

Moreno Valley USD Minutes
Regular Meeting of the Board of Education

July 19, 2016

Closed Session: 5:00 p.m.

Open Session: 7:00 p.m.

Board Room

25634 Alessandro Blvd. Moreno Valley, CA 92553

A. CALL TO ORDER

Minutes:

The minutes of the Regular Session of July 19, 2016 are being submitted to the Board of Education for approval at its Regular Board Meeting of September 27, 2016. The minutes are a complete and factual record of action taken by the Board of Education at its Regular Session meeting of July 19, 2016.

The meeting was called to order at 5:20 p.m.

A.1. Roll Call

Minutes:

BOARD MEMBERS PRESENT

Jesus M. Holguin, President

Dr. Denise Fleming, Vice-President

Cleveland Johnson, Clerk

Gary E. Baugh, Ed.S., Member

Patrick W. Kelleher, Member

Diane Hellerstedt, Administrative Assistant, Board of Education

CABINET MEMBERS PRESENT

Dr. Judy D. White, Superintendent

Dr. Martinrex Kedziora, Chief Academic Officer

Dr. Robert Verdi, Chief Human Resources Officer

Francine Story, Interim Chief Business Official

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Minutes:

There were no public comments on Closed Session items.

C. CLOSED SESSION

Minutes:

The Board of Education convened into Closed Session at 5:21 p.m.

C.1. Public Employee Performance Evaluation Pursuant to Government Code 54957

C.2. Board Deliberation Regarding Student Discipline Cases Pursuant to Education Code 48912 & 48918 - Student Disciplinary Actions

C.3. Public Employee Employment/Appointment Pursuant to Government Code 54957

C.4. Public Employee Discipline/Dismissal/Release/Non-Reelects Pursuant to Government Code 54957

C.5. Conference with Labor Negotiator Pursuant to Government Code 54957.6

C.6. Conference with Legal Counsel - Anticipated Litigation Pursuant to Government Code 54956.9

C.7. Conference with Real Property Negotiator Pursuant to Government Code 54956.8

D. RECONVENE INTO OPEN SESSION

Minutes:

The Board of Education reconvened into Open Session at 7:12 p.m.

D.1. Roll Call

Minutes:

BOARD MEMBERS PRESENT

Jesus M. Holguin, President

Dr. Denise Fleming, Vice-President

Cleveland Johnson, Clerk

Gary E. Baugh, Ed.S., Member

Patrick W. Kelleher, Member

Diane Hellerstedt, Administrative Assistant, Board of Education

CABINET MEMBERS PRESENT

Dr. Judy D. White, Superintendent

Dr. Martinrex Kedziora, Chief Academic Officer

Dr. Robert Verdi, Chief Human Resources Officer

Francine Story, Interim Chief Business Official

D.2. Report Out of Closed Session

Minutes:

President Holguin reported that discussion took place and direction was given to staff on Closed Session items.

Report Out:

The Board met in Closed Session relative to potential litigation with LCTH Investments, L.P., and real property negotiations relative to the same party. In those discussions, the Board voted unanimously (5-0) to: (1) approve a settlement agreement with LCTH Investments, L.P., to acquire property for High School No. 5 in lieu of eminent domain proceedings; and (2) approve a purchase-sale agreement for the acquisition of such property. Both documents will be made available on request once final approval is obtained from LCTH Investments.

Under public employee employment/appointment

The following managerial selections were announced, which will be voted on later within the Consent Agenda:

- Carol Boyen-Held for Director III Elementary Education
- Robert Brough for Director III Student Services

E. OPEN SESSION

E.1. Pledge of Allegiance

Minutes:

The Pledge of Allegiance was led by Nick Araujo, Vista del Lago graduate, ASTERISK Intern, and UC Berkley freshman 2016. He shared an inspirational quote from Dr. Seuss' "Oh the Places You'll Go" regarding being true to yourself and valuing your individualism.

E.2. Dates of Future Board Meetings

Minutes:

Upcoming Board Meeting dates were shared through September 2016 as follows:

August 2, 2016 - Regular Meeting

August 16, 2016 - Study Session CANCELLED

September 13, 2016 - Regular Meeting

September 20, 2016 - Study Session

September 27, 2016 - Regular Meeting

E.3. Superintendent's Report

Minutes:

Dr. White shared some of the LCAP Plan highlights, including increases in summer school and full day kindergarten, class size reduction, expanded counseling and Special Education support, CTE and VAPA expansion, 28,000 Chromebooks in place to support technology, the hiring of a Director of Safety and Security, and additional Assistant Principals at the schools. She also shared news that the District was awarded a "Talent Search" grant by the U.S. Department of Education to provide educational and college readiness services to 500 low-income students, totaling \$1.2 million over five years.

The California Standards Update included a listing of some of the nearly 50 Professional Development trainings offered over the summer, between June 3 and August 2.

The Facilities Update included status updates and pictures on several of the major projects, including Armada, Butterfield, Moreno Valley High School, Serrano, Sunnymead Middle, and Edgemont.

Data was shared on summer programs. Summer School is serving a total of 4,776 students over both sessions (duplicated enrollment). Nutrition Services has served 91,270 meals between the lunches in the free lunches in the parks, summer school,

and the Think Together and music programs. The Summer Swim program serves 1,250 - 1,400 per week.

Announcements included the dates for the Summer School graduation and ASTERISK Program celebration, dates for the Leadership Summit for administrators and Unity Conference for parents, and information on extended Registration hours and the First Day of School for 2016-17.

E.4. Staff Responses to Public Comments Made at Previous Meetings

Minutes:

Dr. White responded to four Public Comments from previous meetings:

1) ELAC Committee at MVHS

Dr. White shared the timeline on this ongoing concern, dating back to ELAC elections held in October 2015. During the elections, it was noted that the site Bylaws were faulty in that certain Articles and Sections contained contradictory language making elections problematic.

