

MINUTES OF THE VIRTUAL REGULAR MEETING OF THE BOARD OF EDUCATION OF THE ELK GROVE UNIFIED SCHOOL DISTRICT, September 7, 2021

Adopted

Members Present: Beth Albiani, President; Crystal Martinez-Alire, Clerk; Nancy Chaires Espinoza, Carmine Forcina, Gina Jamerson, Anthony Perez, and Sean Yang

Others Present: Christopher R. Hoffman, Superintendent; Robert Pierce and Mark Cerutti, Deputy Superintendents; David Reilly, Associate Superintendent; Bindy Grewal and Craig Murray, Assistant Superintendents; Amreek Singh, Chief Human Resources Officer; Shannon Hayes, Chief Financial Officer; Steve Mate, Chief Technology Officer, Xanthi Soriano, Director of Communications

CLOSED SESSION: The meeting was called to order at 5:00 p.m. to address items 1, 4 and 5. Items 2 & 3 were pulled as there were no items to discuss.

- I. Government Code Section 54957: Public Employee Appointment/Employment - Florin**
Elementary School Principal and Valley High School Principal
- II. Government Code Section 54956.9 Subdivision (d) Paragraph (1):** Conference with Legal Counsel – Existing Litigation
- 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: Ms. Albiani called the meeting to order at 6:05 p.m. and announced that the following action was taken:

Item I. Public Employee Appointment/Employment – The Board approved the appointment of the following administrators:

- Wilbert Villalta, Principal, Florin Elementary
- Bridgette Kemp-Bell, Principal, Valley High School

Ms. Albiani provided a welcome and informed the public that beginning on August 10, 2021, the Board of Education has resumed full in-person board meetings, unless otherwise ordered by the Sacramento County Public Health Department, the State, or by other legal mandate. Live streaming of the board meeting is made available via the Zoom platform and meetings are recorded (video and audio) and will be made available on the Elk Grove Unified School District's YouTube channel at www.youtube.com/user/elkgroveunified.

I. Pledge of Allegiance – Craig Murray, Assistant Superintendent of Secondary Education led the pledge of allegiance.

II. Presentations/Recognitions – None

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III. Resolutions

1. Hispanic Heritage Month - Motion No. 31, 2021-22 – Motion by Ms. Jamerson, seconded by Ms. Chaires Espinoza and carried unanimously by an affirmative vote of all Board members present that Resolution No. 17, that designates September 15 through October 15, 2021, as Hispanic Heritage Month, be adopted. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

2. Constitution Day

Public Comment: Sean Mitchel shared his appreciation for the information on the back of student identification cards and thanked the Board for the Constitution Day resolution. Mr. Mitchel informed the Board that he ordered a pocket constitution for each board member and will have them delivered.

Motion No. 32, 2021-22 – 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. 16, that designates September 17, 2021, as Constitution Day be adopted.

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

3. High School Voter Education Weeks Resolution - Motion No. 33, 2021-22 – Motion by Dr. Martinez-Alire, seconded by Ms. Chaires Espinoza and carried unanimously by an affirmative vote of all Board members present that Resolution No. 15, which proclaims the period from September 13-24, 2021, as High School Voter Education Weeks be adopted.

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

IV. Student Expulsion/Involuntary Transfer Recommendations – None

V. Public Comment

Emi Fujikawa, Megan Sapigao, Emily Atenrieth and Tinsea Birhanu shared concerns about the current dress code and requested a universal non gender dress code be developed and implemented.

David Phommavong expressed his concerns about the transportation problems, students getting marked absent when late and the amount of time students spend on the bus. Mr. Phommavong requested that the Board find ways to fix these issues.

Blake Carmichael thanked the Board for the improvement in communication from the District and school. He expressed his concerns about the mental health of students due to the loss of functions. Mr. Carmichael offered suggestions for holding events outside and asked that the Board direct staff hold events at the schools.

Susan Swenson shared her concerns about the events that cannot happen on sites and the cancellation of field trips along with the start-of-year traditions. Ms. Swenson requested that monitored outdoor events, field trips, rallies and assemblies be reinstated.

Lorreen Pryor thanked Dr. Grewal for the quick handling of a complaint that was received from a family. Ms. Pryor also thanked Dr. Mat Espinosa and Janet Anderson for taking the time to speak to an elementary site principal about a situation. Ms. Pryor shared her concerns about the dress code.

