

MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION OF THE ELK GROVE UNIFIED SCHOOL DISTRICT, FEBRUARY 17, 2015

**Unadopted Minutes**

The meeting was called to order by Ms. Singh-Allen at 5:00 p.m. in the Board Room at the Education Center.

**Members Present:** Bobbie Singh-Allen, President; Carmine Forcina, Clerk; Beth Albiani, Chet Madison, Dr. Crystal Martinez-Alire, and Anthony “Tony” Perez

**Members Absent:** Nancy Chaires Espinoza

**Others Present:** Christopher Hoffman, Superintendent; Mark Cerutti, Donna Cherry, Rich Fagan, Robert Pierce, and Tina Penna, associate superintendents. The list of visitors who signed in is on file.

**Closed Session – 5:00 p.m.** Ms. Singh-Allen announced that the Board would meet in closed session regarding the item listed on the agenda and called for public comment on the items.

**1. Government Code Section 54957.6**

**Conference with Labor Negotiators**

**Agency designated representatives: Brandon Krueger, Richard Fagan, Christopher R. Hoffman, Karen Rezendes**

**Employee Organization: All Elk Grove Unified School District Bargaining Units And Unrepresented Employees**

**1A. Government Code Section 54956.9(d)(1)**

**Conference with Legal Counsel – Existing Litigation**

***Ubois v. Elk Grove Unified School District et al.*, Sacramento County Superior Court Case No. 34-2014-80001887**

**Open Session -** Ms. Singh-Allen called the regular session to order at 6:00 p.m. and announced that the Board met in closed session no action was taken.

- I. Pledge of Allegiance –** Nina Lopez-Arendovich, parent volunteer at Edward Harris, Jr. Middle School, led the Pledge. Mrs. Lopez-Arendovich became a parent volunteer in 2006 while her children attended Isabelle Jackson Elementary School and as her children grew older, she has volunteered at Isabelle Jackson Elementary, Edward Harris, Jr. Middle School, and Monterey Trail High School. In 2013, she focused her full support on reactivating the Edward Harris, Jr. Middle School COLTS Parent Organization, has been serving as President of this organization for the past two years, and has been instrumental in organizing multiple fundraisers which generated funds toward the purchase of the school’s marquee.

**II. Presentations/Recognitions**

- 2. High School Student Representatives – Elk Grove, Valley, and Las Flores –** Mackenna Englebrecht and Alyssa Rodriguez from Elk Grove High School, Jack Danho and Mariah Jauregui from Valley High School and Tatyana Johnson and Alfredo Hernandez from Las Flores High School, reported on activities and academics at their schools.

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3. **Kids Can Food Drive Recognition** – Karla Halberg, Tressa Bader and other representatives of the Elk Grove Food Bank, along with the Board, recognized the students, parents, and staff of John Ehrhardt Elementary School and the District for their collection of food for the Kids Can Food Drive. John Ehrhardt Elementary School, with the help of Harriett Eddy Middle School, collected 25,000 of the 91,848 cans of food collected by District Schools. Nick Fletcher, representing Assemblyman Jim Cooper, presented a plaque to the Eddy students.

### III. Student Expulsion Recommendation

4. **Request for Student Expulsion** - Motion No. 118, 2014-15 - Motion by Mr. Perez, seconded by Mr. Madison, and carried unanimously by an affirmative vote of all Board members present that the Hearing Panel's recommendation regarding a student expulsion be approved.

### IV. LCAP - None

### V. Budget Update

5. **Overview of District Funds** – Mr. Fagan presented a report on the 2013-14 Unaudited Actuals Revenues and Expenses for the following funds: Restricted General Fund, Charter Schools Special Revenue Fund, Adult Education Fund, Child Development Fund, Cafeteria Special Revenue Fund, Fund 25 Capital Facilities Fund (Developer Fees), Fund 35 Schools Facilities Construction Fund (State School Facilities Fund), Fund 40 Special Reserve Fund for Capital Outlay Projects, Funds 49 and 47 Capital Project Fund (Mello-Roos Excess Tax and Bond Proceeds), Fund 52 Debt Service Fund for Mello-Roos Bonds, Self Insurance Fund, and 2013-14 Revenues (formerly Deferred Maintenance Fund 14).

Discussion was held regarding the following: Workers' Compensation Fund financing and it was noted there is an actuarial report each year; the General Fund contributions to Special Education and Transportation; the inclusion of the funds in the Budget discussion if the Board decides to do so; the suggestion to identify needs and the cost and develop data to support the requests; the funding for free meals; and the needs for facilities funding for which Mr. Pierce will be testifying at the Assembly Education Committee meeting.

