

Board of Education Regular Meeting

September 16, 2021 7:00 PM

Board Room

7810 Arroyo Circle

Gilroy, CA 95020

Closed Session 5:30 PM | Regular Session 7:00 PM

Attendance Taken at 7:00 PM:

Present:

Melissa Aguirre

Enrique Diaz

Tuyen Fiack

Mark Good

Michelle Nelson

James Pace

Absent:

Linda Piceno

1. CALL TO ORDER

PUBLIC COMMENT ON CLOSED SESSION: Notice is hereby given that a closed session of the Board of Education will be held under the general provisions of Govt. Code Section 54957. This opportunity is provided to allow the public to comment prior to the Board's consideration (Govt. Code Section 54954.3).

2. CLOSED SESSION (5:30 PM)

a. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957[b])

b. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION (Government Code section 54956.9(d)(2)):

c. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9)

d. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957[a])

3. REGULAR SESSION (7:00 PM)

The meeting was called to order at 7:00 PM by Board President, Mark Good.

a. Pledge of Allegiance

b. Approval of Agenda

- Item 7g. was removed from the agenda, and item 9a was moved up following item 5.
- Item 9g. was added to the agenda after it was already posted. It is an urgency item. Because of the late edition, this item needed special approval from the Board of Education.

Motion Passed: Passed with a motion by Mark Good and a second by Michelle Nelson.

Yes Melissa Aguirre
Yes Enrique Diaz
Yes Tuyen Fiack
Yes Mark Good
Yes Michelle Nelson
Yes James Pace

Absent Linda Piceno

c. General Public Comment

Dr. Paul Winslow read the comments into record.

d. Report of Action Taken in Closed Session

There was no closed session, therefore no reportable action was taken.

4. STUDENT BOARD REPRESENTATIVE - Isabella Suarez, Christopher High School

Bella Suarez, Student Board Representative of Christopher High School (CHS), reported both on CHS and Brownell Middle School.

Christopher High School:

- The first event was the senior parking lot party. The senior parking lot was filled with seniors and families, having them design the parking spots.
- On the first day of school, there was a Connections Fair, with multiple clubs and sports tables. They had activities. This was very important because ASB was focused on the idea of inclusivity.
- CHS students had the Senior Sunrise event. They wore crowns, which they designed. They had breakfast burritos. There was no sunrise that day but they made the best of it.
- Spirit week - on Monday it was Sandlot day, Tuesday was Monochrome vs. Technicolor day, Wednesday was time machine day, Thursday was Red Carpet day, and Friday was Favorite Movie day.
- They had a student night. The students watched Cars the cartoon, and ordered 250 hot dogs from Costco. It was a great turnout as more than 450 people attended. It was an awesome event and a great way to kick off the year.
- CHS held the Honors celebration. They ordered Togo's sandwiches, and had chips, with fruit, water, and lemonade.
- The first football game of the season was great. It was themed "blackout". The most recent one was themed "tropical".

Brownell Middle School:

- STOPit! App. is an application to submit anonymous reports. Students can submit images, texts, and videos. This app. is very important so that they know ideas and feelings are being heard. This is a great idea.
- Brownell had a fun run on Tuesday- they raised money for the school.
- Clubs that are happening at Brownell are Bruins Believe in Kindness Club, and Cooking Club.

5. SUPERINTENDENT'S REPORT - Dr. Deborah Flores

Superintendent, Dr. Deborah Flores, reported the following:

- Dr. Flores mentioned at the last Board Meeting, that she has been visiting sites. The previous week she visited Rod Kelley, Luigi Aprea, Rucker, and on 9/16 visited Rucker. Trustees Pace and Nelson accompanied her. They were so impressed at what is happening in the classrooms. Staff is still working on safety protocols and procedures. When they were in classes observing, they observed the teachers teaching, and the students learning. They are aware that some students' learning gaps increased during distance learning.
- On 9/3, Dr. Flores went to the Gilroy High School Football game. Everything went well and everyone followed the rules.
- Every year in September, Dr. Flores has an expulsion training for the new administrators. This time it included the new administrators for the last two years. This training was provided by the district's legal counsel and other staff were involved in the training as well.
- Dr. Flores attended the virtual Brownell Back to School Night. She was only able to catch the welcome because of a conflict on her schedule that night.
- Every year at this time, the Superintendents in the county get together for a two-day retreat in Santa Cruz. They had not met in person for almost two years. 15-16 superintendents attended in person out of 32. It was a hybrid meeting. There were 7-8 new superintendents. She said it was a good experience.

Item 6b.

