



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

July 19, 2018

**. CLOSED SESSION**

Minutes:

Dr. Tahvildaran-Jesswein called open session to order at 4:30 p.m.

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

**.II. CLOSED SESSION**

**.II.A. GOVERNMENT CODE 54956.8 CONFERENCE WITH REAL PROPERTY  
NEGOTIATORS (20 min)**

- Property: 1707 4<sup>th</sup> Street, Santa Monica, CA
- Agency Negotiator: Dr. Ben Drati
- Parties: Santa Monica-Malibu Unified School District (SMMUSD), PCA I, L.P.
- Under Negotiation: Price and terms of payment

**.II.B. Government Code 54956.9(d)(1) CONFERENCE WITH LEGAL COUNSEL  
EXISTING LITIGATION (25 min)**

- Name of Case: America Unites for Kids vs. Lyon (C.D. Ca. Sept., 2016), now on appeal to the U.S. Court of Appeals for the Ninth Circuit, America Unites for Kids v. Rousseau, No. 16-56390
- Name of Case: Gina de Baca and Vivian Mahl vs. Santa Monica-Malibu Unified School District; California Superior Court Case No. BC 674932

**.II.C. Government Code 54956.9(d)(2) CONFERENCE WITH LEGAL COUNSEL  
ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION (20 min)**

- DN-1001-18/19 (Special Education)  
Minutes:  
Educational costs: \$30,660 (first semester 2018-19)  
Following an IEP meeting at the end of the first semester, if it is determined the student is making progress and is track to graduate in June 2019, the district will continue to fund credit-based instruction for the second semester.  
The total cost for this case is not to exceed \$30,660. It was moved by Mr. Foster, seconded by Mr. Mechur, and approved unanimously.  
Ayes: 7 (Tahvildaran-Jesswein, Kean, de la Torre, Foster, Lieberman, Leon-Vazquez, Mechur)  
Noes: 0  
Absent: 0
- DN-1002-18/19 (Special Education)  
Minutes:  
Parent reimbursement: \$49,500  
Legal fees: \$30,000  
The total cost for this case is not to exceed \$79,500. It was moved by Mr. Foster, seconded by Mr. Mechur, and approved unanimously.  
Ayes: 7 (Tahvildaran-Jesswein, Kean, de la Torre, Foster, Lieberman, Leon-Vazquez, Mechur)  
Noes: 0  
Absent: 0

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

**.II.E. Government Code 54957 PUBLIC EMPLOYEE APPOINTMENT /  
EMPLOYMENT (10 min)**

- Title: Director
- Title: Assistant Principal
- Title: Coordinator

**. OPEN SESSION**

**.I. CALL TO ORDER**

Minutes:

Dr. Tahvildaran-Jesswein called open session to order at 6:17 p.m.

**.I.A. Roll Call**

**Present** Oscar de la Torre (arrived at 4:55 p.m.)  
**Present** Craig Foster  
**Present** Jon Kean  
**Present** Maria Leon-Vazquez  
**Present** Laurie Lieberman  
**Present** Ralph Mechur (arrived at 4:40 p.m.)  
**Present** Dr. Richard Tahvildaran-Jesswein

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

Minutes:

Dr. Drati led the Pledge of Allegiance.

**.II. APPROVAL OF THE AGENDA**

**Motion Passed:** Passed with a motion Ms. Leon-Vazquez and a second by Mr. Kean.

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

**.III. APPROVAL OF MINUTES**

**.III.A. Approve June 28, 2018, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the June 28, 2018, regular meeting minutes. Passed with a motion by Mr. de la Torre and a second by Ms. Leon-Vazquez.

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

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

## **.V. STUDY SESSION**

### **.V.A. Joint Session with the Financial Oversight Committee (FOC) (60 mins)**

Time Certain: 7:00 PM

Minutes:

Time start: 7:01 p.m. Time end: 8:18 p.m.

#### Public Comments:

- Keryl Cartee-McNeely and Catherine Handelman, and Peggy O'Meara-Searles addressed the board regarding this item.

The FOC members answered board members' questions regarding the various subcommittee reports. Mr. Kean encouraged staff to use the FOC Sustainability Subcommittee in our district's sustainability efforts. Ms. Lieberman suggested moving the annual joint meeting to June or September, when FOC members are less likely to be out of town. Dr. Tahvildaran-Jesswein stated the importance of communicating with union members during this summer to make sure they are aware of the intent and work of health benefits committee. The board provided feedback on the proposed FOC charges for 2018-19. The board liaisons to the FOC will work with staff and the FOC to finalize and prioritize the charges before they return for action.

