



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

December 12, 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: 1707 4th St., Santa Monica, CA 90401
- Agency Negotiator: Goodwin Proctor, LLP
- Parties: Santa Monica Hotel Owner, LLC
- Under Negotiation: price and terms of payment

Minutes:

Item postponed to Jan. 16.

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

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

**.II.D. Government Code 54957 PUBLIC EMPLOYEE PERFORMANCE  
EVALUATION (20 min)**

- Title: Superintendent

**.II.E. Government Code 54957.6 CONFERENCE WITH LABOR NEGOTIATORS (30  
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 6:06 p.m.

**.I.A. Roll Call**

Minutes:

**Present** Oscar de la Torre – *left at 7:50 p.m.*  
**Present** Craig Foster  
**Present** Jon Kean  
**Present** Maria Leon-Vazquez – *arrived at 4:51 p.m.*  
**Present** Laurie Lieberman  
**Present** Ralph Mechur – *arrived at 4:42 p.m.*  
**Present** Dr. Richard Tahvildaran-Jesswein

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

Minutes:

Led by Dr. Tahvildaran-Jesswein

### **.II. APPROVAL OF THE AGENDA**

**Motion Passed:** It is recommended that the Board of Education approve the December 12, 2019, regular meeting agenda. Passed with a motion by Mr. Foster and a second by Mr. de la Torre.

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

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

#### **.III.A. Approve November 19, 2019, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the November 19, 2019, special meeting minutes. Passed with a motion by Ms. Leon-Vazquez and a second by Mr. Foster.

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

#### **.III.B. Approve November 21, 2019, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the November 21, 2019, regular meeting minutes. Passed with a motion by Ms. Leon-Vazquez and a second by Mr. Foster.

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

#### **.III.C. Approve December 2, 2019, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the December 2, 2019, special meeting minutes. Passed with a motion by Ms. Leon-Vazquez and a second by Mr. Foster.

**Yes** Mr. Oscar de la Torre

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

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

##### **.IV.A. Outgoing Board President and Vice President (5 min)**

Minutes:

Time start: 6:08 p.m. Time end: 6:17 p.m.

Dr. Drati congratulated Dr. Tahvildaran-Jesswein and Mr. Kean on doing a wonderful job, remarking on how much has been accomplished. Dr. Tahvildaran-Jesswein expressed his gratitude for the good works the board has done on behalf of the students to meet the district's goals. He thanked Dr. Drati and his staff for their devotion and collaboration. Board members took turns thanking Dr. Tahvildaran-Jesswein and Mr. Kean for their leadership, collaboration, and accomplishments.

##### **.IV.B. National Inclusive Schools Week (Part II) - Grant Elementary School (15 min)**

Minutes:

Time start: 6:17 p.m. Time end: 6:55 p.m.

Ms. Sinfield announced that the first week of December was National Inclusive Schools Week. She introduced Grant Elementary School Principal Christian Fuhrer and his staff, who highlighted how the campus works to include students with special needs. They showed videos of students sharing their experiences. The board presented the teachers and parent with certificates and thanked them for their work.

#### **.V. STUDY SESSION**

##### **.V.A. SMMUSD Student Performance: Additional Lag Metrics (25 min)**

Minutes:

Time start: 6:59 p.m. Time end: 7:44 p.m.

Staff answered board members' questions regarding the areas of need that have been identified and strategies the district will use to address those areas.

#### **.VI. COMMUNICATIONS**

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

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

Minutes:

absent

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

Minutes:

absent

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

Minutes:

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

Ms. Armstrong reported that students at Olympic HS received Chrome Books. The school is working toward implementing an after-school music program. Last week, the Boys' and Girls' Club sponsored a shopping spree at Old Navy for students. Thanksgiving baskets were provided for low-income families.

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

Minutes:

Time start: 7:45 p.m. Time end: 7:47 p.m.

Ms. Braff reported that teachers are concerned about budget cuts moving forward. They hope that the board will keep the cuts as far away from the classroom as possible. If cuts do need to be made, Ms. Braff suggested they be made over a longer period of time. She also suggested a freeze on hiring consultants and/or reducing professional development for a time. Ms. Braff said she felt encouraged that the union has a tentative agreement with the district. She expressed her appreciation for all the hard work the board and district has done.

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

Minutes:

Time start: 7:47 p.m. Time end: 7:51 p.m.

