

**SYLVAN UNION SCHOOL DISTRICT  
REGULAR MEETING OF  
THE BOARD OF TRUSTEES  
August 29, 2017**

# MINUTES

***Members Present:*** Mmes. Cynthia Lindsey, Jennifer Miyakawa, and Terriann Zeek.  
Messrs. David Collins and George Rawe.

***Members Absent:*** None

***District Administration Present:*** Debra Hendricks, Velma Beck, Yvonne Perez, Laura Wharff,  
Sharon Roddick, Didi Peterson, John Patten, Marti Reed, Laura  
Granger, Mitch Wood, Cheryl Phan, and Dawn Mori.

***Audience Present:*** Travis Manley, Gary Miller, Michael Stagnaro, Cheryl Campbell,  
Rebecca Harms, Cindy Facey, Harold Page, Kim Block, Jamisha Hill,  
Emmanuel Escamilla, Julie Nabors, Julie Knapper, Chris Aguilar,  
Katie Bennett, Veronica Pearson, Jenny Luck, Carrie Albert, Nancee  
Davis, Alan Gwyn, Kathy Friedmann, Nikki Codromac, Michele  
Calton, Laurie Hulin, Jennie Smith, Lisa Bracken, Alissa Giva,  
Shalini Katyal, Divya Katyal, Lyndsey Miller, Alyssa Miller, Carrie  
Miller, Chris Miller, Deirdre Blocker, Cathy Beltran, Tina Hansel,  
Hannal Nelson, Audry Garza, Kala Buck, Julie Knapper, Jean Costa,  
Nancy Nelson, Shelly Barlow, Joe Alves, Jina Alves, Marianne  
Amarant, John Mundt, Bev Mundt, Avery Alves, Jennifer Nichols,  
Selli Richards, Brian Coates, Karen Cananya, Erica Amezuca, Alisa  
Eldridge, James Bates, Ron Grim, Debbie Moniz, Jessie Miller,  
Margo Souza and about ten other people.

***Call to Order:*** The meeting was called to order at 6:00 p.m.

***Adjourn to Closed Session:*** The meeting adjourned to Closed Session for the following:

- a. **CONFERENCE WITH LEGAL COUNSEL – EXISTUBG LITIGATION**  
**Number of Cases: One (1)**  
**Case Name: Tillman**
- b. **PUBLIC EMPLOYEE:  
DISCIPLINE/DISMISSAL/RELEASE**
- c. **EXPULSION HEARING IN THE MATTER OF  
STUDENT: 2016/2017 – AH# 37**

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### ADJOURN TO CLOSED SESSION Continued

#### d. PUBLIC EMPLOYEE EVALUATION

##### Title: Superintendent Contract Evaluation

#### *Reconvene to Open Session:*

The meeting reconvened to Open Session at 7:00 p.m.

#### *Board President Announcement:*

Mrs. Zeek advised all attendees that in accordance with Board Policy, tonight's Board Meeting was being recorded. She also advised any persons wishing to address the Board on any agenda or non-agendized item must fill out a speaker card.

#### *Report Out of Closed Session:*

Mrs. Zeek reported that direction was given to staff regarding all matters.

#### *Adoption of Agenda:*

The motion was made by Mrs. Miyakawa, seconded by Mr. Collins, adopting the Agenda.

**AYES:** Collins, Lindsey, Miyakawa, Rawe, Zeek

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

#### *Pledge of Allegiance:*

Mrs. Zeek welcomed everyone to the meeting. Mrs. Rebecca Harms, principal at Crossroads Elementary School introduced Avery Alves a 5<sup>th</sup> grader, who has been selected to lead the Pledge of Allegiance.

Avery led the audience in the Pledge of Allegiance.

Mrs. Rebecca Harms introduced Avery Alves, who led the audience in the Pledge of Allegiance. Mrs. Harms shared that Avery, a well-respected fifth grade Crossroads Cougar, was selected to be presented at tonight's Board meeting because she exemplifies what being a lifelong learner is at such an early age. Avery has a reflective approach on her education and is also conscience of how her learning is a collaborative effort. She recently took on a leadership role by helping with morning announcements and leads her fellow peers during their Fall picture day. Avery is seen as a role model and possesses the traits of a future leader in our community.

