

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, SEPTEMBER 24, 2015
4:30 p.m.

Pursuant to Government Code Section 54956 and Education Code Section 35144, the Regular Meeting of the Governing Board was held on Thursday, September 24, 2015, at 4:30 p.m. and conducted its business meeting at the **Multicultural Complex, 4345 Otay Mesa Road, San Ysidro, CA 92173.**

MINUTES

1. **CALL TO ORDER** Who: President Martinez Time: 4:32 p.m.

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

3. **BOARD INTERVIEWS AND APPOINTMENT**
 The Board interviewed Board Candidates and appointed Steven Ben Kinney to the Governing Board.

Maritza Lizzet Gerardo-Chavarin
Gretzell Hallmen
Steven Ben Kinney
Felipe Nuno

Motion: Linares Second: Diaz 3 Ayes - 1 Noe (C)

ADMINISTRATION OF OATH OF OFFICE – The oath of office was administered by Sandy Shelver.

4. **PUBLIC COMMENT/COMMUNICATIONS ON CLOSED SESSION ITEMS**

None at this time.

Clerk Linares made the motion to recess to Closed Session, seconded by Vice-President Diaz. The vote was unanimous.

5. **GOVERNING BOARD – RECESSED to CLOSED SESSION at 5:46 p.m. in accordance with section 54954.5 regarding:**

5.1 **GOVERNMENT CODE SECTION 54957**

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/REASSIGNMENT

1 case

5.2 **CONFERENCE WITH LEGAL COUNSEL-PENDING LITIGATION:**

Government Code section 54956.9(a) and (d)(1)

Name of Case: San Ysidro School District v. Stutz Artiano Shinoff & Holtz, APC

San Diego Case No. 2015-00009253-CU-PN-CTL

5.3 CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) and (e)(1): 1 case

**5.4 GOVERNMENT CODE SECTION 54957.6
CONFERENCE WITH LABOR NEGOTIATORS**

Agency Negotiators: Julio Fonseca, Ed.D., Superintendent and Amy Hunt, 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 7:06 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) After consultation with legal counsel, the Board unanimously with a vote of 5-0 approved and authorized the District to enter into a proposed settlement agreement regarding pending litigation in the matter of San Ysidro School District v. Stutz Artiano Shinoff & Holtz, APC San Diego Case No. 2015-00009253-CU-PN-CTL. The proposed settlement agreement resolves the District's claims in its pending litigation against its former legal counsel. Pursuant to the proposed terms, the District will recover approximately \$1.8 million, which the District can use towards its general fund.

6. **CALL TO ORDER** Who: President Martinez Time: 7:06 p.m.

7. **ROLL CALL** by Julio Fonseca, Ed.D., Superintendent & Secretary to the Board
Mr. Antonio Martinez, President
Mr. Marcos A. Diaz, Vice-President
Mr. Rodolfo Linares, Clerk
Mrs. Luciana Corrales, Member
Mr. Steven Kinney, Member

8. **FLAG SALUTE** by Julio Fonseca, Ed.D., Superintendent & Secretary to the Board

The Board recessed at 8:06 p.m. and reconvened at 8:24 p.m.

9. CONFERENCE SESSION

Reports/Presentations

- 8.1 Solar Project Presentation
- 8.2 Instructional Plan Update
- 8.3 Update School Safety Plans

Public Comments were moved up to follow the Flag Salute

10. PUBLIC COMMENT/COMMUNICATIONS ON OPEN SESSION ITEMS- Moved up to follow 8. Flag Salute

Josie Hamada, Retired Teacher, 1) Commented that in the past at Beyer School, the Principal was in charge of what happened at the school including the 6 to 6 program. She is confident that with the new administration and leadership this will take care of itself. 2) Thanked the former executive bargaining team for enduring the District's team who never presented the correct facts. 3) Thanked former Interim Superintendent Velasquez who began the change, brought new vision and an ethical law firm. 4) Mentioned that as a community member, it's her hope that we move forward and put aside agendas that are not students first or community first.

