



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

September 6, 2018

**. CLOSED SESSION**

Minutes:

Dr. Tahvildaran-Jesswein called closed session to order at 4:00 p.m.

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

**.II. CLOSED SESSION**

**.II.A. Government Code 54956.9(d)(2) CONFERENCE WITH LEGAL COUNSEL  
ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION (15  
min)**

- DN-1006-17/18 (Special Education)

Minutes:

Parent reimbursement: \$47,000

Legal Fees: \$14,000

The total cost for this contract not to exceed: \$61,000. 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.B. Government Code 54957 PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL /  
RELEASE (5 min)**

**.II.C. Government Code 54957 PUBLIC EMPLOYEE PERFORMANCE  
EVALUATION (45 min)**

- Superintendent

Dr. Tahvildaran-Jesswein read the following statement: The board will be considered an addendum to the Superintendent' employment agreement, effective September 6, 2018. The recommended addendum to the employment agreement is summarized as follows:

- One-year extension of the agreement to June 30, 2021
- A tax-sheltered annuity (TSA) of \$10,000 per year, starting this current school year and the two subsequent years, contingent on the superintendent being employed with SMMUSD through June 30, 2021.

**.II.D. Government Code 54957.6 CONFERENCE WITH LABOR NEGOTIATORS (45  
min)**

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

**. OPEN SESSION**

**.I. CALL TO ORDER**

Minutes:

Dr. Tahvildaran-Jesswein called open session to order at 6:15 p.m.

**.I.A. Roll Call**

- Present Oscar de la Torre – *arrived at 4:10 p.m.*
- Present Craig Foster
- Present Jon Kean
- Present Maria Leon-Vazquez
- Present Laurie Lieberman – *arrived at 4:10 p.m.*
- Present Ralph Mechur – *arrived at 4:10 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 Mr. Foster and a second by Ms. Lieberman.

- 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 August 16, 2018, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the August 16, 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
- Abstain Maria Leon-Vazquez
- Abstain Laurie Lieberman
- Yes Ralph Mechur
- Yes Dr. Richard Tahvildaran-Jesswein

**.III.B. Approve August 29, 2018, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the August 29, 2018, special meeting minutes. Passed with a motion by Mr. Foster and a second by Ms. Lieberman.

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

#### **.IV. STUDY SESSION**

##### **.IV.A. Santa Monica-Malibu USD: Digital Learning Plan (60 min)**

Minutes:

Time start: 6:21 p.m. Time end: 7:12 p.m.

Time start: 7:14 p.m. Time end: 7:38 p.m.

##### Public Comments:

- Ann Thanawalla addressed the board regarding this item.

Staff answered board members' questions regarding equipment maintenance; IT support staff; the rationale for choosing Chromebooks; Wi-Fi capabilities at students' homes; how blended learning and AP courses and testing mesh; and training for families on classroom apps.

The board thanked staff for their work on this front and said they looked forward to receiving updates.

#### **.V. COMMUNICATIONS**

##### **.V.A. Student Board Member Reports (15 min)**

###### **.V.A.1. Santa Monica High School**

Minutes:

Time start: 7:38 p.m. Time end: 7:41 p.m.

Mr. Blain thanked the district for painting the bathrooms. He reported that tomorrow is the first pep rally of the year. Next week is Back to School Night. Next Thursday is the transfer student luncheon. Club Row, where students can learn more about the various clubs on campus, will be on September 27. The College Fest will be on September 15. The Homecoming rally is on October 5, with the dance scheduled for the next day. Mr. Balin reported on student concerns: bathroom stall locks do not always function properly; construction in the science quad is causing a bottleneck during passing periods; and the lack of A/C in the arts building is ruining materials and projects. ASB is examining the possibility of moving homeroom from second to fourth period.

###### **.V.A.2. Malibu High School**

Minutes:

Time start: 7:41 p.m. Time end: 7:43 p.m.

Ms. Afshar reported that Back to School Night will be on September 14, Coffee with the Counselors will be on September 11, and the Arts Angels meeting was yesterday. Yearbooks have gone on sale. Dance, surf, and volleyball are all beginning their seasons. The fall musical will be *Spring Awakening*. The Homecoming football game will be on October 5, with the dance on October 6. ASB is still looking for a venue for the dance. Dr. Drati congratulated the head football coach on their 3-0 start this season.

