

MINUTES OF THE VIRTUAL REGULAR MEETING OF THE BOARD OF EDUCATION OF THE ELK GROVE UNIFIED SCHOOL DISTRICT, August 11, 2020

Adopted

Members Present via Zoom Webinar: Beth Albiani, President; Crystal Martinez-Alire, Clerk; Nancy Chaires Espinoza, Carmine Forcina, Chet Madison, Sr., Anthony Perez, and Bobbie Singh-Allen

Others Present via Zoom Webinar: Christopher R. Hoffman, Superintendent; Robert Pierce and Mark Cerutti, Deputy Superintendents; David Reilly, Associate Superintendent; Bindy Grewal and Craig Murray, Assistant Superintendents; Shannon Hayes, Chief Financial Officer; Steve Mate, Chief Technology Officer, Susan Larson, Executive Director; Xanthi Pinkerton, Director of Communications

CLOSED SESSION VIA ZOOM: The meeting was called to order by Ms. Albiani at 5:00 p.m. to address items 1 through 5 on the closed session portion of the agenda.

I. Government Code Section 54956.9 Subdivision (d) Paragraph (1): Conference with Legal Counsel – Existing Litigation: Claim Number 17654414

II. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation: One Case, Pursuant to subdivision (d) of Government Code Section 54956.9; Conference with Legal Counsel concerning initiation of litigation against JUUL Labs, Inc. for damages stemming from vaping, pursuant to Government Code section 54956.9(d)(4)

III. Government Code Section 54956.9 Subdivision (d) Paragraph (2): Conference with Legal Counsel - Anticipated Litigation Significant Exposure to Litigation

IV. Government Code Section 54957: Public Employee Discipline/Dismissal/Release/Complaint

V. Government Code Section 54957.6: Conference with Labor Negotiators

Agency designated representatives: Christopher R. Hoffman,
David Reilly, Robert Pierce, Karen Rezendes

Employee Organizations: All Elk Grove Unified School District
Bargaining Units and Unrepresented Employees

OPEN SESSION VIA ZOOM – Ms. Albiani called the regular meeting to order, via Zoom, at 6:00 p.m. and announced that the Board met in closed session via zoom and the following action was taken.

Item II. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation: The Board gave direction to initiate litigation. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

Ms. Albiani provided a welcome to Elk Grove Unified School District’s virtual board meeting through the Zoom Webinar platform.

Ms. Albiani informed everyone that Legislative Bodies including School Districts are now permitted to hold board meetings telephonically or by other electronic means because on March 17, 2020, the Governor issued Executive Order N-29-20, suspending certain provisions of the California Ralph M. Brown Act. In addition, consistent with the March 19, 2020 Statewide Shelter in Place Order issued by the Governor, Executive Order N-33-20, the Sacramento County Shelter at Home Orders issued on March 19, 2020 and April 7, 2020, and the Center for Disease Control’s (CDC’s) social distancing guidelines which discourage public gatherings, this Board meeting was conducted via the Zoom Webinar platform.

I. Pledge of Allegiance – Superintendent Hoffman led the pledge of allegiance.

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II. Presentations/Recognitions – None

III. Resolutions – None

IV. Student Expulsion/Involuntary Transfer Recommendations

- 1. Request for Return from Student Expulsion** – Ms. Albiani called on Xanthi Pinkerton to read public comments submitted through the District’s Google Public Comment Form related to this item; there were none.

Motion No. 7, 2020-21 – Motion by Mr. Forcina, seconded by Mr. Madison and carried unanimously by an affirmative vote of all Board members present that the Readmission Committee’s recommendations regarding a student’s request for permission to return to the District be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

- 2. Denial of Expulsion Readmission Request** – Ms. Albiani called on Xanthi Pinkerton to read public comments submitted through the District’s Google Public Comment Form related to this item; there were none.

Motion No. 8, 2020-21 - Motion by Ms. Singh-Allen, seconded by Mr. Forcina and carried unanimously by an affirmative vote of all Board members present that the Denial of an Expulsion Readmit Request be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

- V. Public Comment** – Ms. Albiani called on Xanthi Pinkerton to read public comments that were submitted through the District’s Google Public Comment Form. Public comments that were received for non-agenda items are captured below. Public comments related to an agenda item have been recorded in corresponding sections.