A complaint was filed regarding the election. As part of the resolution of the complaint, it was determined that new elections would be held and Bylaws would be revised.

Actions Taken/Communication regarding New Election:

- Town Hall Meeting held at the site to explain new election procedures
- Personal phone calls made to all parents of EL students
- ParentLink phone message to ALL parents of the school
- Meeting information was posted on the site's website.

The results of the election were shared, listing the names and roles (parent/staff/community member) of the new ELAC officers for 2016-17.

Next Steps:

- Interested parents need to attend meetings.
- Changes to Bylaws will be discussed and updates considered by the site's ELAC committee in 2016-17
- It was also noted that ELAC is a Parent Organization, and concerns should be directed to the ELAC committee.

2) Citizens' Bond Oversight Committee Meeting Concerns

Dr. White shared the following information on the Citizens' Bond Oversight Committee:

PURPOSE

Actively review and report on the proper expenditure of taxpayers' money for school construction on the Measure M Bond projects.

MEETING DATES

August 20, 2015; November 19, 2015; March 17, 2016; June 16, 2016; July 14, 2016

DUTIES (defined in bylaws)

3.1 - Inform the Public - Official communications come from the Chair, and reflect the majority view of the committee.

3.2 - Review Expenditures - Review reports produced by the District to ensure that (a) bond proceeds were expended only for the purpose set forth in Measure M; and (b) no bond proceeds were used for teacher or administrative salaries or other operating expenses.

3.3 - Annual Report - Annual written report to Board, in public session, to include:
(a) Statement whether District is in compliance
(b) Summary of the Committee's proceedings and activities for the preceding year

CBOC MEMBER SELECTION CRITERIA

- Meets the bylaws that were approved by the Board on January 20, 2015.
- Meets Proposition 39 Member Criteria, determining the make-up of the committee.

3) Safety Concern – Bullying

Someone previously asked about bullying and what the District is doing about it. Dr. White stated that the issue is taken very seriously. Dr. Kedziora has prepared a packet to provide the Board with comprehensive information on our policies, the role of our counselors and all the steps we take to address bullying.

4) ADA Compliance Concern -

Dr. White acknowledged that an inspection revealed problems with the Board Room and District Office, and we understand the obligation to rectify the situation to come into compliance. Staff has been developing a response to explain all the steps that have been taken to address the ADA concerns and provide a timeline to come into compliance. That report will be presented at a future meeting.

E.5. Public Comments on Agenda Items

Minutes:

Two speakers addressed the board on Agenda items.

The CSEA President expressed support for the Civility Policy, noting that it addresses concerns for students' well-being as well as providing structure on how to deal with potentially harmful disruptions.

A parent spoke on elements of the LCAP. He asked for inclusion of Special Education students in the areas of sports and arts. He stated parents need information about rights and responsibilities in Special Education, and stated they need help for their students. Regarding Security Officers, he stated they need training to deal with Special Education students, and believes we need more counselors rather than more officers.

E.6. Public Comments on Non-Agenda Items

Minutes:

Nine speaker slips were submitted to address the Board on non-agenda items.

A recent Canyon Springs graduate stated she was unable to go to the college of her choice because of a transcript issue that was unable to be rectified in a timely manner.

A local vendor expressed frustration at the process to get approved to offer her services to students. Her intent was to provide low-cost graduation photo packages to benefit families, but has been unable to do this, and is tired of the unwelcoming process requirements.

A parent expressed concerns about the way the recent Citizen's Bond Oversight Committee meeting was conducted. They were bombarded by public comments and didn't know how to handle it. She believes there are a lot of concerns that cannot be handled within a 21-minute timeline. She also stated that information on Registration requirements and timelines needs to be communicated continually for the parents' benefit.

A community member spoke about bullying, transparency and MVUSD. He stated parents struggle every day for their students, and the Board should be willing to hear the other side of the story. He stated kids will emulate what they see. Regarding committees not properly conducting business, he remarked that the committee was put in place by the Board, and they set the direction. He stated the District has a responsibility to the people of this community to educate student and provide the best opportunities, and that responsibility lies on the shoulders of the Board.

A parent spoke about continued concern with the Moreno Valley High School ELAC, and is not content with the new committee in place. He doesn't see transparency and democracy. He believes the current bylaws were clear and the District should not have paid lawyers to re-do them. He also spoke about the Citizens' Bond Oversight Committee, and questioned the notice in the newspaper when recruiting for the committee. He expressed a concern that contractors are from the outside and not local.

A parent expressed frustration because some parents wanted to participate in Measure M, but were unable to speak at the Citizens' Bond Oversight Committee meeting. She also spoke about the Moreno Valley High School ELAC, stating her belief that the bylaws should be created by the parents, not District staff and paid lawyers. She also stated she believes the ELAC election was not an open election for all the parents. She asked that the District make all committees fair on behalf of the students.

The parents of a Special Education student placed in a non-public school expressed frustration at not being able to share all they wanted during a recent meeting with Dr. White and others. They asked for clarification about information included in a letter they received after that meeting. They are unsure where to get help for their student, stating they have not been helped by the District up until now, and don't believe District staff know what the parents need.

One community member expressed his feeling that the District doesn't respect the commitment to work together with parents. He stated he received information from the City that the School District Board Meetings are supposed to be conducted on the second and fourth Tuesdays, but they are not always following that. He stated

that the District leaders take money from the taxpayers' pockets while making more money for themselves, like the governor.

A parent spoke about problems with the CBOC and DELAC meetings. He believes the people running the meetings need to treat people better and respect them. He was frustrated because some attendees were not allowed to speak at the CBOC meeting. He also questioned why they were meeting more often than quarterly.

