



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

August 16, 2018

**. CLOSED SESSION**

Minutes:

Dr. Tahvildaran-Jesswein called open session to order at 4:06 p.m.

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

**.II. CLOSED SESSION**

**.II.A. GOVERNMENT CODE 54956.8 CONFERENCE WITH REAL PROPERTY  
NEGOTIATORS (15 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)(2) CONFERENCE WITH LEGAL COUNSEL  
ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION (10  
min)**

- DN-1003-18/19 (Special Education)

Minutes:

There is no cost associated with this alternative dispute resolution. It was moved by Mr. Foster, seconded by Mr. de la Torre, and approved unanimously. Parents agree to place student in an alternative kindergarten for 2018-2019, and will sign the IEP. Placement and services will be reviewed within 30-45 days of 2018-2019. The district will review and develop the assessment plan with parents by the end of January 2019.

Ayes: 5 (Tahvildaran-Jesswein, Kean, de la Torre, Foster, Mechur)

Noes: 0

Absent: 2 (Lieberman, Leon-Vazquez)

- DN-1004-18/19 (Special Education)

Minutes:

The District agrees to extend the student's status as 5<sup>th</sup> grader at Grant Elementary with an integration plan to better prepare the student for the transfer to Lincoln Middle School. The parents agreed to meet the required time allocated by Structure Academic Instructional classes. It was moved by Mr. Foster, seconded by Mr. de la Torre, and approved unanimously.

Ayes: 5 (Tahvildaran-Jesswein, Kean, de la Torre, Foster, Mechur)

Noes: 0

Absent: 2 (Lieberman, Leon-Vazquez)

- DN-1005-18/19 (Special Education)

Minutes:

Parent reimbursement: \$1,774.20

Legal fees: \$7,250

The total cost for this case is not to exceed \$9,024.20. It was moved by

Mr. Foster, seconded by Mr. de la Torre, and approved unanimously.  
Ayes: 5 (Tahvildaran-Jesswein, Kean, de la Torre, Foster, Mechur)  
Noes: 0  
Absent: 2 (Lieberman, Leon-Vazquez)

**.II.C. Government Code 54957 PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL /  
RELEASE (10 min)**

**.II.D. Government Code 54957 PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(30 min)**

- Title: Superintendent

**.II.E. Government Code 54957.6 CONFERENCE WITH LABOR NEGOTIATORS (60  
min)**

- Agency Designated Representative: Dr. Ben Drati
- Employee Organizations: SEIU
- Agency Designated Representative: Dr. Ben Drati
- Employee Organizations: SMMCTA
- Agency Designated Representative: Dr. Ben Drati
- Employee Organizations: Unrepresented management group
- Agency Designated Representative: Board President
- Unrepresented Employee: Superintendent

**. OPEN SESSION**

**.I. CALL TO ORDER**

Minutes:

Dr. Tahvildaran-Jesswein called open session to order at 6:35 p.m.

**.I.A. Roll Call**

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

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

Minutes:

Ms. Greenberg led the Pledge of Allegiance.

**.II. APPROVAL OF THE AGENDA**

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

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

Minutes:

The board postponed Item Nos. IX.B and X.A to the September 6, 2018, meeting.

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

#### **.III.A. Approve July 19, 2018, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the July 19, 2018, regular meeting minutes. Passed with a motion by Mr. Foster and a second by Mr. de la Torre.

Yes Oscar de la Torre

Yes. Craig Foster

Yes Jon Kean

Absent Maria Leon-Vazquez

Absent Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran-Jesswein

#### **.III.B. Approve August 9, 2018, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the August 9, 2018, regular meeting minutes. Passed with a motion by Mr. Foster and a second by Mr. de la Torre.

Yes Oscar de la Torre

Yes. Craig Foster

Abstain Jon Kean

Absent Maria Leon-Vazquez

Absent Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran-Jesswein

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

#### **.IV.A. Recognition of SMMUSD Presenters at Tri-City SELPA California Autism Professional Training and Information Network (CAPTAIN) (10 min)**

Minutes:

Time start: 6:43 p.m. Time end: 6:49 p.m.