- At the last minute, CSBA put on webinar titled, *Governing in a Time of Chaos*. Dr. Flores will be sending it out to the Board Members on Sunday. It is 90 minutes long and a lot of it is applicable to Board meetings.
- The first SPAC meeting of the year was on 9/13. She has been meeting with parent representatives for 20+ years. This meeting was probably one of the longest meetings in record. It was no surprise to her that there were representatives from most school sites. It was a hybrid-model meeting. Some SPAC representatives joined in-person in the GUSD Board Room, and others participated virtually. They all had really good questions.
- On 9/14, Melanie Corona, PIO, and Dr. Flores went to GECA to announce the Teacher of the Year, who is Ana Benich. She is an incredible teacher at GECA. Not only is she a great teacher in class, but also takes on numerous teacher roles in the district.
- Rock the Mock will happen this year in some form. The Business Education Committee met on 9/15 and discussed how they were going to approach it this year. In the fall, they are going to do a virtual workshop on how to prepare for the event.
- On 9/15, Middle School Principals gave their SPSA presentations to the Board, and Dr. Flores said they did a great job.
- There are a number of meetings that have been happening. Dr. Flores continues to meet with the Superintendents from the County and Public Health. The meetings are now bi-monthly on Tuesdays at 2:00 p.m.
- Santa Clara County has one of the highest vaccination rates- roughly 88% of residents have had one shot and 83% are fully vaccinated. It is not a surprise the 7-day average has dropped from 511 on 8/15 to 249 on 9/16. The County is in the third surge; however the numbers are going down steadily.
- Upcoming visits are Las Animas 9/21, Glen View 9/23, El Roble 9/28, Gilroy Prep 10/5, Eliot 10/7. Dr. Flores reminded the Board Members, that they are welcomed to join her on these visits.
- Upcoming events; Leadership Gilroy Virtual Education Day on 9/17, Cal-SOAP Orientation on 9/25.

6. CONSENT AGENDA

Motion Passed: Passed with a motion by James Pace and a second by Michelle Nelson.

Yes Melissa Aguirre
Yes Enrique Diaz
Yes Tuyen Fiack
Yes Mark Good
Yes Michelle Nelson
Yes James Pace
Absent Linda Piceno

a. Personnel Items

b. Approval of September 2, 2021 Board Meeting Minutes

c. Report of Cash Disbursements/Warrants for August 2021

d. Monthly Donations Report September 2021

e. NEW Memorandum of Understanding (MOU) between the California State University, East Bay (CSU East Bay), and the Gilroy Unified School District for Intern Annual Support, Mentoring and Supervision

f. NEW Approval of Agreement between the Gilroy Unified School District and California IT Education (CITE) for Conducting a Review of the District's Information Technology Department (not to exceed \$20,000)

g. RENEWAL of Service Agreement with Foundations Psychological Services for the 2021-2022 School Year (not to exceed \$12,240)

7. ACTION/INFORMATION ITEMS**a. Gilroy Teachers Association (GTA) Initial Negotiations Proposal to the Gilroy Unified School District for the 2021-22 School Year**

Janet Lee, member of the Gilroy Teachers (GTA), presented the following:

- In accordance with the Sunshine notice requirements Gov. Code 3547, and Article 6, GTA is providing notice that it intends to commence negotiations for the successor agreement for the 2020-2021 bargaining agreement, and for the 2021-2022 school year.
- The Board packet contained the list of articles that the GTA intends to reopen.
- GTA looks forward to the continuous collaboration with the District.

b. GUSD College Readiness -- Advanced Placement (AP) & College Readiness

Kermit Schrock, Program Administrator for Student Assessment and Data Management, shared an [informational report that addresses the most recent AP and college readings data](#).

- The emphasis in the report shared was the AP test from the past spring.

c. GUSD's 2020-21 Financial Year-End Report (Unaudited Actuals) and Budget Revisions for the 2021-22 Fiscal Year

Alvaro Meza, Assistant Superintendent, Business Services, joined by Irma Argueta, Accounting Supervisor, and Anna O'Connor Fiscal Controller, presented the following:

- They provided an overview of the 2020-21 financial year-end report.
- This report overview included the revision of the current budget.

Motion Passed: Board approval is requested to certify the Unaudited Actuals for 2020-21, and approve the Budget Revisions for 2021-22. Passed with a motion by Michelle Nelson and a second by Tuyen Fiack.

Yes Melissa Aguirre
 Yes Enrique Diaz
 Yes Tuyen Fiack
 Yes Mark Good
 Yes Michelle Nelson
 Yes James Pace
 Absent Linda Piceno

d. Resolution No. 21/22-02, Approval of Gann Limit Calculations for 2020-21 and 2021-22

Alvaro Meza, Assistant Superintendent, Business Service, presented the following information:

- Proposition 4 was passed in 1979. It is adjusted for two things; the population of growth and consumer price index (CPI).
- The appropriation in the budget for 2021-22 year was \$85,622,731, and for the current year, it is \$90,528,913.
- These two amounts are appropriations, and do not exceed limitations set forth by Proposition 4.