Felipe Nuno, Community Member, 1) Thanked the Board for the opportunity to apply for the Board seat. 2) Congratulated new Board Member Steven Kinney. 3) Commented that he will be more watchful in moving forward. He wants politics out of this District. 4) Mentioned that he would like the District to become number one in the nation by working together and being transparent.

Rosa Estevez, Representing Parents, 1) Commented that a parent committee will remove certain Board members and the after school program.

Michelle Krug, Community Member, 1) Thanked the Board for having transportation for Beyer School area students. 2) Would like the Board recordings sent directly to the IT Department instead of going through the Administration Department. 3) Thanked the Board for the teacher contract.

Delbert Gregorio Moreno, Employee, 1) Commented that he believes in the San Ysidro School District Board and staff. 2) Mentioned that he believes this Board will shine and has the resources, intelligence and strength to create the best schools. 3) Thanked the Board and staff for the effort they put forth under so much pressure.

Ronnie Taylor, HOA, 1) Shared concerns on the appointment of Steven Kinney to the Board.

Guillermina Sandez, SYEA President, 1) Commented that teachers haven't had a raise since 2007. 2) Mentioned that the prior administration didn't respect or value teachers. 3) Thanked the new administration and Board for working with the teachers in an honest way. 4) Commented that it's important that teachers receive competitive pay.

Jeff Scarlett, SYEA Member, 1) Shared concerns about a Board member not wanting to give teachers a raise. 2) Mentioned that teachers lived for two years under a threat of financial devastation under the previous administration.

Maida Gonzalez, Parent, 1) Commented that she supports the Boys and Girls Club at Willow School. They are professional and their only interest is the security of the students.

Eddie Garcia, Teacher, 1) Thanked the Board for taking a stance to the many injustices committed by the previous administration and the San Diego County Office of Education. 2) Thanked the Board for giving teachers and students a voice. 3) Wished the administration success.

Lourdes Quezada, Principal, 1) Shared information about the Boys and Girls Club Program at La Mirada School.

Alejandrina Camacho, Parent, 1) Shared concerns about the appointment of Mr. Kinney to the Board. Commented that it's a conflict of interest. 2) Thanked Board member Corrales for supporting the students.

Patricia Manley, Teacher, 1) Thanked the Board for all the work they've done. 2) Shared concerns about Board Member Corrales being against a salary increase for teachers.

Izcalli Casas, Parent, 1) Commented that she is not pleased with a few Board members. 2) Shared concerns about the Boys and Girls Club Program.

Sam Sardo, Teacher, 1) Mentioned that he has never seen negotiations go so smoothly. This shows a lot of respect. 2) Commented that teachers in San Ysidro work hard and are dedicated. 3) Appreciates the new Board turning the District around. 4) Mentioned that respecting teachers and giving them a fair salary increase and benefit package is appreciated.

Nancy Alvarado, Teacher, 1) Thanked the Board and Dr. Fonseca for creating an atmosphere that is teacher friendly. 2) Urged the Board to continue to support teachers in supporting the students. 3) Thanked the Board for setting the positive tone where parents, teachers, the majority of the Board and administration are now on the same page.

Patricia Pimentel, Parent, 1) Thanked the Board for the remarkable job they are doing. 2) Commented that the Boys and Girls Club Program should be given an opportunity.

Olga Espinoza, Fuerza Amigos de Aztlan, 1) Supports the teachers. 2) Commented that she walked for the missing teachers in Mexico representing San Ysidro and would do the same for San Ysidro teachers.

Alma Cázares Fahme, Representing Teachers and Students, 1) Shared concerns about the teacher strike happening for no reason. Commented that she respects Board Member Martinez for always standing by the teachers and supporting them. 2) Thanked Mr. Velasquez. 3) Thanked Dr. Fonseca for meeting with the noon

supervisors to inform them of their salary increase. 4) Commented that everything done for staff trickles down to students.

Jimmy Delgado, Teacher, 1) Congratulated the new Board. 2) Commented that the community is noticing that things are improving and the District is solvent. 3) Thanked the Board and the administration for all their hard work.

