ACCEPTANCE OF DONATIONS

The Board accepted donations at an estimated value of \$7,992.00 to help motivate and welcome staff to the 2017-18 school year.

12B.4 AGREEMENT WITH LOOMIS ARMORED US, LLC

The Board approved/ratified the 2-year service agreement with Loomis Armored US, LLC for armored transportation services at an estimated monthly cost of \$200.00 from the general fund.

12B.5 AGREEMENT WITH SCHOOL SERVICES OF CALIFORNIA INC. FOR FISCAL AND MANAGEMENT INFORMATION SYSTEMS

The Board approved/ratified the agreement with School Services of California, Inc. for Fiscal and Management Information Services from September 1, 2017 to August 31, 2018 at an estimated cost of \$4,260.00 from the general fund.

12B.6 AGREEMENT WITH ALTA ROOFING AND WATERPROOFING

The Board approved/ratified the agreement with ALTA Roofing and Waterproofing for roof repairs at the San Ysidro Middle School at the estimated cost of \$9,800.00 from the building fund.

12B.7 AGREEMENT WITH STANLEY CONVERGENT SECURITY SOLUTIONS, INC.

The Board approved/ratified the 5-year Installation and Service Agreement with Stanley Convergent Security Solutions, Inc. for La Mirada and Smythe Elementary Schools at an estimated contract cost of \$41,794.00 from the general fund.

12B.8 AGREEMENT WITH GROSSMONT UNION SCHOOL DISTRICT

The Board approved/ratified the Transportation and Vehicle Repair Services Agreement with Grossmont Union School District for the rental of three (3) school buses for school year 2017-18 at an estimated cost of \$70,000.00 from the general fund.

12B.9 AGREEMENT WITH KLEINFELDER- AMENDMENT NO. 1

The Board approved/ratified Amendment No. 1 to the Agreement with Kleinfelder to conduct a Geotechnical study at the San Ysidro Middle School's Building 400 at an estimated cost of \$39,700.00 from the building fund.

12B.10 AGREEMENT WITH DARCY MORALES MONGE, M.S.

The Board approved the agreement with Ms. Darcy Morales Monge, M.S., as a consultant for school year 2017-2018 at a cost not to exceed \$59,290.00 from the Educationally Related Mental Health Services (ERMHS) fund.

12B.11 AGREEMENT WITH MEDICAL BILLING TECHNOLOGIES, INC.

The Board approved the agreement with Medical Billing Technologies, Inc. to generate Backcasting invoices for school years 2012-2013, 2013-2014, and 2014-2015 at an amount of \$2,500.00 from the Medi- Cal Administrative Activities (MAA) fund.