F. PUBLIC HEARING

F.1. Conduct the Noticed Combined Public Hearings Regarding the Formation of CFD No. 2016-1 and Related Matters

Minutes:

Pursuant to the requirements of the Act, prior to the formation of a community facilities district, or authorizing bonded indebtedness of the community facilities district, the governing body of the public agency concerned (in this case, the Board of Education) must hold noticed hearings regarding such formation and authorization of special tax and bonded indebtedness. It should be noted that for purpose of the protest levels set forth in the Act, only the protests of landowners or registered voters within the territory contained in CFD No. 2016-1 are considered or included. Also, it should be noted that CFD No. 2016-1 was requested to be formed by the owners of the property within proposed CFD No. 2016-1. The Board will also receive, consider, and approve the Community Facilities District Report furnished by Special District Financing & Administration ("CFD Report").

President Holguin announced it was the time and place designated for the Public Hearings on the establishment of CFD 2016-1 in accordance with Resolution Nos. 2015-16-77 and 2015-56-78 dated June 14, 2016.

Motion Passed: Board President Holguin called for a motion to open the Public Hearing on the establishment of CFD 2016-1 in accordance with Resolution Nos. 2015-16-77 and 2015-16-78 dated June 14, 2016.

Passed with a motion by Dr. Denise Fleming and a second by Mr. Patrick Kelleher.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

President Holguin asked for a presentation regarding the formation of CFD No. 2016-1. Interim CBO Francine Story announced that copies of the CFD No. 2016-1 Report prepared by Special District Financing & Administration concerning the rate and method of apportionment of special taxes had been presented to the Board. Staff has reviewed the CFD No. 2016-1 Report and concurs with Special District Financing & Administration that proposed CFD No. 2016-1 implements the provisions of the School Facilities Funding and Mitigation Agreement with Covey Ranch 1 Inv, LLC approved by the Board on June 14, 2016 including the proposed 2016 Joint Community Facilities Agreement with Eastern Municipal Water District for funding of EMWD fees and facilities provided for in the JCFA.

Interim CBO Story confirmed that all publications of notices and filings of the Public Hearings had been accomplished and are on file at the District office. She also confirmed that no written protests had been received from any person as to the proceedings, the special tax, or the proposed bonded indebtedness for CFD No. 2016-1.

President Holguin asked if there was anyone present who wished to speak in favor of CFD No. 2016-1, and to identify themselves as owner or registered owned within CFD No. 2016-1.

There were no speakers.

President Holguin asked if there was anyone who wished to speak against or protest generally against the establishment of an Appropriations Limit for CFD No. 2016-1, and to identify themselves and state whether they were a property owner or a registered voter within CFD No. 2016-1.

There were no speakers.

Motion Passed: Having no public speakers, President Holguin called for a motion to close the Public Hearing. Passed with a motion by Mr. Gary Baugh and a second by Dr. Denise Fleming.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

President Holguin stated that, as no protests had been received and owners consented, it appears that there is no majority protest as to the establishment of proposed CFD No. 2016-1 and the funding of the specified types of facilities by proposed CFD No. 2016-1.

F.2. Consideration and Possible Adoption of Resolution No. 2016-17-08 of the Board of Education of the Moreno Valley Unified School District Determining the Validity of Prior Proceedings, Establishing Community Facilities District No. 2016-1, Establishing an Appropriations Limit, Calling an Election, and Taking Related Actions

Minutes:

After the combined public Hearings have been opened, all persons heard, all comments have been received, the CFD Report received, and the Hearings closed, the Board will consider for adoption Resolution No. 2016-17-08. This Resolution directs the formation of CFD No. 2016-1.

CFD No. 2016-1 will be a separate legal entity for which the Board will sit as the Legislative Body once CFD No. 2016-1 is formed.

Resolution No. 2016-17-08 forms CFD No. 2016-1 and calls a combined special tax, appropriation limit, and bond election pursuant to the provisions of the Act. Pursuant

to the authorization contained within the Act, the findings contained within Resolution No. 2016-17-08 and waivers of time limitations provided by the owners of the property located within CFD No. 2016-1, this combined election does not require additional notice and can be conducted at this time as a "Walk-In" combined election during the Board meeting. The combined election will be conducted by the Interim Chief Business Official and the designated voting representative of Owner.

Motion Passed: President Holguin called for a motion to adopt Resolution No. 2016-17-08, determining the validity of prior proceedings, establishing Community Facilities District No. 2016-1, authorizing the levy of a special tax within Community Facilities District No. 2016-1, establishing an appropriations limit, calling an election and taking related actions. Passed with a motion by Mr. Patrick Kelleher and a second by Mr. Cleveland Johnson.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

Under the guidance of legal counsel, Alex Bowie of Bowie, Arneson, Wiles & Giannone. President Holguin explained the next set of actions. He stated that the Board, having formed CFD No. 2016-1 by adoption of Resolution No. 2016-17-08, will now be acting as the Legislative Body of CFD No. 2016-1 and consider the continued items from the CFD Meeting that began earlier in the evening at 5:00 p.m.

CFD MEETING ACTIONS:

Resolution No. 2016-17-05: "Resolution of the Moreno Valley Unified School District Acting as the Legislative Body of Community Facilities District No. 2016-1 Determining the Necessity to Incur Bonded Indebtedness in an Amount Not to Exceed \$10,000,000 within CFD No. 2016-1 of the Moreno Valley Unified School District."

Motion passed 5-0 with a motion by Gary Baugh and a second by Cleveland Johnson.

Resolution No. 2016-17-06 of the Board of Education of the Moreno Valley Unified School District, Acting as the Legislative Body of Community Facilities District No. 2016-1, Canvassing the Results of the Election Held within Community Facilities District No. 2016-1

Pursuant to Resolution No. 2016-17-08, the Interim Chief Business Official is the CFD 2016-1 Election Official for the described Combined Special Tax and Bond Election of community Facilities District 2016-1 of the Moreno Valley Unified School District. Ms. Story confirmed that the District received a written waiver from the owner of the land within CFD 2016-1 permitting the election to be held. The waiver was approved and signed by the landowner. As the Election Official, Ms. Story concurred with the request to hold the election less than 125 days after the adoption of the Resolution of Formation for CFD 2016-1. She stated she had received the ballots from the qualified voters within CFD 2016-1 and conducted the election. The result is

199 votes in favor and 0 votes opposed. The "Certification of Election Results" will be attached to the resolution.