Ms. Kazee, Director of Special Education, explained the purpose of a SELPA. She then introduced Dina Parker, Director of the Tri-City SELPA, who reported that five of our special education staff presented at the Tri-City SELPA California Autism Professional Training and Information Network (CAPTAIN) conference. Teachers Michael Hoover, Brittany Adams-Huffman, Elizabeth Yee, Danielle Royer, and Meghann Keough were presented with certificates.

#### **.IV.B. Ed Foundation Presentation of Check to Fund 2018-19 Programs (10 min)**

Minutes:

Time start: 6:50 p.m. Time end: 6:54 p.m.

Ms. Greenberg and Ms. Faulkner provided an update on the transition to the Santa Monica Ed Foundation as well as fundraising that has occurred and will occur for the 2019-20 school year. They presented check for \$2,046,015 for 2018-19 programs.

### **.V. COMMUNICATIONS**

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

Minutes:

Time start: 6:54 p.m. Time end: 6:57 p.m.

Ms. Braff remarked on all the work staff has been doing across the district and at every level to rev up for the beginning of school. She said she was pleased with the work being done in regards to the three-pronged approach and leading from middle. She commented on the difficult discussion that will need to be had, but said she

knows we're on the right path, as long as everyone approaches the work with open hearts and open hands.

**.V.B. SEIU Update (5 min)** – absent

**.V.C. PTA Council (5 min)** – absent

## **.VI. SUPERINTENDENT'S REPORT**

Minutes:

Time start: 6:57 p.m. Time end: 7:01 p.m.

Dr. Drati shared that teacher and parent Harry Keiley emailed the board this afternoon commending Florence Culpepper and her team at Lincoln Middle School on 6<sup>th</sup> grade orientation. He said Florence gave a powerful welcoming and inclusive message, and that signs up around the school addressed sustainability, anti-bullying, fairness, responsibility, caring, and student tips for middle school success. Dr. Drati said these positive remarks could apply to all of our sites, as staff prepare our families and facilities for the new school year. He also thanked everyone at the district office who has worked tirelessly this summer to hire, process, and train new employees as well as prepare the facilities for construction and the opening of school. Dr. Drati said he was looking forward to students returning school after summer break. He reminded everyone that Convocation will be on Monday. He reported on the many projects that have occurred over the summer, from construction to professional development. He and other administrators participated in a two-day Matrices of Bias training this week.

## **.VII. CONSENT CALENDAR**

**Passed** with a motion by Mr. Foster and a second by Mr. Kean.

Yes Oscar de la Torre

Yes Mr. Craig Foster

Yes Jon Kean

Absent Maria Leon-Vazquez

Absent Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran-Jesswein

Minutes:

The board approved Item Nos. A.1-4, B.1-10, C.1-9, C.11-14, D.1-4, and E.1-8 listed under the Consent Calendar. The board pulled Item No. C.10 and voted on it separately.

Time start: 7:01 p.m. Time end: 7:03 p.m.

### **.VII.A. Curriculum and Instruction**

**.VII.A.1. Approval of Independent Contractors**

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

**.VII.A.3. Supplemental Textbooks**

**.VII.A.4. Special Education Contracts 2018-19**

### **.VII.B. Business and Fiscal**

**.VII.B.1. Award of Purchase Orders - 2017-18**

**.VII.B.2. Award of Purchase Orders - 2018-19**

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

**.VII.B.4. 2018-19 Financial Oversight Committee (FOC) Charges**

**.VII.B.5. Recommendation of Appointment To Fill Vacancy on the Financial Oversight Committee (FOC)**

**.VII.B.6. Award of Musical Instrument Repair Districtwide to Los Angeles Violin Shop and Santa Monica Music Center - Quote #2016.01 - Year Four of a Five-year Contract**

