



Thursday, June 22, 2023

Regular Meeting Board of Trustees 6:30 p.m. Regular Open Session, Call To Order at 5:00 p.m. will convene to Closed after Call to Order. The Board is to reconvene at 6:30 after Closed Session concludes.

**THIS MEETING WILL BE HELD IN PERSON AND VIA ZOOM.
TO LOG IN TO ZOOM (See Login Information below)**

**Please click the link below to attend the Virtual Board Meeting:
<https://eesd.info/BoardMeetingJune2023>**

When: June 22, 2023

Schedule:

5:00 PM - Closed Session

6:30 PM - Open Session (Regular Meeting)

IF ATTENDING VIA ZOOM - PLEASE REGISTER IN ADVANCE TO ATTEND THIS BOARD MEETING:

After registering, you will receive a confirmation email containing information about joining the webinar.

PUBLIC COMMENTS: IF ANY MEMBER OF THE PUBLIC WOULD LIKE TO ADDRESS THE BOARD IN REGARDS TO A CLOSED OR OPEN SESSION AGENDA ITEM(S), WE REQUEST TO PLEASE SEND AN EMAIL TO BOARDROOM@EESD.ORG (WHICH IS PREFERRED FOR PLANNING PURPOSES). IF ATTENDING IN PERSON, COMMUNITY MEMBERS MUST COMPLETE A SPEAKER CARD. ON YOUR EMAIL AND SPEAKER CARD, PLEASE SPECIFY THE AGENDA ITEM YOU WOULD LIKE TO ADDRESS, YOUR NAME, CONTACT INFORMATION AND STAKEHOLDER AFFILIATION. YOU WILL BE CALLED UPON IN THE ORDER EMAILS AND SPEAKER CARDS WERE RECEIVED/TIMESTAMPED.

The Board of Trustees welcomes public comments regarding district matters and encourages those in attendance to respect all viewpoints, as well as the right to speak when recognized. When making your comments, please address the Board of Trustees in a civil and respectful way so that all in attendance, from children to adults, may participate. Evergreen School District Board of Trustees Meeting Agendas with references and enclosures are available in their entirety on the District's webpage www.eesd.org or may be viewed at the District Office. In compliance with the Americans with Disabilities Act, all meetings are held in locations that allow disability-related accommodations.

PLEASE TURN OFF OR MUTE CELL PHONES OR OTHER ELECTRONIC DEVICES.

MISSION STATEMENT

Evergreen Elementary School District provides all students a high-quality education in a safe and nurturing environment where each student demonstrates a spirit of respect, responsibility, global-mindedness and a commitment to academic and civic excellence.

PROTOCOL FOR THE BOARD OF TRUSTEES DURING IN-PERSON AND VIRTUAL BOARD MEETINGS:

Board Meetings are in person, but Zoom Video is an option for attendees. Please note, if you are attending in person, the entire meeting is being recorded, except for Closed Session. Members of the public who are attending virtually may be able to see the in person attendees.

Please note, panelists and attendees who are attending virtually are muted with the exception of

the Board President and Superintendent (Secretary Ex-Oficio) prior to entering the meeting and will keep them muted throughout the meeting unless Board President allows panelists and attendees to speak anytime during the meeting.

RECORDING - Regular Open Sessions are recorded.

PUBLIC COMMENTS - We request that members of the public who would like to address the Board during Comments from the Public send an email to boardroom@eesd.org OR if attending via Zoom to please raise their hand. The Board President or Manager of Information Services will announce to notify the person who'll be addressing the Board if speaker is attending virtually. If participating via telephone, the telephone number shall be revealed, please state your name and affiliation once your name or telephone number is announced.

Public comments are limited to 3 minutes per speaker AND per the discretion of the Board President.

REPORTS / ENCLOSURES may be projected and a screen will be shared via Zoom. The public may view it as long as they are logged in on a computer or mobile screen. Board enclosures and documents needed for the board meetings are also available through BoardDocs - <https://go.boarddocs.com/ca/eesd/Board.nsf/Public>

Under Robert's Rules - adopted pursuant to Policy 203 - the presence of a quorum is presumed once it has been established at the beginning of a meeting.

**Closed Session may convene before, after, or during the regular meeting. Closed sessions may include; Negotiations, Personnel (Certificated, Classified, Management), Expulsions, and Litigation.

Sincerely,

1. CALL TO ORDER (CLOSED SESSION)

1.1 Comments from the Public

2. CLOSED ITEMS (WILL BE HELD AT 5:00 PM TO DISCUSS THE ITEMS BELOW)

2.1 (Gov. Code, section 54957.6) Agency Designated Representative: Dr. Antoine Hawkins, Superintendent, Employee Organizations: Evergreen Teachers Association (ETA) and California School Employee Association (CSEA Chapter #432)

2.2 Consideration of Expulsion of an ESD Student: Case No. 2022-23-02

2.3 Consideration of Expulsion of an ESD Student: Case No. 2022-2023-03

2.4 Public Employee appointment, employment, evaluation of performance, discipline, or dismissal of a public employee (Government Code Section 54957)

2.5 Conference with Legal Counsel – Existing Litigation Government Code Section 54956.9(d)(1) Katherine Gomez v. Evergreen S.D. (# 20-cv-03008-NC)

2.6 Anticipated Litigation; Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) (Government Code Section 54956.9): One (1) potential case