Jackie Williams, Anthony Booth, Ralph Niz, Alejandro Fernandez, Silvia Garcia, Dawn Cooley, Louie Nabhani, Chris Tamayo, Journey Melton, Damion Williams shared their thoughts and concerns about the Transportation Department, negotiations, wages, contracts and the salary schedule.

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Sean Mitchel and Erin Somers expressed their concerns about the issues with transportation for students and requested that the Board find a resolution.

Amelina Mendoza expressed her concerns about the mask and vaccine mandates.

Renee Delsied expressed her concerns about not having the option of Distance Learning like the District had last year and also shared that not being able to find services for her children has been frustrating. Ms. Delsied shared that her children have compromised health conditions that prohibit them from returning to school in person therefore requested that the Board find a solution.

Alma Galapon informed the Board that her children are very happy to be back in school and that she hopes that they will be able to participate in school plays. Ms. Galapon thanked the speakers for speaking up about the dress code and the Transportation Department.

Jeff Drewes expressed his concerns about school fundraising and the lack of policies in place.

VI. Consent Agenda – Action

Public Comment: John Rau proposed a rate increase for all substitute teachers and expressed his concerns about the pay raise for retired Elk Grove Unified School District teachers. He requested that the Board reconsider the rate increase.

Prior to the vote on the motion, Mr. Perez requested that the following items be pulled for discussion/action; 1, 2, 3, 4 and 7

Motion No. 34, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Dr. Martinez-Alire and carried unanimously by an affirmative vote of all Board members present that that items 5, 6, and 8 through 34 on the consent agenda be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

Motion No. 35, 2021-22 – Motion by Mr. Forcina, seconded by Dr. Martinez-Alire and carried unanimously by an affirmative vote of all Board members present that that Item 1 on the consent agenda be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

Motion No. 36, 2021-22 – Motion by Mr. Forcina, seconded by Dr. Martinez-Alire and carried by a 6-1 vote of all Board members present that that Item 2 on the consent agenda be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, and Yang; Nays – Perez; Absent – None*

Motion No. 37, 2021-22 – Motion by Dr. Martinez-Alire, seconded by Mr. Forcina and carried by a 6-1 vote of all Board members present that that Item 3 on the consent agenda be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, and Yang; Nays – Perez; Absent – None*

Motion No. 38, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Ms. Jamerson and carried unanimously by an affirmative vote of all Board members present that that Item 4 on the consent agenda be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

Motion No. 39, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Dr. Martinez-Alire and carried by a 6-1 vote of all Board members present that that Item 7 on the consent agenda be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Jamerson, Martinez-Alire, Perez and Yang; Nays – Forcina; Absent – None*

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- 1. Approval of Minutes** – Approved the minutes from the regular board meeting that was held on August 10, 2021 and the minutes from the Board Workshop/Special Board Meeting that was held on August 18, 2021.
- 2. Approval of Revised Elk Grove Unified School District Governance Handbook** – Approved the revised EGUSD Governance Handbook.
- 3. Approval of Board/Superintendent Evaluation Tools** – Approved the Board Self-Evaluation Tool and Superintendent Evaluation Tool.
- 4. Personnel Actions** - Approved personnel appointments, leaves of absence, rehires, probationary releases, promotions, resignations, retirements, and returns from reemployment lists as submitted.
- 5. Provisional Internship Permits** – Approved Provisional Internship Permits for the following teachers to continue in the following hard to fill assignments:
 - Andrea Fowler, Sheldon High School, Education Specialist Mild/Moderate
 - Scotty Fernandes, Sheldon High School, Art Teacher
 - Ivone Juan, T.R. Smedberg Middle School, Education Specialist Mild/Moderate
 - Jason Elmore, Samuel Jackman Middle School Music Teacher (new assignment)
- 6. Variable Term Credential Waiver** – Approved Variable Term Credential Waivers for CTE Teachers who require an English Learner Authorization to teach:
 - Hannah Dokter – Bio/Medical Teacher – Cosumnes Oaks High School
 - Michael Duffy – Digital Media/Building Trades Teacher – William Daylor High School
 - Gregory Jones – AFJROTC – Valley High School
 - Jennifer Nodora – Fashion Design Teacher – Laguna Creek High School
 - Robert Rhodes – Computer Teacher – Sheldon High School
 - Brandy Shearer – Digital Media Teacher – Valley High School
 - John Vidal III – Medical Tech/Fire Sciences Teacher – Valley High School
- 7. Supplemental Certificated Substitute Compensation Rates** – Approved the Supplemental Certificated Substitute Compensation Rates Effective September 1, 2021 through December 15, 2022.
- 8. Approval of the Education Code Option for Speech and Language Pathologists** – Approved the hiring of Speech Language Pathologists, Rosemary Burke and Joshua Rucker, in alignment with the Education Code Option request for Speech and Language Pathologists.
- 9. Updated American Federation of State, County Municipal Employees (AFSCME) Salary Schedule #21** – Approved the updated AFSCME salary schedule.
- 10. Approval of Calendar Year 2022 Medical Benefit Carriers** – Approved the selection of medical benefit carriers for the 2022 calendar year and authorize staff to execute necessary agreements.
- 11. Approval of Purchase Order Encumbrance Modification History** -Approved purchase order encumbrance modifications from July 20, 2021 – August 17, 2021.
- 12. Warrant Register No. 1** – Approved Warrant Register No. 1 – Warrant Numbers 085418 – 086404, 417390 – 418383. All Funds: July 1, 2021 through July 31, 2021.