Judy Crespo, Teacher, 1) Commented that the strike wasn't easy but teachers stood up for what was right. 2) Mentioned that the real victory came a month later when teachers, classified employees and community members fought for a new school Board with a new vision. 3) Commented that on Nov. 4 the work began and the new school Board was a guiding force making change happen. 4) Mentioned that the conversation is now of unity and working together to help the students. 5) Congratulated Mr. Kinney for being appointed to the Board.

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.sysd.k12.ca.us

11. GENERAL ADMINISTRATION

11.1 MINUTES

The Board approved the minutes of the Special Board meeting of April 30, 2015.

Motion: Linares Second: Diaz Vote: Unanimous

11.2 COLLECTIVE BARGAINING AGREEMENT WITH THE SAN YSIDRO EDUCATION ASSOCIATION (SYEA) – 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: Martinez Second: Linares Vote: Unanimous

11.3 SALARY SCHEDULES

The Board approved negotiated salary schedules for certificated, management and confidential employees.

Motion: Diaz Second: Linares Vote: Unanimous

11.4 NOON DUTY SUPERVISORS – SALARY INCREASE

The Board approved the hourly rate increase for Noon Supervisors, an unrepresented class from \$9 to \$13 per hour.

Motion: Corrales Second: Linares Vote: Unanimous

11.5 FIRST AMENDMENT TO EMPLOYMENT AGREEMENT WITH SUPERINTENDENT

The Board approved the first amendment to the employment agreement with the Superintendent to reflect the correct not to exceed allowance amount for moving expenses from \$7,500 to \$3,500 resulting in a cost saving to the District’s general fund.

Motion: Diaz Second: Linares Vote: Unanimous

11.6 FIRST AMENDMENT TO EMPLOYMENT AGREEMENT WITH CHIEF OPERATING OFFICER

The Board approved the first amendment to the employment agreement with the Chief Operating Officer to reflect corrections on items such as appropriate designation as classified management, enrollment in CalPERS, professional schedule and number of work days.

Motion: Diaz Second: Linares Vote: Unanimous

11.7 SECOND READING AND ADOPTION OF REVISED BOARD POLICY AND ADMINISTRATIVE REGULATION 1330- COMMUNITY RELATIONS USE OF SCHOOL FACILITIES

The Board approved the second reading and adoption of revised Board Policy and Administrative Regulation 1330- Community Relations Use of School Facilities and Community Relations Civic Center Use Fees.

Motion: Diaz Second: Linares Vote: Unanimous

11.8 SECOND READING AND ADOPTION OF BOARD POLICY 1330.1 – COMMUNITY RELATIONS – JOINT USE AGREEMENTS

The Board approved the second reading and adoption of Board Policy 1330.1 – Community Relations Joint Use Agreements.

Motion: Diaz Second: Linares Vote: Unanimous

12. CONSENT CALENDAR

The Board approved the Consent Calendar with the following changes:

- 1) Pulled Consent Calendar Items 14B.2 and 14B.4 for discussion and to be voted on separately.
- 2) Revised Consent Calendar Item 14B.12 - RATIFY REIMBURSEMENT FOR TRAVEL EXPENSES RELATED TO CABINET PROFESSIONAL DEVELOPMENT AND STRATEGIC PLANNING
The Board ratified reimbursement for travel expenses related to Cabinet Professional Development and Strategic Planning and added *in an amount not to exceed \$605.04 from the general fund.*

Motion: Diaz Second: Linares Vote: Unanimous

13A. CURRICULUM & INSTRUCTION

13A.1 STAFF DEVELOPMENT

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

PARTICIPANT(S)	EVENT	PLACE	FROM/TO	COST	FUNDING
Veronica Medina, Cornelio Egasani, Manuela Colom, Luis Ramos, Sergio Campos	Mastering the Suspension/ Expulsion Process and Procedures	SDCOE	September 30, 2015	\$125.00	Supplemental & Concentration Funds

PARTICIPANT(S)	EVENT	PLACE	FROM/TO	COST	FUNDING
Sergio Campos	Critical Issues Conference 2015	Palm Springs	October 21-23, 2015	Not to exceed \$278.00	Special Ed. Funds
Vikki Viramontes, Norma Campos, Michael Direen, Eddie Garcia, Sylvia Mayer, Catalina Baltazar, Maria Delgadillo, Tony Hua, Rodolfo Linares, Luciana Corrales	Bay Area Technology Research Trip	San Jose	October 15-16, 2015	Not to exceed \$8,000.00 for all participants	General Fund

14B. BUSINESS

14B.1 DONATION ACCEPTANCE

The Board accepted donations valued at \$8,425.00 to help support and enrich our educational programs.

