



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

January 16, 2020

**. CLOSED SESSION**

Minutes:

Mr. Kean called closed session to order at 4:30 p.m.

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

**.II. CLOSED SESSION**

**.II.A. Education Code 35146 and 48918(c) PUPIL HEARING (40 min)**

- Associated with Student Expulsion item under Consent in Open Session

**.II.B. Government Code 54956.9(d)(2) CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION (10 min)**

- DN-1007-19/20 (Special Education)

Minutes:

Parent reimbursement (Psychoeducation, Occupational Therapy, Speech and Language and a Functional Behavior Assessment): \$13,000

Parent reimbursement (privately obtained educational services including tutoring, reading intervention, Speech and Language, and Occupational therapy): \$47,000

Legal fees: \$17,000

It was moved by Dr. Tahvildaran-Jesswein, seconded by Mr. Foster, and approved by the following vote:

Ayes: 6 (Tahvildaran-Jesswein, Kean, de la Torre, Foster, Leon-Vazquez, 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 Designation Representative: Dr. Ben Drati
- Employee Organization: SEIU
- Agency Designated Representative: Dr. Ben Drati
- Employee Organization: SMMASA

**. OPEN SESSION**

**.I. CALL TO ORDER**

Minutes:

Mr. Kean called open session to order at 6:05 p.m.

**.I.A. Roll Call**

Minutes:

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

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

Minutes:

Led by John Muir Elementary School students

**.II. APPROVAL OF THE AGENDA**

**Motion Passed:** It is recommended that the Board of Education approve the January 16, 2020, regular meeting agenda. Passed with a motion by Dr. Tahvildaran-Jesswein and a second by Mr. Foster. The board agreed to take the general public comments from students immediately following Commendations/Recognitions.

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

**.III. APPROVAL OF MINUTES**

**.III.A. Approve December 12, 2019, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the December 12, 2019, regular meeting minutes. Passed with a motion by Dr. Tahvildaran-Jesswein and a second by Ms. Leon-Vazquez.

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

Minutes:

Board members made the following corrections to the minutes: On page 7, add the City of Malibu to the list of permits, and on page 9, Whereas was spelled incorrectly.

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

**.IV.A. Celebrate Dr. Martin Luther King, Jr.'s Birthday (20 min)**

Minutes:

Time start: 6:08 p.m. Time end: 6:18 p.m.

Principal Lytz introduced student council members from Muir ES: Ansel Brodtkin, Lazaro Johnson, Calliope Kirschbaum, Anais Pradhan, Carmela Brizuela, Malaysia Patterson, Malia Duppel, and Ben Cantor. They shared what they have learned about the life and teachings of Dr. Martin Luther King, Jr. They shared excerpts from his famous speeches and explained why they chose those particular speeches.

## **.V. STUDY SESSION**

### **.V.A. Student Achievement Lead Data Review (Quarter 2) (30 min)**

Minutes:

Time start: 6:51 p.m. Time end: 7:22 p.m.

Staff answered board members' questions regarding planning time for teachers to collaborate about student data and develop plans of action; how teachers select which assessments would best suit the learning that is taking place in the classroom; and how teachers are developing their expertise in PBL to connect what is taught in the classroom with the real world. Ms. Wachtel suggested a student focus group for feedback about assessments. Ms. Afshar said that she would find it beneficial to have more access to internships. Dr. Drati explained how developing a theory of action at each site will bring the assessments into the 21<sup>st</sup> century.

## **.VI. COMMUNICATIONS**

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

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

Minutes:

Time start: 6:44 p.m. Time end: 6:47 p.m.

Ms. Wachtel reported that she attended the visit to the Center for Advanced Research and Technology (CART). She remarked on how refreshing it was to see the academic learning environment and team-teaching style. She said she looks forward to implementation a similar program in our district. Ms. Wachtel remarked that she was pleased to see her teacher and peers speak before the board in favor of the district's sustainability plan and former sustainability coordinator. ASB will be hosting Black History Month events in collaboration with the Black Student Union and to correlate with Samohi College Night, which will be in Barnum Hall. Ms. Wachtel asked for support for a mural leading to the ASB room that would welcome all students and encourage them to find a safe space in the ASB room. She reported that the Samohi basketball team is moving into a more advanced league, which means the last game against Beverly Hills will be tomorrow.

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

Minutes:

Time start: 6:47 p.m. Time end: 6:48 p.m.

Ms. Afshar apologized for not being able to attend the visit to CART visit. She is working with ASB to organize a trip to Dos Pueblos Academy for the MHS ASB and engineering students. She reported that ASB is facing budget problems; they are making cuts and taking precautions. The first winter dance in several years is coming up.

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

Minutes:

Absent

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

Minutes:

Time start: 6:48 p.m. Time end: 6:50 p.m.

Ms. Braff thanked Dr. Kelly and everyone who served on the labor negotiations teams. They met twenty-five times over eighteen months to find a solution that best meets the needs of students and certificated staff. Regarding the assessment data on tonight's agenda, Ms. Braff remarked on a trend she has noticed over several

years – that there is a dip in achievement scores in second and eighth grade. She wondered what could be done to address this specific opportunity for improvement.

