



BENICIA UNIFIED SCHOOL DISTRICT
GOVERNING BOARD

Notice of Regular Meeting
January 20, 2022 5:30 PM

Benicia Unified School District Board Room 350 East K Street Benicia, CA 94510. This meeting will be in-person and masks are mandatory. For those not in-person, we will continue to Livestream and it will be recorded via the BUSD YouTube channel.

Attendance Taken at 5:32 PM:

Present:

Diane Ferrucci
CeCe Grubbs
Mark Maselli
Gethsemane Moss
Sheri Zada

1. CALL TO ORDER - 5:30 p.m.

Minutes:

President Zada called the meeting to order at 5:32pm.

2. ROLL CALL

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS

Quick Summary:

4. CLOSED SESSION - 5:30 P.M.

Minutes:

With no public comments, the meeting adjourned to closed session at 5:32pm.

**4.1. Public Employment/ Action/ Appointment/ Discipline/ Dismissal/
Evaluation / Release**

Rationale:

Dr. Khushwinder Gill will present the Personnel Action List to the Board.

4.2. Conference with Labor Negotiators

Rationale:

The Governing Board will conference with Labor Negotiator, Dr. Khushwinder Gill, regarding Employee Organizations BTA, CSEA and unrepresented groups.

4.3. Individual Student Matter(s)/ Student Need(s)

Rationale:

The Governing Board will discuss student matters in the following cases #22-007, stipulated expulsion, #22-008, stipulated expulsion, #22-009, stipulated expulsion, #22-010, stipulated expulsion and #22-011, suspended-expulsion, #22-012, suspended expulsion. The Education Code requires Closed Session in these cases to prevent the disclosure of confidential student information.

Motion Passed: Recommendations made for students #22-007, #22-008, #22-009, #22-010, #22-011, and #22-012 Passed with a motion by Diane Ferrucci and a second by Mark Maselli.

Yes Diane Ferrucci

Yes CeCe Grubbs

Yes Mark Maselli

Abstain Gethsemane Moss

Yes Sheri Zada

5. OPEN SESSION - 7:00 P.M.

Minutes:

Meeting reconvened to open session at 7:03pm.

6. PLEDGE OF ALLEGIANCE

Minutes:

The pledge of allegiance was led by President Zada.

7. APPROVAL OF AGENDA

Motion Passed: Approval of the Agenda Passed with a motion by Mark Maselli and a second by Diane Ferrucci.

Yes Diane Ferrucci

Yes CeCe Grubbs

Yes Mark Maselli

Yes Gethsemane Moss

Yes Sheri Zada

8. HIGHLIGHT: Building Community Post COVID

Minutes:

Dr. Young welcomed Principal Lewis to present tonight's highlight.

9. REPORTS - (NO ACTION REQUIRED)

9.1. Student Reports

Minutes:

Alice Wells from Liberty High School provided their student report this evening.

9.2. Superintendent Report

Minutes:

Dr. Young welcomed everyone this evening and thanked everyone from every department for doing their part to work their way through this pandemic and surge in order to keep our schools open. He is very appreciative of everyone's hard work as we take one day at a time.

9.3. Board Reports

Minutes:

-Trustee Moss shared that she was able to attend a screening put on by the Solano Health Equity Committee of a film called "Resilience". This is a film that speaks to some of the trauma that our youth are actually experience right now every single day. It also speaks to the trauma that sometimes adults carry that sometimes we don't even think about. It was facilitated by Supervisor Erin Hannagan and Suisun City Councilwomen Wonda Williams who had an excellent discussion panel.

-Trustee Ferrucci provided updates about both of her committee meetings that she was able to attend. The first being Valero and the second was our Facility Bond Committee.

10. COMMENTS FROM MEMBERS OF THE PUBLIC

Minutes:

We had the following Michelle Chapman and Jamie Cairns provide public comments tonight.

Quick Summary:

PLEASE NOTE: BUSD has moved to in-person Board meetings. We ask that members of the public, who wish to attend, including those who wish to address the board, wear a mask at all times. All functions of the Board meeting, including public comments, will take place in person. Members of the public may address the Board at a regular meeting on any item within the Board's jurisdiction. Speaker cards are available at the back table. Please note the item you wish to speak to and submit a card to the Board

Secretary. The Board President will call all the "open session" public comments not on the agenda (Gov. Code Section 54954.3) during the public comment item. Comments for items on the agenda will be called during the specific item. Comments are limited to no more than three minutes per speaker or the board may limit the total time to 20 minutes per item. By law, no action may be taken on any item raised during the public comment periods and matters may be referred to staff for placement on a future agenda of the Governing Board. Please be reminded to keep your comments respectful as students may be watching the board meeting, thank you.

11. CONSENT CALENDAR - ACTION ITEMS

Motion Passed: Approval of the Consent Calendar with item 11.3 Approval of the Quarterly Report on Williams Uniform Complaints pulled by Trustee Grubbs for further discussion Passed with a motion by CeCe Grubbs and a second by Gethsemane Moss.

