



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

September 5, 2019

. CLOSED SESSION

Minutes:

Dr. Tahvildaran-Jesswein called closed 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: 1717 4th Street, Santa Monica, CA
- Agency Negotiator: Goodwin Procter LLP
- Parties: Santa Monica Hotel Owner LLC
- Under Negotiation: In discussion

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

- DN-1002-19/20 (Special Education)
Minutes:
Parent reimbursement: \$30,000
Inclusion facilitator support: \$4,500
Legal fees: \$27,500
It was moved by Mr. Foster, seconded by Mr. Kean, and approved by the following vote:
Ayes: 6 (Tahvildaran-Jesswein, Kean, de la Torre, Foster, Lieberman, Mechur)
Nays: 0
Absent: 1 (Leon-Vazquez)
- DN-1003-19/20 (Special Education)
Minutes:
Parent reimbursement: \$30,000
It was moved by Mr. Kean, seconded by Mr. Foster, and approved by the following vote:
Ayes: 6 (Tahvildaran-Jesswein, Kean, de la Torre, Foster, Lieberman, Mechur)
Nays: 0
Absent: 1 (Leon-Vazquez)

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

**.II.D. Government Code 54957.6 CONFERENCE WITH LABOR NEGOTIATORS (20
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

. OPEN SESSION

.I. CALL TO ORDER

Minutes:

Dr. Tahvildaran-Jesswein called open session to order at 6:14 p.m.

.I.A. Roll Call

Minutes:

Present Oscar de la Torre – *arrived at 4:40 p.m.; left at 7:40 p.m.*

Present Craig Foster

Present Jon Kean

Absent 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:

Led by Student Board Members Afshar and Wachtel

.II. APPROVAL OF THE AGENDA

Motion Passed: It is recommended that the Board of Education approve the September 5, 2019, regular meeting agenda. Passed with a motion by Mr. Foster and a second by Ms. Lieberman.

Yes Mr. Oscar de la Torre

Yes Mr. Craig Foster

Yes Mr. Jon Kean

Absent Ms. Maria Leon-Vazquez

Yes Ms. Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran-Jesswein

Minutes:

Item No. XI.C. was postponed to the next board meeting.

.III. APPROVAL OF MINUTES

.III.A. Approve August 15, 2019, Special Meeting Minutes

Motion Passed: It is recommended that the Board of Education approve the August 15, 2019, special meeting minutes. Passed with a motion by Mr. Mechur and a second by Mr. Foster.

Yes Mr. Oscar de la Torre

Yes Mr. Craig Foster

Yes Mr. Jon Kean

Absent Ms. Maria Leon-Vazquez

Yes Ms. Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran-Jesswein

.III.B. Approve August 15, 2019, Minutes

Motion Passed: It is recommended that the Board of Education approve the August 15, 2019, regular meeting minutes. Passed with a motion by Mr. Foster and a

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

.III.C. Approve August 28, 2019, Minutes

Motion Passed: It is recommended that the Board of Education approve the August 28, 2019, special meeting minutes. Passed with a motion by Mr. Foster and a second by Mr. Mechur.

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

.IV. BOARD OF EDUCATION COMMENDATIONS/RECOGNITIONS

.V. STUDY SESSION

.V.A. Education Technology Services Update (25 min)

Minutes:

Time start: 6:18 p.m. Time end: 6:56 p.m.

Public Comments:

- Ann Thanawalla addressed the board regarding this item.

Staff answered board members' questions regarding what student data is gathered and with whom it is shared; how the district is addressing the budget reductions in the tech roll-out; and sites that are blocked to student access. Staff will share with the board the language included in vendor contracts regarding the limits to sharing student data. Staff will also share info on the Common Sense Educator website. The board would like another discussion item addressing the cyber concerns raised during tonight's study session.

.VI. COMMUNICATIONS

.VI.A. Student Board Member Reports (15 min)

.VI.A.1. Santa Monica High School

Minutes:

Time start: 6:56 p.m. Time end: 7:01 p.m.

Ms. Wachtel shared ASB's wish to have a mural painted leading to the ASB office to allow students to feel welcome in the space. they want a mural for ASB area to welcome other students. She reported that parking for students is very bad; students are interested in parking permit program at the Civic Center parking lot. Students have also expressed interest in being able to pay for food and spirit gear and supplies with credit cards on campus. Ms. Wachtel shared ASB's dismay that the color-coded trash bag program for trash versus recycling has not yet been implanted at the school.