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

Minutes:

Time start: 6:50 p.m. Time end: 6:51 p.m.

Mr. Mock wished everyone a Happy New Year. He announced that the district and SEIU reached a tentative agreement with district. He thanked both negotiating teams, especially Dr. Kelly. The union will now craft a communication to its membership. Ratification of the agreement should be complete by the end of next month.

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

Minutes:

Absent

**.VII. SUPERINTENDENT'S REPORT**

Minutes:

Time start: 7:22 p.m. Time end: 7:23 p.m.

Dr. Drati reported that almost every public agency in the state is struggling with budget issues. Our district is no different. Dr. Drati announced that we will be starting a transparent process to realign our district's budget. He will be speaking with the staff and PTA at each site to explain the situation.

**.VIII. CONSENT CALENDAR**

**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

Abstain Ms. Maria Leon-Vazquez

Yes Ms. Laurie Lieberman

Absent Mr. Ralph Mechur

Abstain Dr. Richard Tahvildaran-Jesswein

Minutes:

The board approved Item Nos. A.1-4, B.1-3, C.1-14, C.-19, D.1-6, and E.1 listed under the Consent Calendar. Dr. Tahvildaran-Jesswein and Ms. Leon-Vazquez abstained in an abundance of caution due to the fact that SMC, their employer, is listed in the POs list (Item No. B.1).

Time start: 7:23 p.m. Time end: 7:27 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 ABF Chemical Extermination to Fumigate All Structures at Muir ES/SMASH**

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

**.VIII.C.1. Approval of Independent Contractors -FIP**

- .VIII.C.2. Authorization to Use CMAS Contract Districtwide Miracle Brand Products and Services Miracle Recreation Equipment Company
- .VIII.C.3. Authorization to Use National Intergovernmental Purchasing Alliance (NIPA) The Cooperative Purchasing Network (TCPN) Contract #R142210 and Contract #2015000067 Krueger International (KI) - Educational Furniture, Design Services & Installation
- .VIII.C.4. 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.
- .VIII.C.5. Amendment #1 to Agreement Malibu Campus Plan Interim Measures Project - Abatement Monitoring Services Alta Environmental Measure M
- .VIII.C.6. Change Order #04 John Adams Middle School HVAC Project (Phase II) Construction Contract Bid #19.34.ES Pardess Air Inc. Measure ES
- .VIII.C.7. Amendment #71 to Agreement Malibu Middle & High School Campus Improvements Project Architectural Services HMC Architects Measure BB
- .VIII.C.8. Amendment #01 to Agreement Michelle and Barack Obama Center for Inquiry and Exploration Project Based Learning (PBL) Building Project Site Planning & Architectural Services DLR Group Measure SMS
- .VIII.C.9. Change Order #01 Michelle and Barack Obama Center for Inquiry and Exploration Window, Paint, Floors & Doors & HVAC Project Construction Contract Bid #18.19.ES.R1 The Nazerian Group - Measure ES
- .VIII.C.10. Award of Contract Santa Monica High School Interim Repairs / Upgrades Project Campus Wide Cabling & IDFs Bid #20.03.SMS Sky Technology Solutions, Inc. - Measure SMS
- .VIII.C.11. Amendment #10 to Agreement Santa Monica High School Discovery Building Project Architectural Services Harley Ellis Devereaux (HED) Measure ES
- .VIII.C.12. Award of Agreement Franklin Elementary School and Roosevelt Elementary School Campus Assessments Project - Architectural Services dsk - Measure SMS
- .VIII.C.13. Change Order #01 Washington West (CDS) Window, Paint, Floors & Doors & HVAC Project Construction Contract Bid #19.25.ES The Nazerian Group - Measure ES
- .VIII.C.14. Accept Work as Complete Multiple Purchase Orders Various Projects Measure ES
- .VIII.C.15. Membership Appointments and Adjustment of Terms for the Facilities District Advisory Committee for Santa Monica (FDAC-SM)

Minutes:

Motion made by Ms. Lieberman, seconded by Mr. Foster to reconsider Item No. C.15 to include the names of the appointees. Passed with a unanimous vote (Mr. Mechur was absent).

**Motion Passed:** It is recommended that the Board of Education approve three new appointments to the Facilities District Advisory Committee for Santa Monica (FDAC-SM), reappoint existing members, establish the size of the committee as nine members, and modify the duration that committee members may serve to be three three-year terms. Passed with a motion by Dr. Tahvildaran-Jesswein 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
- Absent Ralph Mechur
- Yes Dr. Richard Tahvildaran-Jesswein

Minutes:

The following individuals were appointed: Jennifer Smith, Amy Bisson, and Alexis Dennis-Huether.