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- 13. Quarterly Investment Report** – Received a quarterly report of investments. As of June 30, 2021, the District has \$381,529,051 from all funds, in addition Mello-Roos Investment proceeds of \$18,365,405 and General Obligation Bond Investment proceeds of \$128,419,093 for a total of \$528,313,549 in the County Treasurer's pool. This is 11.56% of the total county pooled assets of \$4,571,833,284.
- 14. Acceptance of Gifts** – Approved donations to the District's schools/programs as submitted.
- 15. Ratification of Grant Contracts/Agreements for Funding** - Approved grant contracts/agreements signed by authorized staff as submitted.
- 16. Ratification of Contracts, Memorandum of Understanding (MOU's) and Agreements for Services** - Approved contracts signed by authorized staff in accordance with Board Policy 3312 as submitted.
- 17. Approval of Purchase Order History** – Approved purchase orders for the weeks of June 1, 2021 through July 31, 2021.
- 18. Disposal of Obsolete/Surplus Property** – Authorized the disposal of Obsolete/Surplus Property. No income is anticipated to be received by the district for these items. However, any income that is received will go into the General Fund.
- 19. Approval to Purchase Athletics, Physical Education Supplies and Team Uniforms** – Approved the purchase of physical education supplies and team uniforms through an RFP secured by Region 4/Omnia Partners. Funding source will be budgeted through internal department operational monies.
- 20. Approval of an Extension of Bid #692-20/21 Renewable Propane** – Authorized the extension of Bid #692-20/21 for Renewable Propane for year two of a possible three-year term with Kamps Propane. Funding source has been budgeted through the Transportation Departments general operating funds.
- 21. Approval to Purchase Health & Safety, Medical, Surgical, and First Aid Related Equipment, Supplies, and Accessories** – Approved the purchase cooperatively through a bid secured by Sourcewell (Sourcewell contract #061417-SHC). Funding source will be budgeted through internal department operational monies.
- 22. Central Kitchen Cooler Replacement - Award of Contract** – Approved the award of contract to Mesa Energy Systems, Inc., for the total base bid of \$217,661.00. Authorized administration to sign all documents and contracts pertaining to this work, and authorized administration to proceed with the next lowest responsible bidder should a fully endorsed contract with the low bidder, accompanied by certification of the necessary bonds, not be obtained.
- 23. Electrical Vehicle Infrastructure Expansion Phase 1 - Award of Contract** – Approved the award of contract to Lords Electric, Inc., for the total base bid of \$422,000.00. Authorized administration to sign all documents and contracts pertaining to this work, and authorized administration to proceed with the next lowest responsible bidder should a fully endorsed contract with the low bidder, accompanied by certification of the necessary bonds, not be obtained.
- 24. Florence Markofer Elementary School, Roofing 2021 - Change Order No. 1** – Approved Change Order No. 1 with California Single Ply, Inc., and authorized a district representative to sign the approved change order. Change Order No. 1 changes the contract amount of \$386,900.00 by (\$6,796.00) to \$380,104.00.

