



**BOARD OF EDUCATION MEETING  
MINUTES - MEETING FORMAT "B"**

February 15, 2018

**. CLOSED SESSION**

Minutes:

Dr. Tahvildaran-Jesswein called closed session to order at 4:34 p.m.

**.I. PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY**

**.II. CLOSED SESSION**

**.II.A. Government Code 54956.9(d)(1) CONFERENCE WITH LEGAL COUNSEL  
EXISTING LITIGATION (15 min)**

- Name of Case: Gina de Baca and Vivian Mahl vs. Santa Monica-Malibu Unified School District; California Superior Court Case No. BC 674932

**.II.B. Government Code 54957 PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL /  
RELEASE (5 min)**

**.II.C. Government Code 54957.6 CONFERENCE WITH LABOR NEGOTIATORS (10  
min)**

- Agency Designated Representative: Dr. Ben Drati
- Employee Organizations: SMMCTA
- Agency Designated Representative: Dr. Ben Drati
- Employee Organizations: SEIU

**. OPEN SESSION**

**.I. CALL TO ORDER**

Minutes:

Dr. Tahvildaran-Jesswein called open session to order at 5:09 p.m.

**.I.A. Roll Call**

- Present Oscar de la Torre – *left at 11:58 p.m.*
- Present Craig Foster
- Present Jon Kean
- Present Maria Leon-Vazquez – *arrived at 6:45 p.m.*
- Present Laurie Lieberman
- Present Ralph Mechur
- Present Dr. Richard Tahvildaran-Jesswein

**.I.B. Pledge of Allegiance**

Minutes:

Dr. Mora led the Pledge of Allegiance.

**.II. APPROVAL OF THE AGENDA**

**Motion Passed:** Passed with a motion Mr. Mechur and a second by Mr. Foster.

- Yes Oscar de la Torre
- Yes Craig Foster
- Yes Jon Kean
- Absent Maria Leon-Vazquez
- Yes Laurie Lieberman

- Yes Ralph Mechur
- Yes Dr. Richard Tahvildaran-Jesswein

### **.III. APPROVAL OF MINUTES**

#### **.III.A. Approve February 1, 2018, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the February 1, 2018, regular meeting minutes. Passed with a motion by Mr. Foster and a second by Student Board Member Schmelzer.

- Yes Oscar de la Torre
- Yes Mr. Craig Foster
- Yes Jon Kean
- Absent Maria Leon-Vazquez
- Yes Laurie Lieberman
- Yes Ralph Mechur
- Yes Dr. Richard Tahvildaran-Jesswein

### **.IV. BOARD OF EDUCATION COMMENDATIONS/RECOGNITIONS**

#### **.IV.A. Dr. Martin Luther King, Jr. and Black History Month Celebration (10 min)**

Minutes:

Time start: 5:16 p.m. Time end: 5:29 p.m.

Dr. Benjamin, Principal of McKinley Elementary School, highlighted how the school celebrates African culture, as well as other cultures, during Black History Month. She shared projects that one of the kindergarten and one of the fourth grade classes created celebrating Dr. Martin Luther King, Jr.

#### **.IV.B. Career Technical Education (CTE) Month Celebration (10 min)**

Minutes:

Time start: 5:30 p.m. Time end: 5:42 p.m.

Mr. Bartelheim introduced Samohi O House Principal Isaac Burgess, who explained the CTE offerings at the high school. He introduced Martin Leopard, the Art Department Chair and CTE photo teacher, who introduced students Blake Frogoso, Mimi Gaudet, Sheena Sandu, and David Seizure. They shared their passion for the photo class and plans for the future.

#### **.IV.C. Lee Jones – Outgoing and Long-time Special Education DAC Member (5 min)**

Minutes:

Time start: 5:42 p.m. Time end: 5:46 p.m.

Mr. Kean, board liaison to the Special education DAC, commended Ms. Jones for her dedication to the most vulnerable students in our district. He thanked her for her service to the community. Ms. Jones expressed her appreciation, thanking those she met and worked alongside. She encouraged parents to be a part of the school community.

### **.V. SUPERINTENDENT'S REPORT**

Minutes:

Time start: 5:47 p.m. Time end: 5:54 p.m.

Dr. Drati began his report by addressing concerns about campus safety in light of yesterday's mass shooting at Marjory Stoneman Douglas High School in Florida. He stressed that our district takes safety seriously, and we practice our emergency response plans frequently. He also addressed a recent incident that occurred at a Beverly Hills HS basketball game, during which a Beverly Hills cheerleader made a racist comment about one of our Samohi cheerleaders on social media. Dr. Drati

informed the board that Samohi Principal Shelton has been in contact with the Beverly Hills HS principal, and they acted swiftly to address the issue.