Mr. Mock commented that deficit spending is not new for the district and difficult cuts have been made in the past. He asked that the process be collaborative and that SEIU be included in more in-depth conversations regarding budget cuts. He reported that negotiations are coming along. The labor management teams are scheduled to meet next week. Mr. Mock wished everyone a peaceful and restful holiday season.

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

Minutes:

absent

**.VII. SUPERINTENDENT'S REPORT**

Minutes:

No report

**.VIII. CONSENT CALENDAR**

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

Absent Mr. Oscar de la Torre

Yes Mr. Craig Foster

Yes Mr. Jon Kean

Yes Ms. Maria Leon-Vazquez

Yes Ms. Laurie Lieberman

Yes Mr. Ralph Mechur

Yes Dr. Richard Tahvildaran-Jesswein

Minutes:

The board approved Item Nos. A.1-5, B.2-3, C.1-21, and D.1-7 listed under the Consent Calendar. The board voted on Item Nos. B.1 separately.

Time start: 7:51 p.m. Time end: 7:53 p.m.

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

**.VIII.A.1. 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. Approval of the School Plan for Student Achievement (SPSA)**

**.VIII.A.5. Special Education Contracts 2019/20**

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

**.VIII.B.1. Award of Purchase Orders**

**Motion Passed:** It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from November 14,

2019, through December 4, 2019, for fiscal/20. Passed with a motion by Mr. Kean and a second by Mr. Foster.

Absent Oscar de la Torre

Yes Mr. Craig Foster

Yes Jon Kean

Abstain Maria Leon-Vazquez

Yes Laurie Lieberman

Yes Ralph Mechur

Abstain Dr. Richard Tahvildaran-Jesswein

Minutes:

Dr. Tahvildaran-Jesswein and Ms. Leon-Vazquez abstained because SMC is listed in the PO list.

**.VIII.B.2. Acceptance of Gifts-2019/2020**

**.VIII.B.3. Certification of Authorized Signatures**

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

**.VIII.C.1. Amendment #02 to Agreement Districtwide Security Improvements Project Security Consulting Services Vantage Technology Consulting Group Measure SMS & M**

**.VIII.C.2. Amendment #1.1 to Project Assignment #1 Grant Elementary School HVAC, Fire Alarm & Door Replacement Project Architectural Master Services Agreement - tbP Architecture Measure SMS**

**.VIII.C.3. Amendment #40 to Agreement John Adams Middle School HVAC Project (Phase II) Bid #19.34.ES Specifications for Abatement Services Alta Environmental Measure SMS**

**.VIII.C.4. Change Order #03 John Adams Middle School HVAC Project (Phase II) - Bid #19.34.ES Pardess Air Inc. Measure SMS**

**.VIII.C.5. Amendment #15 to Agreement John Adams Middle School Performing Arts Center Project Geotechnical and Materials Testing Services - Converse Consultants Measure ES**

**.VIII.C.6. Amendment #34 to Agreement Lincoln Middle School Modernization of Building G & K Project Geotechnical Services Leighton Consulting, Inc. Measure SMS**

**.VIII.C.7. Change Order #01 Webster Elementary School - Malibu Alignment Project - Playground Areas Easy Turf, Inc. - Measure M**

**.VIII.C.8. Amendment #26 to Agreement Michelle and Barack Obama Center for Inquiry and Exploration Window, Paint, Floors & Doors and HVAC Project - Architectural Design Services dsk Architects Measure ES**

**.VIII.C.9. Amendment #70 to Agreement Malibu Middle & High School Campus Improvements Project Architectural Services HMC Architects Measure BB**

**.VIII.C.10. Amendment #01 to Agreement Washington West Windows, Flooring, Paint, Doors & HVAC and Fire Alarm Project - Move Management Services King Office Services - Measure SMS**

**.VIII.C.11. Award of Agreement Santa Monica High School Safety & Security Project (Public Address (PA), Bell & Clock Replacement) - Technology Consulting Services Vantage - Measure SMS**

**.VIII.C.12. Amendment #30 to Agreement Santa Monica High School Phase 3 Project Utility Mapping Services Psomas Measure SMS**

**.VIII.C.13. Amendment #31 to Agreement Santa Monica High School Phase 3 Project Design Survey Services Psomas Measure SMS**

**.VIII.C.14. Award of Agreement Santa Monica High School Phase 3 Project (Pool Conversion - Temporary Gym) Architectural Services Chan Young Architects Measure SMS**