- 12B.12 MEMORANDUM OF UNDERSTANDING WITH DIGITAL PROMISE-AMENDMENT NO. 1**
The Board approved/ratified Amendment No.1 to the Digital Promise Memorandum of Understanding for a Coaching Fellowship Program during the 2017-18 school year at no cost to the District.
- 12B.13 AGREEMENT WITH YMCA OF SAN DIEGO, BORDER VIEW FAMILY FOR THE 2017-18 AFTER SCHOOL EDUCATION & SAFETY (ASES) SERVICES- ATTACHMENTS A-1**
The Board approved/ratified the inclusion of Attachments A through I to the agreement with YMCA of San Diego County (Border View Family YMCA) for the 2017-18 After School Education & Safety (ASES) Program detailing fund distribution from the ASES grant and 21st Century Community Learning Center (CCLC) grant.
- 12B.14 MEMORANDUM OF UNDERSTANDING WITH JEWISH FAMILY SERVICE**
The Board approved the Memorandum of Understanding with the Jewish Family Service to provide the "Triple P" Positive Parenting Program to children and families of the District during school Year 2017-18 at no cost to the District.
- 12B.15 AGREEMENT WITH EPISCOPAL COMMUNITY SERVICES (ECS) FOR HEAD START PROGRAM**
The Board approved/ratified the agreement with Episcopal Community Services for Head Start Program funding during fiscal year 2017-2018.
- 12B.16 AGREEMENT WITH THE SAN DIEGO COUNTY SUPERINTENDENT OF SCHOOLS- LIVE WELL, SAN DIEGO! PROGRAM FOR 2017-2018**
The Board approved the agreement with the San Diego County Superintendent of Schools to Provide compensation for consulting services in support of the Live Well San Diego! Program in The amount of \$27,984.00.
- 12B.17 AGREEMENT WITH MICHAEL COTHRINE**
The Board approved the agreement with Michael Cothrine to provide interval fitness training and nutrition consultation to preschool staff aligned with the Live Well, San Diego! Program at a cost not to exceed \$27,984.00 from the Preschool & Child Development QPI-Live Well funds.
- 12B.18 MEDIA ARTS CENTER SAN DIEGO SERVICES**
The Board approved/ratified the services of Media Arts Center San Diego for a Welcome Back video production at an estimated cost of \$1,300.00 from the general fund.
- 12B.19 AGREEMENT WITH SOUTHWESTERN COLLEGE FOR SERVICE LEARNING PROGRAM**
The Board approved/ratified the 3-year agreement with Southwestern College for the Service Learning Program from July 1, 2017 to June 30, 2020 at no cost to the District.
- 12B.20 DOCUMENT TRACKING SERVICES LICENSING AGREEMENT**
The Board approved the license agreement with Document Tracking Services (DST) at a cost not to exceed \$2,500.00 from the general funds.

- 12B.21 INTERDISTRICT ATTENDANCE AGREEMENT WITH ENCINITAS UNION SCHOOL DISTRICT**
The Board approved the Interdistrict Attendance Agreement with Encinitas Union School District for school years 2017-2018 through 2021-2022.
- 12B.22 COOPERATIVE STRATEGIES AGREEMENT FOR CONSULTING SERVICES**
The Board approved the agreement with Cooperative Strategies for consulting services and the completion of Annual and Five Year Reports for fiscal years 2014-15 through 2016-17 at an estimated cost of \$5,000.00 from the building fund and Community Facilities District's (CFD's) fund.
- 12B.23 AGREEMENT WITH SCRIPPS PERFORMING ARTS, INC. FOR A MUSICAL THEATRE PROGRAM**
The Board approved/ratified the revised agreement with Scripps Performing Arts, Inc. for a Musical Theatre Program for Sunset, Willow and Ocean View Hills Schools during the 2017-18 school year, at a cost not to exceed \$165,336.00 from the supplemental and concentration fund.
- 12B.24 AGREEMENT WITH MTGL, INC.**
The Board approved the agreement with MTGL Inc. to provide an Asbestos Training course for staff: Cruz Delgado, Jorge Barriga, Martin Sanchez, Jesus Sanchez, Eliseo Alba, Jose Leon, Robert Spencer, and Victor Guzman at an estimated cost of \$1,000.00 from the general fund.
- 12B.25 FRESH FRUIT AND VEGETABLE PROGRAM GRANT AWARD- AMENDMENT NO. 1**
The Board approved Amendment No. 1 to the Fresh Fruit and Vegetables Program Grant Award's First allocation in the amount of \$5,822.00.
- 12B.26 2016 NATIONAL SCHOOL LUNCH PROGRAM EQUIPMENT ASSISTANCE GRANT EXTENSION**
The Board accepted the 2016 National School Lunch Program Equipment Assistance Grant extension in the amount of \$88,000.00 for Nutrition Services.
- 12B.27 AGREEMENT WITH ALANDATA CORPORATION**
The Board approved the agreement with the Alandata Corporation for specialized technical Assistance during 2017-18 in an amount not to exceed \$75,000.00 from the general fund.