Dr. Drati reported that our Nurse Coordinator Lora Morn has been selected as the 2018 recipient of the Excellence in School Nursing Award by the CA School Nurse Organization, Southern Section. He also reported that both Edison Language Academy and Grant Elementary School have been determined to be eligible to apply for the CA Distinguished School Award in 2018.

## **.VI. CONSENT CALENDAR**

**Passed** with a motion by Ms. Lieberman and a second by Mr. Foster.

**Yes** Oscar de la Torre

**Yes** Mr. Craig Foster

**Yes** Jon Kean

Absent Maria Leon-Vazquez

**Yes** Laurie Lieberman

**Yes** Ralph Mechur

**Yes** Dr. Richard Tahvildaran-Jesswein

Minutes:

The board approved Item Nos. A.1-A.5, B.2-B.3, C.1-C.6, C.8, C.10-C.15, D.1-D.5, and E.1-E.4 listed under the Consent Calendar. The board pulled Item Nos. B.1, C.7, and C.9 and voted on them separately.

Time start: 5:54 p.m. Time end: 6:01 p.m.

### **.VI.A. Curriculum and Instruction**

#### **.VI.A.1. Approval of Independent Contractors**

#### **.VI.A.2. Conference & Travel Approval/Ratification**

#### **.VI.A.3. Overnight Field Trip(s) 2017-18**

#### **.VI.A.4. Self-Assessment for State Preschool/Head Start**

#### **.VI.A.5. Special Education Contracts (17/18)**

### **.VI.B. Business and Fiscal**

#### **.VI.B.1. Award of Purchase Orders - 2017-18**

**Motion Passed:** It is recommended that the Board of Education approve the attached Purchase Orders and Changed Purchase Orders from January 25, 2018 through February 8, 2018 for fiscal / 18. Passed with a motion by Ms. Lieberman and a second by Student Board Member Schmelzer.

**No** Oscar de la Torre

**No** Mr. Craig Foster

**Yes** Jon Kean

Absent Maria Leon-Vazquez

**Yes** Laurie Lieberman

**Yes** Ralph Mechur

**Yes** Dr. Richard Tahvildaran

Minutes:

Staff answered Mr. Foster's question regarding the Pilsbury purchase order.

#### **.VI.B.2. Acceptance of Gifts - 2017/2018**

#### **.VI.B.3. Amend Authorization to Use CMAS Contract - Greenscapes - Landscaping & Playground - Easy Turf, Inc.**

### **.VI.C. Facilities Improvement Projects**

#### **.VI.C.1. Amendment #02 to Agreement Will Rogers Elementary School Window, Paint, Floors & Doors Project Inspector of Record Services Stephen Payte DSA Inspections, Inc. Measure ES**

- .VI.C.2. Amendment #54 to Agreement Webster Elementary School Drop-off and Parking Lot Reconfiguration Project - Architectural Services - HMC Architects Measure BB**
- .VI.C.3. Amendment #11 to Agreement - Santa Monica High School - Samohi Campus Plan Architectural Services - Chan Young Architects Measure ES**
- .VI.C.4. Award of Contract Santa Monica High School Discovery Building Project Informal Bid #18.16.ES Amtek Construction - Measure ES**
- .VI.C.5. Award of Agreement Santa Monica High School Discovery Building Project FF&E Design Services - Pacific Office Interiors (POI) Measure ES**
- .VI.C.6. Amendment #21 to Agreement Santa Monica High School Discovery Building Project Monitoring and Air Sampling Services Alta Environmental Measure ES**
- .VI.C.7. Award of Agreement - Malibu Middle & High School Campus Improvements Project & John Adams Middle School - Performing Arts Complex Project Labor Agreement (PLA) Coordinator Services Pacific Resources Services Measure BB & Measure ES**

**Motion Passed:** It is recommended that the Board of Education approve award of agreement for PLA Coordinator Services to Pacific Resources Services for Malibu Middle & High School – Campus Improvements Project & John Adams Middle School - Performing Arts Complex in an amount not to exceed \$112,500. Passed with a motion by Mr. de la Torre and a second by Ms. Lieberman.

- Yes Oscar de la Torre
- Yes Mr. Craig Foster
- Yes Jon Kean
- Absent Maria Leon-Vazquez
- Yes Laurie Lieberman
- Yes Ralph Mechur
- Yes Dr. Richard Tahvildaran

Minutes:

Staff answered Mr. de la Torre’s question regarding the functions of the PLA Coordinator.

