

BRAWLEY ELEMENTARY SCHOOL DISTRICT
Minutes: June 28, 2016 Governing Board Regular Meeting

BRAWLEY ELEMENTARY SCHOOL DISTRICT
Board Room, District Office

261 D Street, Brawley, CA 92227

Minutes: Governing Board Regular Meeting of June 28, 2016

Attendance Taken at 6:00 PM:

Present:

Cesar Guzman
Armando Padilla
Kathy Prior
Esther Sanchez-Banda
Gloria Santillan

I. OPEN SESSION 6:00 p.m.

I.A. Call to order by:

Minutes:

The regular meeting of the Brawley Elementary School District Governing Board was called to order by Board President Cesar Guzman at 6:00 p.m. on Tuesday, June 28, 2016, in the District Office Board Room, 261 D Street, Brawley, California.

I.B. Flag Salute:

Minutes:

Celia Santana led the Pledge of Allegiance.

I.C. Roll Call:

Minutes:

All Board Members and Superintendent Ronald A. Garcia were present.

II. AMENDMENT OF AGENDA

Motion Passed: Move IX.D.1. (Approval of Employment Agreement for Interim Superintendent between Luis C. Panduro and the Brawley Elementary School District.) and IX.D.2. (Approve Amendment to Resignation Agreement and General Release Between the Brawley Elementary School District and Ronald A. Garcia.) to Closed Session for discussion. Passed with a motion by Esther Sanchez-Banda and a second by Kathy Prior.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

Motion Passed: Move VI.D.1. (Approval of Employment Agreement for Interim Superintendent between Luis C. Panduro and the Brawley Elementary School District.) and VI.D.2. (Approve Amendment to Resignation Agreement and General Release Between the Brawley Elementary School District and Ronald

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A. Garcia.) (incorrectly stated in first motion as IX.D.1 and IX.D.2.) to Closed Session for discussion. Passed with a motion by Esther Sanchez-Banda and a second by Kathy Prior.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

III. RECOGNITION

III.A. Certificated Service Anniversary

Minutes:

Phil D. Swing School teacher Gail Zeigler was recognized for her 30-year service anniversary with Brawley Elementary School District.

III.B. Retirement of Superintendent Ronald A. Garcia

Minutes:

Retiring Superintendent Ronald A. Garcia was presented with a plaque recognizing his years of service with the District. Former Board Members Janette Sandoval and Yvonne Burns, and Governing Board Members, spoke of Mr. Garcia's accomplishments.

The Governing Board recessed from 6:23 p.m. to 6:35 p.m. for refreshments.

IV. COMMUNICATIONS

IV.A. BOARD REPORTS

Minutes:

Board Member Cesar Guzman commended Barbara Worth Junior High School Principal Andrew Burnett and staff, and the Maintenance Department, for a well-organized eighth-grade promotion ceremony.

Board Member Kathy Prior commended staff for their work in organizing the promotion ceremony.

Board Member Gloria Santillan also commended staff for their work and noted the student promotion rate percentage had increased.

Board Member Armando Padilla concurred with recognizing the work of staff in organizing the promotion ceremony.

IV.B. SUPERINTENDENT'S REPORT

Minutes:

Superintendent Ronald Garcia distributed an E-rate history report of service reimbursements secured by the District's contract with CSM Consulting, Inc.

Mr. Garcia reported the Division of the State Architect issued the District a Certification of Compliance letter for the Barbara Worth Junior High School gymnasium building. Superintendent Garcia noted

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the California Department of Education (CDE) completed its fly over of the school property in escrow to detect any possible hazards and he expected the issuance of CDE's Certification of Compliance letter for the property.

IV.C. PUBLIC COMMUNICATIONS

Minutes:

Brawley Union High School Assistant Principal Bonnie Munguia thanked the K-6 Principals for their school's participation in the High School's June 8 Senior Walk.

Phil D. Swing School teacher Esmeralda Nava stated her appreciation to Mrs. Munguia for organizing the Senior Walk; thanked the Governing Board for approving the raise for Brawley Elementary Teachers Association members; noted she personally organized a student field trip to Washington D.C. and New York; and stated concern regarding budget impact of Superintendent Garcia's Resignation Agreement amendment.

IV.D. STAFF/STUDENT COMMUNICATIONS

Minutes:

J. W. Oakley School teacher Henry Moreno, on behalf of spouse Maryann Moreno, stated concern regarding the lump sum payment (amendment) to Superintendent Garcia's Resignation Agreement. Mr. Moreno stated his concerns regarding Mr. Garcia's demeanor towards teachers and community and requested the Governing Board ensure the next superintendent would be judicious in District funds expenditures and maintain rapport with teachers and the community.

Miguel Hidalgo School teacher Monica Sanchez, Phil D. Swing School teacher Susan Castillo, J. W. Oakley School teacher Monica Mariscal, and Barbara Worth Junior High School student Serena Roman individually spoke against Superintendent Garcia's Resignation Agreement amendment.