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- 25. Florence Markofer Elementary School, Roofing 2021 - Acceptance and Notice of Completion** – Accepted the construction of the Florence Markofer Elementary School, Roofing 2021 project, and authorized the filing of the Notice of Completion.
- 26. William Daylor High School, Voluntary Accessibility Improvements - Change Order No. 2** – Approved Change Order No. 2 with TJR Resources, Inc., and authorized a district representative to sign the approved change order. Change Order No. 2 changes the contract amount of \$129,156.00 by \$2,964.38 to \$132,120.38.
- 27. William Daylor High School, Voluntary Accessibility Improvements - Acceptance and Notice of Completion** – Accepted the construction of the William Daylor High School, Voluntary Accessibility Improvements project, and authorized the filing of the Notice of Completion.
- 28. James A. McKee Elementary School, Roofing 2021 - Change Order No. 1** – Approved Change Order No. 1 with Madsen Roofing & Waterproofing, Inc., and authorized a district representative to sign the approved change order. Change Order No. 1 changes the contract amount of \$417,698.00 by (\$8,460.00) to \$409,238.00.
- 29. James A. McKee Elementary School, Roofing 2021 - Acceptance and Notice of Completion** – Accepted the construction of the James A. McKee Elementary School, Roofing 2021 project, and authorized the filing of the Notice of Completion.
- 30. Elk Grove High School, Phase 2 – Inc. #1 Site Utilities - Change Order No. 1** – Approved Change Order No. 1 with Flint Builders, Inc., and authorized a district representative to sign the approved change order. Change Order No. 1 changes the contract amount of \$3,936,801.00 by \$355,814.00 to \$4,292,615.00.
- 31. Cosumnes Oaks High School, Booster Pump Repairs - Acceptance and Notice of Completion** - Accepted the construction of the Cosumnes Oaks High School, Booster Pump Repair project, and authorized the filing of the Notice of Completion.
- 32. Security System Upgrade, Group 4 - Acceptance and Notice of Completion** – Accepted the construction of the Security Cameras Group 4 project and authorized the filing of the Notice of Completion. On July 20, 2021, the Board of Education authorized Administration to utilize CMAS Contract 3-18-84-0054D/General Services Administration (GSA) Contract #37QSWA18D003K with ICU Technologies, Inc., for Security System Upgrade - Group 4 project. The work has been completed and is recommended for acceptance by the District.
- 33. Change in EGACE's Designated Member of Capital Adult Regional Consortium** – Approved EGACE's designated member of CAERC from Jane Ross to Angela Rodriguez who was hired as Principal of Adult Education on August 25, 2021.
- 34. Head Start Delegate Agency Resolution No.14, ARP/CRRSA Act** – Approved Resolution No.14 authorizing the execution of the 2021-2023 delegate agency agreement #21C225S0ARP-CR by and between Elk Grove Unified School District and Sacramento Employment and Training Agency (SETA).

VII. LCAP Update – None

VIII. Race and Educational Equity – None

IX. Budget Update – None

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X. Facilities Update – None

XI. Bargaining Units

Rick Stancil, president of EGEA, shared his thoughts about the ESSER funding and the changes being made for the betterment of students.

Pretrina Kennedy, president of ATU, shared work-related concerns and requested higher wages and more hours for bus drivers.

XII. Reports

1. EGUSD COVID-19 Vaccination Verification Report – Amreek Singh provided the Board with an update about the plan the District is establishing to bring the District into compliance with the State Public Health Order of August 11, 2021. This Public Health Order, which requires verification of vaccination status among K-12 school workers and establishes diagnostic screening of unvaccinated workers, notes the following:

- All schools must verify vaccination status of all workers
- Schools must have a plan to track verified worker vaccination status
- Workers who are not fully vaccinated, or for whom vaccine status is unknown or documentation is not provided, must be considered unvaccinated

Next steps:

- Work collaboratively with our collective bargaining partners to negotiate the implementation of this health Order and its impacts on employees
- Communicate progress and prepare employees for implementation
- Work with our technology partner to determine need for required testing
- Based on need, analyze testing capabilities, resources and process
- Evaluate our staffing capacity to implement a secure plan
- Continue to refine plans once implemented

Proposed Timeline of EGUSD Plan:

Date	Action
August 11, 2021	• Communication of Health Order to all Staff
August 19, 2021	• Start of employee Vaccination Verification Planning Team Meeting (Weekly Ongoing Meetings)
August 24, 2021	• Notice to all bargaining units and offered a time to discuss/ negotiate on 9/3/2021
August 26, 2021	• Preliminary survey sent to all EGUSD employees
August 30, 2021	• Verification Process/Diagnostic Testing Screening planning progress to Cabinet
September 3, 2021	• Present MOU to bargaining units
September 7, 2021	• Board Meeting to provide an update on the health Order
September 8 - September 21, 2021	• Plan adjustments
September 21, 2021	• Board update
September 24, 2021 (or sooner)	• Begin communications of roll-out of VV/DST Plans
October 1, 2021	• Implement plans and communicate Last Chance Date to be "Fully Vaccinated"
October 15, 2021	• Compliant

Board members provided feedback and thanked Mr. Singh for the report.

