



Santa Barbara Unified School District
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Wendy Sims-Moten, President
Laura Capps, Vice President
Jacqueline Reid, PhD, Clerk
Kate Ford, Member
Rose Muñoz, Member

Board of Education/District Administration Office
March 12, 2019
Regular Meeting Agenda
Closed Session: 5:00 pm / Regular Session: 6:30 pm

A. Regular Session

1. Call To Order

Board president Sims-Moten called the meeting to order at 5:00 p.m. The board adjourned to closed session.

2. Opening of Meeting

3. Public Comments On Closed Session Items Only

4. Administration of Oath

B. Closed Session

1. Student Discipline, Education Code §48918, Case No.: 201819-27 (Wageneck)

2. Approval/Denial of Interdistrict Transfer Appeal for 2018/2019 School Year, Education Code §§46600-Case No. 2018/19-T13 (Wageneck)

3. Conference with Legal Counsel—Existing Litigation (Paragraph (1) of subdivision (d) of Section 54956.9) Student v. Santa Barbara Unified School District and Santa Barbara County Education Office, Special Education Due Process, OAH Case No. 2019010249. Approval/Ratification of February 21, 2019 Final Settlement Agreement and General Release in Student v. Santa Barbara Unified School District and Santa Barbara County Education Office, Special Education Due Process, OAH Case No. 2019010249. (Wageneck/Schettler)

4. Public Employee Appointment (Government Code §54957)

**5. Public Employee Appointment (Government Code §54957)
Title/Description of Position to be Filled: San Marcos High School
Principal (information only; no decision) (Matsuoka)**

6. **Conference with Legal Counsel–Existing Litigation (Government Code §54956.9 (d)(1)) Name of Case: Ed Behrens vs. Santa Barbara Unified School District, SBSC Case No. 18CV02536 (Matsuoka)**
 7. **Conference with Legal Counsel–Existing Litigation (Government Code §54956.9 (d)(1)) Name of Case: Fair Education Santa Barbara, Inc. vs. Santa Barbara Unified School District and Just Communities Central Coast, Inc., USDC Case No.2:18-cv-10253 (Matsuoka)**
 8. **Public Employee Discipline/Dismissal/Release (Government Code §54957) (Becchio) Number of Cases: Three**
 9. **Conference with Labor Negotiator (Government Code §54957.6) Agency Designated Representative: Cary Matsuoka, Superintendent Employee Organization: Santa Barbara Teachers Association (SBTA)**
 10. **Conference with Labor Negotiator (Government Code §54957.6) Agency Designated Representative: Cary Matsuoka, Superintendent Employee Organization: California School Employees Association (CSEA)**
 11. **Public Employee Performance Evaluation (Government Code §54957) (Sims-Moten)**
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C. Return to Regular Session

1. Opening of Meeting

President Sims-Moten reconvened the regular meeting at 6:36 p.m.

Members present:

Ms. Wendy Sims-Moten, President
Dr. Jacqueline Reid, Clerk
Ms. Rose Muñoz
Ms. Kate Ford

Others present:

Superintendent and Secretary of the Board, Cary Matsuoka
Assistant Superintendents, Shawn Carey; Raul Ramirez; Frann Wageneck; John Becchio; Meg Jetté; Todd Ryckman

Absent:

Ms. Laura Capps, Vice President

2. Pledge of Allegiance

Superintendent Matsuoka led the Pledge.

3. Spanish interpretation of today's meeting is available to the public.

Please indicate if you wish to receive interpretation. Para la reunión de esta noche hay intérprete disponible para interpretación al español. Por favor, indique si desea recibir servicios de interpretación.

Ms. Sofia Rubalcava announced that Spanish interpretation was available upon request.

4. Headsets for the hearing impaired are available. Please indicate if you need a headset.

President Sims-Moten announced that headsets for the hearing impaired were available upon request.

5. Announcement of Closed Session Action

Motion to Motion made by seconded by . The Motion Passed by a vote of Ayes - 0, Nays - 0, Abstain - 0, Absent - 0.

President Sims-Moten announced that the board voted in closed session on the following items.

B.3 Conference with Legal Counsel—Existing Litigation (Paragraph (1) of subdivision (d) of Section 54956.9) Student v. Santa Barbara Unified School District and Santa Barbara County Education Office, Special Education Due Process, OAH Case No. 2019010249. Approval/Ratification of February 21, 2019 Final Settlement Agreement and General Release in Student v. Santa Barbara Unified School District and Santa Barbara County Education Office, Special Education Due Process, OAH Case No. 2019010249.

Motion to Ratify the Final Settlement Agreement in Case No. 2019010249 in the Amount of \$57,250 made by Kate Ford seconded by Jackie Reid. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten
Absent: Capps

B.4 Public Employee Appointment (*Government Code §54957*)

Title/Description of Positions to be Filled: Principal (1) La Colina Jr. High School.

Motion to Approve the Appointment of Jennifer Foster as the Principal of La Colina Junior High School made by Kate Ford seconded by Jackie Reid. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten
Absent: Capps

6. Superintendent's Report - The superintendent and/or his designee may report about various matters involving the districts. There will be no board discussion except to ask questions, refer matters to staff, or make brief announcement or brief report. No action will be taken unless listed on the subsequent agenda.