Motion Passed: Board approval is requested for Resolution No. 21/22-02, adopting the recalculated Gann Limit for fiscal year 2020-21 and the Gann Limit calculation for 2021-22. Passed with a motion by James Pace and a second by Melissa Aguirre.

Yes Melissa Aguirre
 Yes Enrique Diaz
 Yes Tuyen Fiack
 Yes Mark Good
 Yes Michelle Nelson
 Yes James Pace
 Absent Linda Piceno

e. Independent Study Course Offerings

Deborah Padilla, Director of Educational Services, Secondary, presented the following:

Item 6b.

- Resolution # 21/22-03, allows the district to use a different measure with a change of law.
- Assembly Bill 130 allows attendance for the Independent Studies program to be based upon daily work completed or completion of a course in the secondary level.
- Staff is asking the Board to ratify the resolution, allowing the option for them to do course based grading.
- The courses must be certified in order to meet the California standard.
- Courses used are A-G approved.

Motion Passed: Board approval is requested for Independent Study Course offerings. Passed with a motion by James Pace and a second by Michelle Nelson.

Yes Melissa Aguirre
Yes Enrique Diaz
Yes Tuyen Fiack
Yes Mark Good
Yes Michelle Nelson
Yes James Pace
Absent Linda Piceno

f. INCREASE of Service Agreement with Ro Health, Inc. for the 2021-2022 School Year (not to exceed \$245,760)

Anna Pulido, Student Services Director, along with Dr. Paul Winslow, Assistant Superintendent, Human Resources, presented the following:

- The purpose of the contract was to provide nursing services to students in the program. The purpose of the original increase is to provide additional staff to help with the District's COVID team.
- The increase is connected to District efforts for COVID-19 safety and prevention within the school district, to make sure the District is in compliance with the California Public Health Department.
- This is labor intensive and quite costly in terms of time, labor and effort to make sure that staff and students are all safe.
- This contract will be paid out of ESSER funds. Staff also applied for a state grant, and if those funds are received, it will offset these costs.
- Trustee Good, said in paragraph one, second sentence of the contract, it references the rates on Exhibit B, and Exhibit B was not submitted.

Motion Passed: Approval of the service agreement with Ro Health, Inc. and the Gilroy Unified School District is recommended. Passed with a motion by James Pace and a second by Tuyen Fiack.

Yes Melissa Aguirre
Yes Enrique Diaz
Yes Tuyen Fiack
No Mark Good
Yes Michelle Nelson
Yes James Pace
Absent Linda Piceno

g. NEW CONTRACT between the Gilroy Unified School District and Avellino Lab USA, Inc. for SAR-COV-2 / COVID-19 Testing Services (Not to exceed \$350,0000)

* This item was removed from the agenda.

h. RENEWAL of Master Contract with Spectrum Center, Inc. for the 2020-2021 School Year (not to exceed \$ 103,322)

Anna Pulido, Director of Student Services, presented the following information:

- This contract is to have students continue in Spectrum schools.
- Last year, the district had two students, and this year, only one was placed so far.

Motion Passed: Approval of the service agreement with Spectrum Center, Inc. and the Gilroy Unified School District is recommended. Passed with a motion by Michelle Nelson and a

second by Tuyen Fiack.

Yes Melissa Aguirre
Yes Enrique Diaz
Yes Tuyen Fiack
Yes Mark Good
Yes Michelle Nelson
Yes James Pace
Absent Linda Piceno

i. Salary Schedule for Certificated Substitute Teachers (Special/Temporary)

Paul Winslow, Assistant Superintendent, Human Resources, presented the following:

- The proposal shared was for an increase in the salary schedule for certificated substitute teachers.
- This is a special temporary rate increase, that staff was proposing.
- The Human Resources department has done an analysis of districts in the county.
- Staff is offering \$200 daily for substitute teachers, and \$220 for special education substitute teachers.
- The increase is temporary and will take effect following the Board's approval through December 31, 2021.

Motion Passed: GUSD Board of Education approve the Salary Schedule for Certificated Substitute Teachers as presented. Passed with a motion by Enrique Diaz and a second by Michelle Nelson.

Yes Melissa Aguirre
Yes Enrique Diaz
Yes Tuyen Fiack
Yes Mark Good
Yes Michelle Nelson
Yes James Pace
Absent Linda Piceno

j. Board Policy Revisions (June 2021): Second Reading

Dr. Deborah Flores, Superintendent, presented the following information:

- This was the second reading of the June 2021 board policy revisions.
- At the first reading on the September 2nd Board Meeting, requests were made for changes on page 32 to change the word from "shall" to "may", and this change was made in that Board Policy.

Motion Passed: Board approval is requested of the June 2021 Board Policy Updates. Passed with a motion by James Pace and a second by Michelle Nelson.