- .VI.C.8. Change Order #02 Malibu Middle & High School Window, Paint, Floors & Doors Project Angeles Contractor, Inc. Measure ES**
- .VI.C.9. Amendment #06 to Agreement - Orbach, Huff, Suarez & Henderson LLP Legal Services, Lincoln Field Replacement Project - Measure ES**

**Motion Passed:** approve Contract Amendment #06 with Orbach, Huff, Suarez & Henderson LLP for Lincoln Field Replacement Project Legal Services, in an amount not to exceed \$25,000, for a total contract amount of \$1,000,000. Passed with a motion by Mr. Foster and a second by Mr. Mechur.

- Recused Oscar de la Torre
- Yes Mr. Craig Foster
- Yes Jon Kean
- Absent Maria Leon-Vazquez
- Yes Laurie Lieberman
- Yes Ralph Mechur
- Yes Dr. Richard Tahvildaran

Minutes:

Mr. de la Torre recused himself from this item.

- .VI.C.10. Change Order #01 Lincoln Middle School Field & Track Project Construction Contract Bid #17.13.ES.R1 Angeles Contractor, Inc. Measure ES**

- .VI.C.11. **Accept Work as Completed Lincoln Middle School Entrance Quad Artificial Turf Project Easyturf Measure ES**
- .VI.C.12. **Amendment #01 to Agreement John Adams Middle School Performing Arts Complex Project CEQA Consultant Services Dudek - Measure ES**
- .VI.C.13. **Amendment #01 to Project Assignment #01 - John Adams Middle School - HVAC Project - Architectural Master Services Agreement - NAC Architecture Measure ES**
- .VI.C.14. **Award of Contract John Adams Middle School Athletic Field Replacement Project FieldTurf USA, INC. Measure ES**
- .VI.C.15. **Award of Contract Franklin Elementary School Window, Paint, Floors & Doors Project, HVAC Project & Fire Alarm Project Bid #18.06.ES The Nazerian Group - Measure ES**

**.VI.D. Personnel**

- .VI.D.1. **Certificated Personnel - Elections, Separations**
- .VI.D.2. **Classified Personnel - Merit**
- .VI.D.3. **Classified Personnel - Non-Merit**
- .VI.D.4. **Increase in Staffing (FTE) - Special Education**

**.VI.E. General**

- .VI.E.1. **Approve Comprehensive School Safety Plans for 2017-18 for All District Schools**
- .VI.E.2. **Replace BP 5030 - Student Wellness**
- .VI.E.3. **Revise BP 5112.3 - Student Leave of Absence**
- .VI.E.4. **Adopt BP 5116.2 - Involuntary Student Transfers**

**.VII. STUDY SESSION**

**.VII.A. Social Justice Framework and Action Plan: Update on Freshman Seminar and American Cultures and Ethnic Studies Requirement (30 min)**

Minutes:

Time start: 6:01 p.m. Time end: 7:05 p.m.

Public Comments:

- Bob Gordh, Janet McKeithen, Robbie Jones, Joanne Berlin, and Ann Thanawalla addressed the board regarding this item.

Staff answered board members' questions regarding the cohort of teachers from both Santa Monica and Malibu who will be trained to teach this courses; which a-g requirements these classes fulfill; the timeline for future updates to the board; the number of teachers who have received training in social justice standards and the number who have expressed interest in participating in the cohort; how the social justice standards will be extended to preschool; and plans to implement Freshman Seminar or something similar at Malibu HS.

Mr. Kean suggested staff examine more current, cutting edge Holocaust curriculum. Dr. Tahvildaran-Jesswein suggested staff examine how the ethnic studies course could articulate with the similar SMC course. He would like to see the teachers in this cohort receive stipends.

**.VII.B. Update on the SMMUSD Family Engagement Framework (30 min)**

Minutes:

Time start: 7:05 p.m. Time end: 8:09 p.m.

Public Comments:

- Nikki Kolhoff, Eden Kusmiersky, Ann Thanawalla, DeAnne Ozaki, and Robbie Jones addressed the board regarding this item.

Staff answered board members' questions regarding the timeline for implementation; how the framework's effectiveness will be evaluated; the training for community liaisons; how to reach parents who have not been engaged at all in school community; and how a framework can provide a sustainable approach and program.

Mr. de la Torre suggested staff examine the possibility of offering stipends for parents who could then train other parents. He also stressed the importance of providing extra support for families transitioning from one school level to another. He suggested three things for staff to consider: a parent engagement district advisory committee, to ask the City of Santa Monica to collaborate better with the district for grants and community liaisons, and strategies to address those who have less power, especially voting rights of parents regardless of immigration status. Mr. Foster suggested staff examine ways to augment the strategies to reach out to a wider variety of parents. He said he thought this plan did not contain enough strategies for the district to listen to parents. Ms. Leon-Vazquez suggested that the district partner with an outside organization to help coordinate the outreach efforts.