.VI.A.2. Malibu High School

Minutes:

Time start: 7:01 p.m. Time end: 7:02 p.m.

Ms. Afshar reported that was nice to be back at school and at board meetings following summer break. She reported that ASB has been busy with planning Homecoming, which will be held the week of September 16. Mr. Miller shared information with ASB about the Start with Hello Program, the goal of which is to promote inclusivity among the student body. Ms. Afshar announced that there were two new science teachers. She also remarked that the new building has resulted in longer travel time between classes.

.VI.A.3. Olympic High School

Minutes:

Olympic HS has not yet selected its student board member for the year.

.VI.B. SMMCTA Update (5 min)

Minutes:

Time start: 7:03 p.m. Time end: 7:07 p.m.

Ms. Braff reported that teachers are having difficulty finding parking at the sites. She wondered if the Fourth St. gate at Samohi could be reopened to allow those who have parked far away to enter at that gate. She also wondered if a shuttle could be a solution. In regards to Chromebooks at the sites, Ms. Braff emphasized the need for funding repair and replacement. She ended her report by asking questions about the unaudited budget actuals item, which appears later in the agenda.

.VI.C. SEIU Update (5 min)

Minutes:

SEIU has not yet selected its new Chief Steward.

.VI.D. PTA Council (5 min)

Minutes:

Absent

.VII. SUPERINTENDENT'S REPORT

Minutes:

Time start: 7:07 p.m. Time end: 7:11 p.m.

Dr. Drati introduced Mr. Joshua Kahn, our new Director of Classified Personnel. He also introduced Ms. Nicole Nicodemus, our new Assistant Principal of the new Personal Project-Based Learning Pathway. The board approved Ms. Nicodemus's appointment at a previous meeting, but she was unable to attend the meeting.

.VIII. CONSENT CALENDAR

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

Yes Mr. Oscar de la Torre

Yes Mr. Craig Foster

Yes Mr. Jon Kean

Absent Ms. Maria Leon-Vazquez

Yes Ms. Laurie Lieberman

Yes Mr. Ralph Mechur

Yes Dr. Richard Tahvildaran-Jesswein

Minutes:

The board approved Item Nos. A.1-4, B.1-3, C.1-13, and D.1-6 listed under the Consent Calendar.

Time start: 7:11 p.m. Time end: 7:11 p.m.

.VIII.A. Curriculum and Instruction

.VIII.A.1. Approval of Independent Contractors 2019-20

- .VIII.A.2. Conference and Travel Approval/Ratification - 2019/2020
- .VIII.A.3. Overnight Field Trip(s) 2019-20
- .VIII.A.4. Special Education Contracts
- .VIII.B. Business and Fiscal
 - .VIII.B.1. Award of Purchase Orders
 - .VIII.B.2. Acceptance of Gifts - 2019/2020
 - .VIII.B.3. Award of Contract to UniFirst for Maintenance and Operations
Department Uniforms
- .VIII.C. Facilities Improvement Projects
 - .VIII.C.1. Change Order #03 John Adams Middle School HVAC & Fire Alarm
Project Construction Contract Bid #18.26.ES.R1 NOVUS
Construction - Measure ES
 - .VIII.C.2. Amendment #14 to Agreement John Adams Middle School
Performing Arts Center Project Environmental Site Assessment
Converse Consultants Measure ES
 - .VIII.C.3. Amendment #27 to Agreement Malibu Elementary School Malibu
Alignment Project Supplemental Arborist and Cultural Resources
Mitigation Monitoring Services Psomas Measure ES
 - .VIII.C.4. Amendment #28 to Agreement Malibu Middle High School (MMHS)
Campus Plan Project Preliminary Delineation of the Environmentally
Sensitive Habitat Area (ESHA) and Biological Study and Reporting in
Support of the MMHS Campus Master Plan Psomas Measure ES
 - .VIII.C.5. Amendment #22 to Agreement Architectural Services Santa Monica
High School Campus Plan Project Architectural and Engineering
Services Chan Young Architects Measure ES
 - .VIII.C.6. Change Order #01 Santa Monica High School HVAC Project -
Barnum, Music, Admin, N. Gym Buildings - Replacement & Electrical
Service Construction Contract Informal Bid #19.13.ES AC Pros, Inc.
Measure ES
 - .VIII.C.7. Change Order #02 to Agreement Santa Monica High School HVAC
Project Business, English & Art Buildings Construction Contract
Bid #19.14.ES The Nazerian Group Measure ES
 - .VIII.C.8. Change Order #05 Santa Monica High School HVAC Project -
Barnum, Music, Admin, N. Gym Buildings - Replacement & Electrical
Service Construction Contract Bid #19.15.ES Pardess Air, Inc.
Measure ES
 - .VIII.C.9. Amendment #14 to Agreement Malibu Middle & High School
Campus Improvements Project Geotechnical Observation/Testing,
Special Inspection & Materials Testing Services Leighton
Consulting, Inc. Measure BB
 - .VIII.C.10. Amendment #38 to Agreement Malibu Middle High School
Campus Improvements Project Hazardous Materials Remediation
Specification Alta Environmental Measure BB
 - .VIII.C.11. Change Order #03 Malibu Elementary School - Malibu Alignment
Project - Interim Housing Construction Contract Bid #19.26.ES
Waisman Construction, Inc. - Measure ES
 - .VIII.C.12. Amendment #01 Agreement Measure ES, SMS & M Centralized
Cost Capital Program Construction Program Management
Software System MP Interactive Corporation (e-Builder, Inc.)
Measure ES
 - .VIII.C.13. Accept Work as Complete Multiple Purchase Orders Various
Projects 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. Increase in Staffing (FTE) - Student Services
- .VIII.D.6. Student Teaching Agreements

