

MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION OF THE ELK GROVE UNIFIED SCHOOL DISTRICT, September 21, 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 4:30 p.m. to address items 1 through 4 on the closed session portion of the agenda.

I. Government Code Section 54957: Public Employee Appointment/Employment - Arnold Adreani
Elementary School Principal

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

III. 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

IV. Government Code Section 54956.9: Conference with Legal Counsel-Anticipated Litigation, Significant Exposure to Litigation Pursuant to Paragraph 2 of Subdivision (D) of Section 54956.9 and Subdivision (E)(1) of Section 54956.9. - 2 Potential Cases

OPEN SESSION: Ms. Albiani called the meeting to order at 6:15 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:

- Julie Fritzsche, Principal, Arnold Adreani Elementary 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 – Jaimee Nguyen, Monterey Trail High School student, led the pledge of allegiance.

II. Presentations/Recognitions

1. High School Student Representative Reports - Florin and Laguna Creek High Schools – Students from Florin and Laguna Creek High Schools reported on activities and academics at their schools.

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III. Resolutions

1. Filipino American History Month

Public Comments

Xanthi Soriano expressed her gratitude for the resolution and shared information about her family when they lived in the Philippines.

Vince Salles thanked the Board and shared his thoughts on the importance of the proclamation for Filipino American History Month.

Motion No. 44, 2021-22 – Motion by Mr. Perez, seconded by Mr. Forcina and carried unanimously by an affirmative vote of all Board members present that Resolution No. 19 that designates October 2021 as Filipino American History Month be adopted.

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

2. Character Education Month - Motion No. 45, 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. 18 that designates the month of October 2021 as Character Education Month in our schools be adopted.

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

3. 2021-2022 United Way Campaign - Motion No. 46, 2021-22 – Motion by Ms. Jamerson, seconded by Mr. Forcina and carried unanimously by an affirmative vote of all Board members present that Resolution No. 12, which proclaims the period from October 4, 2021 through October 29, 2021, as the United Way Campaign be adopted.

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

4. National Bullying Prevention Month

Public Comment: Malachi Jernigan requested information about what staff is doing about TikTok trends. Board President Albiani informed Mr. Jernigan that staff will be responding to him.

Motion No. 47, 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. 21, recognizing October as Bullying Prevention Month, 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. Action Item

1. Student Board Member Recommendation - Motion No. 48, 2021-22 – Motion by Mr. Forcina, seconded by Mr. Perez and carried unanimously by an affirmative vote of all Board members present that the recommended Student Board Member, Jaimee Nguyen, be approved. Ms. Nguyen will officially be seated on October 5, 2021.

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

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VI. Public Comment

Alex Amaro representative from a local sports program expressed his desire to play sports on school facilities. Mr. Amaro requested that the Board consider the use of facilities for his organization.

Denise Herman and Isabel Herman expressed their concerns about student programs and activities that aren't being offered at EGUSD schools. Both requested that the Board implement all student programs and activities equitably across the District.

Damon Collins, Sylvia Lopez Garcia, Journey Melton, Kember Bryan, Elaine Valletoya, Josie Gonzales, Jedd Strong, Charlie Wells, Felicia Jackson shared their concerns about; low bus driver salaries, requested higher wages, requested a 20% raise, not having enough bus drivers, working conditions, and the split shift contract.

Anthony Booth, attorney for ATU, summarized his concerns regarding the district's proposal to ATU. Specific concerns included the relative value of a 4% increase to employees making lower wages and the comparative ranking of wages for ATU employees against other school districts versus the relative ranking of other EDUSD employee associations to other school districts. Mr. Booth suggested that a 20% increase is required to make wages more equitable for ATU employees in relation to the employees of other employee organizations in EGUSD.

Amelina Mendoza shared her thoughts about the COVID-19 vaccine and mandatory vaccinations as a condition of employment and requested information about how the district will manage this.

Lorreen Pryor spoke about her frustrations with several site personnel. Ms. Pryor requested information about recourses for families when their children are being bullied by site staff.

Joel Boyd expressed his concerns about the behaviors of a board member at recent board meetings. With the recent chaos, disrespect among members and lack of preparedness for well-mannered engagement he is concerned that EGUSD will not have solution-oriented parents engaged in the process. At the August 18th Board Workshop, it was stated that the Board can determine the frequency to conduct board member self-evaluations. Mr. Boyd requested that the Board consider submitting self-evaluations every month for the next three months and report results to the public during the next three board meetings.

VII. Consent Agenda – Action

Prior to the vote on the motion, Mr. Perez requested that the following items be pulled for discussion/action: 2, 6, 15 and 16.