**.VIII.C.16. Award of Agreement John Adams Middle School and Will Rogers Elementary School Districtwide FF&E Pilot Project Move Management Services Mover Services Inc. (MSI) - Measure SMS**

**.VIII.C.17. Award of Agreement Lincoln Middle School and McKinley Elementary School Districtwide FF&E Pilot Project Move Management Services King Office Services - Measure SMS**

**.VIII.C.18. Award of Agreement McKinley Elementary School, Grant Elementary School and Will Rogers Elementary School Campus Assessments Project - Architectural Services Johnson Favaro-Measure SMS**

**.VIII.C.19. Adopt Resolution No. 19-14 Adoption of the Procedures for Evaluating Qualifications and Proposals of Lease-Leaseback Contractors for Lincoln Middle School - HVAC and Modernization Project - SMASH/John Muir Elementary School Modernization Project and Grant Elementary School HVAC, Fire Alarm, Doors and Accessibility Upgrades Project**

**.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. Classified Personnel - Special Services Employees**

**.VIII.D.5. Increase in Staffing (FTE) - Child Development Services**

**.VIII.D.6. Increase in Staffing (FTE) - Special Education**

**.VIII.E. General**

**.VIII.E.1. Expulsion of Student (B/D 05/29/2001)**

**.IX. GENERAL PUBLIC COMMENTS**

Minutes:

Time start: 6:19 p.m. Time end: 6:51 p.m.

Public Comments:

- Lee Garrun, Kellie Kay, Benjamin Kay, Suzie Roth, Andrea Robinson, Cody Kay, Catherine Todd, Isabel Homberg, Ansel Garcia-Langlely, Sadie McGee, and Shira Blatt addressed the board regarding the district's sustainability plan and the former Sustainability Coordinator.

**.X. DISCUSSION ITEMS**

**.X.A. Consider Replacing BP and Revising AR 1312.3 – Uniform Complaint Procedures (10 min)**

Minutes:

Time start: 7:22 p.m. Time end: 7:28 p.m.

This item will return for action at the next meeting.

**.XI. MAJOR ACTION ITEMS**

**.XI.A. Adopt Resolution No. 19-15 - Commemorating Dr. Martin Luther King, Jr., Day (5 min)**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution No. 19-15 – Commemorating Dr. Martin Luther King, Jr. Day. 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  
Absent Ralph Mechur  
Yes Dr. Richard Tahvildaran-Jesswein

Minutes:

Time start: 7:28 p.m. Time end: 7:29 p.m.

**.XI.B. Adopt Resolution No. 19-16 - In Honor of Fred Korematsu Day of Civil Liberties and the Constitution (5 min)**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution No. 19- 16 in honor of Fred Korematsu Day of Civil Liberties and the Constitution. Passed with a motion by Ms. Leon-Vazquez and a second by Dr. Tahvildaran-Jesswein.

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

Minutes:

Time start: 7:30 p.m. Time end: 7:31 p.m.

**.XI.C. Change in Management Salary Schedule Range Placement (5 min)**

**Motion Passed:** It is recommended that the Board of Education approve a change in the range placement on the SMMUSD Management Salary Schedule for the Director, Educational Technology position from Range 64 to Range 66, effective July 1, 2019. Passed with a motion by Mr. Foster and a second by Dr. Tahvildaran-Jesswein.

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

Minutes:

Time start: 7:31 p.m. Time end: 7:32 p.m.

**.XI.D. Approval of 2018-19 Annual Financial Audit Report (20 min)**

**Motion Passed:** It is recommended that the Board of Education accept the 2018-19 Annual Financial Audit Report and approve management discussion and analysis/the administrative responses to the “Findings” & “Recommendations” as contained in the Subject audits. Passed with a motion by Dr. Tahvildaran-Jesswein 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  
Absent Ralph Mechur  
Yes Dr. Richard Tahvildaran-Jesswein

Minutes:

Time start: 7:32 p.m. Time end: 7:37 p.m.

**.XII. INFORMATIONAL ITEMS**

**.XII.A. Assignment of Board of Education Liaisons to District Advisory Committees, Financial Oversight, Facilities Advisory and Citizens' Oversight Committee, PTA Council, and Ed Foundation**

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

- Mr. Kean announced that the meetings to discuss plans for the exterior walls at the Michelle and Barack Obama Center will be held at the end of January and beginning of February. Informational fliers will be posted on the website.
- Mr. de la Torre said he recently spoke with community members, who voiced concern about the environmental impact of the City of Santa Monica piloting composting toilets. Mr. Upton replied that he would look into it.

**.XVII. FUTURE AGENDA ITEMS**

**.XVIII. ADJOURNMENT**

It was moved by Ms. Lieberman, seconded by Dr. Tahvildaran-Jesswein, and voted 6/0 (Mr. Mechur was absent) to adjourn the meeting at 7:46 p.m. in memory of Joanne Leavitt, a long-time Santa Monica resident and advocate for children, early childhood education, affordable housing, and social justice. The next meeting is a regular meeting scheduled for Thursday, February 6, 2020, at 5:30 p.m. at Malibu City Hall: 23825 Stuart Ranch Rd, Malibu, CA 90265.

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.***