Mrs. Zeek presented Avery with a certificate for her accomplishment.

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### ***Recognition Presentation:***

Crossroads Elementary was the school selected to be recognized at tonight's Board meeting. Mrs. Harms introduced Leadership Team members Jean Smith, 4<sup>th</sup> grade teacher and Chrissy Wheelock, 2<sup>nd</sup> grade teacher at Crossroads Elementary School to present information on their PLC journey. Mrs. Smith and Mrs. Wheelock shared that staff has been learning by doing and thanked the Board of Trustees for their collaboration time on Wednesdays. Crossroads staff is doing a wonderful job of coming together to increase student achievement through the PLC process. Jean and Chrissy displayed their PLC illustration created at the Kim Bailey training in June 2017, which displays the beginning of their PLC journey in 2007 and their goals for the future. Crossroads Elementary is very proud of their staff and is moving forward with a positive outlook and focusing on the potential their future holds.

### ***Student Discipline Action Items:***

#### **STUDENT DISCIPLINE ACTION ITEMS**

- a. The motion was made by Mrs. Lindsey, seconded by Mrs. Miyakawa, approving the recommendations of the Administrative Hearing Panel in the matter of Student 2016/2017 – AH # 37.

**AYES:** Lindsey, Miyakawa, Rawe, Zeek

**NOES:** Collins

**ABSENT:** None

**ABSTENTIONS:** None

### ***Communications Written Communications:***

#### **COMMUNICATIONS**

- a. Mrs. Hendricks shared the following information with the Board:
  - California School Boards Association (CSBA) regarding nominations for CSBA Directors-at-Large African American, American Indian, and County which are being accepted until Friday, September 29, 2017.
  - Stanislaus County Office of County Clerk regarding appointments in Lieu of the Consolidated District Election to be held on Tuesday, November 7, 2017. Sylvan Union School District was listed:
    - Area 2: George Rawe
    - Area 5: Cyndi Lindsey

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- Public Hearing:**      b.      **PUBLIC HEARING: Sufficiency of Instructional Materials**  
Mrs. Laura Wharff, Assistant Superintendent of Curriculum and Instruction shared that this annual public hearing is required for sufficient textbooks for students and staff in our district.

The hearing was opened by appointed Board President Zeek at 7:10 p.m. There was no public input. The hearing was closed at 7:11 p.m.

- Public Participation:**      c.      Cynthia Facey, parent and PTA Board member, addressed the Board regarding the HVAC system at Orchard Elementary School. She is concerned with the high temperatures in the classroom and suggested that Board members visit Orchard during these extreme heat conditions.

Harold Page, Orchard Elementary community member, spoke regarding the issues with the HVAC system at Orchard Elementary School. He shared that heater and the air conditioner has needed some attention for several years. He commended teacher Mrs. Walker for continuing to do her best with student learning during the warmer weather. He suggested having students attend school until noon and then home school for the remainder of the day.

Chris Aguilar, teacher at Orchard Elementary School, expressed his concerns regarding the overdue and faulty HVAC system at Orchard Elementary School. He shared his personal experience with the heat issues in his own classroom. Mr. Aguilar also shared his concerns regarding the leak in the roof in his classroom. He asked the Board of Trustees to take quick action on replacing the Orchard HVAC system for the well-being of students and staff.

Alan Gwyn, 4<sup>th</sup> grade teacher at Orchard Elementary School, shared his concerns regarding the delay of the Orchard HVAC project. He asked the Board of Trustees for empathy and thanked the Board members that have recently visited Orchard Elementary school. He also asked for the Board for a greater sense of urgency on the project and asked for the Board to consider placing the matter before constituents and tax payers.