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XIII. Public Hearing/Action Items

- 1. Public Hearing of the Elk Grove Unified School District's American Recovery Plan Act – Elementary and Secondary School Emergency Relief (ESSER III) Plan** – Shannon Hayes provided the Board with information about the District's draft American Recovery Plan Act – Elementary and Secondary School Emergency Relief (ESSER III) plan and held a public hearing to allow the public an opportunity to provide feedback.

School districts that receive Elementary and Secondary School Emergency Relief (ESSER) funds under the American Rescue Plan Act, referred to as ESSER III funds, are required to develop a plan for how they will use their ESSER III funds. In the plan, the District must explain how it intends to use ESSER III funds to address students' academic, social emotional, and mental health needs, as well as opportunity gaps that existed before, and were worsened by, the COVID-19 pandemic. There are three sections to the ESSER III Plan; strategies for continuous and safe in-person learning, addressing lost instructional time and use of any remaining funds.

Ms. Albani opened the public hearing and there were no comments. Ms. Albani closed the public hearing and announced that this item will be brought back for approval at the regular board meeting on September 21, 2021.

- 2. Education Code Section 17556, et seq.: Consideration of Resolution to Grant Permanent Electrical Facilities Easement to the Sacramento Municipal Utility District for the Elk Grove High School Project** - The Sacramento Municipal Utility District has requested that the District convey, without cost, an Electrical Facilities Easement on the Elk Grove High School site at 9800 Elk Grove-Florin Rd., Elk Grove, California. The final configuration of the easement will be determined, at SMUD's expense, upon the completion of the installation of the electrical facilities, recording the easement accurately in relation to the facilities. The purpose of this easement is to allow the Sacramento Municipal Utility District to access, construct and maintain electrical facilities serving the Elk Grove High School campus.

Ms. Albani opened the public hearing and there were no comments. Ms. Albani closed the public hearing.

Motion No. 40, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Ms. Jamerson and carried unanimously by an affirmative vote of all Board members present that that Resolution No. 13, Granting Electrical Facilities Easement to the Sacramento Municipal Utility District for the Elk Grove High School Project be adopted. Roll Call Vote: *Ayes – Albani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

- 3. Williams Pupil Textbook and Instructional Materials** - Ms. Albani opened the public hearing and there were no comments. Ms. Albani closed the public hearing.

Motion No. 41, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Ms. Jamerson and carried unanimously by an affirmative vote of all Board members present that that Resolution No. 11 certifying that the Elk Grove School District is in compliance with Education Code Section (EC) 60119, ensuring that each pupil has sufficient instructional materials be adopted. Roll Call Vote: *Ayes – Albani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

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XIV. Discussion Items

- 1. Process for Ratification of Contracts, Memorandums of Understanding (MOU) and Memorandums of Agreement (MOA)** – Shannon Hayes engaged with the Board regarding supplemental information for ratification of contracts, MOUs and MOA's. Ms. Hayes reviewed the process and shared the supplemental form that was developed.

Board members held a discussion and requested that Ms. Hayes begin the process of continuing the current format but have the contract supplemental document be attached for each contract.

10:03 p.m. – Motion No. 42, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Dr. Martinez-Alire and carried unanimously by an affirmative vote of all Board members present to extend the meeting until 10:30 p.m. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

XV. Action Items

- 1. Call for Nominations for CSBA Director-at-Large, American Indian**

Motion No. 43, 2021-22 – Motion by Mr. Forcina, seconded by Ms. Chaires Espinoza and carried unanimously by an affirmative vote of all Board members present that Dr. Crystal Martinez-Alire be nominated to run for California School Boards Association (CSBA) Director-at-Large, American Indian. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, and Yang; Nays – None; Absent – Martinez-Alire*

XVI. Board Member and Superintendent Reports - The Superintendent reported on organization and committee meetings and information relative to the District and its operation.

XVII. Information Items

- 1. Other Items from the Floor** - None

XVIII. Adjournment – 10:39 p.m.

Submitted by Christopher R. Hoffman, Superintendent

Approved by: 
Beth Albiani, Board President