### VI. Public Comment - None

7. **Bargaining Units** – Maggie Ellis, EGEA President, spoke in opposition to Resolution No. 45, 2014-15 and requested that the Board oppose it or delay voting. She stated she believes Senate Bill 858 is responsible and does not take away local control as extraordinary circumstances can be waived by the County Office of Education. Nancy Eastman, representing CSEA, stated CSEA's agreement with EGEA.

### VIII. Reports - None

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**IX. Public Hearing/Action Items**

**6. Public Hearing and Resolution to Sell Unused Vacant Land at the Future Miwok Village Elementary School Site to the City of Elk Grove for the Gilliam**

**Trail Project** – Resolution No. 37, 2014-15 – Motion No. 119, 2014-15 – There were no responses to the call for a public hearing on the resolution to sell unused vacant land at the Miwok Village Elementary School site to the City of Elk Grove for the Gilliam Trail Project which presented and reviewed at the February 3, 2015 Board meeting.

Motion by Ms. Albiani and seconded by Mr. Forcina, that Resolution No. 37, 2014-15, be adopted. Roll Call Vote: Ayes – Albiani, Forcina, Madison, Martinez-Alire, Perez, and Singh-Allen; Absent – Chaires Espinoza.

**X. Discussion Items**

**7. Board Policy and Administrative Regulation 6145.2 – Instruction, Athletic Competition** – Proposed revisions to Board Policy 6145.2 were presented and reviewed. Revisions include compliance with Assembly Bill 1266, Pupil Rights non-discrimination and equivalent opportunities in athletics to include gender), gender identity and gender expression; health and safety information adding concussions and head injuries; and notifications for parents on how to file a discrimination complaint and of the risk associated with all athletic competition.

The policy will be presented to the Board for action at the March 3, 2015 meeting.

**XI. Discussion/Action Items**

**8. Appointment of Finance Committee Member** – Motion No. 120, 2014-15 - Board members submitted and considered their recommendations for a member to be appointed to fill the “At Large” vacancy on the Finance Committee from the list of applicants for the previous appointments. Motion by Ms. Singh-Allen, seconded by Mr. Forcina, and carried unanimously by affirmative votes of all members present, that George Brown be appointed to fill the vacancy.

**XII. Action Items**

**9. Resolution Calling Upon the Legislature and the Governor to Repeal the Law Regarding the Cap on Local Reserves** – Motions No. 121 and 122, 2014-15 – Mr. Hoffman reviewed the request to approve Resolution No. 40, 2014-15 calling upon the legislature and the Governor to repeal the language contained in Section 27 of Senate Bill 868 (chapter 32, Statutes of 2014 immediately as the Board and Administration deem it necessary to repeal this law in order to have the ability to make decisions necessary to be fiscally responsible at the local level.

Discussion was held regarding the effect of the requirements of the 4% cap on the reserves and the establishment of reserves at the district level.

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Motion No. 121, 2014-15 – Motion by Ms. Singh-Allen and seconded by Mr. Madison that this item be postponed until the next Board meeting.

It was suggested that this item be postponed for additional discussions before a decision is made.

Motion by Ms. Singh-Allen that her motion be amended to postpone this item until additional discussions have occurred. The motion was seconded by Mr. Forcina and carried unanimously by affirmative votes of all members present, that this item be postponed until additional discussion has occurred.

- 10. District Open Enrollment** – Motion No. 122, 2014-15 – Mrs. Penna reported that on January 21, 2015, the Board approved staff’s recommendation that 14 middle and high schools be included as part of the Open Enrollment process for the 2015-16 school year. She submitted and reviewed a report summarizing Open Enrollment requests specific to the net enrollment impact of transfer requests at each designated school. Discussion was held regarding ways in which students might be encouraged to remain in their school of residence.

Motion by Mr. Madison and seconded by Mr. Forcina that the following Open Enrollment Plan be approved for 2015-16:

- Impose a 5% cap limiting the number of students who would be allowed to transfer from designated schools
- Approve Open Enrollment transfers from schools with fewer than 5% transfer requests.
- Exempt Toby Johnson Middle School from the 5% cap since the District is trying to decrease the school’s enrollment due to continuing enrollment impaction in the Franklin region.
- Exempt Valley High School from the 5% cap since its total percentage of requests, 5.05%, would result in a difference in enrollment of less than one student should enrollment be capped.
- Approve an Open Enrollment random selection process to be held February 23 at Cosumnes Oaks High School to determine which students will be allowed to transfer to their schools of choice from Open Enrollment schools with requests exceeding 5%.