14B.2 NATIONAL CENTER FOR EDUCATION RESEARCH & TECHNOLOGY (NCERT) MEMBERSHIP AGREEMENT

The Board approved the membership agreement with National Center for Education Research & Technology (NCERT) at an annual cost of \$6,950 from the general fund.

Motion: Diaz Second: Linares Vote: Unanimous

14B.3 SAN DIEGO COUNTY NONPUBLIC AGENCY MASTER CONTRACT WITH SOUTH BAY COMMUNITY CENTER SERVICES FOR 2015-2016 SCHOOL YEAR

The Board approved/ratified the San Diego County Nonpublic Agency Master Contract with South Bay Community Services for school year 2015-2016 at an estimated total cost of \$52,460.00 from the Educationally Related Mental Health Services (ERMHS) fund.

14B.4 LIFETOUCH NATIONAL SCHOOL STUDIOS AGREEMENT - REVISED

The Board approved the revision of the Agreement with Lifetouch National School Studios for school year 2015-16.

Motion: Diaz Second: Linares Vote: Unanimous

14B.5 INJURY AND ILLNESS PREVENTION PROGRAM

The Board approved/ratified the Injury and Illness Prevention Program as required by Title 8 California Code of Regulations §3203(a)(1) to be implemented in all of our district sites.

14B.6 AGREEMENT WITH PACK & BIANES VISION CARE FOR 2015-2016

The Board approved the agreement with Pack & Bienes Vision Care for school year 2015-2016 at a cost not to exceed \$7,500.00 from the Special Education funds.

14B.7 AGREEMENT WITH PAMELA MCDANIEL AS AN ADAPTIVE PHYSICAL EDUCATION CONSULTANT FOR 2015-2016 SCHOOL YEAR

The Board approved the agreement with Pamela McDaniel as an Adaptive Physical Education Consultant for school year 2015-2016 at an estimated cost of \$4,775.00 and not to exceed \$7,500 from Special Education funds.

14B.8 AGREEMENT WITH GREGORY BAER AS AN ADAPTIVE PHYSICAL EDUCATION CONSULTANT FOR 2015-2016 SCHOOL YEAR

The Board approved the agreement with Gregory Baer as an Adaptive Physical Education Consultant for school year 2015-2016 at an estimated total of \$22,464 but not to exceed \$30,000 from Special Education funds.

14B.9 EDTECHTEACHER SERVICE AGREEMENT FOR 2015-16

The Board approved the agreement with EdTechTeacher at a cost not to exceed \$20,000 from the supplemental and concentration funds.

14B.10 LLOYD PEST CONTROL AGREEMENT 2015-16

The Board approved/ratified the agreement with Lloyd Pest Control for school year 2015-16.

14B.11 REQUEST FOR QUALIFICATIONS (RFQ) FOR PROP 39 CALIFORNIA CLEAN ENERGY JOBS ACT - ENERGY CONSERVATION SERVICES

The Board approved the posting of a Request for Qualifications (RFQ) pursuant to California Government Code 4217 to accept submissions from qualified organizations to identify assess and implement projects using Prop 39 funding.

14B.12 RATIFY REIMBURSEMENT FOR TRAVEL EXPENSES RELATED TO CABINET PROFESSIONAL DEVELOPMENT AND STRATEGIC PLANNING

The Board ratified reimbursement for travel expenses related to Cabinet Professional Development and Strategic Planning in an amount not to exceed \$605.04 from the general fund.