Motion passed 5-0 with a motion by Patrick Kelleher and a second by Gary Baugh.

Ordinance No. 2016-17-07 (First Reading Only) of Community Facilities District No. 2016-1 of the Moreno Valley Unified School District Authorizing the Levy of a Special Tax within Community Facilities District No. 2016-1

Pursuant to the requirements of the Mello-Roos Act ("Act"), following the formation of CFD No. 2016-1 and conducting the combined special tax and bond authorization election, in order to levy a special tax on territory within a community facilities district, the legislative body of CFD No. 2016-1 must adopt an ordinance authorizing the levy of the approved and authorized special tax.

First Reading of Ordinance No. 2016-17-07: Under the provisions of the Act, the Board, acting as the legislative body of CFD No. 2016-1, is granted the same authority to adopt ordinances for this purpose as are held by California cities.

As part of conducting this first reading the Board may, by motion passed by the Board, have only the title of the Ordinance read and then having the Ordinance made available for any member of the public who desires to review it.

By 5-0 vote on a motion made by Gary Baugh and seconded by Cleveland Johnson, the motion was passed for Ordinance No. 2016-17--07 to be presented by reading of the title only. President Holguin read the title as follow: "Ordinance of Community Facilities District No. 2016-1 Authorizing the Levy of a Special Tax Within Community Facilities District No. 2016-1." He announced that copies of the proposed Ordinance are available at the District's Business Services Office.

This concluded the continued items from the Community Facilities District Meeting. The Board will no longer be acting as the Legislative Body for CFD No. 2016-1 and returned to the Regular Board Meeting matters.

F.3. Public Hearing to Review and Consider Adoption of a Report Entitled: "School Facilities Needs Analysis," Prepared as of June 16, 2016, (2016 SFNA), to Consider and Respond to All Comments Received by the Moreno Valley Unified School District Related Thereto, and to Adopt Alternative School Fees

Minutes:

A Public Hearing will be conducted to review and consider adoption of a report entitled "School Facilities Needs Analysis," prepared as of June 16, 2016 (2016 SFNA), to consider and respond to all comments received by the Moreno Valley Unified School District related thereto, and to adopt alternative school fees.

Motion Passed: President Holguin called for a motion to open the Public Hearing. Passed with a motion by Dr. Denise Fleming and a second by Mr. Gary Baugh.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin

Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

There were no public speakers, and no written comments received.

Motion Passed: Having no public speakers, President Holguin called for a motion to close the Public Hearing. Passed with a motion by Mr. Gary Baugh and a second by Dr. Denise Fleming.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

F.4. Consideration and Possible Adoption of Resolution No. 2016-17-10 of the Board of Education of the Moreno Valley Unified School District Approving a School Facilities Needs Analysis, Adopting Alternative School Facility Fees in Compliance with Government Code Sections 65995.5, 65995.6 AND 65995.7, Adopting Responses to Public Comments Received and Making Related Findings and Determinations

Motion Passed: District staff recommends that the Board approve the 2016 SFNA and adopt the proposed Resolution to establish the Alternative School Fees in the amount of \$4.48 and \$8.96 per square foot of assessable space, justified by the 2016 SFNA and Government Code Section 65995.5 et seq. Passed with a motion by Mr. Patrick Kelleher and a second by Mr. Gary Baugh.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

Minutes:

To impose alternative school fees ("Alternative School Fees"), also known as "Level 2 Fees" and "Level 3 Fees," school districts must meet requirements established in Government Code Sections 65995.5, 65995.6 and 65995.7, and Education Code Section 17620. Alternative School Fees apply to new residential construction and are an alternative to the Level 1 Fee authorized by the State Allocation Board.

To impose Alternative School Fees, the District must prepare and adopt a school facilities needs analysis. Special District Financing & Administration has prepared the SFNA for consideration of adoption by the Board of Education ("Board") after a public hearing is held on July 19, 2016. The SFNA includes projections of the number of unhoused pupils generated by various types of new residential units in each category of pupils enrolled in the District and a calculation of existing school building capacity.

As set forth in the SFNA, the Level 2 Fee has been calculated as Four and 48/100 Dollars (\$4.48) per square foot of assessable space for new residential construction within the District. As set forth in the SFNA, the Level 3 Fee has been calculated as Eight and 96/100 Dollars (\$8.96) per square foot of assessable space for new

residential construction within the District, subject to Level 3 Fees being permitted pursuant to applicable law.

The SFNA must be considered by the Board after a hearing wherein the Board must respond to comments on the SFNA. The SFNA has been available for review at the District's offices 30 days before the hearing. The District has offered to meet with the planning agency of cities/counties with land use jurisdiction within the District. The SFNA was provided to land use planning agencies for review before the 30 day review period. Notice of the hearing was posted in the District's offices and published in a newspaper within the District's jurisdiction. The SFNA was mailed to anyone who made a written request 45 days before the hearing.

After the hearing, the Board shall consider whether to approve the SFNA and adopt a change in Alternative School Fees for the next year, as justified by the SFNA. After adoption, the Board must give notice to all city/county planning officials within the District's boundaries.

There was extensive discussion on the level and justification of fees. It was explained that we are only at Level II fees, now, but the Level III fee is included in the annual resolution so everything is set in place. Moving to Level III fees would be brought before the Board for approval.