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### PUBLIC PARTICIPATION Continued

Lyndsey Miller, student at Orchard Elementary School, Carrie and Chris Miller, parents, shared their concerns with the high temperature in Lyndsey's classroom. Lyndsey shared she has a hard time focusing when her classroom gets warm. Mr. and Mrs. Miller recently moved into the area and are excited their children are attending Orchard Elementary School. Chris and Carrie asked the Board to do whatever they can to get the air conditioning working as soon as possible.

Hannah Nelson, Sylvan Union School District parent, shared her concerns regarding the HVAC system at Orchard Elementary School and the lack of communication regarding the new volunteer process for the 2017-2018 school year.

### INFORMATION AND DISCUSSION

#### *Superintendent's Update: CodeX Presentation*

#### **a. Superintendent's Update – CodeX Presentation:**

Mrs. Hendricks introduced Emmanuel Escamilla, CodeX Coordinator. Emmanuel introduced Ustach Middle School students Divya Katyal and Haiying Zeng and CodeX Board members James Bates and Margo Souza. Mr. Escamilla shared that for the past two years, CodeX has had the opportunity to bring the CodeX Summer Program to over one-hundred Sylvan Union School District students. The seven-week summer program teaches students 21<sup>st</sup> century skills of coding. During the seven week program, students were given two weeks to create a phone app. CodeX staff selected the top ten apps and picked Divya and Haiying to present their homeless network app at the #CODENIGHT event. Divya and Haiying gave the Board of Trustees a tutorial of their impressive app that was created to assist the homeless population in our area. Mrs. Zeek presented the students with a certificate for their achievement and eagerness to become a contributing member in society by helping others in the community.

#### *Review of Board Policy 2140: Evaluation of the Superintendent:*

#### **b. Review of Board Policy 2140: Evaluation of the Superintendent:**

Board Vice President Mrs. Cynthia Lindsey requested to have this item tabled until the next Board meeting on September 12, 2017.

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### INFORMATION AND DISCUSSION Continued

#### *Orchard Elementary HVAC Project:*

#### **c. Orchard Elementary HVAC Project:**

August 1, 2017, Board Meeting in regards to replacing the HVAC system at Orchard Elementary. A project of this size and complexity would consist of a minimum of nine months to complete. The district previously set aside \$2 million from one-time funds from the state for the project. The project was advertised in the Modesto Bee in June, and the lowest bid received by the bid closing date of July 20, 2017, was \$3,041,583. Total project cost is estimated at \$3.5 million. As part of gathering more information to be able to proceed with the project, Mrs. Perez shared she consulted with David Olson with PFM Financial Advisors to inquire about selling the remaining \$6 million in bonds authorized from the 2006 voter authorization, and if it would be an option for funding the \$3.5 million Orchard HVAC project. Another option discussed was funding the shortfall through Lease Financing or Certificates of Participation (COP) which both can be structured over a five, ten, or twenty year period. COP's can be repaid by bond proceeds anytime in the future as long as the intent for the funds is stated in a new bond authorization for voters to approve. Mrs. Perez shared that a drawback of COP's is the lack of a guaranteed revenue stream, and are paid from the General Fund, unlike bonds which have a guaranteed revenue source from collection of property taxes, in which the General Fund is not affected. After reviewing the information presented by Mrs. Perez, the Board discussed and suggested consulting with a bond attorney to verify the legality of her suggestion of selling bonds and shifting expenses from one-time general fund dollars used for the Sylvan Modernization Project to the bond fund for expenditures that have already occurred. The Board also discussed creating a subcommittee to include two Board members, district staff, parents, and industry heating and cooling professionals to collaborate on solutions to provide immediate relief for staff and students during this heat wave. The Board of Trustees agreed to schedule a Special Board on Tuesday, September 5, 2017, at 5:30 pm to receive more detailed information on funding options from the district's financial advisor and to provide staff with direction on financing the project. During this meeting, the Board will have the opportunity to consider approval or rejection of bids received for the Orchard HVAC Replacement Project.