Motion No. 49, 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 items 1 through 16, except for items 2, 6, 15 and 16 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. 50, 2021-22 – Motion by Ms. Jamerson, seconded by Dr. Martinez-Alire and carried unanimously by an affirmative vote of all Board members present that item 15 on the consent agenda be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

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Motion No. 51, 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 item 2 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. 52, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Mr. Forcina and carried unanimously by an affirmative vote of all Board members present that item 6 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. 53, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Mr. Yang and carried unanimously by an affirmative vote of all Board members present that item 16 on the consent agenda be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

- 1. Approval of Board Policy** – Approved Board Policy 5145.9 Hate-Motivated Behavior as aligned with the California School Boards Association.
- 2. Approval of Minutes** – Approved the minutes from the regular board meeting that was held on September 7, 2021.
- 3. Personnel Actions** - Approved personnel appointments, leaves of absence, rehires, probationary releases, promotions, resignations, retirements, and returns from reemployment lists as submitted.
- 4. Warrant Register No. 2** – Approved Warrant Register No. 2 – Warrant Numbers 086405 – 087679, 418384 – 419283. All Funds: August 1, 2021 through August 31, 2021.
- 5. Acceptance of Gifts** – Approved donations to the District’s schools/programs as submitted.
- 6. Ratification of Contracts, Memorandum of Understanding and Agreements for Services** - Approved contracts signed by authorized staff in accordance with Board Policy 3312 as submitted.
- 7. Ratification of Grant Contracts/Agreements for Funding** - Approved grant contracts/ agreements signed by authorized staff as submitted.
- 8. Approval of Purchase Order Encumbrance Modification History** – Approved purchase order encumbrance modifications from August 18, 2021 – September 1, 2021.
- 9. Approval of Purchase Order History** – Approved purchase orders for the weeks of August 1, 2021 through August 31, 2021.
- 10. Approval of 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.
- 11. Cancellation of Contract Previously Awarded to Low Bidder North State Tire** – Authorized the award of Bid #703-20/21 tires to second low bidder, Good Year Tire.
- 12. Approval to Purchase Bulk Fuel from Hunt & Sons Inc.** – Authorized the purchase of bulk fuel (gasoline, diesel, and related fuel products) cooperatively through a bid by the County of Placer contract number SCN103057.

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- 13. Pre-K PIP Resurfacing - Acceptance and Notice of Completion** – Accepted the construction of the Pre-K PIP Resurfacing project and authorized the filing of the Notice of Completion.
- 14. HVAC Replacement at Ellen Feickert and Florence Markofer Elementary Schools MP Buildings - Award of Contract** – Approved the award of contract to United Mechanical, Inc. for the total base bid of \$415,605.00. 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.

- 15. Out-of-State Field Trips** – Approved the following out-of-state field trips listed below:

School	Destination	Field Trip Purpose	Dates of Trip
Elk Grove HS	Indianapolis, Indiana	National FFA Conference	October 25 – 30, 2021
Pleasant Grove HS	Indianapolis, Indiana	National FFA Conference	October 25 – 31, 2021

- 16. Instructional Materials Adoption** – Adopted the following instructional materials:

Basic

Aerospace Science 100: Milestones In Aviation History, Second Edition; Copyright 2016, C² Technologies, Inc. (Aerospace Science (AFJROTC), Grades 9-10)

Kinn's The Medical Assistant: An Applied Learning Approach, 14th Edition; Copyright 2019, Elsevier Health Sciences (Health Science/Medical Technology, Grades 10-12)

Supplemental

CareerSafe Online (All Products) (CTE, Grades 9-12)

Leadership Education 100: Traditions, Wellness, and Foundations of Citizenship; Copyright 2015, Pearson Learning Solutions (Aerospace Science (AFJROTC), Grades 9-10)

Survival: Survive and Return, Revised Edition 1997; US Govt Printing Office (Outdoor Recreation and Conservation courses, Grades 9-12 and Aerospace Science (AFJROTC), Gr 12)

Study Guide-Procedure Checklist Manual for Kinn's The Medical Assistant: An Applied Learning Approach, 14th Edition; Copyright 2019, Elsevier Health Sciences (Health Science/Medical Technology, Grades 10-12)

VIII. LCAP Update – None

IX. Race and Educational Equity – None

X. Budget Update – None

XI. Facilities Update – None

XII. Bargaining Units

Glen Olivera, of ATU, expressed his concerns about the lack of mechanics on staff, duties and requirements to be a mechanic in the District. Mr. Olivera requested higher wages for all ATU members.

XIII. Reports – None

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XIV. Public Hearing/Action Items

1. Tentative Agreement Between Elk Grove Unified School District and Elk Grove

Education Association, 2020-2021 and 2021-22 - Ms. Albiani opened the public hearing and there were no comments. Ms. Albiani closed the public hearing.

Motion No. 54, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Ms. Jamerson and carried by a 6-1 vote of all Board members present that the tentative agreement between the Elk Grove Unified School District (EGUSD) and Elk Grove Education Association (EGEA), 2020-21 and 2021-22. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, and Yang; Nays – Perez; Absent – None*

XV. Discussion Items – None

XVI. Action Items

1. BP 5132 – Dress and Grooming

Public Comment: Joel Boyd commended Dr. Mat Espinosa for the great job he did with the groups updating the policy. Mr. Boyd recognized all administrators, community members, students and teachers who provided input and requested to see the positive impact of the dress code.