G. CONSENT AGENDA

Motion Passed: Approve Consent Agenda as amended, pulling Sigma Beta Xi contract from Item G.3.b for a separate vote, and amending Item G.4.a(1) to include managerial candidate names. Passed with a motion by Mr. Patrick Kelleher and a second by Dr. Denise Fleming.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

AMENDMENTS:

Item G.4.a.(1) - Approve Certificated Managerial Personnel Employment/Appointment for 2016-17 - Add names:

Carol Boyen-Held; Director III-Elementary Education; Educational Services; Eff. date TBD
Robert Brough; Director III-Student Services; Educational Services; Eff. date TBD

Motion Passed: A motion was made to approve the Sigma Beta Xi contractual agreement (A-16/17-1933) from Consent Item G.3.b. Passed with a motion by Mr. Gary Baugh and a second by Mr. Patrick Kelleher.

Yes Mr. Gary Baugh
Abstain Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

G.1. SUPERINTENDENT CONSENT ITEMS

G.1.a. Minutes of the Special Recognition and Awards Meeting of May 17, 2016

G.1.b. Minutes of the Regular Meeting of the Board of Education of May 24, 2016

G.1.c. Minutes of the Special Meeting of June 28, 2016

G.1.d. Approve Conference Attendance

G.2. EDUCATIONAL SERVICES CONSENT ITEMS

G.2.a. Conference Attendance

G.2.b. Amendment of Approved Conference Attendance

G.2.c. Ratify Conference Attendance

G.2.d. Overnight Field Trips

G.2.e. Amended Approved Overnight Field Trips

G.2.f. Approve The Goldman Sachs Philanthropy Fund Grant

G.3. BUSINESS SERVICES CONSENT ITEMS

G.3.a. Purchase Order List No. 1

G.3.b. Contractual Agreements

G.3.c. Acceptance of Donations

G.3.d. Declaration of Surplus Property

G.3.e. Declaration of Surplus Property - Moreno Valley High School

G.3.f. Approve Conference Attendance

G.3.g. Authorization to Piggyback for the Purchase of Canned Goods and Condiments

G.3.h. Authorization to Piggyback for the Purchase of Fresh Bread Products

G.3.i. Authorization to Piggyback for the Purchase of Frozen Food Items

G.3.j. Authorization to Purchase Low Sulfur Diesel from the County of Riverside Bid with SoCo Group, Inc., for Fiscal Year 2016-2017

G.3.k. Authorization to go to Bid for White Copy Paper

G.3.l. Notice of Completion for Piggyback Bid No. 14/15-3 - New Weight Room Portable Building - Moreno Valley High School

G.3.m. Renewal of Bid No. 15-16-02 - Charter Bus Services

G.4. HUMAN RESOURCES CONSENT ITEMS

G.4.a. Managerial Personnel Report

G.4.b. Certificated Personnel Report

G.4.c. Classified Personnel Report

H. ACTION ITEMS

H.1. Educational Services Action Items

H.1.a. Student Discipline Cases 525-533

Motion Passed: Approve actions on Student Disciplinary Cases as presented. Passed with a motion by Mr. Gary Baugh and a second by Dr. Denise Fleming.

Yes Mr. Gary Baugh

Yes Dr. Denise Fleming

Yes Mr. Jesus Holguin

Yes Mr. Cleveland Johnson

Yes Mr. Patrick Kelleher

H.1.b. 2016-2017 Head Start COLA Increase

Motion Passed: Approve the Head Start COLA increase as presented. Passed with a motion by Mr. Gary Baugh and a second by Mr. Cleveland Johnson.

Yes Mr. Gary Baugh

Yes Dr. Denise Fleming

Yes Mr. Jesus Holguin

Yes Mr. Cleveland Johnson

Yes Mr. Patrick Kelleher

Minutes:

On May 24, 2016, the Board of Education approved the 2016-2017 Head Start Grant to provide the free preschool program and resources to meet the unique needs of each of the 256 students enrolled.

We are now bringing forward for approval the Head Start Cost of Living Adjustment (COLA) of 1.8% which will consist of \$30,910 and \$7,728 increase in Non-Federal Share for a total of \$38,638 for the 256 enrolled students.

H.1.c. Second Reading - Board Policy 6163.4 and Administrative Regulation 6163.4(a) - Instruction - Student Use of Technology

Motion Passed: Approval and adoption of the updates for Board Policy and Administrative Regulation 6163.4 - Student Use of Technology, as presented. Passed with a motion by Mr. Gary Baugh and a second by Dr. Denise Fleming.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

Minutes:

These updates were presented for first reading on June 14, 2016. The policy and regulation were updated to include language about social media and inclusion of the Technology Use Agreement into the Parent/Student handbook.

H.2. Business Services Action Items

H.2.a. Resolution 2016-17-02 - Board Member Absence, Patrick W. Kelleher

Motion Passed: Approve Resolution 2016-17-02 as presented. Passed with a motion by Mr. Gary Baugh and a second by Dr. Denise Fleming.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Abstain Mr. Patrick Kelleher

Minutes:

Board Bylaw 9250 provides that Board Members receive payment by resolution for absence due to illness, district related business, jury duty, or if the absence was due to a hardship deemed acceptable by the Board. On June 28, Board Member Patrick W. Kelleher was absent from the Special Board Meeting due to a hardship deemed acceptable by the Board. Resolution No. 2016-17-02 authorizes the District to pay Mr. Kelleher for his absence.

I. DISCUSSION/ACTION ITEMS

I.1. Superintendent Discussion/Action Items

I.1.a. Approve Safe School Plans

Motion Passed: Approve the Safe School Plans as presented. Passed with a motion by Mr. Patrick Kelleher and a second by Mr. Gary Baugh.

- Yes Mr. Gary Baugh
- Yes Dr. Denise Fleming
- Yes Mr. Jesus Holguin
- Yes Mr. Cleveland Johnson
- Yes Mr. Patrick Kelleher

Minutes:

Consistent with Education Code Sections 32280 - 32289 and 35294.21 - 3594.25, the Safe School Plans are being submitted for approval.