.IX. GENERAL PUBLIC COMMENTS

Minutes:

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

- Jade Jabel addressed the board regarding independent study PE.
- Lydia Muraro addressed the board regarding the VAPA DAC's request for data.
- Ann Thanawalla addressed the board regarding the FERPA opt-out.

.X. DISCUSSION ITEMS

.X.A. Board Feedback on 2019-20 Charges for District Advisory Committees (DACs) (30 min)

Minutes:

Time start: 7:21 p.m. Time end: 7:59 p.m.

Early Learning DAC: These charges will return for action at the next board meeting.

Health and Safety DAC: The board agreed to add as a charge: Consult district office and school site staff regarding near-term solutions and/or interventions that the district could implement to address drug and alcohol use/abuse among students. The board agreed to remove the restorative justice proposed charge, as this is already a major focus in the district.

Intercultural Equity and Excellence DAC: These charges will return for action at the next board meeting.

Special Education DAC: The proposed charges were not available for the board meeting. They will come back for discussion at the next board meeting.

Visual and Performing Arts DAC: These charges will return for action at the next board meeting.

.XI. MAJOR ACTION ITEMS

.XI.A. Adopt Resolution No. 19-03 - National Hispanic/Latino Heritage Month (5 mins)

Motion Passed: It is recommended that the Board of Education adopt Resolution No. 19-03 – National Hispanic/Latino Heritage Month in recognition of the contributions of Hispanic Americans in our nation. Passed with a motion by Ms. Lieberman and a second by Mr. Foster.

Absent 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:

Time start: 7:59 p.m. Time end: 8 p.m.

.XI.B. Approve Appointments to District Advisory Committees (DACs) (5 min)

Motion Passed: It is recommended that the Board of Education appoint the below-listed individuals to the District Advisory Committees (DACs). Passed with a motion by Ms. Lieberman and a second by Mr. Foster.

Absent 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:

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

.XI.C. Approve Memorandum of Understanding with Los Angeles County Office of Education (LACOE) for the Community Schools Initiative at Santa Monica High School (15 min)

Minutes:

This item was postponed to the next board meeting.

.XI.D. 2018-19 Unaudited Actual Financial Report (45 min)

Motion Passed: It is recommended the Board of Education approve the 2018-19 Unaudited Actual Financial Report and staff recommendations for fund balances reservations. Passed with a motion by Mr. Kean and a second by Mr. Mechur.

Absent 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:

Time start: 8:02 p.m. Time end: 8:39 p.m.

.XII. INFORMATIONAL ITEMS

.XII.A. 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

.XVII. FUTURE AGENDA ITEMS

.XVIII. ADJOURNMENT

It was moved by Mr. Kean, seconded by Ms. Lieberman, and voted 5/0 (Ms. Leon-Vazquez and Mr. de la Torre were absent) to adjourn the meeting at 8:40 p.m., noting that September is Suicide Prevention Month. The next meeting is a regular meeting scheduled for 5:30 p.m. on Thursday, September 19, 2019, at the district office: 1651 16th Street, 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.***