###### **.V.A.3. Olympic High School**

Minutes:

Time start: 7:44 p.m. Time end: 7:45 p.m.

Ms. McDaniel reported on all of the recent renovations at the school. Back to School Night is next week. She reported that some students met with Mr. Fuller to share their concerns about bullying at the school. School administrators created an Advisory period to begin each school day, during which staff meet with students to reduce tardies, absences, drop-outs, and bullying. Mr. Fuller is also implementing Restorative Justice solutions to address student needs.

**.V.B. SMMCTA Update (5 min)**

Minutes:

Time start: 7:46 p.m. Time end: 7:49 p.m.

Ms. Braff expressed her gratitude for Item No. X.G on tonight’s agenda, which aims to address the inequity created by the two-tier health benefits system. She thanked the district staff, board members, and union reps who came together to make this happen.

**.V.C. SEIU Update (5 min)**

Minutes:

Time start: 7:49 p.m. Time end: 7:52 p.m.

Ms. Cartee-McNeely agreed with Ms. Braff’s statements. She welcomed everyone back to school. She reported SEIU worked closely with the district to make the start of school was smooth, and she thanked district office staff for hiring and processing new employees. Ms. Cartee-McNeely shared information on the first special education labor management team. SEIU worked with union members in Missouri to educate workers on the importance of unions. Ms. Cartee-McNeely thanked the board for including the joint sunshining informational item on this agenda.

**.V.D. PTA Council (5 min)**

Minutes:

Absent

**.VI. SUPERINTENDENT'S REPORT**

Minutes:

Time start: 7:52 p.m. Time end: 7:56 p.m.

Dr. Drati welcomed the student board members and said their voices were an important part of the process. He remarked on the message that was sent to families this past week regarding school safety. Staff met during the summer with police and the sheriff’s department to discuss how to improve school safety, both short-term and long-term strategies. Currently, we are working with the sites to improve social-emotional learning and make sure we are addressing all students’ needs. Staff is also examining drop-off and pick-up processes at the elementary schools.

**.VII. CONSENT CALENDAR**

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

- 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.1-5, B.1, C.1-15, D.1-7, and E.2 listed under the Consent Calendar. The board pulled Item No. E.1 and voted on it separately.

Time start: 7:57 p.m. Time end: 8:00 p.m.

Public Comments:

- Ann Thanawalla addressed the board regarding Item No. VII.B.1 under Consent.

**.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. Overnight Field Trip(s) 2018-19
- .VII.A.4. Revised SMMUSD LCAP: 2018-19
- .VII.A.5. Special Education Contracts (17/18)
- .VII.B. Business and Fiscal
  - .VII.B.1. Award of Purchase Orders
- .VII.C. Facilities Improvement Projects
  - .VII.C.1. Award of Agreement Food Services Design Services Elementary and Middle Schools Measure ES
  - .VII.C.2. Change Order #01 Santa Monica High School Campus Plan Project - Manufacture and Installation of Campus Wide Wayfinding Signage Construction Contract Bid #18.29.ES Aloha Electric Signage Company - Measure ES
  - .VII.C.3. Change Order #10 Santa Monica High School - Sealy Field Project - Construction Contract Bid #17.12.ES - Byrom-Davey, Inc. - Measure ES
  - .VII.C.4. Change Order #04 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.5. Project Assignment #2 Architectural Design Services - Washington West Child Development Center Window, Paint, Floors & Doors Project and HVAC & Fire Alarm Project dsk Architects Measure ES
  - .VII.C.6. Contract Amendment #23 Santa Monica High School Discovery Building Project Professional Geotechnical Services Leighton Consulting, Inc. - Measure ES
  - .VII.C.7. Amendment #06 to Agreement Santa Monica High School Discovery Building Project Architectural Services Harley Ellis Devereaux (HED) - Measure ES
  - .VII.C.8. Amendment #27 to Agreement Santa Monica High School Discovery Building Project - Abatement for the Demolition of the Technology Building Monitoring services Alta Environmental Measure ES
  - .VII.C.9. Amendment #08 to Agreement Malibu Middle & High School Campus Improvement Project PCB Sampling and Testing, Air Monitoring and Dust Mitigation Leighton Consulting, Inc. Measure BB
  - .VII.C.10. Award of Contract Olympic High School Windows, Paint, Floors & Doors & HVAC Project Bid #18.19.ES.R1 The Nazerian Group - Measure ES
  - .VII.C.11. Accept Work as Completed Olympic High School Campus Modernization Project - Construction Contract Bid #16.20.BB - Novus Construction - Measure BB
  - .VII.C.12. Accept Work as Complete Multiple Purchase Orders Various Projects Measure BB & ES
  - .VII.C.13. Award of Contract Santa Monica High School Discovery Building Project Utility Building Alteration Bid #19.04.ES The Nazerian Group - Measure ES
  - .VII.C.14. Amend Award of Agreement Malibu Middle and High School Campus Improvements Project Commissioning (CxA) Consulting Services 3Qc - Measure BB
  - .VII.C.15. Approval of Lease-Leaseback (LLB) Procedures and Guidelines Santa Monica High School Discovery Building Project
- .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) - Cabrillo and Pt Dume Elementary Schools
  - .VII.D.5. Increase in Staffing (FTE) - McKinley Elementary