Barbara, Cristy Xion, David Phommavong, Firdos Sheikh, Hmong American Kinship, John, Joshua Yang, Ka Xiong, Lee Xiong, Luke, Rael Vanandi, Susie Lui, V. Garcia, anonymous (33) voiced their concerns about the negative impact generalized statements about the Hmong culture made by a board member will have on the Hmong community.

David Phommavong expressed his concerns about negative statements made by a board member and requested this board member be investigated. Mr. Phommavong also requested that Board Member Chaires-Espinoza recuse herself from matters concerning Ms. Singh-Allen.

Bethany, Balbir Gharial, Bushra Bashir, Davinder Sufi, Glenna Sanesone, Davinder Sufi, Dr. Jax Cheung, Gillian Hames, Glenna Sansone, Jaime C. Jake Rambo, Jarquin Family, Jeffreu Edom, Linda Vu, M. Velasquez, Mackenzie Wieser, Mike Mangonon, Monica Patel, Paul Lindsay, Randy Bekker, Samuel Sodergren, Paul Lindsey, Sharie Wilson, Suhail Chaudhry, Surrinder Gharial, Mary Deutsch and anonymous (16) shared their support of a board member who has been singled out by supporters of the Mayor. They shared that this board member has been a supporter of all those she represents regardless of race, creed, ethnicity, orientation or background.

Victoria Martinez of the Black Student Union requested that several actions be taken to remedy the disproportionate disciplinary action taken against black students.

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Jamiele Brown, Kishuan Thorntona, Lorreen Prior, Julius McIntyre and anonymous (2) shared concerns about slides that are included in the District's mandated training and the District's definition about what is not child abuse. Requested that the language be revised on the slides, approved policies be enforced and requested the removal of SROs from schools.

Keishuan Turner shared his concerns for children of color since the District still allows police officers and peace officers in schools and requested that peace officers be removed from campuses across the district.

Students Tinsae Birhanu and Victoria Martinez had a variety of requests pertaining to the Black Student Union and the Student Equity Council that were forwarded to the Board of Education. Requests included the need for staff training, professional counseling and academic opportunities for black and POC students, professional expectations of teachers, and meaningful curriculum.

VI. Consent Agenda – Action - Ms. Albiani called on Xanthi Pinkerton to read public comments that were submitted through the District's Google Public Comment Form regarding the Consent Agenda; there were none.

Motion No. 9, 2020-21 - Motion by Ms. Singh-Allen, seconded by Mr. Forcina and carried unanimously by an affirmative vote of all Board members present that items 1 through 16 on the consent agenda be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

- 1. Approval of Policies** – Approved the changes to the following Board Policies as aligned with the California School Boards Association:
 - BP 3515 Campus Security
 - BP 3516 Emergencies and Disaster Preparedness Plan
 - BP 6157 Distance Learning
 - Deleted BP 6114 Emergencies and Disaster Preparedness Plan
- 2. Approval of Minutes** – Approved the minutes from the regular board meetings that were held on June 30, 2020 and July 21, 2020.
- 3. Personnel Actions** - Approved personnel appointments, leaves of absence, rehires, probationary releases, promotions, resignations, retirements, and returns from reemployment lists as submitted.
- 4. Salary Schedule-Stipend Matrix-Class Size and Overloads 2020-21 School Year Only** – Approved the revised Salary Schedule-Stipend Matrix for TK/K-3 and Grades 4-6 Class Size and Overloads 2020-21 School Year Only.
- 5. Ratification of Contracts for Services** - Approved contracts signed by authorized staff in accordance with Board Policy 3312 as submitted.
- 6. Ratification of Grant Contracts/Agreements for Funding** - Approved grant contracts and agreements signed by authorized staff as submitted.
- 7. Approval of Purchase Order Encumbrance Modification History** – Approved purchase order encumbrance modifications from July 8 – July 27, 2020.
- 8. Approval of Purchase Order History** – Approved purchase orders for the weeks of June 1, 2020 through July 31, 2020.

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9. Approval to Purchase Automotive and Truck Replacement Parts and Tires – Approved the purchase of automotive and truck replacement parts and tires with related equipment cooperatively through an RFP secured by Sourcewell contract 062916-ORA.