Migrant and Federal Programs Specialist Celia Santana reported on the Migrant Education Summer School Program and invited the Governing Board to its July 13, 2016 Open House.

IV.E. PUBLIC HEARINGS

IV.E.1. Public Hearing to receive comments regarding the adoption of Resolution No. 22 2015/16: A Resolution of the Governing Board of the Brawley Elementary School District Increasing School Facilities Fees as Authorized by Government Code Section 65995(b) (3)

Minutes:

Board President Guzman declared the public hearing open. Upon inquiry by Salvador Ramirez, Superintendent Garcia described developer fees and explained the purpose for collecting the fees.

There being no other comments, oral or written, Board President

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Guzman declared the public hearing closed.

IV.E.2. Public Hearing to receive comments regarding the adoption of Resolution No. 23 2015/16: Resolution of the Governing Board of the Brawley Elementary School District Approving a School Facility Needs Assessment, Adopting Alternative School Facility Fees in Compliance with Government Code Sections 65995.5, 65995.6 and 65995.7 and Making Related Findings and Determinations

Minutes:

Board President Guzman declared the public hearing open.

There being no public comments, oral or written, Board President Guzman declared the public hearing closed.

V. CONSENT CALENDAR

Motion Passed: Approve consent calendar. Passed with a motion by Armando Padilla and a second by Gloria Santillan.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

V.A. BUSINESS

V.A.1. Ratify Memorandum of Understanding Between the Imperial County Consortium Teacher Induction Program and the Brawley Elementary School District Regarding the Provision of Teacher Induction Services for the 2016-2017 School Year.

V.A.2. Ratify Memorandum of Understanding Between Brawley Elementary School District and Imperial County Office of Education for Professional Development for PRIME (Precision and Rigor in Mathematics Education) Candidates (through 06-30-16).

VI. ACTION ITEMS

VI.A. GENERAL FUNCTIONS

VI.A.1. Adopt Resolution No. 25 2015/16: Resolution to Support Children's Education and Health Care Protection Act.

Motion Passed: Passed with a motion by Gloria Santillan and a second by Kathy Prior.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B. BUSINESS

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VI.B.1. Adopt 2016-17 District Local Control Accountability Plan (LCAP).

Motion Passed: Passed with a motion by Gloria Santillan and a second by Armando Padilla.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B.2. Adopt Annual Budget Report, July 1, 2016 Single Budget Adoption (Brawley Elementary School District's 2016-2017 Budget and 2015-2016 Estimated Actual Revenues and Expenditures).

Motion Passed: Passed with a motion by Kathy Prior and a second by Gloria Santillan.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B.3. Approve Governmental Accounting Standards Board (GASB) 54 Fund Balance Policy.

Motion Passed: Passed with a motion by Gloria Santillan and a second by Armando Padilla.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B.4. Adopt Resolution No. 24 2015/16: Resolution of the Governing Board of the Brawley Elementary School District Regarding the Education Protection Account.

Motion Passed: Passed with a motion by Armando Padilla and a second by Gloria Santillan.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B.5. Approve Memorandum of Understanding for Use of Facilities Between Imperial Valley College and Brawley Elementary School District, July 1, 2016 - June 30, 2018.

Motion Passed: Passed with a motion by Gloria Santillan and a second by Armando Padilla.

Abstain Cesar Guzman

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Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B.6. Approve Consulting Services Agreement Between Isom Advisors, A Division of Urban Futures, Inc. and Brawley Elementary School District for Survey/Voter Opinion Poll Services, Financial Planning Services, Financial Advisory Services, and Continuing Disclosure Services.

Motion Passed: Passed with a motion by Gloria Santillan and a second by Armando Padilla.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B.7. Approve Agreement By and Between the Brawley Elementary School District and Jones Hall, A Professional Law Corporation, for Bond Counsel and Disclosure Counsel Services in Connection with General Obligation Bond Proceedings.

Motion Passed: Passed with a motion by Gloria Santillan and a second by Cesar Guzman.

Yes Cesar Guzman
Yes Armando Padilla
No Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B.8. Approve Contract for E-Rate Compliance Services with CSM Consulting, Inc.

Motion Passed: Passed with a motion by Armando Padilla and a second by Kathy Prior.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B.9. Adopt Resolution No. 22 2015/16: A Resolution of the Governing Board of the Brawley Elementary School District Increasing School Facilities Fees as Authorized by Government Code Section 65995(b)(3).

Motion Passed: Passed with a motion by Kathy Prior and a second by Armando Padilla.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior

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Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B.10. Adopt Resolution No. 23 2015/16: Resolution of the Governing Board of the Brawley Elementary School District Approving a School Facility Needs Assessment, Adopting Alternative School Facility Fees in Compliance with Government Code Sections 65995.5, 65995.6 and 65995.7 and Making Related Findings and Determinations.

Motion Passed: Passed with a motion by Kathy Prior and a second by Esther Sanchez-Banda.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.B.11. Adopt Resolution No. 26 2015/16: Resolution to Change Signers on District Bank Accounts.