- .VII.D.6. Increase in Staffing (FTE) - Special Education**
- .VII.D.7. Increase in Staffing (FTE) - Child Development Services**

**.VII.E. General**

**.VII.E.1. Adopt Resolution No. 18-05 - Board Member Absence on August 16, 2018**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution No. 18-05 – Board Member Absence on August 16, 2018. Passed with a motion by Mr. Foster and a second by Mr. de la Torre.

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

Minutes:

Time start: 8:00 p.m. Time end: 8:00 p.m.

**.VII.E.2. Revise BP 5131.61 Controlled Substances**

**.VIII. GENERAL PUBLIC COMMENTS**

**.IX. DISCUSSION ITEMS**

**.IX.A. District Advisory Committees: Draft Charges for 2018-19 (20 min)**

Minutes:

Time start: 8:00 p.m. Time end: 8:16 p.m.

Early Learning DAC:

- Dr. Samarge-Powell said the charges might appear slightly amended following the DAC meeting in September.

Health & Safety:

- Ms. Leon-Vazquez remarked on partnering with social resources in the community.

Special Education DAC:

- Ms. Kazeo summarized the draft charges.

Visual and Performing Arts DAC:

- Mr. de la Torre remarked on how cultural relevance in the VAPA curriculum could be incorporated into the charges. Dr. Mora replied that cultural relevance is being included in the strategic plan. She shared how all teachers, including art teachers, are being trained in the social justice standards.

These charges will be returning for approval on October 4, 2018.

**.X. MAJOR ACTION ITEMS**

**.X.A. Public Hearing Negotiation Proposal for SMMUSD and School Employees International Union Local 99 (SEIU) (5 min)**

It is recommended that the Board of Education hold a public hearing regarding the negotiation proposal for the Santa Monica-Malibu Unified School District and the School Employees International Union – Local 99 (SEIU). 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: 7:12 p.m. Time end: 7:14 p.m.

**.X.B. Adopt Resolution No. 18-06 - National Hispanic/Latino Heritage Month (5 mins)**

It is recommended that the Board of Education adopt Resolution No. 18-06 – National Hispanic/Latino Heritage Month in recognition of the contributions of Hispanic Americans in our nation. Passed with a motion by Ms. Leon-Vazquez and a second by Mr. de la Torre.

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: 8:16 p.m. Time end: 8:19 p.m.

Ms. Leon-Vazquez emphasized the importance of the instruction reflecting cultural contributions throughout the entire year. Mr. Blain remarked that incorporating various cultures into the curriculum enhances the learning. Mr. Kean encouraged the celebrating of local figures in addition to historical figures.