- .VIII.C.15. Change Order #01 Santa Monica High School Safety & Security Project (Access Controls Pilot) Informal Bid #19.33.ES.R1 Netronix Integration Inc. - Measure SMS**
- .VIII.C.16. Award of Agreement Michelle and Barack Obama Center for Inquiry and Exploration Windows, Paint & Floors Project Miscellaneous Consulting Services Mural Arts Institute - Measure ES**
- .VIII.C.17. Partial Release of Retention Malibu Elementary School Malibu Alignment Project Interim Housing Construction Contract Bid #19.26.ES Waisman Construction, Inc. - Measure ES**
- .VIII.C.18. Award of Agreement Malibu Middle & High School and Juan Cabrillo Elementary School Malibu Campus Plan - Interim Measures - PCB Environmental Support Services SCS Engineers - Measure M**
- .VIII.C.19. Accept Work as Complete Multiple Purchase Orders Various Projects Measure ES**
- .VIII.C.20. Award of Agreement TBD Elementary School Campus Assessments Project - Architectural Services TBD - Measure SMS**
- .VIII.C.21. Procurement of Computing and Storage Equipment for District Data Center - Utilizing GSA GS-35F-0119Y**
- .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) - Food Services**
  - .VIII.D.5. Increase in Staffing (FTE) - Special Education**
  - .VIII.D.6. Increase in Staffing (FTE) - Student Services**
  - .VIII.D.7. Increase in Staffing (FTE) - Transportation**

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

## **.X. DISCUSSION ITEMS**

### **.X.A. Discuss BP and AR 5117 Interdistrict Attendance (40 min)**

Minutes:

Time start: 7:53 p.m. Time end: 9:12 p.m.

Staff answered board members' questions regarding international students, homeless students, and evicted families.

During the discussion, board members asked for more data regarding places of employment listed for parents whose children attend under "Working within SMMUSD Boundaries" permit category; permit students by grade level; how many years of attendance for students under the "Moved out of SMMUSD boundaries" permit category and why they moved out of the district; the permit process for SMASH and Edison; and what constitutes a "diverse" environment. Board members shared their opinions as to which permit categories should be considered for freezing. They suggested that staff: consider communicating with the Malibu City Manager regarding potential impacts of freezing certain permit categories, specifically "Working within SMMUSD Boundaries;" get legal opinion on whether SED status can be asked on the permit application; and examine the impacts of reduced enrollment per grade level rolling up through the years as a result of permit freezes. Board members requested further information on what impact freezing the "Working within SMMUSD Boundaries" category might have on SED families, hospitality worker families, restaurant worker families; etc. The board would like more information on why families under the "Moved out of SMMUSD Boundaries" left our district and how long ago.

Following the discussion, the board gave staff direction to, with our district's budget in mind, examine the implications of putting a freeze on all permit categories except: "SMMUSD Employee," "Sibling," "City of Santa Monica or Malibu Employee," and "SMC Employee." In addition to this information, staff should also return with a suggested timeline for rolling out the freeze. Board members will send any additional questions and requests for data they might have about the freeze before the end of winter break.

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

### **.XI.A. Election of Board of Education Officers (10 min)**

**Motion Passed:** It is recommended that the Board of Education elect a President and Vice President of the Board of Education of the Santa Monica-Malibu Unified School District. It is also recommended that Dr. Ben Drati, Superintendent, be designated as the Secretary of the Board of Education for the Santa Monica-Malibu Unified School District. Passed with a motion by Mr. Foster and a second by Mr. Mechur.

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-Jesswein

Minutes:

Time start: 9:12 p.m. Time end: 9:21 p.m.

The board elected Mr. Jon Kean to serve as President and Ms. Laurie Lieberman as Vice President for 2020.

### **.XI.B. Election of Annual Representative to the Los Angeles County School Trustees Association (LACSTA) for 2020 (5 min)**

**Motion Passed:** It is recommended that the Board of Education elect an Annual Representative to the Los Angeles County School Trustees Association (LACSTA) for 2020. 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-Jesswein

Minutes:

Time start: 9:21 p.m. Time end: 9:23 p.m.

Mr. Kean will be the representative for 2020.

### **.XI.C. Election of Voting Representative: Los Angeles County Committee on School District Organization (5 min)**

**Motion Passed:** It is recommended that the Board of Education elect a voting representative to elect members to the Los Angeles County Committee on School District Organization from December 2019 through November 2020. 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



Yes Maria Leon-Vazquez  
Yes Laurie Lieberman  
Yes Ralph Mechur  
Yes Dr. Richard Tahvildaran-Jesswein

Minutes:

Time start: 9:23 p.m. Time end: 9:23 p.m.