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### INFORMATION AND DISCUSSION continued

#### *Facilities Master Plan Draft:*

#### **d. Facilities Master Plan Draft:**

Mrs. Perez provided an updated Facilities Master Plan Draft and indicated that additional information will be necessary and required to complete a more detailed plan for anticipated growth in two areas of the district. A demographic study for enrollment projection trends was highly recommended and suggested by Mrs. Perez as staff continues to build on the Facilities Master Plan.

#### *Unused Site Penalty:*

#### **e. Unused Site Penalty:**

Mrs. Perez updated the Board of Trustees on the current status and information received regarding opportunities to waive or reduce the annual unused site penalty in the amount of \$29, 118 for the Tivoli property in Riverbank that was acquired for school purposes years ago. Mrs. Perez provided the Board of Trustees with copy of an Unused Site Handbook. According to the information Mrs. Perez received from a representative of the Office of Public School Construction, who provided two suggestions. The first was to turn the property into a soccer field through a joint agreement with Modesto City Schools and the second was to lease the property to a tenant. The assessed unused site penalty for the property is estimated at ten percent of the property value and will continue to increase each year as property values continue to rise in the county.

#### *Elections Code 14050-14057 on Odd to Even Year Elections:*

#### **f. Elections Code 14050-14057 on Odd to Even Year Elections:**

Mrs. Hendricks and the Board of Trustees discussed and asked staff to prepare a plan by the January 1, 2018, deadline to extend the Board Member term by one year to meet the requirements of Senate Bill 415 Elections Code (EC) 14050-14057.

#### *Proposed 2018 Board Meeting Schedule:*

#### **g. Proposed 2018 Board Meeting Schedule:**

Mrs. Hendricks and provided the Board of Trustees with a second draft of the 2018 Board Meeting Schedule. The second draft indicates removing the March 27, 2018, Budget Study Session and adding a Budget Study Session to April 17, 2018. The Board of Trustees reviewed the changes to the proposed schedule and suggested also adjusting the November Board meeting date to November 13, 2018.

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### INFORMATION AND DISCUSSION Continued

The 2018 Board Meeting Schedule will be brought back at the next Board meeting on September 12, 2017, for adoption.

***First Reading:  
Board Policy  
Updates:***

**h. First Reading: Board Policy Updates:**

Mrs.

Hendricks and the Board of Trustees conducted the first reading for the March and May 2017 Board Policy updates.

***Facilities Update:  
Board Questions:***

**i. Facilities Update: Board Questions:**

Mrs. Perez provided the Board an opportunity to ask questions regarding the facilities report. No questions were asked at this time.

***Action Items:***

### ACTION ITEMS

***Adopt Resolution  
2017/2018 - #4:  
Emergency Waiver  
Public Project:***

- a.** The motion was made by Mr. Collins, seconded by Mrs. Miyakawa, adopting Resolution 2017/2018 -#4: Emergency Waiver Public Project which establishes procedures to comply with emergency contracting pursuant to Public Contract Code 22050.

**AYES:** Collins, Lindsey, Miyakawa, Rawe, Zeek

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

***Adopt Resolution  
2017/2018 -  
#5: Approve  
Delegation of  
Authority in  
Regard to  
Awarding of  
Emergency  
Contracts:***

- b.** The motion was made by Mr. Collins, seconded by Mrs. Miyakawa, adopting Resolution 2017/2018 - #5 authorizing the Superintendent and/or the Assistant Superintendent of Business Services to award an emergency contract for public works as outlined under the conditions in the Resolution 2017/2018 -#5 Delegating Authority to Award Emergency Contracts.

**AYES:** Collins, Miyakawa, Zeek

**NOES:** Lindsey, Rawe

**ABSENT:** None

**ABSTENTIONS:** None

***Ratify Change  
Order No. 1 with  
Overhaul***

- c.** The motion was made by Mrs. Lindsey, seconded by Mrs. Miyakawa, ratifying Change Order No. 1 in the amount of \$5,778.00 with Overhaul Construction Inc. for the Ustach



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### ACTION ITEMS Continued

*Construction Inc.  
for Ustach Middle  
School Portable  
Refurbish Project:*

Middle School Portable Refurbish Project.