The school safety plans address the needs of the students within each school and how the School Site Council considered the following two components pursuant to Ed Code 35294.2:

- Assessing the current status of school crime committed on school campus and during school related functions.
- Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety.

Director of Safety and Security, Darryl Scott, explained the Safety plans are maintained at the schools sites and reviewed and updated by Site Safety Committees. Copies are made available for the Board and local law enforcement

I.1.b. District Safety Plan

Motion Passed: A motion was made to approve moving forward with the presented plan in concept, stipulating that individual items be brought back for approval that include new costs and/or negotiable items, once negotiations are complete. Passed with a motion by Mr. Gary Baugh and a second by Mr. Patrick Kelleher.

- Yes Mr. Gary Baugh
- Yes Dr. Denise Fleming
- Yes Mr. Jesus Holguin
- Yes Mr. Cleveland Johnson
- Yes Mr. Patrick Kelleher

Minutes:

Director Darryl Scott shared a presentation on Safety and Security Assessment recommendations.

1. Transition from Campus Supervisors to Campus Security Officers.
Reduce 61 FTE to 48 FTE
COST SAVINGS: \$909, 425
2. Transition from Private Security to District Patrol Officers.
COST NEUTRAL
3. Expand District camera system to middle and elementary schools.
COST: \$1.3 million

4. Require all staff to wear and display I.D. badges.
COST: \$20,000
5. Create a Districtwide visitor management system.
COST: \$70,000
6. Establish a closed/locked school site policy.
NO COST
7. Upgrade the District's emergency communication system.
COST: TO BE DETERMINED
8. Upgrade fencing at school sites.
COST: TO BE DETERMINED
9. Establish safety training plan for all employees.
COST: TO BE DETERMINED

Mr. Scott reviewed each of the recommendations, including objectives, activities and implementation approach. There was extensive discussion and questions from the Board on the details of the recommendations. Mr. Scott sought approval to move forward on the recommendations, acknowledging that some require more specific information on cost and/or implementation plans.

Board members requested to grant approval in concept, without committing or giving blanket expenditure approvals without specific details.

I.2. Educational Services Discussion/Action Items

I.2.a. Approve 2016-2017 Consolidated Application for Funding Categorical Programs

Motion Passed: Approve the 2016-2017 Consolidated Application for Funding Categorical Programs. Passed with a motion by Mr. Gary Baugh and a second by Mr. Patrick Kelleher.

Yes Mr. Gary Baugh
 Yes Dr. Denise Fleming
 Yes Mr. Jesus Holguin
 Yes Mr. Cleveland Johnson
 Yes Mr. Patrick Kelleher

Minutes:

The district is submitting the 2016-2017 Consolidated Application for funding and data collection for approval. This includes information about participation in state and federally funded programs, each school's eligibility for funding, private school participation, and No Child Left Behind implementation.

I.2.b. Approve 2016-2017 Single Plan For Student Achievement Updates

Motion Passed: Staff recommends approval of the 2016-2017 Single Plan for Student Achievement Updates. Passed with a motion by Mr. Patrick Kelleher and a second by Dr. Denise Fleming.

- Yes Mr. Gary Baugh
- Yes Dr. Denise Fleming
- Yes Mr. Jesus Holguin
- Yes Mr. Cleveland Johnson
- Yes Mr. Patrick Kelleher

Minutes:

Single School Plans for Student Achievement (SPSA) are developed, reviewed, and submitted by School Site Councils each year. The purpose of the SPSA is to create a cycle of continuous improvement of student performance, and to ensure that all students succeed in reaching academic standards set by the State Board of Education. Staff recommends Board approval of these plans.

I.3. Business Services Discussion/Action Items

I.3.a. Consideration and Possible Adoption of Resolution No. 2016-17-04 of the Board of Education of the Moreno Valley Unified School District Approving the Adoption of the Public Agencies Post-Employment Benefits Trust Administered by Public Agency Retirement Services (PARS)

Motion Passed: Approve Resolution No. 2016-17-04 as presented. Passed with a motion by Mr. Patrick Kelleher and a second by Mr. Cleveland Johnson.

- Yes Mr. Gary Baugh
- Yes Dr. Denise Fleming
- Yes Mr. Jesus Holguin
- Yes Mr. Cleveland Johnson
- Yes Mr. Patrick Kelleher

Motion Passed: Approve Resolution No. 2016-17-04 as presented. Passed with a motion by Mr. Patrick Kelleher and a second by Mr. Cleveland Johnson.

- Yes Mr. Gary Baugh
- Yes Dr. Denise Fleming
- Yes Mr. Jesus Holguin
- Yes Mr. Cleveland Johnson
- Yes Mr. Patrick Kelleher

Minutes:

In August 2007, the District adopted the GASB 45 Solutions Program with CSBA, PARS and U.S. Bank to prefund the District's OPEB liabilities. The GASB 45 Solutions Program is being transitioned to the PARS Public Agencies Post-Employment Benefits Trust ("PARS Trust Program"), a program with a larger number of participating agencies and more assets. PARS will continue to be Trust Administrator and U.S. Bank will continue to be Discretionary Trustee and Investment Manager. The District's selected investment strategy will remain the same. CSBA will continue to provide support to the program through their assistance in this transition, their sponsorship, marketing, and advisory services as the program continues to

meet the needs of California school districts now and into the future. Due to the economies of scale of the larger program, the administrative fees paid under the trust will be substantially reduced.