Mr. Foster will be the representative.

**.XI.D. Nomination for CSBA Delegate Assembly (5 min)**

**No Action:** It is recommended that the Board of Education nominate, if it so chooses, a board member to run for the CSBA Delegate Assembly (Region 24).

Minutes:

Time start: 9:23 p.m. Time end: 9:24 p.m.

No one was nominated.

**.XI.E. Adopt Board of Education Meeting Schedule 2020-21 (5 min)**

**Motion Passed:** It is recommended that the Board of Education adopt its meeting schedule for the 2020-21 school year. Passed with a motion by Dr. Tahvildaran-Jesswein 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-Jesswein

Minutes:

Time start: 9:24 p.m. Time end: 9:25 p.m.

**.XI.F. Adopt Resolution No. 19-12 - 2020 Census in Schools Week (5 min)**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution No. 19-12 - 2020 Census in Schools Week. Passed with a motion by Mr. Foster and a second by Dr. Tahvildaran-Jesswein.

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-Jesswein

Minutes:

Time start: 9:25 p.m. Time end: 9:26 p.m.

**.XI.G. Appoint Members to the Facilities District Advisory Committee for Malibu (FDAC-M) (5 min)**

**Motion Passed:** It is recommended that the Board of Education approve two appointments to the Facilities District Advisory Committee for Malibu (FDAC-M). Passed with a motion by Mr. Foster and a second by Mr. Mechur.

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-Jesswein

Minutes:

Time start: 9:26 p.m. Time end: 9:26 p.m.

Lou La Monte and Carla Bowman-Smith were appointed.

**.XI.H. Approval of the 2019-20 First Interim Report (30 min)**

**Motion Passed:** It is recommended that the Board of Education approve the 2019-20 First Interim Report and the corresponding budget adjustments. Passed with a motion by Ms. Leon-Vazquez and a second by Mr. Mechur.

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-Jesswein

Minutes:

Time start: 9:26 p.m. Time end: 10:03 p.m.

Staff answered board members' questions regarding proposed reduction amounts for future years, COLA adjustments, and SERP payments.

**.XI.I. Adopt Resolution No. 19-13 - Identify the Amount of Budget Reductions Needed in 2020-21 and 2021-22 and to Require that a List of Budget Reductions for 2020-21 and 2021-22 be Included in the 2019-20 Second Interim Report (5 min)**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution No. 19-13 - Identify the Amount of Budget Reductions Needed in 2020-21 and 2021-22 and to Require that a List of Budget Reductions for 2020-21 and 2021-22 be Included in the 2019-20 Second Interim Report. Passed with a motion by Dr. Tahvildaran-Jesswein and a second by Mr. Mechur.

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-Jesswein

Minutes:

Time start: 10:03 p.m. Time end: 10:17 p.m.

Mr. Kean corrected "community-based" to "community-funded" in the sixth WHEREAS and deleted "to make every effort" from the last WHEREAS. Mr. Foster reworded the second WHEREAS for clarity. The board agreed to these revisions.

**.XII. INFORMATIONAL ITEMS**

**.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: 10:17 p.m. Time end: 10:26 p.m.

- Regarding the recent annual CSBA conference:
  - Mr. Kean reported that he and four of his peers attended a session about affordable employee housing. Mr. Foster reported that Kern County is doing amazing things with data and community schools in other parts of the state are tackling mental health, community liaisons, and family outreach. Mr. Kean added that some districts are centralizing services for academic, counseling, health, etc. Mr. Mechur reported that he learned more about two measures coming that will affect public education. Ms. Leon-Vazquez and Ms. Lieberman attended a Cinema Youth presentation on PBL. Ms. Lieberman remarked on general session speaker Ron Suskind, who shared his experience as the father of a child with autism. Mr. Foster reported that he attended a session on open-source free textbooks.

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

## **.XVIII. ADJOURNMENT**

It was moved by Mr. Foster, seconded by Ms. Leon-Vazquez, and voted 6/0 (Mr. de la Torre was absent) to adjourn the meeting at 10:26 p.m. The next meeting is a regular meeting scheduled for Thursday, January 16, 2020, at 5:30 p.m. at the district office: 1651 16th St., Santa Monica, CA.

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

\_\_\_\_\_  
President

\_\_\_\_\_  
Superintendent

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