10. Synthetic Turf and Track Projects at Cosumnes Oaks, Elk Grove, Monterey Trail, Sheldon, and Valley High Schools – Approved Amendment No. 3 with FieldTurf USA, Inc., and authorized a district representative to sign the approved change order. Amendment No. 3 changes the contract amount of \$3,328,921.53 by \$146,628.80 to \$3,475,550.33.

11. Measure M: Renewal of Citizens’ Oversight Committee Membership – Approved the renewal of three (3) members to the Measure “M” Citizens’ Oversight Committee for a two-year term; Happy Chan, Kevin Spease and Lea K. Washington.

12. Approval to Award RFP #686-19/20 – ShoreTel VoIP System Maintenance – Authorized the award of RFP #686-19/20 – ShoreTel VoIP System Maintenance.

Vendor Name	Packet Fusion
Year One – 9/1/2020 to 6/30/2021	\$134,329.50
Year Two – 7/1/2021 to 6/30/2022	\$161,195.50
Year Three – 7/1/2022 to 6/30/2023	\$161,195.50
Year Four - 7/1/2023 to 6/30/2024	\$161,195.50
Year Five - 7/1/2024 to 6/30/2025	\$161,195.50
Five Year Total	\$779,111.50

13. Disposal of Obsolete/Surplus Property – Transportation – Authorized the disposal of the following vehicles that are no longer running, and are not economically feasible to repair. No income is anticipated to be received for the miscellaneous items; however, any income that is received will be placed in the General Fund.

Vehicle ID#: 127SF	Vehicle ID#: 069B
Year/Make: 1998 Ford Taurus	Year/Make: 2006 Ford E-450 / Bluebird
VIN: 1FAFP5210WG254855	VIN: 1FDXE45P96HA29175
License: E 031238	License: 1256767
Mileage: 181876	Mileage: 228488
Vehicle ID#: 056ST	Vehicle ID#: 054B
Year/Make: 1998 Ford Taurus	Year/Make: 2001 Ford E-450 / Collins
VIN: 1FAFP5217WG251287	VIN: 1FDWE45F51HB28488
License: E 052520	License: 1102230
Mileage: 90215	Mileage: 318741

14. Disposal of Obsolete/Surplus Property – Purchasing – Approved the disposal of obsolete/surplus property deemed uneconomical to repair. No income is anticipated to be received for the miscellaneous items; however, any income that is received will be placed in the General Fund.

15. Consolidated Application, Spring Data Collection – Approved the 2020-2021 Consolidated Application for funding Federal Categorical Aid Programs.

16. Approval to Purchase School Computers and Configuration Services – Authorized staff to purchase 2000 Chromebooks, and configuration services utilizing the Sourcewell (formerly

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National Joint Powers Alliance (NJPA)) contract #081419 awarded to CDW-G. Cost of services and equipment approximately: \$900,000.

VII. LCAP Update – None

VIII. Race and Educational Equity – None

IX. Budget Update – None

X. Facilities Update – None

XI. Bargaining Units – None

At 6:51 p.m. Ms. Albiani called for a break due to technical difficulties. At 6:57 p.m. Ms. Albiani reconvened the meeting.

XII. Reports

- 1. Learning Continuity and Attendance Plan** - Mark Cerutti and Shannon Hayes provided the Board with an update about the Learning Continuity and Attendance Plan. The presentation included information about why we have the Learning Continuity and Attendance Plan, plan development timeline, budget, information about SB 117 COVID-19 Response Funds, Elementary and Secondary School Emergency Relief and Learning Loss Mitigation.

Xanthi Pinkerton read the following public comments related to this item:

Mary Mendez Lee requested that equity and racial justice be a priority and that the plan be drafted and adopted through a lens of equity. Ms. Lee also requested that the Board specifically focus on outreach and learning loss of black students and students of color.

Judy Tang shared her thoughts and concerns about the plan and asked what the selection process for the committee will be.

Board members asked questions, provided feedback and thanked Mr. Cerutti for the report.

Mr. Forcina requested an update on Illuminate and Ingenuity and requested that students from the student advisory be involved in the development of the plan.

XIII. Public Hearing/Action Items

- 1. Memorandum of Understanding (MOU) Between Elk Grove Unified School District (EGUSD) and Amalgamated Transit Union (ATU) for the 2019-20 School Year** – Ms. Albiani opened the public hearing and called on Xanthi Pinkerton to read public comments that were submitted through the District’s Google Public Comment Form; there were none.