Superintendent Matsuoka reported that Santa Barbara High School student Arhlenny Wendy Hernandez passed away last week after a long illness. Mr. Matsuoka asked for a moment of silence in her honor.

Mr. Matsuoka also reported that interviews for the Principal at San Marcos High School were held today. He said it was a very extensive process with 35 people on the panel composed of staff and parents. The recommendation was unanimous to move forward. He will do a site visit tomorrow at the location of where the finalist currently works. He also asked the Board to schedule a Special Board meeting this Thursday to consider the recommendation. He went on to say that the reason for accelerating the process is that the candidates are applying for other positions at other districts and does not want to lose the top candidate.

Superintendent Matsuoka concluded his report by welcoming Mr. Bradley Brock, Principal at La Cumbre Junior High School. He said he is confident that Mr. Brock will lead La Cumbre into their new chapter.

Mr. Brock thanked President Sims-Moten, the Board, and Superintendent Matsuoka as well as Ms. Carey and Dr. Becchio and La Cumbre staff for the opportunity. He said that his vision for education aligns with the district's priorities in equity for achievement, language access and family engagement. He acknowledged the life and legacy of Jo Ann Caines, and looks forward to continuing to learn more about her impact on the community and build upon the strong foundation she laid.

The board welcomed Mr. Brock and look forward to working and collaborating with him.

7. Student Board Report

8. Board Comments and Correspondence

Board member Reid reported that she and President Sims-Moten held Coffee with the Board at Dos Pueblos High School where they met with parents who shared different concerns.

9. Public Comments, Non-agenda Matters within Jurisdiction of the Board of Education

- Kate Connell spoke in support of recruiter policy E5125.1 implementation
- Paul Singer spoke about the Washington GATE program
- Kim Kotnik spoke about equity in the GATE Magnet program

D. Consent Agenda

Motion to Approve the Consent Agenda made by Jackie Reid seconded by Rose Munoz. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

At this time the board will act on the items listed below. These items are considered to be routine and are normally approved by a single vote of the board without separate discussion in order to conserve time and permit focus on other matters on this agenda. Individual consent items may be removed and considered separately at the request of a board member or staff. The superintendent and staff recommend approval of all Consent Agenda items.

1. Ratification of Special Education Contracts for March 12, 2019

(Wageneck/Schettler)

2. Approval of Agreement for Architectural Services with Kruger, Benson, Ziemer Architects, Inc. (KBZ) for assessment of historic windows at Santa Barbara High, Santa Barbara Jr. High, La Cumbre Jr. High, and McKinley Elementary schools. (Vizzolini)
3. Approval of Staff Travel: Out-of-State and/or in Excess of \$3,000 (Wageneck/Schettler)
4. Approval of 2018-19 School-Sponsored Trips: Out-of-state, Out-of-country, and/or Overnight (Carey)
5. Second Reading and Recommendation for Approval of Six Board Policies in Series 6000 Instruction (Carey and Ramírez)
6. Second Reading and Recommendation for Approval of Board Policies in 4000 Series - Personnel (Becchio)
7. Approval of 2019/20 Staff Travel: Out-of-State and/or in Excess of \$3,000 (Wageneck)
8. Second Reading and Approval of Board Policy and Exhibit 0000 - Philosophy, Goals, Objectives and Comprehensive Plans (Matsuoka)

General Consent Items

1. Renewal of Agreement with School Innovations and Achievement for A2A Attendance Letter Software (Ryckman)

Personnel

2. Approval of Human Resources Recommendations (Becchio)

Business and Finance

3. Adoption of Resolution 2018/2019-34 Calling for Support of AB 39 (Muratsuchi) to Increase Local Control Funding for California's Public Schools (Jetté)
4. Adoption of Resolution 2018/2019-35 Calling for Support of AB 428 Funding for Children with Disabilities (Jetté)
5. Acceptance of Donations for March 12, 2019 (Jetté)
6. Ratification of Revenue Generating Contracts/Grants and Memorandums of Understanding under \$10,000 Each for March 12, 2019 (Jetté)

7. Acceptance of Paid Commercial Warrants Register Dated February 1 through February 31, 2019 (Jetté)
 8. Approval of Purchase Order Report for February 21, through March 6, 2019 (Jetté)
 9. Second Reading of Board Policies in Series 3000 Business and Non-instructional Operations (Jetté)
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E. Public Hearing

1. ***Time Approximate, 7:00 p.m.*** Public Hearing Regarding the Waiver of Education Code Sections 47635, 47632, 47605, And 47663 and the Corresponding Regulations (Jetté)

President Sims-Moten closed the regular meeting and opened the public hearing at 7:00 p.m.

Public comment:

- Helen Murdoch spoke in support of the waivers
- Karen McBride spoke in support of the waivers
- Kevin Rivas spoke in support of the waivers

President Sims-Moten closed public hearing and returned to regular meeting at 7:05 p.m.