Motion Passed: Passed with a motion by Gloria Santillan and a second by Armando Padilla.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.C. CURRICULUM

VI.C.1. Approve 2016-17 Single Plan for Student Achievement for Miguel Hidalgo School as approved in School Site Council (SSC) Meeting Minutes dated June 14, 2016.

Motion Passed: Passed with a motion by Armando Padilla and a second by Esther Sanchez-Banda.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.C.2. The Governing Board may take action to approve Positive Prevention PLUS Curriculum as the comprehensive sexual health and HIV prevention education curriculum to meet the legal requirements set forth by The California Healthy Youth Act (Education Code Sections 51930-51939; AB 329) for Barbara Worth Junior High School.

Motion Passed: Approve Positive Prevention PLUS Curriculum as the comprehensive sexual health and HIV prevention education curriculum to meet the legal requirements set forth by The

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California Healthy Youth Act (Education Code Sections 51930-51939; AB 329) for Barbara Worth Junior High School. Passed with a motion by Kathy Prior and a second by Esther Sanchez-Banda.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

VI.D. PERSONNEL

VI.D.1. Approval of Employment Agreement for Interim Superintendent between Luis C. Panduro and the Brawley Elementary School District.

Motion Passed: Approve Employment Agreement for Interim Superintendent between Luis C. Panduro and the Brawley Elementary School District with deletion of paragraph "The Interim Superintendent shall have primary responsibility for all personnel matters, including selection, assignment and transfer of all employees, subject to prior approval of the Board. In all personnel matters, the Interim Superintendent shall present his recommendations to the Board. In the event the Board does not approve said recommendation, the Interim Superintendent shall submit another recommendation to the Board within a reasonable time." under 4. DUTIES AND RESPONSIBILITIES. Passed with a motion by Esther Sanchez-Banda and a second by Gloria Santillan.

Yes Cesar Guzman
Yes Armando Padilla
Yes Kathy Prior
Yes Esther Sanchez-Banda
Yes Gloria Santillan

Minutes:

Order of Agenda amended and discussion of VI.D.1 moved to Closed Session.

Action recorded was taken after Closed Session.

VI.D.2. Approve Amendment to Resignation Agreement and General Release Between the Brawley Elementary School District and Ronald A. Garcia.

Motion Passed: Passed with a motion by Gloria Santillan and a second by Armando Padilla.

Yes Cesar Guzman
Yes Armando Padilla
No Kathy Prior
No Esther Sanchez-Banda
Yes Gloria Santillan

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Order of Agenda amended and discussion of VI.D.2. moved to Closed Session.

Action recorded was taken after Closed Session.

VII. INFORMATION/DISCUSSION ITEMS

VII.A. CURRICULUM

VII.A.1. Illuminate Survey

Minutes:

Assistant Superintendent of Curriculum and Instruction Luis Panduro reported the survey provided to the Governing Board would be completed by staff upon their return to duty.

VII.A.2. Migrant Education Program Summer School Out-of-County Field Trip Request to Point Loma Nazarene College, San Diego, July 12, 2016

Minutes:

Superintendent Garcia explained an activity was approved through approval of the District Service Agreement.

VII.B. PERSONNEL

VII.B.1. Discussion of Superintendent Search Process

Minutes:

Board President Guzman noted item was already taken care of.

VIII. BOARD MEMBERS REQUESTS FOR FUTURE AGENDA ITEMS:

Minutes:

1. Barbara Worth Junior High School Opportunity Classroom (retain program) (Board Member Guzman)
2. Kindergarten Classroom at Phil D. Swing School (retain fourth classroom) (Board Member Sanchez-Banda)
3. Revision of Enrollment Time Period for Students to Register at School of Residence (Board Member Santillan)
4. Staff Update on Student Test Scores (August 2016) (Board Member Padilla)

IX. CLOSED SESSION:

Minutes:

Board President Guzman read Closed Session titles and added for discussion the Interim Superintendent Employment Agreement with Luis C. Panduro and the Amendment to Superintendent Ronald Garcia's Resignation Agreement and General Release. President Guzman adjourned Open Session at 8:15 p.m.; the Governing Board entered Closed Session at 8:25 p.m.

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IX.A. Public Employment (Pursuant to Provisions of Government Code Section 54957) Title: District Superintendent

IX.B. Public Employee Appointment (Pursuant to Provisions of Government Code Section 54957) Title: Interim Superintendent

IX.C. Public Employee Discipline/Dismissal/Release/Reassignment (Pursuant to Provisions of Government Code Section 54957)

X. INFORMATION SESSION REGARDING CLOSED SESSION:

Minutes:

Board President Guzman convened the meeting to Open Session at 9:38 p.m.

The Governing Board took action on VI.D.1 and VI.D.2. (see vote under each action item).

Board President Guzman stated there was no other action to report.

XI. ADJOURNMENT

Minutes:

Board President Guzman adjourned the meeting at 9:40 p.m.

Esther A. Sanchez-Banda
Clerk of the Board