- .VII.B.7. Award of RFP #16.08 - Districtwide Vending Machines to First Class Vending - Year Four of Five-year Service Contract
- .VII.B.8. Award of Contract to Intelli-Tech for the Purchase of HP Computer Products and Related Services
- .VII.B.9. Acceptance of National IPA University of California Systems Contract #2018.000208 for Maintenance Parts and Supply Items
- .VII.B.10. Award Retrofit Lighting Proposal under the Prop 39 Energy Efficiency Design & Construction Services to Baker Electric
- .VII.C. Facilities Improvement Projects
  - .VII.C.1. Approval of Independent Contractors - FIP
  - .VII.C.2. Award of Contract to IVS Computer Technology for Installation of Library Audio Visual Technologies, Projection System, Audio Enhancement Speakers, A/V Controllers, and Electrical Upgrades - and to Approve the Piggyback onto Bakersfield City School District Bid #1507-1 - Phase I Technology - Measure ES-2
  - .VII.C.3. Extension of Authorization to use Savanna School District Piggyback Bid Purchase, Lease, Relocation, Dismantling, and Removal of Division of the State Architect (DSA) Approved Portable Buildings Elite Modular Leasing & Sales, Inc.
  - .VII.C.4. Award of Contract Point Dume Marine Science School Malibu Alignment Project - Interim Housing Lease - Elite Modular - Measure ES
  - .VII.C.5. Change Order #03 to Agreement Santa Monica High School Discovery Building Project Demolition of Science and Technology Buildings Construction Contract Bid #18.13.ES - Ampco Contracting - Measure ES
  - .VII.C.6. Award of Agreement Architectural Campus Planning Design Services Malibu Middle and High School Measure ES
  - .VII.C.7. Amendment #01 to Agreement for Construction Management Services Franklin Elementary School and McKinley Elementary School - Window, Paint, Floors, and Doors Project Vanir Construction Management, Inc. Measure ES
  - .VII.C.8. Amendment #10 to Agreement Santa Monica High School Discovery Building Project - Survey Services Psomas Measure ES
  - .VII.C.9. Amendment #02 to Agreement Edison Language Academy New Construction Project Professional Services Rick Engineering Company Measure BB
  - .VII.C.10. Amendment #07 to Agreement - Orbach, Huff, Suarez & Henderson LLP Legal Services, Lincoln Field Replacement Project and JAMS Performing Arts Center - Measure ES

**Motion Passed:** It is recommended that the Board of Education approve Contract Amendment #07 with Orbach, Huff, Suarez & Henderson LLP for Lincoln Middle School - Field Replacement Project and JAMS - PAC Legal Services, in an amount not to exceed \$30,000, for a total contract amount of \$1,030,000. Passed with a motion by Mr. Foster and a second by Mr. Mechur.

**Recuse** Oscar de la Torre

**Yes** Mr. Craig Foster

**Yes** Jon Kean

**Absent** Maria Leon-Vazquez

**Absent** Laurie Lieberman

**Yes** Ralph Mechur

**Yes** Dr. Richard Tahvildaran-Jesswein

Minutes:

Time start: 7:03 p.m. Time end: 7:03 p.m.

Mr. de la Torre abstained, as his non-profit organization has received funds from Orbach, Huff, and Suarez.