F. Action Agenda

1. Adopt Resolution 2018/19-38 Authorizing Request for Waiver of Portions of Education Code Sections 47635, 47632, 47605, and 47663 and the Corresponding Regulations Regarding the Transfer of in Lieu of Property Taxes to Olive Grove Charter School- Santa Barbara From The State Board Of Education Pursuant to Education Code Section 47635 (Jetté) 10 minutes

Motion to Adopt Resolution 2018/19-38 Authorizing Request for Waiver of Portions of Education Code Sections 47635, 47632, 47605, and 47663 and the Corresponding Regulations Regarding the Transfer of in Lieu of Property Taxes to Olive Grove Charter School - Santa Barbara from the State Board of Education Pursuant to Education Code Section 47635 made by Kate Ford seconded by Jackie Reid. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten

Absent: Capps

2. Adopt Resolution 218/19-39 Authorizing a Request to the State Board of Education for Designation of an Alternative Local Educational Agency to Serve as the "Sponsoring Local Educational Agency," as Defined In Education Code Section 47632, for Olive Grove Charter School – Santa Barbara (Jetté) 10 minutes

Motion to Adopt Resolution 2018/19-39 Authorizing a Request to the State Board of Education for Designation of an Alternative Local Educational Agency to Serve as the "Sponsoring Local Educational Agency," as Defined In Education Code Section 47632, for Olive Grove Charter School - Santa Barbara made by Kate Ford seconded by Rose Munoz. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten

Absent: Capps

3. Board Action on Student Discipline, Education Code §48918, Case No.: 201819-27 (Wageneck) 2 minutes

Motion to Approve the Stipulated Agreement for Full Expulsion for One Semester Ending June 2019 made by Jackie Reid seconded by Kate Ford. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten

Absent: Capps

4. Positive Certification of Second Interim Financial Report for Fiscal Year 2018-19 (Jetté) 20 minutes

Motion to Approve the Positive Certification of Second Interim Financial Report for Fiscal Year 2018-19 made by Jackie Reid seconded by Rose Munoz. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten

Absent: Capps

Ms. Jette and Ms. Preston presented this item.

5. Recommendation Not to RE-Employ Certificated Employees (RIF) - (Becchio) 5 minutes

Motion to Approve the Recommendation Not to Re-Employ Certificated Employees (RIF) made by Kate Ford seconded by Jackie Reid. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten

Absent: Capps

Dr. Becchio presented this item.

6. Approval of Agreements for Architectural Services with Kruger, Benson, 10 minutes
Ziemer Architects, Inc. (KBZ) for portable replacement projects at Adams
Elementary School. (Vizzolini)

Motion to Approve the Agreements for Architectural Services with Kruger, Benson, Ziemer Architects, Inc. (KBZ) for Portable Replacement Projects at Adams Elementary school made by Kate Ford seconded by Rose Munoz. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten

Absent: Capps

Mr. Vizzolini presented this item.

7. Approval of Change order No. 1 for the Dos Pueblos High School 5 minutes
Stadium Turf and Track Replacement Project (Vizzolini)

Motion to Approve the Change Order No.1 for the Dos Pueblos High School Stadium Turf and Track Replacement Project made by Rose Munoz seconded by Jackie Reid. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten

Absent: Capps

Mr. Vizzolini presented this item.

8. Request for Adoption of Two Secondary Supplementary Textbooks
(Carey)

Motion to Approve the Adoption of Two Secondary Supplementary Textbooks made by Kate Ford seconded by Rose Munoz. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten

Absent: Capps

Ms. Carey presented this item.

9. Approval of a One Year Consulting and Advocacy Agreement with Capitol Advisors Group, LLC 5 minutes

Motion to Approve the One Year Consulting and Advocacy Agreement with Capitol Advisors Group, LLC made by Kate Ford seconded by Jackie Reid. The Motion Passed by a vote of Ayes - 4, Nays - 0, Abstain - 0, Absent - 1.

Ayes: Ford, Munoz, Reid, Sims-Moten

Absent: Capps

Ms. Jetté presented this item.

G. Report/Discussion Agenda

1. Adelante - PreSchool - Franklin Facility Plan (Matsuoka) 20 minutes

Mr. Matsuoka presented this item. He explained that the prior Board as well as this current Board have received facility requests of our district about two or three times. He and Ms. Jetté have met with Adelante Board and Dr. Bautista to understand their need. Mr. Matsuoka went on to present his proposal.

The Board had a discussion and had questions regarding Adelante's projected enrollment and about the communication plan.

Superintendent Matsuoka informed the Board that a contract with KBZ for the Preschool design will come forward for their approval at the next board meeting.

2. Update on the Santa Barbara High School Peabody Stadium Project (Vizzolini) 15 minutes

Mr. Vizzolini presented an update on the project.

H. (If Needed) return to consent items designated for Discussion

I. Coming Events

Special Board meeting on March 14th at 7:30 am.

J. Future Agenda items

K. Next Meeting

Tuesday, April 2, 2019
Regular Board Meeting - 6:30 pm
District Administration Office
720 Santa Barbara Street

L. Adjournment

President Sims-Moten adjourned the meeting at 8:07 p.m.

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