Roll Call Vote: Ayes - : Ayes – Albiani, Forcina, Madison, Martinez-Alire, and Singh-Allen; Noes – Perez; Absent – Chaires Espinoza

- 11. Arts Education Month Resolution - Arts Education Month Resolution** – Resolution No. 41, 2013-14, Motion No. 123, 2014-15 – Motion by Mr. Forcina, seconded by Mr. Madison, and carried unanimously by affirmative votes of all Board

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Members present, that that Resolution No. 41, 2014-15 designating March 2015 as Arts Education Month be adopted.

12. **Women's History Month Resolution - Women's History Month Resolution** – Resolution No. 42, 2013-14, Motion No. 124, 2014-15 – Motion by Mr. Madison, seconded by Mr. Forcina, and carried unanimously by affirmative votes of all Board Members present, that Resolution No. 42, 2014-15 designating March 2015 as Women's History Month be adopted.
13. **World Rare Disease Day Resolution** – Resolution No. 43, 2014-15, Motion No. 125, 2014-15 - Motion by Mr. Forcina, seconded by Mr. Perez, and carried unanimously by affirmative votes of all Board members present, that Resolution No. 43, 2014-15 recognizing February 28, 2015 as World Rare Disease Day be adopted.
14. **2015 Delegate Assembly Election** - Motion No. 126, 2014-15 – Motion by Mr. Madison, seconded by Mr. Forcina, and carried unanimously, by affirmative votes of all members present, that votes be cast for John Gordon, Susan Heredia, Lisa M. Kaplan, and Ed Short for delegates to the California School Boards Association Subregion 6B Delegate Assembly.
15. **2015 Delegate Assembly Appointment** – Motion No. 127, 2014-15 - Motion by Ms. Singh-Allen, seconded by Ms. Albiani, and carried unanimously by affirmative vote of all members present, that Dr. Crystal Martinez-Alire be appointed as representative to the Region 6 CSBA Delegate Assembly for the term of April 1, 2015, through March 31, 2017.

**XIII. Board Member and Superintendent Reports** - Board members and the Superintendent reported on activities within the District and other organization and committee meetings relative to the District and its operation.

**XIV. Consent Agenda – Action** – Motion No. 128, 2014-15 – Motion by Mr. Perez, seconded by Ms. Albiani, and carried unanimously by affirmative vote of all members present, that Items No. 16 through 33A be approved with the exception of Item No. 30.

16. **Approval of Minutes** - Approved minutes of the special board meeting held January 26, 2015, and the regular board meeting held February 3, 2015.
17. **Personnel Actions** - Approved personnel appointments, leaves of absence, rehires, probationary releases, promotions, resignations, retirements, and returning from reemployment lists as submitted.
18. **Student Teaching Agreement with Northern Colorado University** – Approved the Student Teaching Agreement between Elk Grove Unified School District and Northern Colorado University for the period of January 12, 2015, through June 30, 2015.
19. **Approval of Purchase Order History** – Approved purchase orders for January 12 through January 23, 2015, with a Financial Summary Grand Total of \$1,696,152.18.

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20. **Approval of Warrant Register** - Approved Warrant Register No. 7, warrants number 973143-94567 and 310274-3120253 in the total amount of \$73,281,073.81 for all funds for the period of January 1, through 31, 2015.
21. **Acceptance of Gifts** - Accepted donations to the District's schools/programs as submitted.
22. **Contract Ratification** - Approved contracts signed by authorized staff in accordance with Board Policy as submitted.
23. **Contract for 2015 High School Graduations – Contract for 2015 High School Graduations** - approve a contract with Sleep Train Arena for the 2015 comprehensive high school graduations to be held Tuesday, May 26, through Friday, May 28, in the total amount of \$80,000.00 which includes normal staffing and equipment.
24. **Approval of Lease Financing for Purchase of School Buses** – Resolution No. 45, 2014-15 - Approved Resolution No. 45, 2014-15 for the lease financing for the purchase of thirty (30) school buses at a purchase price of \$4,385,236.80 at an interest rate of 3% with annual payments of \$499,111 (10 payments beginning 5-1-15 and ending 5-1-24) and total payments including interest being \$4,991,110.
25. **Resolution to Sole Source Standardized Goods or Services to Insure Compatibility and Reduce Maintenance Costs** – Resolution No. 44, 2014-15 – Approved Resolution No. 44, 2014-15, A Resolution of the Elk Grove Unified School District for the Board of Education Designating Certain Products, Brands or Services Pursuant to Public Contract Code Section 3400 for the District's Service Systems for Maintenance, Technology, Food and Nutrition, and Transportation Departments, authorizing the District to specify sole source and standardized goods or services that best meet the needs of the District for three years.
26. **Approval for Purchase Classroom Supplies Cooperatively Through a Bid Secured by Glendale Unified School District and the Cooperative Purchasing Network (TCPN)** – authorized the purchase of classroom supplies cooperatively through a bid secured by Glendale Unified School District and TCPN (RFP #14-16) – TCPN Contract #R141605 issued to Office Depot with the contract term being February 1, 2015, through January 31, 2018.
27. **Approval to Purchase Office Supplies Cooperatively Through the Cooperative Purchasing Network (TCPN)** – authorized the purchase of Office Supplies cooperatively through TCPN (RFP #14-17) issued to Office Depot with the contract term being March 1, 2015, through February 28, 2018.
28. **Approval to Purchase Audio-Visual Classroom Equipment as Required for Marion Mix and C.W. Dillard Elementary Schools Through the Cooperative Purchasing Network (TCPN)** – authorized the purchase of audio-visual equipment for Marion Mix and C.W. Dillard elementary schools cooperatively through TCPN