Yes Diane Ferrucci
Yes CeCe Grubbs
Yes Mark Maselli
Yes Gethsemane Moss
Yes Sheri Zada

Quick Summary:

All matters listed under the Consent Calendar are considered by the Board to be routine and will be approved by the Board in one motion. There will be no discussion on these items unless members of the Board, staff or public request specific items to be pulled and discussed.

11.1. Minutes for the Meetings of: December 9, 2021

Motion Passed: Passed with a motion by CeCe Grubbs and a second by Gethsemane Moss.

Yes Diane Ferrucci
Yes CeCe Grubbs
Yes Mark Maselli
Yes Gethsemane Moss
Yes Sheri Zada

11.2. Approval of Personnel Action List

11.3. Approval of the Quarterly Report on Williams Uniform Complaints

Motion Passed: After further discussion, this item was approved as submitted with the request that the topic be brought back after review of the Robert Semple Elementary list provided by Michelle Chapman during public comment this evening and that the list be emailed to the board. Passed with a motion by CeCe Grubbs and a second by Diane Ferrucci.

Yes Diane Ferrucci
Yes CeCe Grubbs
Yes Mark Maselli
Yes Gethsemane Moss
Yes Sheri Zada

11.4. Consideration and Approval of Resolution No. 21-22-16, CDU Signature Authorizations w/CDE FY2022-23 Continuing Funding Application and related contract documents. Form #1

Rationale:

This resolution is adopted yearly, in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract documents for the Fiscal Year 2022-202, the Continuing Funding Application, and all related documents.

Motion Passed: Approval of Resolution No. 21-22-16 Form #1 as presented on a separate roll call vote Passed with a motion by CeCe Grubbs and a second by Gethsemane Moss.

Yes Diane Ferrucci
Yes CeCe Grubbs
Yes Mark Maselli
Yes Gethsemane Moss
Yes Sheri Zada

11.5. Consideration and Approval of Resolution No. 21-22-17, CDU Signature Authorizations w/CDE FY2022-23 Continuing Funding Application and related contract documents. Form #2

Rationale:

This resolution is adopted yearly, in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract documents for the Fiscal Year 2022-202, the Continuing Funding Application, and all related documents.

Motion Passed: Approval of Resolution No. 21-22-17 as presented on a separate roll call vote Passed with a motion by CeCe Grubbs and a second by Gethsemane Moss.

Yes Diane Ferrucci
Yes CeCe Grubbs
Yes Mark Maselli
Yes Gethsemane Moss
Yes Sheri Zada

11.6. Consideration and Approval of Resolution No. 21-22-18, Declaration of Obsolete Materials

Motion Passed: Approval of Resolution No. 21-22-18, Declaration of Obsolete Materials passed as presented on a separate roll call vote Passed with a motion by CeCe Grubbs and a second by Gethsemane Moss.

Yes Diane Ferrucci
Yes CeCe Grubbs
Yes Mark Maselli
Yes Gethsemane Moss
Yes Sheri Zada

11.7. Approval of the School Accountability Report Card for Each School Site

Rationale:

According to Ed Code and Board Policy, the Board shall annually approve a school accountability report card (SARC) for each school site as part of the review of the District's programs. The goal of the SARC is to provide data by which parents/guardians can make meaningful comparisons between schools. The California Department of Education (CDE) has a standardized template for use by Districts in creating the SARC. The template lists the specific legal requirements and definitions (including federal Title I requirements for district report cards pursuant to 20 USC 6311), as well as references to help access the data. These reports will be posted on the website and available on the website and in paper copy in Ed Services.

12. COMMUNICATION/INFORMATIONAL ITEMS

12.1. Impact of 2020 Census Data on Trustee Area Map Population Balance

Rationale:

In 2019, the District transitioned to a by-trustee area election system to ensure compliance with the California Voting Rights Act ("CVRA"). However, following each federal census, the Board must approve adjustments of trustee area boundaries, if necessary, to make sure the population in each trustee area is as nearly as equal as practicable, amongst other considerations. (Education Code section 5019.5(a).) In late September 2021, following a delay due to COVID-19, the 2020 Census data was approved and released by the California Department of Finance. School districts with trustee area systems are required to review and, if necessary, adjust their trustee area map by March 1, 2022 to ensure population balance. If the population is no longer balanced, and the Board fails to adjust the boundaries after the Census data is released but before March 1, 2022, the County Committee on School District Organization is required to do so by April

30, 2022. In such cases where the County Committee must conduct this review and make changes on the District's behalf, the District is required to "reimburse all reasonable costs incurred by a county committee in adjusting the boundaries." (Education Code section 5019.5(b).) Analysis: After review of the current trustee areas, and based on the most recent census data, the District's demographer determined that the Trustee Area map is now no longer in compliance with California Education Code section 5019.5 since the population is no longer balanced. The demographer has created adjusted map options for consideration to ensure approval, compliance, and submission to County well in advance of the February 28, 2022 deadline.