The implications of Board Policy 5132 – Dress and Grooming have historically had a disproportionately negative impact on students of color, particularly female students and students who identify as Black/African American.

The District has engaged students, staff, and the Board of Education in a process to update the Board Policy. The resulting action has produced a policy that recognizes the need for basic clothing guidelines while acknowledging the unique needs and interest of students. It also mitigates the negative impact on those disproportionately impacted. The updated policy enables individual schools the flexibility to customize dress code practices to meet the unique interests of school communities, while remaining consistent with the requirements of the District policy.

Calibration activities will be conducted by Elementary and Secondary Education with principals and vice principals to ensure practices adhere to policy. Data will be gathered and reported annually to ensure practices align to policy and that there is no disproportionate negative impact on any student subgroups.

Board members provided feedback and thanked Dr. Espinosa and committee members for their work.

Motion No. 55, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Ms. Jamerson and carried by a 6-1 vote of all Board members present that Board Policy 5132 – Dress and Grooming be approved. Roll Call Vote: *Ayes – Albiani, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – Chaires Espinoza; Absent – None*

2. Adoption of the Elk Grove Unified School District's American Recovery Plan Act - Elementary and Secondary School Emergency Relief (ESSER III) Plan

Public Comments:

David Phomovong shared his thoughts about the transportation portion of the plan and encouraged the Board to add air conditioning and additional safety measures to school busses. Mr. Phomovong encouraged a board member to look at EGUSD policies in comparison to Twin Rivers and Sacramento City Unified policies pertaining to transportation. Mr. Phomovong also addressed his concerns about the shortage of para-aids in special education.

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Sean Mitchel shared his concerns about the plan along with concerns that not enough parents are being reached for surveys. Mr. Mitchel requested that the Board not approve the plan yet.

10:01 pm - Motion No. 56, 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 the meeting be extended for 45 minutes to 10:46 pm. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

Shannon Hayes shared information about the District’s draft American Recovery Plan Act – Elementary and Secondary School Emergency Relief (ESSER III) Plan. 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:

1. Strategies for continuous and safe in-person learning
2. Addressing lost instructional time
3. Use of any remaining funds

In each section of the plan the District must describe the action, identify the amount of funding specific to each action, note how the actions will be monitored, and the frequency of monitoring. There also is a requirement to note if and where any action aligns to other District plans including the Local Continuity and Attendance Plan (LCP) and the Local Control and Accountability Plan (LCAP). Stakeholder engagement is a required component of the plan development process. The plan must include descriptions of how the District meaningfully consulted with stakeholders including students, parents/guardians, staff, labor groups, community members, and advocacy groups.

Board members provided feedback and thanked Ms. Hayes for her work on the plan.

Motion No. 57, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Ms. Albiani and carried by a 4-3 vote of all Board members present that District’s draft American Recovery Plan Act – Elementary and Secondary School Emergency Relief (ESSER III) Plan be adopted. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Martinez-Alire, and Yang; Nays – Forcina, Jamerson, Perez; Absent – None*

10:46 pm - Motion No. 58, 2021-22 – Motion by Ms. Chaires Espinoza, seconded by Mr. Yang and carried unanimously by an affirmative vote of all Board members present that the meeting be extended to 11:15 pm. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

- 3. Resolution for Readopting and Increasing the 2020-21 Gann Limit and Adopting the 2021-22 Gann Limit** - Motion No. 59, 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 #22, which recalculates and increases the 2020-21 Gann Limit and establishes the 2021-22 estimated Gann Limit be adopted. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

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4. 2021-22 Budget Update and 2020-21 Unaudited Actual Income & Expenditures - Motion No. 60, 2021-22 – Motion by Ms. Jamerson, seconded by Ms. Chaires Espinoza and carried unanimously by an affirmative vote of all Board members present that the 2020-21 Unaudited Actual Income & Expenditures state financial reports be approved.

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

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

XVIII. Information Items

1. Other Items from the Floor

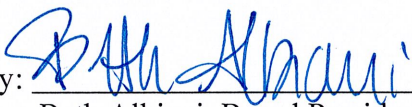
Motion No. 61, 2021-22 - Carmine Forcina called for a motion to request a discussion item on the next board meeting agenda to discuss the use of facilities if it is not be resolved by the next meeting. Motion seconded by Mr. Perez and carried unanimously by an affirmative vote of all Board members present. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Jamerson, Martinez-Alire, Perez and Yang; Nays – None; Absent – None*

Mr. Forcina requested current parameters for student activity approval and the differences of what is being allowed at some sites as opposed to other sites. Superintendent Hoffman informed board members that information will be provided to the Board via board communication this Friday.

XIX. Adjournment – 11:21 p.m.

Submitted by Christopher R. Hoffman, Superintendent

Approved by: _____



Beth Albiani, Board President