Ms. Albiani closed the public hearing.

Motion No. 10, 2020-21 - Motion by Mr. Perez, seconded by Ms. Chaires Espinoza and carried unanimously by an affirmative vote of all Board members present that the MOU between EGUSD and ATU for the 2019-20 school year be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

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- 2. Consideration and Public Notice of Amalgamated Transit Union’s (ATU) Initial Proposal to the District regarding Collective Bargaining for the 2020-21 School Year** - Ms. Albiani opened the public hearing and called on Xanthi Pinkerton to read public comments that were submitted through the District’s Google Public Comment Form; there were none.

Ms. Albiani closed the public hearing.

Motion No. 11, 2020-21 - Motion by Ms. Singh-Allen, seconded by Mr. Madison and carried unanimously by an affirmative vote of all Board members present that ATU’s initial proposal to the District regarding collective bargaining for the 2020-21 school year be approved.

Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

- 3. Side Letter of Agreement Between Elk Grove Unified School District (EGUSD) and Elk Grove Education Association (EGEA) Regarding Negotiations for the 2019-2020 School Year** - Ms. Albiani opened the public hearing and called on Xanthi Pinkerton to read public comments that were submitted through the District’s Google Public Comment Form; there were none.

Ms. Albiani closed the public hearing.

Motion No. 12, 2020-21 - Motion by Mr. Perez, seconded by Mr. Madison and carried unanimously by an affirmative vote of all Board members present that the side letter agreement between EGUSD and EGEA regarding negotiations for the 2019-20 school year be approved.

Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

XIV. Discussion Items - None

XV. Action Items

- 1. Resolution to Eliminate a Classified Position** – Ms. Albiani called on Xanthi Pinkerton to read public comments submitted through the District’s Google Public Comment Form regarding this item; there were none.

Motion No. 13, 2020-21 - Motion by Ms. Chaires Espinoza, seconded by Dr. Martinez-Alire and carried unanimously by an affirmative vote of all Board members present that Resolution No. 5, authorizing the Governing Board to eliminate a classified position be adopted.

Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

- 2. Elk Grove Unified School District Community Facilities District - 2020-2021 Tax Report and Second Reading of Ordinance No. 1, 2020-2021** – Ms. Albiani called on Xanthi Pinkerton to read public comments submitted through the District’s Google Public Comment Form regarding this item; there were none.

Motion No. 14, 2020-21 - Motion by Ms. Singh-Allen, seconded by Ms. Chaires Espinoza and carried unanimously by an affirmative vote of all Board members present that the EGUSD Community Facilities District 2020-21 Tax Report and the 2020-21 Ordinance No. 1 be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

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3. Education Code section 17556, et seq.: Consideration of Resolution of Intent to Convey Water Pipeline Easement to the Florin Resource Conservation District for the Joseph Kerr Middle School Project – Ms. Albiani called on Xanthi Pinkerton to read public comments submitted through the District’s Google Public Comment Form regarding this item; there were none.

Motion No. 15, 2020-21 - Motion by Mr. Forcina, seconded by Ms. Singh-Allen and carried unanimously by an affirmative vote of all Board members present that Resolution No. 1, Intention to Convey Water Pipeline Easements to the Florin Resource Conservation District for the Joseph Kerr Middle School project be adopted. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

Ms. Albiani announced that a public hearing for this item will be held at the regular board meeting on September 1, 2020.

XVI. Board Member and Superintendent Reports – Board members reported on organization and Committee meetings and information relative to the District and its operation.

XVII. Information Items

1. Other Items from the Floor

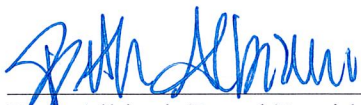
Ms. Singh-Allen gave a statement regarding recent concerns within the community.

Mr. Forcina and Ms. Chaires Espinoza requested that the student dress code be reviewed and updated before students return to school. Dress code as written is discriminatory against women and minorities.

Mr. Perez requested that a student rights handbook be developed.

XVIII. Adjournment – 9:10 p.m.

Submitted by: Christopher R. Hoffman, Superintendent

Approved by: 
Beth Albiani, Board President
September 1, 2020