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(R#5114) issued to Troxell Communications, Inc, with the contract expiring October 1, 2015.

29. **Approval to Award the Request for Proposal and Contract for Student Behavior Management Software – RFP #556-14/15** – Awarded the RFP and one-year contract for Student Behavior Management Software for the Elk Grove Unified School District Student Services Department to Behavior Advantage in the amount of \$170,000.00.
30. **Budget Guidelines** – Removed from Consent Agenda.
31. **Pleasant Grove High School Associated Student Body Alumni Scholarship Expenditure** – Approved the Pleasant Grove High School Associated Student Body Innovative Design and Engineering Academy (IDEA) Scholarships – two scholarships of \$500 each for each school year beginning with 2014-15.
32. **Marion Mix Elementary School, Change Order No. 5** - Approved Change Order No. 5 with Broward Builders, Inc. for the Marion Mix Elementary School project increasing contract by \$134,526.00 to \$18,737,758.00 and authorizing District representative to sign the approved change order.
33. **Out-of-State Field Trip Approval** – Approved the following out-of-state field trips to attend the Shakespeare Festival in Ashland, OR: Cosumnes Oaks High School, March 27-29, 2015; Franklin High School, March 31-April 2, 2015; and Monterey Trail High School, April 1-3, 2015
- 33A. **Award of Request for Proposal (RFP) and Approval of Agreement: Authorization to Use Land for Child Care and Development and Memorandum of Understanding (MOU) for Child Care and Development Services for Marion Mix Elementary School** – Authorized the award of the Land Use Agreement, MOU and RFP #562-14/15 for Child Care and Development Services for Marion Mix Elementary School to KU Champions LLC with KU Champions LLC paying the following annual fees to the District: \$258.00 per month for all electrical, water, garbage, and trash disposal costs related to the portable buildings housing the center; and annual land-use fee of \$3.00; and an administration fee of \$4,500.00.

**XV. Other Action Items**

16. **Discussion and Action on Items Removed From the Consent Agenda - None**

**30. Budget Guidelines** (Removed from Consent Agenda) – Motion No. 129, 2014-15 – Mr. Fagan presented for approval the 2015-16 Budget Guidelines which includes a summary of the assumptions and/or formulas to be used in preparation of the 2015-16 General Fund Unrestricted Adopted Budget. Included are the funding priorities that are formula based on either numbers of schools and/or numbers of students. Also included are funding priorities not based on formula that will be included in the 2015-16 budget.

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Mr. Forcina reviewed his reasons for removing this item from the consent agenda including the guidelines which serve as standards for budget development were not based on data. Discussion was held regarding the review and update of of the budget guidelines as part of the upcoming comparability study and the 2016-17 budget process. It was also pointed out that budget decisions made by the Board as part of the 2015-16 budget development process would be included in the budget guidelines.

Motion by Mr. Madison and seconded by Ms. Singh-Allen that the 2015-16 Budget Guidelines be approved. Roll Call Vote: Ayes – Albiani, Madison, Martinez-Alire, and Singh-Allen; Noes – Forcina and Perez; Absent – Chaires Espinoza.

**XVI. Information Items**

**17. Other Items from the Floor** – Mr. Perez suggested a presentation to the Board on the District’s Cal Promise Program. Ms. Singh-Allen encouraged Board members to meet with the Superintendent regarding the scheduling of presentations.

**18. Items for Future Agendas** - None

**XVII. Adjournment** – 9:20 p.m.

Submitted by:  
Christopher R. Hoffman., Superintendent

Approve by: \_\_\_\_\_  
Carmine Forcina, Clerk