## **.VIII. DISCUSSION ITEMS**

### **.VIII.A. Santa Monica-Malibu Education Foundation Quarterly Report to the Board of Education (20 min)**

Minutes:

Time start: 8:20 p.m. Time end: 8:30 p.m.

Ms. Leon-Vazquez emphasized the importance of staff and families to donate to the Ed Foundation to encourage corporate donors to give.

*Break: 8:30-8:37 p.m.*

### **.VIII.B. Consider Revising BP, AR, and E 6158 - Independent Study (40 min)**

Minutes:

Time start: 8:37 p.m. Time end: 11:12 p.m.

#### Public Comments:

- Ian Brown, Kylie Ozaki, DeAnne Ozaki, Jackie Stansbury, Sarah Braff, Shirley Tarpley, Roberta Brown, Nikki Kolhoff, Eden Kusmiersky, Ann Thanawalla, Stefania Kachadoorian, Annette Goldstein, Lydia Murano, Eva Gordon, Claire Haygood, Jeremy Alcode, Eleanor Jewett, Lynne Schlosstein, Aimee Koeplin, and Lupe Ibarra-Smith addressed the board regarding this item.

Ms. Leon-Vazquez suggested incorporating some of the information from the application into the AR or creating a sub-regulation to improve clarity. Board members agreed with this suggestion. She remarked that ISPE should be the exception, not the rule. Mr. Kean stressed the importance of addressing the middle school immersion issue. He also remarked that regular PE classes create an inclusive environment for students with disabilities. He requested data on students who do not have a full six-period day. Ms. Lieberman wondered if amending the school day schedule could provide a solution to the ISPE issue. Dr. Tahvildaran-Jesswein requested as much relevant data as possible before the second reading. Mr. Foster requested longitudinal data on the number of students in the ISPE program to examine the growth over time. He also suggested staff consider different models for the structure of the school day. Mr. Mechur expressed concern that while students enrolled in ISPE might be meeting the required minutes of physical education, they might not be meeting the curricular requirements of PE.

Dr. Tahvildaran-Jesswein summarized the feedback from the board. There should be better delineation between the BP and AR. Requirements/information on the application should also be articulated in the AR. Consider rewording, "elite." Data is requested for: the number of students leaving school after 5<sup>th</sup> period; a 2x2 matrix

showing MS, HS, 5<sup>th</sup> period, 6<sup>th</sup> period and what occurs in each of those scenarios; which sports can get a pass out of regular PE. When this item returns for a second read, this information will be clearly articulated. The board agrees with the socio-emotional benefits of a regular PE class.

*Break: 11:12-11:21 p.m.*

**.VIII.C. Measure BB & ES Project and Budget Update (90 min)**

Minutes:

Time start: 11:27 p.m. Time end: 11:58 p.m.

Staff presented the overall budget update and answered board members' questions regarding the Malibu HS projects and timeline; the use of COPs to fund the previously approved additions to the Discovery Building project; and the possibility of a bond measure in November 2018 or other options related to financing or reprioritizing of projects.

The board gave direction to the superintendent to form a superintendent's committee to examine the feasibility of future capital improvement funding. Staff will bring back action items on March 1, if possible, related to initializing the work associated with investigating the placement of a bond measure on the ballot. Mr. Mechur suggested staff provide potential projects as well as a timeline.

**.IX. MAJOR ACTION ITEMS**

**.IX.A. Award of Contract Malibu Middle High School Campus Improvements Project Lease-Lease Back (LLB) RFQ/P #18.05.BB.ES McCarthy Building Companies, Inc. - Measure BB & Measure ES (5 min)**

**Motion Passed:** It is recommended that the Board of Education approve the award of Lease-Leaseback Agreement for Malibu Middle & High School - Campus Improvements Project (Phase 3) - RFQ/P #18.05.BB.ES to McCarthy Building Companies, Inc. and direct staff to negotiate the final contract amount not to exceed \$55 million for ratification at a future board meeting. Passed with a motion by Mr. Kean and a second by Ms. Lieberman.

Absent Oscar de la Torre

Yes Mr. Craig Foster

Yes Jon Kean

Yes Maria Leon-Vazquez

Yes Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran

Minutes:

Time start: 11:58 p.m. Time end: 12:00 a.m.