## **.VI. COMMUNICATIONS**

### **.VI.A. SMMCTA Update (5 min)**

Minutes:

Time start: 6:22 p.m. Time end: 6:28 p.m.

Jenny Lipson delivered the report for Ms. Braff. Ms. Lipson reported that she participated in IISS at Grant ES. She thanked the board and district for providing support for Tier III students and Tier II ELs. She also thanked the district for bringing Reading Workshop to the district; participants just experienced a four-day training. Regarding the FOC's annual report on healthcare benefit costs, the union is concerned about the district being able to recruit and retain high-quality teachers given the high premiums for employees hired after July 2014. Ms. Lipson said the union is looking forward to seeing how the district can provide best possible health benefits for unit members and all SMMUSD employees. Teachers have expressed safety and cleanliness concerns about the glass walls and carpet planned for the new Samohi Discovery Building.

### **.VI.B. SEIU Update (5 min)**

Minutes:

Time start: 6:28 p.m. Time end: 6:32 p.m.

Ms. Cartee-McNeely reported that SEIU and unions across the nation are fighting against the recent Janis Supreme Court decision. SEIU has more than 90% membership in SMMUSD. The union is scheduling more training for members regarding voter registration and continues to educate members and non-members on the importance of unions. SEIU is working on multiple campaigns at the legislative level, including summer relief for classified employees who do not receive summer assignment; bargaining rights for in-home childcare providers; and AB 2261, which allows for community reps to foster stronger ties with parents to help students succeed. As a Samohi graduate, Ms. Cartee-McNeely said she was proud to work in a school district that values the voice of unions and the work of bargaining unit members.

### **.VI.C. PTA Council (5 min)**

Minutes:

Not present

## **.VII. SUPERINTENDENT'S REPORT**

Minutes:  
No report

## **.VIII. CONSENT CALENDAR**

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

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-Jesswein

Minutes:

The board approved Item Nos. A.1-9, B.3-6, C.2-13, and D.1-5 listed under the Consent Calendar. The board pulled Item Nos. B.1-2, C.1, and D.6 and voted on them separately. The board postponed Item No. VIII.C.14 to a future meeting.

Time start: 6:33 p.m. Time end: 6:36 p.m.

### **.VIII.A. Curriculum and Instruction**

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

#### **.VIII.A.2. Conference and Travel Approval/Ratification - 2018/2019**

#### **.VIII.A.3. Overnight Field Trip(s) 2018-19**

#### **.VIII.A.4. Consolidated Application**

#### **.VIII.A.5. Approve Every Student Succeeds Act (ESSA) LCAP Federal Addendum**

#### **.VIII.A.6. Textbook Adoption**

#### **.VIII.A.7. 2018-2019 Adult Education Center Approval**

#### **.VIII.A.8. Special Education Contracts 2017-18**

#### **.VIII.A.9. Special Education Contracts 2018-19**

### **.VIII.B. Business and Fiscal**

#### **.VIII.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 June 7, 2018, through July 10, 2018 for fiscal / 18. Passed with a motion by Mr. Mechur and a second by Mr. Foster.

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

Minutes:

Time start: 6:37 p.m. Time end: 6:37 p.m.

Mr. Kean recused himself from this item, as he was listed as a reimbursement for a board expense.

#### **.VIII.B.2. Award of Purchase Orders 2018-19**

**Motion Passed:** It is recommended that the Board of Education approve the attached Purchase Orders and Changed Purchase Orders from May 1, 2018, through July 10, 2018 for fiscal /19. Passed with a motion by Mr. Mechur and a second by Ms. Lieberman.

Recuse 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-Jesswein

Minutes:

Time start: 6:36 p.m. Time end: 6:37 p.m.

Mr. de la Torre recused himself, as his non-profit organization has received funds from the law firms AALRR and Orbach Huff and Suarez.