15C. PERSONNEL – CLASSIFIED**EMPLOYMENT**

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

- 15C.1** Administrative Clerk I: Erika Aviles and Johanna Campos, effective September 25, 2015.
- 15C.2** Controller: Laura Caballero, effective September 25, 2015.
- 15C.3** Risk Manager: Eugenia Martinez, effective September 25, 2015.
- 15C.4** Instructional Aides (Full-time): Lorena Hippensteel, Marcos Mendoza, and Tona Reynoso for the position of Instructional Aide, effective September 25, 2015.
- 15C.5** Instructional Aide (Part-time): Yesenia Nunez, effective September 25, 2015.

APPROVE JOB DESCRIPTION

The Board approved new job descriptions for the following as recommended by staff:

- 15C.6** Administrative Secretary III
- 15C.7** Lead Maintenance
- 15C.8** Data Support Technician
- 15C.9** Maintenance/Plumber
- 15C.10** Maintenance/HVAC
- 15C.11** Maintenance/Locksmith

APPROVE RECRUITMENT

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

- 15C.12** Data Support Technician
- 15C.13** Maintenance/Plumber
- 15C.14** Maintenance/HVAC
- 15C.15** Maintenance/Locksmith

15C.16 APPROVE RECLASSIFICATION

The Board approved/ratified reclassification of the following:

Reclassification of three employees from Confidential to Classified: Yadira Diaz, Jose Leon, and Elizabeth Originales effective October 1, 2015.

15D. PERSONNEL – CONFIDENTIAL**15D.1 APPROVE JOB DESCRIPTION**

The Board approved revised job description for the following as recommended by staff:
Senior Executive Secretary to the Superintendent

15E. PERSONNEL – CERTIFICATED**15E.1 EMPLOYMENT**

The Board approved/ratified employment for the following as recommended by staff:
Teacher: David Alvarado, effective September 25, 2015.

15E.2 APPROVE JOB DESCRIPTION

The Board approved new job description for the following as recommended by staff:
Lead School Psychologist

15E.3 APPROVE RECRUITMENT

The Board approved recruitment for the following as recommended by staff:
Lead School Psychologist

16. ITEMS FROM THE BOARD & SUPERINTENDENT

Member Corrales, 1) Thanked the Board, Dr. Fonseca, Mrs. Hunt and Mr. Macias. 2) Commented that the Board made a significant improvement tonight. 3) Mentioned that she voted solely on the recommendations that the money is there for raises. 4) Commented that we are here to create opportunities for students and would like to work together as a community for the betterment of the students. 5) Commented that she would like the weekly reports from principals to continue.

Vice- President Diaz, 1) Thanked staff for their support and everything they do for the students. 2) Commented that the Board has accomplished a lot in ten months and still has a long road ahead. 3) Thanked Dr. Fonseca and his team for their hard work to implement the Board's vision and his vision to make the District the best in the nation.

Member Kinney, 1) Thanked the Board for appointing him. 2) Thanked Dr. Fonseca and his team. 3) Thanked the teachers.

Clerk Linares, 1) Thanked everyone for staying late. 2) Commented that he is happy that teachers got a raise they much deserved.

President Martinez, 1) Commented that the strike could have been avoided and apologizes for putting everyone through that as a Board. 2) Mentioned that this is a new day in San Ysidro and would like to move forward and focus on academics. 3) Commented that we need to reconfigure our schools and discuss a plan for the Beyer site. 4) Would like to make sure everyone is invited to the opening of the Parent Center. 5) Commented that he can't stress how happy he is with the settlement from the previous legal counsel and it's a victory we need to be proud of.

Dr. Julio Fonseca, Superintendent, 1) Thanked teachers for their hard work. 2) Commented that he is honored to serve as the Superintendent. 3) Thanked the Board for their direction and leadership. 4) Welcomed Mr. Kinney. 5) Mentioned that he is looking forward to a collaborate effort for the reconfiguration of schools. 6) Commented that he is excited about the new Parent Center. 7) Mentioned that we are working on the development of the EL Master Plan and Technology Plan. 8) Thanked Cabinet Members for negotiations. 9) Commented that ultimately this District will be the best in the nation.

Vice-President Diaz made the motion to adjourn the meeting, seconded by Clerk Linares. The vote was unanimous.

17. **ADJOURNMENT** Time: 10:00 p.m.

Respectfully Submitted,

Julio Fonseca, Ed.D., Secretary
Governing Board