**AYES:** Collins, Lindsey, Miyakawa, Rawe, Zeek

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

*Ratify Change  
Order No. 1 with  
Overhaul  
Construction Inc.  
for C.F. Brown  
Elementary  
Portable Refurbish  
Project:*

- d. The motion was made by Mr. Collins, seconded by Mrs. Lindsey, ratifying Change Order No. 1 in the amount of \$1,935.00 with Overhaul Construction Inc. for the C.F. Brown Elementary Portable Refurbish Project.

**AYES:** Collins, Lindsey, Miyakawa, Rawe, Zeek

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

*Approve Amended  
Attachment B  
Conflict of Interest  
Code:*

- e. The motion was made by Mr. Rawe, seconded by Mrs. Miyakawa, approving the amended Attachment B Conflict of Interest Code which indicates the position of Program Specialists, Principals, and Assistant Principals are under disclosure category II.

**AYES:** Collins, Lindsey, Miyakawa, Rawe, Zeek

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

*Adopt Resolution  
2017/2018 - #2:  
Sufficiency of  
Instructional  
Materials:*

- f. The motion was made by Mrs. Miyakawa, seconded by Mrs. Lindsey, adopted Resolution 2017/2018 - #2: Sufficiency of Instructional Materials.

**AYES:** Collins, Lindsey, Miyakawa, Rawe, Zeek

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

*Adopt Resolution  
2017/2018 - #3:  
School Attendance*

- g. The motion was made by Mr. Collins, seconded by Mrs. Miyakawa, adopting Resolution 2017/2018 - #3: School Attendance Awareness Month – September 2017.

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### ACTION ITEMS Continued

*Awareness Month  
– September 2017:*

**AYES:** Collins, Lindsey, Miyakawa, Rawe, Zeek  
**NOES:** None  
**ABSENT:** None  
**ABSTENTIONS:** None

*Adopt Board  
Policy 3470: Debt  
Issuance and  
Management  
Policy:*

- h.** The motion was made by Mrs. Miyakawa, seconded by Mr. Collins, adopting Board Policy 3470: Debt Issuance and Management Policy.

**AYES:** Collins, Miyakawa, Zeek  
**NOES:** Lindsey, Rawe  
**ABSENT:** None  
**ABSTENTIONS:** None

*Approve  
Expenditure of  
Construction  
Funds:*

- i.** The motion was made by Mr. Rawe, seconded by Mrs. Miyakawa, approving the Expenditure of Construction Funds.

**AYES:** Collins, Lindsey, Miyakawa, Rawe, Zeek  
**NOES:** None  
**ABSENT:** None  
**ABSTENTIONS:** None

*Consent Agenda:*

**CONSENT AGENDA:** The motion was made by Mrs. Lindsey, seconded by Mr. Collins, approving the Consent Agenda after removing Consent Item “13h” (*Approval of the Disposal of Obsolete Materials and Equipment*) for a separate vote.

- a.** The Minutes from the August 1, 2017, Regular Board Meeting;
- b.** The Ratification of the following Personnel Actions:

The employment of:

Certificated:

Certificated hired = 2

Certificated resignations = 2

Certificated termination = 1

Classified:

Classified Confidential resignations = 1

Classified hired = 23

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### CONSENT AGENDA Continued

Classified resignations = 14

- c. The ratification of checks as listed;
- d. The ratification of Memorandum of Understanding with Sutter Valley Hospitals;
- e. Approval of the Service Agreement with Carin M. Grandison, Ph.D;
- f. Approval of the Service Agreement with PlayWrite Therapy;
- g. Approval of Destruction of Records;
- h. **PULLED FOR A SEPARATE VOTE;**
- i. Approval of the Service Agreement with Stanislaus County Office of Education for 2017-2018 School Attendance Review Board (SARB) Services;
- j. Approval of the Service Agreement with Stanislaus County Office of Education for professional learning on Next Generation Science Standards (NGSS);
- k. Approval of Schools Excess Liability Fund (SELF) Insurance for 2017-2018;
- l. The approval of the listed donations:
  - The donation of \$9.70 from The Kula Foundation to Sherwood Elementary School.
  - The donation of \$26.63 from Raley's to Sherwood Elementary School for school recognition and supplies.
  - The donation of \$500.00 from Mary Ann Sanders to Sylvan Elementary School for the purchase of STEAM Lab equipment for students.