**.VIII.B.3. Acceptance of Gifts - 2018/2019**

**.VIII.B.4. Contract Agreement with Gold Star Foods**

**.VIII.B.5. Annual Food and Supplies**

**.VIII.B.6. Award Contract to State Contract -CALNET III and AT&T for Voice, Data, and Long-distance Telecommunication Services Existing CALNET II transitions to CALNET III.**

**.VIII.C. Facilities Improvement Projects**

**.VIII.C.1. Independent Contractors**

**Motion Passed:** It is recommended that the Board of Education enter into an agreement with the attached Independent Contractors for Measure BB & ES Projects. Passed with a motion by Mr. Mechur and a second by Ms. Lieberman.

Recuse 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-Jesswein

Minutes:

Time start: 6:36 p.m. Time end: 6:37 p.m.

Mr. de la Torre recused himself, as his non-profit organization has received funds from the law firm Orbach Huff and Suarez.

**.VIII.C.2. Amendment #16 to Agreement - Architectural Services - Santa Monica High School Discovery Building Project Chan Young Architects Measure ES**

**.VIII.C.3. Amendment #6 to Agreement - Lincoln Middle School Field and Track Replacement Project - Architectural Services - DLR Group Measure ES**

**.VIII.C.4. Amendment #14 to Agreement Pt. Dume Elementary School Window, Paint, Floors & Doors Project and Olympic High School - Window, Paint, Floors & Doors Project - Architectural Services dsk Architects Measure ES**

**.VIII.C.5. Award of Agreement Malibu Realignment Project CEQA Consulting Services Placeworks - Measure ES**

**.VIII.C.6. Award of Agreement Malibu Middle & High School Campus Improvement Project IT Move Management Services Direct Source Communications Inc. - Measure BB**

**.VIII.C.7. Award of Agreement - Olympic High School - Campus Modernization Project - Technology Installation Services - Direct Source Communications - Measure BB**

- .VIII.C.8. Amendment #01 to Agreement Santa Monica High School  
Discovery Building Project - Camera Monitoring Installation Services  
- Direct Source Communications Inc. - Measure ES
- .VIII.C.9. Amendment #10 to Agreement - Lincoln Middle School Field and  
Track Replacement Project Inspector of Record Services Sandy  
Pringle Associates Measure ES
- .VIII.C.10. Amendment #22 to Agreement - Lincoln Middle School Field and  
Track Replacement Project Professional Geotechnical Observation  
and Lab of Record Services Leighton Consulting, Inc. Measure ES
- .VIII.C.11. Change Order #05 Will Rogers Elementary School Window, Paint,  
Floors & Doors Project Construction Contract Bid #17.08.ES - A.  
J. Fistes Corporation - Measure ES
- .VIII.C.12. Change Order #09 Santa Monica High School - Sealy Field Project -  
Construction Contract Bid #17.12.ES - Byrom-Davey, Inc. - Measure ES
- .VIII.C.13. Accept the work as Completed Roosevelt Elementary School  
Window, Paint, Floors & Doors Project Construction Contract Bid  
#17.09.ES - Angeles Contractor Inc. Measure ES
- .VIII.C.14. Award of Agreement Food Services Design Services Elementary  
and Middle Schools Measure ES

#### **.VIII.D. Personnel**

- .VIII.D.1. Certificated Personnel - Elections, Separations
- .VIII.D.2. Classified Personnel - Merit
- .VIII.D.3. Classified Personnel - Non-Merit
- .VIII.D.4. Increase in Staffing (FTE) - Special Education
- .VIII.D.5. Student Teaching Agreement - University of Southern California
- .VIII.D.6. Administrative Appointment

**Motion Passed:** It is recommended that the Board of Education approve the administrative appointments listed below. Passed with a motion by Mr. Mechur 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-Jesswein

Minutes:

Time start: 6:38 p.m. Time end: 6:42 p.m.

The board approved the appointment of Mr. Sam Koshy as Director of Assessment, Research, and Evaluation, and Mr. Jim Watwood as Special Education Coordinator. Mr. Koshy said he was humbled to be chosen to work for our district. Mr. Watwood said he was looking forward to working with everyone to support our students.

#### **.IX. GENERAL PUBLIC COMMENTS**

#### **.X. DISCUSSION ITEMS**

##### **.X.A. Consider Revising BP 0500 - Accountability (30 min)**

Minutes:

Time start: 6:42 p.m. Time end: 7:01 p.m.