Minutes:

Brandon Lallande from Fagen Friedman & Fulfroft, LLP to provide tonight's presentation on the Impact of 202 Census Data on Trustee Area Map Population Balance.

12.2. Governing Board review of the Governor's January Budget Proposal for the 2022/23 fiscal year for 7/1/2022 to 6/30/2023

Rationale:

Staff will provide information from the Governor's January Budget Proposal for the 2022/23 fiscal year for 7/1/2022 to 6/30/2023.

Minutes:

Mr. Rahill provided the board with an update of the Governor's January Budget Proposal for the 2022/23 fiscal year for the 7/1/2022 to 6/30/2023.

12.3. Update on the BUSD School Facility General Obligation Bond, Measure S Program and Citizens' Bond Oversight Committee (CBOC)

Rationale:

Staff will provide an update on the BUSD School Facility General Obligation Bond, Measure S Program and Citizens' Bond Oversight Committee (CBOC).

Minutes:

Mr. Rahill welcomed Roxanne Egan to provide tonight's update.

12.4. 2020/21 Annual Report of the School Facility General Obligation Bond, Measure S Citizens' Bond Oversight Committee (CBOC)

Rationale:

Staff will provide the 2020/21 CBOC Annual Report.

Minutes:

David Sells was welcomed by President Zada to provide tonight's updated on this item.

13. NON-CONSENT ACTION ITEMS

13.1. Consideration & Approval of Benicia Unified School District COVID-19 Sick Leave for All Employees

Rationale:

Benicia Unified School District (BUSD) has a responsibility to provide a healthy educational environment consistent with COVID-19 public health guidance and requirements to support the health of its students, staff and the community. Keeping the current COVID-19 surge in mind, BUSD recognizes the burden for employees to use their own sick leave to quarantine who test positive or unvaccinated employees who get exposed to COVID-19. Staff is requesting Governing Board to approve the following COVID-19 Sick Leave: "Effective October 1, 2021, employees who are asked by the District to quarantine for testing positive to COVID-19, or unvaccinated employees who are exposed as a close contact (within 6 feet for more than 15 minutes) to COVID-19, will be entitled to a maximum of ten (10) additional sick days (10 days maximum regardless of the number of occurrences) not to be deducted from their sick leave accrual. This sick leave shall only apply to the need to quarantine due to COVID-19 and if not accessed by the employee, any portion of this additional sick leave will not be included in the regular yearly sick leave. Without precedent, this sick leave will expire on June 30, 2022 or earlier if the Governor or California Legislature institutes COVID-19 sick leave equal to or greater than the rights afforded herein during the 2021-22 school year. Employees who test positive will need to submit an antigen or PCR (through an agency, healthcare provider, clinic, official testing site, etc.) proof of test results from a healthcare facility or clinic. Home tests will not be accepted for the purpose of being granted ten (10) additional sick days. Employees who are being asked to quarantine due to COVID-19 close contact exposure require verification by the BUSD Health Department." Both Benicia Teachers Association and Classified School Employees Association #1096 are in agreement and signed Memorandum of Understanding are attached. Request is to approve Benicia Unified School District COVID-19 Sick Leave for all employees as explained above.

Motion Passed: Approval of the Benicia Unified School District COVID-19 Sick Leave agreement for all employees as amended Passed with a motion by Diane Ferrucci and a second by Mark Maselli.

Yes Diane Ferrucci
Yes CeCe Grubbs
Yes Mark Maselli
Yes Gethsemane Moss
Yes Sheri Zada

13.2. Consideration and Approval of Benicia Unified School District (BUSD) Independent Auditor's Report & the Financial and Performance Bond Audit: The Governing Board will be provided information on the

Independent Auditor's Report for the Benicia USD (BUSD) and the Financial and Performance Audit for the BUSD 2014 Measure S General Obligation Bonds Building Fund for the Fiscal Year Ended June 30, 2021.

Rationale:

In the auditor's opinion, the financial statements for the Benicia Unified School District present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Benicia USD, as of June 30, 2021, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America. In the auditor's opinion, the financial statements for the BUSD 2014 Measure S General Obligation Bonds Building Fund present fairly, in all material respects, the financial position of the BUSD 2014 Measure S General Obligation Bonds Building Fund as of June 30, 2021, and the results of its operations for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Motion Passed: Approval of the BUSD review and filing of the Independent Auditor's Report for the Benicia USD (BUSD) and the Financial and Performance Audit for the BUSD 2014 Measure S General Obligation Bonds Building Fund for the Fiscal Year Ended June 30, 2021. Passed with a motion by Diane Ferrucci and a second by Mark Maselli.

Yes Diane Ferrucci
Yes CeCe Grubbs
Yes Mark Maselli
Yes Gethsemane Moss
Yes Sheri Zada

14. ADJOURNMENT

Minutes:

The meeting was adjourned by President Zada at 9:01pm.

Quick Summary:

Next Regular Governing Board meeting is February 3, 2022

RESPECTFULLY SUBMITTED:

Clerk

Secretary