**.X.C. Completion of Superintendent's Performance Evaluation and Approval of Amendment to Employment Agreement (10 min)**

It is recommended that the Board of Education formally complete the evaluation of Superintendent Dr. Ben Drati and amend his employment agreement. Passed with a motion by Ms. Leon-Vazquez 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: 8:19 p.m. Time end: 8:21 p.m.

Dr. Tahvildaran-Jesswein summarized the employment agreement addendum, effective September 6, 2018:

- One-year extension of the agreement to June 30, 2021
- A tax-sheltered annuity (TSA) of \$10,000 per year, starting this current school year and the two subsequent years, contingent on the superintendent being employed with SMMUSD through June 30, 2021.

**.X.D. Adopt Resolution No. 18-07 GANN Amendment (5 mins)**

It is recommended that the Board of Education approve Resolution No. 18-07 – District Appropriations Limits for 2017-18 and projected Limits for 2018-19. Passed with a motion by Mr. Mechur and a second by Mr. de la Torre.

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: 8:21 p.m. Time end: 8:23 p.m.

**.X.E. Discussion and Potential Approval of Application from Latino PEMA (Padres, Estudiantes, y Maestros Asociacion) for Santa Monica High School (15 min)**

It is recommended that the Board of Education consider approving the application of Latino PEMA (Padres, Estudiantes, y Maestros Asociacion) for Santa Monica High School, as per BP/AR 1230. Passed with a motion by Dr. Tahvildaran-Jesswein and a second by Mr. Mechur.

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: 8:23 p.m. Time end: 8:53 p.m.

Public Comments:

- Lupe Ibarra addressed the board regarding this item.

Board members asked questions about the IRS letter, the number of dependent and independent groups that exist in the district, and groups that fundraise. Dr. Drati replied that staff will be doing an audit of the number of independent groups that exist. Ms. Lieberman suggested that she and Mr. Foster, the board's governance subcommittee, work with staff to examine and update BP and AR 1230 for clarification.

**.X.F. 2017-18 Unaudited Actual Financial Report (45 min)**

It is recommended that the Board of Education approve the 2017-18 Unaudited Actual Financial Report and staff recommendations for fund balances reservations. Passed with a motion by Mr. Mechur 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: 8:53 p.m. Time end: 9:37 p.m.

Ms. Canady answered board members' questions regarding the differences in balances among the various revenues and expenses, the use of GS funds, and the multi-year projection. The board directed staff to develop a policy regarding reserve funds.

**.X.G. District-funded Structure for Employee Health Benefits Plans (10 min)**

It is recommended that the Board of Education approve a change to the District-funded structure for employee health benefits. Passed with a motion by Mr. Foster and a second by Ms. Leon-Vazquez.

- 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: 9:37 p.m. Time end: 9:42 p.m.

The board members thanked Dr. Kelly, Dr. Drati, Ms. Braff, and Ms. Cartee-McNeely for their work on plan.

**.XI. INFORMATIONAL ITEMS**

**.XI.A. Revision of AR 5131.61 Controlled Substances**

**.XI.B. Santa Monica-Malibu Unified School District (SMMUSD) and Service Employees International Union Local 99 (SEIU) Joint Sunshine Proposal to Negotiate**

**.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: 9:43 p.m. Time end: 9:45 p.m.

- Mr. Foster reported that he attended the SLT meeting at Cabrillo ES earlier today. He said it was engaging and well-received by staff, and he was pleased to see that the superintendent and board’s vision is being well-represented at the site level.
- Mr. de la Torre commended Edison Language Academy for its Back to School Night.

**.XVI. FUTURE AGENDA ITEMS**

**.XVII. ADJOURNMENT**

It was moved by Mr. de la Torre, seconded by Mr. Mechur, and voted 7/0 to adjourn the meeting at 9:45 p.m. The next meeting is a regular meeting scheduled for Thursday, September 20, 2018, at 5:30 p.m. at the district office: 1651 16th St., Santa Monica, CA.

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

\_\_\_\_\_  
President

\_\_\_\_\_  
Superintendent

***Meetings held at the District Office and in Malibu are taped and rebroadcast in Santa Monica on City TV2, Cable Channel 20 – Check TV listing.  
Meetings are rebroadcast in Malibu on Government Access Ch. 3 every Saturday at 8pm.***