12C. PERSONNEL- CLASSIFIED

EMPLOYMENT

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

- 12C.1** Campus Security – Ramiro Hernandez effective October 1, 2017
- 12C.2** Noon Supervisors – Karla Armas, Cynthia Barcenas, Nataly Cisneros, Mittsi Gutierrez, Tiffany Josef, Miguel Nieto, Silvia Rodriguez, and Rossa Vega effective September 15, 2017
- 12C.3** Substitute Instructional Aide – Esmeralda Morales effective October 1, 2017
- 12C.4** Testing Assistant – Alexis Tapia effective October 1, 2017

RESIGNATION

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

- 12C.5** Instructional Aide – Xochitl Enciso effective August 23, 2017
12C.6 Noon Supervisor – Jack Shrosphire effective August 10, 2017

12D. PERSONNEL- CERTIFICATED**EMPLOYMENT**

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

- 12D.1** Preschool Permit Teacher – Manuel Infante effective October 1, 2017
12D.2 Substitute Teachers - Mario Alejandro, Alicia Babadilla, Gregory Baer, Fabriana Cafalli, Claudia Gomez, Alyssa Harry, Bianca Huntley, Bianca Jimenez, An-Albert Le, Mark Magaña, Chloe Manis, William McCalip, Thomas Mich, Gregory Milligan, Raquel Olivas, Sherri Oliver, Maricruz Peraza-Aranda, Lauren Reyna, Rupert Rivera III, Daniela Rodriguez, Ruth Romero, Brenda Salazar, Maria Santos, Virgie Thibault, Jill Toctocan, Nataliya Vatsyayana, Adam Shea and Sarah Watson effective October 1, 2017
12D.3 Teachers- Special Day Class- Jennifer Coletta, Amanda Hansen and Diana Pacheco effective October 1, 2017.

POSITION AND STATUS CHANGE

The Board approved/ratified the position and status change for the following as recommended by staff:

- 12D.4** Classroom Teacher K-8 – Temporary Classroom Teacher to Classroom Teacher for Katherine O’Callaghan effective August 14, 2017

RESIGNATION

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

- 12D.5** Teacher- Special Day Class – Yessica Oropeza effective August 7, 2017

12E. PERSONNEL- MANAGEMENT

Member Martinez made the motion to move Item 12E.1 after Closed Session, seconded by Clerk Diaz. The vote was unanimous.

APPOINTMENT OF INTERIM DIRECTOR OF CHILD NUTRITION SERVICES – Moved to follow Closed Session

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

- 12E.1** Interim Director of Child Nutrition Services – Paloma Perez effective August 1, 2017

Motion: Diaz

Second: Martinez

Vote: 3Ayes- 2 Noes (Diaz and Linares)

Member Martinez made a motion to reconvene to Closed Session, seconded by President Pallasigue. The vote was unanimous.

GOVERNING BOARD – RECONVENED to CLOSED SESSION at 11:12 p.m. in accordance with section 54954.5 regarding:

4.1 GOVERNMENT CODE SECTION 54957

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/REASSIGNMENT

4.2 CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION

(Subdivision (d)(1) of Government Code Section 54956.9)

Case/Claim: San Diegans for Open Government v. San Ysidro School District

4.3 GOVERNMENT CODE SECTION 54957

PUBLIC EMPLOYEE APPOINTMENT

Title: Interim Superintendent

4.4 GOVERNMENT CODE SECTION 54957

PUBLIC EMPLOYEE APPOINTMENT

Title: Interim Director of Child Nutrition Services

4.7 GOVERNMENT CODE SECTION 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators: J. Arturo Sanchez-Macias, Interim 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 1:22 a.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.

ROLL CALL by J. Arturo Sanchez-Macias, Interim Superintendent

Mrs. Rosaleah Pallasigue, President

Mrs. Irene Lopez, Vice-President

Mr. Marcos A. Diaz, Clerk

Mr. Rodolfo Linares, Member

Mr. Antonio Martinez, Member

The Board had nothing to report from Closed Session.

At this time, the Board took action on items that were moved to follow Closed Session.

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

13. ADJOURNMENT Time: 1:29 a.m.

Respectfully Submitted,

Mary L. Willis, Ed.D.
Interim Superintendent