Yes Melissa Aguirre
Yes Enrique Diaz
Yes Tuyen Fiack
Yes Mark Good
Yes Michelle Nelson
Yes James Pace
Absent Linda Piceno

8. PUBLIC HEARING

a. Public Hearing on the Mitigated Negative Declaration for the South Valley Middle School Modernization Project

Board President, Mark Good, opened the hearing at 9:05 pm

There were no comments, the hearing was closed at 9:06 pm

Paul Nadeau, Director of Facilities, presented the following:

- This item was presented to solicit any public comments.
- The Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration document was also posted in a local newspaper and on the district website.

- They are in the final stages of the public review to open to the public for comment for the next 30 days.

9. ACTION/INFORMATION REGARDING FACILITIES/MAINTENANCE

a. Presentation of Architectural Award from the Gilroy Historical Society to the Board for Brownell Middle School

Dave Matuszak, and Maureen Hunter from the Board of the Gilroy Historical Society, presented the District with a special architectural award for Brownell Middle School. They have a special category that recognizes a unique design and buildings that will become historical over time. Their committee was very impressed with the Brownell Middle School project.

b. Monthly Maintenance and Facilities Update September 2021

Paul Nadeau, Director of Facilities shared the monthly update.

c. NEW Ratification of Contract with Kent Construction, Inc., for Classroom Modifications at Christopher High School (not to exceed \$41,815.90)

Paul Nadeau, Director of Facilities, presented this item for approval.

Motion Passed: Board approval is requested for the ratification of this contract with Kent Construction, Inc., for Christopher High School. Passed with a motion by Tuyen Fiack and a second by Michelle Nelson.

Yes Melissa Aguirre
 Yes Enrique Diaz
 Yes Tuyen Fiack
 Yes Mark Good
 Yes Michelle Nelson
 Yes James Pace
 Absent Linda Piceno

d. NEW Approval of Purchase of Furniture from KI for Computer Lab at Christopher High School (not to exceed \$30,327.77)

Paul Nadeau, Director of Facilities, presented this item for approval.

Motion Passed: Board approval is requested for the purchase of this furniture from KI. Passed with a motion by Tuyen Fiack and a second by Michelle Nelson.

Yes Melissa Aguirre
 Yes Enrique Diaz
 Yes Tuyen Fiack
 Yes Mark Good
 Yes Michelle Nelson
 Yes James Pace
 Absent Linda Piceno

e. NEW Approval of Contract with Earth Systems, Inc., for Geotechnical and Special Inspections for the South Valley Middle School Modernization Project (not to exceed \$83,353)

Paul Nadeau, Director of Facilities, presented this item for approval.

Motion Passed: Board approval is requested for this contract with Earth Systems, Inc. Passed with a motion by Tuyen Fiack and a second by Michelle Nelson.

Yes Melissa Aguirre
 Yes Enrique Diaz
 Yes Tuyen Fiack
 Yes Mark Good
 Yes Michelle Nelson
 Yes James Pace
 Absent Linda Piceno

f. NEW Approval of Contract with Anaya Construction, Inc., for Transportation of Portable Office Building (not to exceed \$4,000)

Paul Nadeau, Director of Facilities, presented this item for approval.

Motion Passed: Board approval is requested for the contract with Anaya Construction Inc. Passed with a motion by Tuyen Fiack and a second by Michelle Nelson.

Yes Melissa Aguirre
Yes Enrique Diaz
Yes Tuyen Fiack
Yes Mark Good
Yes Michelle Nelson
Yes James Pace
Absent Linda Piceno

g. NEW Approval of Agreement with EF&S Concrete for Mt. Madonna High School Site Improvements (not to exceed \$85,376)

Alvaro Meza, Assistant Superintendent, Business Services, thanked the Board Members for allowing the addition of this item to the agenda, as this was an urgent matter.

Motion Passed: Board approval is requested for this contract with EF&S for Mt. Madonna High School site improvements. Passed with a motion by Michelle Nelson and a second by Melissa Aguirre.

Yes Melissa Aguirre
Yes Enrique Diaz
Yes Tuyen Fiack
Yes Mark Good
Yes Michelle Nelson
Yes James Pace
Absent Linda Piceno

10. BOARD MEMBER REPORTS

Trustee James Pace:

- He went on his first school tour of the year, and he said it was wonderful to see students in classrooms, and teachers teaching directly, and was a great tour.

Trustee Michelle Nelson:

- It had been a couple of years since she visited Rucker, and she said it looks great.

11. UPCOMING AND NEW/REFERRAL AGENDA ITEMS

12. ANNOUNCEMENTS

a. If necessary, the Board will adjourn to closed session to continue the discussion of items in Section 2 above.

13. ADJOURNMENT

The meeting adjourned at 9:32 PM.

Superintendent