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### CONSENT AGENDA Continued

- The donation of \$10.11 from The Kula Foundation to Somerset Middle School.
- The donation of CPR manikins valued at \$400.00 from Vicky Henry, Nurse Educator Memorial Medical Training Center/AHA Training Center Coordinator Central Valley Region to Sylvan Union School District nurses.

**TOTAL VALUE: \$946.44**

**AYES:** Collins, Lindsey, Miyakawa, Rawe, Zeek

**NOES:** None

**ABSENT:** None

**ABSTENTIONS:** None

*Consent Agenda  
Item Pulled a for  
Separate Vote:*

### CONSENT AGENDA ITEM PULLED FOR A SEPARATE VOTE:

**h.** The motion was made by Mr. Collins, seconded by Mrs. Miyakawa, approving the Disposal of Obsolete Materials and Equipment.

**AYES:** Collins, Lindsey, Miyakawa, Zeek

**NOES:** Rawe

**ABSENT:** None

**ABSTENTIONS:** None

*Superintendent's  
Report:*

**SUPERINTENDENT'S REPORT:** Mrs. Hendricks shared the following information with the Board of Trustees:

- The Annual Fall School Board Dinner Meeting will be Thursday, September 28<sup>th</sup> at 5:45 PM. RSVP to Velma Beck by September 8, 2017.
- The first Governance Team Site Visit this school year is scheduled for Friday, September 29<sup>th</sup> at Aspire University Charter School. The visit will begin at 9:00 AM and end at 10:30 AM.

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### SUPERINTENDENT'S REPORT Continued

- The Board of Trustees received a copy of the current Governance Handbook which will be reviewed at the Fall Board Retreat on September 19, 2017.

#### *Board Reports:*

#### BOARD REPORTS

*Mr. Rawe* had nothing to report.

*Mrs. Lindsey* reported that she recently learned that the Annual Fall Board Dinner will not include presentations of the Teachers of the Year, which is very unfortunate. She will still attempt to get our staff members recognized at the meeting. The event is expected to have a wonderful presentation with speakers devoted to technology and cyber bullying. Mrs. Lindsey also thanked Tedde' Vaupel and staff for allowing her the opportunity to be a part of the presentation of cardboard electives and for making the assembly a special day for her.

*Mr. Collins* invited all to the Edible Extravaganza and shared that anyone interested in attending may purchase tickets from him.

*Mrs. Miyakawa* acknowledged and thanked everyone that contributed to the extensive planning of the two-day District Inservice, especially with the last minute changes. She left feeling inspired and appreciated the keynote from Mike Mattos. She thanked Savage staff for hosting the two-day event. Mrs. Miyakawa also recognized and thanked the Sylvan Elementary staff for their wonderful STEAM Launch for students, families, community, and staff members.

*Mrs. Zeek* concurred with Mrs. Miyakawa on the District Inservice. She shared the event was electric! Mrs. Zeek commended Mr. Mattos on his speech and expressed how wonderful it was to kick off the school year with so much enthusiasm and positive energy.

Mrs. Zeek thanked everyone for attending the meeting.

#### *Future Agenda Items:*

#### FUTURE AGENDA ITEMS:

- Next Regular Board Meeting: September 12, 2017, at 7:00 P.M.
- Fall Governance Team Retreat: September 19, 2017 (TBD).

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*Final*                      The meeting was adjourned by Board President Mrs. Zeek at 9:10  
*Adjournment:*              p.m.

WITNESS:

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Mrs. Lindsey, Vice President of the Board

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Date