**.IX.B. Annual Report on Measure BB and Measure ES Expenditures from the Citizens' Bond Oversight Committee (20 min) – 8:00 p.m.**

**Motion Passed:** It is recommended that the Board of Education accept the Annual Report on Measure BB and Measure ES Expenditures from the Citizens' Bond Oversight Committee. Passed with a motion by Ms. Lieberman and a second by Mr. Foster.

Yes Oscar de la Torre

Yes Mr. Craig Foster

Yes Jon Kean

Yes Maria Leon-Vazquez

Yes Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran

Minutes:

Time start: 8:09 p.m. Time end: 8:19 p.m.

The board thanked Mr. Yen for his work and report. Ms. Leon-Vazquez requested that the 2016-17 report come to the board by the fall.

**.IX.C. Public Disclosure of Proposed Collective Bargaining Agreement (10 min)**

**Motion Passed:** It is recommended that the Board of Education approve the AB 1200 Public Disclosure document regarding the costs associated with a successor agreement to replace and supersede the current Agreement that expired on June 30, 2016, for Service Employees International Union (SEIU) unit members. Passed with a motion by Mr. Mechur and a second by Mr. Foster.

Absent Oscar de la Torre

Yes Mr. Craig Foster

Yes Jon Kean

Yes Maria Leon-Vazquez

Yes Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran

Minutes:

Time start: 12:00 a.m. Time end: 12:01 a.m.

**.IX.D. Agreement between Service Employees International Union - Local 99 (SEIU) and the Santa Monica-Malibu Unified School District (10 min)**

**Motion Passed:** It is recommended that the Board of Education ratify the Agreement reached with Service Employees International Union - Local 99 (SEIU) during the collective bargaining process concluded in December 2017. Passed with a motion by Ms. Lieberman and a second by Ms. Leon-Vazquez.

Absent Oscar de la Torre

Yes Mr. Craig Foster

Yes Jon Kean

Yes Maria Leon-Vazquez

Yes Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran

Minutes:

Time start: 12:01 a.m. Time end: 12:02 a.m.

**.IX.E. 2017-18 Budget Revisions (10 min)**

**Motion Passed:** It is recommended that the Board of Education approve the following budget transfers, as described on the following pages, for these below-listed Funds. These routine paper transfers are intended to accomplish the formal/final shifting to recognize the accounting of previously-approved activities prior to the 2nd Interim Report. Passed with a motion by Mr. Mechur and a second by Ms. Lieberman.

Absent Oscar de la Torre

Yes Mr. Craig Foster

Yes Jon Kean

Yes Maria Leon-Vazquez

Yes Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran

Minutes:

Time start: 12:02 a.m. Time end: 12:03 a.m.

**.X. INFORMATIONAL ITEMS**

**.X.A. District Advisory Committee (DAC) Mid-year Written Reports**

**.X.B. Adoption of E 5030 - Student Wellness**

**.X.C. Replacement of AR 5112.3 - Student Leave of Absence**

**.XI. GENERAL PUBLIC COMMENTS**

Minutes:

Time start: 11:22 p.m. Time end: 11:27 p.m.

- Duhn May encouraged the district to convert to a vegan menu, reduce Wi-Fi signals, and remove the vaccination requirement.

**.XII. BOARD MEMBER ITEMS**

**.XIII. REQUESTS BY MEMBERS OF THE PUBLIC OR DISTRICT ADVISORY COMMITTEES TO ADDRESS THE BOARD OF EDUCATION**

**.XIV. CONTINUATION OF PUBLIC COMMENTS**

**.XV. BOARD MEMBER COMMENTS**

Minutes:

Time start: 12:03 a.m. Time end: 12:05 a.m.

- Mr. Foster suggested that the board adopt a resolution in support of stricter gun control laws and send it to our elected representatives in Sacramento and Washington. Mr. Mechur suggested researching the gun control legislation Australia adopted for examples of language. The board agreed with this direction to staff.

**.XVI. FUTURE AGENDA ITEMS**

**.XVII. ADJOURNMENT**

It was moved by Ms. Lieberman, seconded by Mr. Kean, and voted 6/0 (Mr. de la Torre was absent) to adjourn the meeting at 12:07 a.m. in memory of the victims of the deadly mass shooting at Marjory Stoneman Douglas High School in Florida on Wednesday. The next regular meeting is scheduled for Thursday, March 1, 2018, at 5:30 p.m. at the district office (1651 16th Street, Santa Monica, CA).

Approved: \_\_\_\_\_

\_\_\_\_\_  
President

\_\_\_\_\_  
Superintendent

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Meetings are rebroadcast in Malibu on Government Access Ch. 3 every Saturday at 8pm.***