I.3.b. Consideration and Possible Adoption of Resolution No. 2016-17-09 of the Board of Education of the Moreno Valley Unified School District Approving Specified Actions Relative to Settlement and Purchase Agreements Between the District and LCTH Investments, L.P., for the Acquisition of a Site for High School No. 5, and Delegating Authority to Take Other Actions Necessary to Complete Purchase of Such Real Property

Motion Passed: Approve Resolution No. 2016-17-09 as presented. Passed with a motion by Mr. Gary Baugh and a second by Dr. Denise Fleming.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

Minutes:

The Board has considered, in closed session, both a current proposed purchase agreement, inclusive specifically of the last proposed price and terms of payment, relative to the site for High School No. 5 ("HS No. 5 Site") and a proposed settlement agreement for the acquisition of HS No. 5 in lieu of condemnation. If the proposed Settlement Agreement and Purchase Agreement are approved by the Board in closed session, such action will be reported out of closed session, and the Board will thereafter consider Resolution No. 2016-17-09 ("Resolution"), which will authorize District staff to take certain necessary actions to open escrow and facilitate the acquisition of the HS No. 5 Site pursuant to the terms set forth in the Settlement and Purchase Agreements. The Resolution will further authorize the Superintendent or Chief Business Official to make, with the concurrence of legal counsel, certain non-substantive changes to the Settlement and Purchase Agreements.

I.3.c. Second Reading Board Policy 3515.3 - Civility Policy - Business and Non-Instructional Operations

Motion Passed: Approve and adopt Board Policy 3515.3 - Civility Policy. Passed with a motion by Mr. Cleveland Johnson and a second by Mr. Gary Baugh.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

Minutes:

Board Policy 3515.3 was presented to the Board for first reading at the

October 27, 2015, Board Meeting. As part of the adoption process, the policy is being brought back for second reading and adoption.

Dr. White explained that the proposed policy has been delayed in bringing back for second reading to allow for further review by attorneys and continued discussion with the employee associations. There will still be some minor revisions to the policy to come, but staff recommends approval at this time to put the policy in place.

I.4. Human Resources Discussion/Action Items

I.4.a. Approve New Management Position and Job Description - Head Start/State Preschool ERSEA/Family and Community Engagement Coordinator

Motion Passed: Approve the new management position and job description for Head Start/State Preschool ERSEA/Family and Community Engagement Coordinator, as presented. Passed with a motion by Mr. Gary Baugh and a second by Mr. Patrick Kelleher.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming
Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

Minutes:

A new management position and job description is being recommended entitled Head Start/State Preschool ERSEA (Eligibility, Recruitment, Selection, Enrollment, and Attendance)/Family and Community Engagement Coordinator. This position will provide critical support to the Head Start and State Preschool Department and will ensure compliance with the requirements for determining community needs and recruitment areas, such as eligibility determination, recruitment, selection, enrollment, and attendance of children in Head Start programs. In addition, the position will support parent, family, and community engagement activities and ensure such activities are systemic and integrated, assess that family engagement outcomes are achieved, and determine whether or not children are healthy and ready for school. This position is funded through the Head Start Program.

Dr. Robert Verdi explained that this position is a result of a compliance review, and will add an extra layer of support.

I.4.b. Approve Updated Certificated Job Description - Home Independent Study/Home Hospital Teacher

Motion Passed: Approve the updated certificated job description for Home Independent Study/Home Hospital Teacher, as presented. Passed with a motion by Mr. Cleveland Johnson and a second by Mr. Patrick Kelleher.

Yes Mr. Gary Baugh
Yes Dr. Denise Fleming

Yes Mr. Jesus Holguin
Yes Mr. Cleveland Johnson
Yes Mr. Patrick Kelleher

Minutes:

An updated certificated job description is being recommended entitled Home Independent Study/Home Hospital Teacher. This job description combines the duties of existing positions and reflects a change in credentialing requirements. The number of students requiring Home Independent Study and Home Hospital programs has increased, and it is not possible to fill that demand through adjunct positions. The new job description will allow the positions to focus solely on meeting the educational needs to those students in a non-adjunct setting.

Dr. Verdi explained it has become difficult to provide the needed services with the growing demand. Human Resources worked with MVEA and Special Education to develop this position. There will be a General Ed Home/Hospital teacher and a Special Ed Home/Hospital teacher.

J. ACKNOWLEDGEMENT ITEMS

J.1. Administrative Regulation 1330 Update - Use of School Facilities

Minutes:

On June 6, 2002, the Board approved that an annual increase be applied to the Use of Facilities Fee Schedule based upon the Consumer Price Index (CPI). The attached reflects the fee increases for the 2016-17 school year.

J.2. Revised Classified Job Description - Enrollment Technician

Minutes:

On May 3, 2016, the Board of Education approved a revision to the Director III - Student Services job description, adding the supervision and coordination of the district's Centralized Registration Center to the responsibilities of the position. The "Position Definition" portion of the job description for the Enrollment Technician is being revised to be consistent with that change, as the position now falls under the direction of the Director of Student Services.

J.3. Revised Management Job Description - Network Manager

Minutes:

The education qualifications of the job description for the position of Network Manager are being revised to reflect that a Bachelor of Science degree is preferred. This revision is being made to align the education qualifications on the job description for Network Manager with other management job descriptions for the Information Systems Department.

J.4. Revised Management Job Description - Student Information System Administrator

Minutes:

The education qualifications on the job description for the position of Student Information System Administrator are being revised to reflect that a high school diploma is required and a Bachelor of Science degree is preferred. This revision is being made to align the education qualifications on the job description for Student Information System Administrator with other management job descriptions for the Information Systems Department.

J.5. Revised Management Job Description - Supervisor II - Central Registration (Manager)

Minutes:

On May 3, 2016, the Board of Education approved a revision to the Director III - Student Services job description, adding the supervision and coordination of the district's Centralized Registration Center to the responsibilities of the position. The "Position Definition" portion of the job description for the Supervisor II - Central Registration (Manager) is being revised to be consistent with that change, as the position now falls under the direction of the Director of Student Services.

K. COMMENTS FROM BOARD MEMBERS AND SUPERINTENDENT

Minutes:

PATRICK KELLEHER

- Mr. Kelleher thanked Darryl Scott for the presentation on safety recommendations, stating that those issues are very important, these days.
- Mr. Kelleher took offense to the comment that was directed toward him saying he was born with a silver spoon in his mouth. He shared that he had very humble beginnings growing up in a project, and hopes that people will do their research, or realize others can be offended when aspersions are cast without knowledge. He hopes people will get away from so many of the put downs they throw at others, because they are often times wrong.