The board discussed Item Nos. X.A-H together, as the changes to the policies and regulations were routine in nature. Staff answered board members' questions regarding students who transferred schools within the district due to Program

Improvement; regulations related to work permits; the number of students classified as homeless; and dashboard data.

These policies and regulations will return for action and as information, respectively, at the next meeting.

**.X.B. Consider Deleting BP & AR 0520.2 - Title I Program Improvement Schools**

**.X.C. Consider Revising BP & AR 5121 - Grades/Evaluation of Student Achievement**

**.X.D. Consider Revising BP 6111 - School Calendar**

**.X.E. Consider Revising BP and AR 6171 - Title I Programs**

**.X.F. Consider Revising BP & AR 6178.1 - Work-based Learning**

**.X.G. Consider Revising BP 6190 - Evaluation of Instructional Program**

**.X.H. Consider Revising BP & AR 6200 - Adult Ed**

Break: 8:18-8:24 p.m.

## **.XI. MAJOR ACTION ITEMS**

**.XI.A. Adopt Resolution Nos. 18-01a and 18-01b - Ordering an Election in School Facilities Improvement District No. 1 (Santa Monica Schools) to Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections Occurring on November 6, 2018 (20 min)**

It is recommended that the Board of Education adopt Resolution Nos. 18-01a and 18-01b - Ordering an Election in School Facilities Improvement District No. 1 (Santa Monica Schools) to Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections Occurring on November 6, 2018. Passed with a motion by Mr. Foster and a second by Ms. Lieberman.

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-Jesswein

Minutes:

Time start: 8:24 p.m. Time end: 9:21 p.m.

The board discussed Item Nos. XI.A-B together, but voted on them separately.

**.XI.B. Adopt Resolution Nos. 18-02a and 18-02b - Ordering an Election in School Facilities Improvement District No. 2 (Malibu Schools) to Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections Occurring on November 6, 2018 (20 min)**

It is recommended that the Board of Education adopt Resolution Nos. 18-02a and 18-02b - Ordering an Election in School Facilities Improvement District No. 2 (Malibu Schools) to Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections Occurring on November 6, 2018. Passed with a motion by Mr. Mechur 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-Jesswein

Minutes:

Time start: 8:24 p.m. Time end: 9:21 p.m.

The board discussed Item Nos. XI.A-B together, but voted on them separately.

**.XI.C. Amend Master Agreement between Santa Monica Education Foundation and the Santa Monica-Malibu Unified Schools District (20 min)**

It is recommended that the Board of Education amend the Master Agreement between the Santa Monica-Malibu Education Foundation (Ed Foundation) and the Santa Monica-Malibu Unified School District (SMMUSD). Passed with a motion by Ms. Leon-Vazquez and a second by Mr. Kean.

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

Minutes:

Time start: 9:21 p.m. Time end: 9:24 p.m.

Mr. Mechur recused himself from this item due to his relationship with the Executive Director of the Education Foundation.

**.XII. INFORMATIONAL ITEMS**

**.XII.A. Quarterly Report on Williams Uniform Complaints**

**.XII.B. Quarterly Report on Hate-Motivated Behavior**

**.XII.C. Quarterly Report on Disability Harassment Reporting**

**.XII.D. Supplemental Textbooks**

**.XIII. BOARD MEMBER ITEMS**

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

**.XV. CONTINUATION OF PUBLIC COMMENTS**

**.XVI. BOARD MEMBER COMMENTS**

Minutes:

Time start: 9:24 p.m. Time end: 9:27 p.m.

- Mr. de la Torre brought to staff's attention an occurrence where a student did not pass a course, but then produced paperwork from an online educational program stating that s/he had received credit for passing that course online. He asked that staff look into protocols regarding such instances.
- Ms. Leon-Vazquez commended staff for the summer professional development offerings.



## **.XVII. FUTURE AGENDA ITEMS**

### **.XVIII. ADJOURNMENT**

It was moved by Mr. Foster, seconded by Ms. Lieberman, and voted 7/0 to adjourn the meeting at 9:27 p.m. The next meeting is a special meeting scheduled for Thursday, August 9, 2018, at 4:00 p.m. the the district office: 1651 16th Street, Santa Monica, CA. The next regular meeting is scheduled for Thursday, August 16, 2018, at 5:30 p.m. at the district office.

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

\_\_\_\_\_  
President

\_\_\_\_\_  
Superintendent

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