- .VII.C.11. Accept Work as Completed Lincoln Middle School Field & Track Replacement Project Fieldturf USA, Inc. Measure ES**
- .VII.C.12. Adopt Resolution No. 18-03 Exemption of the Santa Monica High School - Campus Plan from the City of Santa Monica Zoning Code**
- .VII.C.13. Amendment #01 to the Project Labor Agreement (PLA) Between Santa Monica-Malibu Unified School District and the Los Angeles/Orange Counties Building and Construction Trades Council**
- .VII.C.14. Amendment #07 to Agreement - Program Management Services Masetti Consulting, LLC Measure ES**
- .VII.D. Personnel**
  - .VII.D.1. Certificated Personnel - Elections, Separations**
  - .VII.D.2. Classified Personnel - Merit**
  - .VII.D.3. Classified Personnel - Non-Merit**
  - .VII.D.4. Increase in Staffing (FTE) - Facilities Improvement Projects**
- .VII.E. General**
  - .VII.E.1. Revise BP 0500 - Accountability**
  - .VII.E.2. Delete BP 0520.2 Title I Program Improvement Schools**
  - .VII.E.3. Revise BP 5121 Grades/Evaluation of Student Achievement**
  - .VII.E.4. Revise BP 6111 School Calendar**
  - .VII.E.5. Revise BP 6171 Title I Programs**
  - .VII.E.6. Revise BP 6178.1 Work-based Learning**
  - .VII.E.7. Revise BP 6190 Evaluation of the Instructional Program**
  - .VII.E.8. Revise BP 6200 Adult Education**

## **.VIII. GENERAL PUBLIC COMMENTS**

### **.IX. DISCUSSION ITEMS**

#### **.IX.A. Consider Revising BP and AR 5131.61 Controlled Substances (20 min)**

Minutes:

Time start: 7:03 p.m. Time end: 8:10 p.m.

Staff answered board members' questions regarding at-home suspensions, tobacco versus marijuana possession, possession/use versus sale of controlled substances, the difference between inhaled versus eaten cannabis. The board would like a report on the extent of the problem of drug use on campus. Mr. Foster expressed his desire to see more work being done in regards to school discipline, considering differences related to current practices.

#### **.IX.B. Discussion of Application from Latino PEMA (Padres, Estudiantes, y Maestros Asociacion) for Santa Monica High School (15 min)**

Minutes:

This item was postponed to September 6, 2018.

### **.X. MAJOR ACTION ITEMS**

#### **.X.A. Adopt Resolution No. 18-04 Authorizing and Approving a Districtwide Ban on the Distribution, Supply, and Purchase of All Single-use Plastic Beverage Straws and All Single-use Plastic Beverage Stirrers from All District Departments and Operations (15 min)**

It is recommended that the Board of Education adopt Resolution No. 18-04 authorizing and approving a districtwide ban on the distribution, supply, and purchase of all single-use plastic beverage straws and all single-use plastic

beverage stirrers from all district departments and operations in an effort to mitigate plastic pollution, reduce waste, and increase sustainability efforts.

Minutes:

This item was postponed to September 6, 2018.

**.X.B. Nomination for CSBA Directors-at-Large Asian / Pacific Islanders and Hispanic (5 min)**

It is recommended that the Board of Education nominate, if it so chooses, a board member to run for the CSBA Board of Directors for the position(s) of Directors-at-Large Asian / Pacific Islander and Hispanic.

Minutes:

The board decided not to nominate anyone at this time.

**.XI. INFORMATIONAL ITEMS**

**.XI.A. Deletion of AR 0520.2 Title I Program Improvement Schools**

**.XI.B. Revision of AR 5121 Grades/Evaluation of Student Achievement**

**.XI.C. Revision of AR 6171 Title I Programs**

**.XI.D. Revision of AR 6178.1 Work-based Learning**

**.XI.E. Revision of AR 6200 Adult Education**

**.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: 8:11 p.m. Time end: 8:11 p.m.

- Mr. de la Torre reported that there had been a drive-by shooting near Pico yesterday.

**.XVI. FUTURE AGENDA ITEMS**

**.XVII. ADJOURNMENT**

It was moved by Mr. Kean, seconded by Mr. Mechur, and voted 5/0 (Ms. Lieberman and Ms. Leon-Vazquez were absent) to return to closed session at 8:12 p.m. in memory of legendary performer Aretha Franklin. Closed session adjourned at 9:30 p.m. The next meeting is a special meeting scheduled for Wednesday, August 29, 2018, at 5:30 p.m. at the district office: 1651 16th St., Santa Monica, CA. The next regular meeting is scheduled for Thursday, September 6, 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.***