3. OPENING ITEMS (OPEN SESSION STARTS AT 6:30 PM)

3.1 Roll Call / Quorum

3.2 Flag Salute

3.3 School Highlight - James Franklin Smith Elementary School

3.4 Superintendent Update

4. MATTERS FROM THE PUBLIC

- 4.1 Comments from the California School Employees Association (CSEA) Chapter 432 President
- 4.2 Comments from the Evergreen Teachers Association (ETA) President
- 4.3 Comments from the Public (Members of the Public may address the Board)

5. REPORT OF ACTION FROM CLOSED SESSION (BOARD ACTIONS WILL BE REPORTED HERE)

6. CONSENT ITEMS (ACTION ITEMS - TO BE READ BY CLERK OF THE BOARD)

- 6.1 Approval of Regular Board Meeting Minutes, May 11, 2023
- 6.2 Approval of Special Board Meeting Minutes, June 8, 2023
- 6.3 Ratification of Contracts
- 6.4 Ratification of May Warrant List
- 6.5 Personnel Report
- 6.6 Approval of the LCAP (Local Control Accountability Plan) Federal Addendum
- 6.7 Approval of All Consent Items Listed Above

7. REPORTS

- 7.1 Enrollment Report
- 7.2 Audit Report for Fiscal Period Ending June 30, 2022

8. ADJOURN TO PUBLIC HEARINGS

- 8.1 Public Hearing - Developer Fee Justification Study Findings
- 8.2 Public Hearing - Energy Services Agreement with PacificWest Energy Solutions
- 8.3 Public Hearing - Budget Overview for Parents (BOP)
- 8.4 Public Hearing - Local Control Accountability Plan (LCAP)
- 8.5 Public Hearing - District Reserves and Reasons
- 8.6 Public Hearing - Proposed Adopted Budget for Fiscal Year 2023-2024

9. ITEMS FOR IMMEDIATE DISCUSSION OR ACTION

- 9.1 Approval of Developer Fee Justification Study Findings
- 9.2 Approval of Contract/Service Agreement - PowerSchool Renewal 2023-24
- 9.3 Approval of Contract/Service Agreement-SCCOE-Annual Technical Services 2023-24
- 9.4 Approval of Contract/Service Agreement - 360 Degree Customer, Inc Six RBT's 2023-24
- 9.5 Approval of Contract/Service Agreement - 360 Degree Customer, Inc One BCBA
- 9.6 Approval of Contract/Service Agreement - EdTheory- Three BCBA's
- 9.7 Approval of Contract/Service Agreement - EdTheory- Two Virtual Psychologist's
- 9.8 Approval of Contract/Service Agreement - Esther B Clark School (NPS)

- 9.9 Approval of Contract/Service Agreement - YMCA Summer Enrichment Program 2023
- 9.10 Approval of MOU-Parent Institute for Quality Education
- 9.11 Approval of Contract/Service Agreement - YWCA 2023-24
- 9.12 Adoption of Statutory School Facilities Fees and Resolution No. 14/2022-23
- 9.13 Approval of Energy Services Agreement with PacificWest Energy Solutions
- 9.14 Approval of Declaration of Need for Fully Qualified Educators
- 9.15 Approval of Cedar Grove Elementary School as Schoolwide Title I
- 9.16 Approval of the History and Social Science Adoption to support the History-Social Science new textbook adoption for Grades K-8 at all school sites effective 2023-2024 school year.
- 9.17 Acceptance of Arts Music & Instructional Block Grant
- 9.18 Presentation of the Proposed LCAP (Local Control Accountability Plan)
- 9.19 Presentation of the Proposed Adopted Budget for Fiscal Year 2023-2024
- 9.20 Approval of Statement of District Reserves and Reasons as Part of the Proposed Adopted Budget for the Fiscal Year 2023-2024
- 9.21 Approval of Bid for John J. Montgomery School STEM Classroom
- 9.22 Approval of Bid for John J. Montgomery School Building Painting Project
- 9.23 Approval of Bid for ESD Maintenance Yard Fencing Project
- 9.24 Approval of Bid for Quimby Oak Middle School's Home Economics Classroom
- 9.25 First Read BP 0410 - Nondiscrimination in District Programs and Activities
- 9.26 Approval of Evergreen School District Fiscal Year 2023-2024 Management Organizational Chart
- 9.27 Approval of Salary Step Advancement - Victoria Knutson, Chief Business Officer
- 9.28 Approval of Salary Step Advancement - Deborah Ashmore, Assistant Superintendent of Educational Services

10. INFORMATIONAL ITEMS

- 10.1 Trustee Updates
- 10.2 Miscellaneous Updates

11. FUTURE AGENDA ITEMS

12. FUTURE MEETINGS

- 12.1 June 26, August 10, September 9, September 14, October 12, November 9, December 14

13. ADJOURNMENT

Any writing that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Trustees distributed less than 72 hours prior to that meeting shall be available for public inspection at the time of distribution to the Board of Trustees in the District Office, 3188 Quimby Road, San Jose, CA 95148 (Amendment to 54956.5) A person with a disability may contact the District Office (408-270-6811) at least 24 hours before the scheduled Board meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public Board meeting.

Closed Session may convene before, after or during the regular meeting. Closed session items may include: Negotiations, Personnel (Certificated, Classified, Management), Expulsions and Litigations.