GARY BAUGH

- Mr. Baugh acknowledged all who participated in the 4th of July parade, stating it was a very nice affair.
- Mr. Baugh stated he was impressed with article in Press Enterprise regarding construction going on in the District, and offered compliments to Tim for working with Imran Ghorri from the newspaper. He also remarked that his heart goes out to those serving on Citizens' Bond Oversight Committee for putting up with activity at their meetings. He stated that we take it seriously to responsibly spend Bond money, and do not like to hear people cast aspersions. He stated he is glad to see the progress moving forward with High School No. 5, since we've been working since 2002 to get the land. He is anxious for us to find a date to schedule a tour of the Facilities construction projects.

CLEVELAND JOHNSON

- Mr. Johnson pondered where the negative comments are coming from, but remarked that we just need to deal with it. Teachers earn the right and have the ability to help

others learn. We are teachers, too, and we have to learn to deal with others different from us with patience.

- Mr. Johnson was invited to speak to the Optimist Club, and was surprised to see so many people he knew, including Dr. White. He enjoyed the experience and thanked them for providing a library book, and for helping to share the great work being done at Moreno Valley Unified.
- Mr. Johnson attended the Backpack give-a-way event held by Sigma Beta Xi, where there were long lines and more than 500 backpacks given away. He had a great time and was glad to see others attending offering their support, including Dr. Fleming, Council Member Jempson, and James Baker. He offered his thanks to Corey Jackson and all the helpers.
- Mr. Johnson is glad we are continuing to offer the free lunch program during the summer, and will be visiting the parks where the meals are served.

DENISE FLEMING

- Dr. Fleming believes that some of the public speakers who expressed concerns with the spending of funds, or the process, including the use of “outside, non-local” companies, may not be familiar with the Public Contract Code, which governs the rules and regulations for the public bidding process. It is in place to ensure a fair and equitable chance for all vendors. She stated we do believe in transparency and meeting the strict requirements. Those who comment on these items may need to be educated on these regulations. It is a serious issue, and people can go to jail for violating the regulations.
- Dr. Fleming is concerned to hear about the problems with Citizens’ Bond Oversight Committee meetings. There is a difference between a public Board of Education Meeting and a Board-assigned advisory committee meeting. We need the volunteers who serve on this committee, and others, and don’t want them to be scared off. We also want to make sure that people have a voice at the meetings who wish to speak about issues pertinent to the Bond and business of that committee, and not allow comments about other issues not under the oversight of that committee. We do need to provide Brown Act training to assist in the running of those meetings.
- Dr. Fleming had some comments in response to several public comments. First, she asked for clarification about a comment regarding Special Ed students’ access to sports, arts, etc. She asked whether there is a requirement to single out that population. Dr. Kedziora answered no, and activities in our LCAP plan are inclusive for all students, including Special Education. He also stated we do have constant outreach to include Special Education into our programs.
- Next, Dr. Fleming confirmed that our meeting dates have not changed since approved in December, and stated we are proud of how we are educating our students. She reminded members of the community that our District and students have had many successes, including education awards such as 7 Gold Bells, 12 Gold Ribbons and 3 Schools-to-Watch designations, as well as students with GPAs as high as 4.6 and acceptances to prestigious colleges.

- Finally, Dr. Fleming asked for the community's patience for all the construction in progress, which is for the benefit of our students.

JESUS HOLGUIN

- Mr. Holguin confirmed that the Board Meeting list was approved in December, and were immediately posted on the District's website, which is the same process we follow every year. We have nothing to hide and always work on being transparent; there is no person in the District or on the Board who wants to purposely hide things from the community.
- Mr. Holguin spoke about the passage of the Bond, the careful use of Bond money, and the facilities construction projects that are taking place in accordance with approved plans as scheduled. In the area of technology, he pointed out that the District has over 28,000 Chromebooks in place to support students.
- Addressing Special Education, Mr. Holguin stated that Special Education programs in California are well-underfunded, with not enough support from the federal government. The need to supplement funds is widespread, and the District is working hard to do what they have to do to provide the services to meet the needs of all our students. It is very expensive.
- Mr. Holguin responded to public comments that people want to express their feelings at meetings, including Board of Education meetings, and committee meetings such as DELAC and CBOC. We set the protocol to allow 3 minutes per speaker and a maximum of 21 minutes on non-agenda items many years ago, and now other committees choose to model that. We ask the Board to act based on circumstances and critical issues, but the point is that these meetings are not the only way to express your opinion to the District; it is not the only way to communicate. He advised people not to wait until a business meeting to ask questions, but instead to ask staff, and questions and issues will be addressed.
- Mr. Holguin told about an effort to alleviate concerns with a group of parents by spending over 4 hours in meeting with them, but the same questions come back over and over again. He advised once again, that District staff are willing to meet, and to listen, and work to resolve issues.
- Mr. Holguin expressed thanks to the Business Division for handling the Bond issues in the best possible manner. He thanked Interim Chief Business Official, Francine Story, Chief Human Resources Officer, Dr. Robert Verdi, and Chief Academic Officer, Dr. Martinrex Kedziora, for all the information and the work to keep things moving forward. He also thanked Dr. Kedziora for the recent successful Summer K-12 Institute, the participation of MVUSD, and the California League of Schools support. Mr. Holguin thanked Dr. White for her continued work and vision.

JUDY D. WHITE

- Dr. White expressed her thanks to the Board and all staff for continually working towards what's in the best interest of students.
- She offered her congratulations to Jesus Holguin, who has been selected to serve on the National PTA Board.

L. ADJOURNMENT

Minutes:

With no further business being brought before the Board of Education, the meeting was adjourned at 11:07 p.m.