

**MORGAN HILL UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION MINUTES**

April 23, 2019, 6:00 PM  
MHUSD Board Room  
Closed Session 4:00pm

**Attendance Taken at 4:00 PM:**

Present:

Adam Escoto  
John Horner  
Heather Orosco  
Mary Patterson  
Wendy Sullivan

Absent:

Carol Gittens  
Vanessa Sutter

Updated Attendance:

Vanessa Sutter was updated to present at: 4:05 PM  
Carol Gittens was updated to present at: 6:00 PM

**A. CALL TO ORDER**

**A.1. PUBLIC COMMENT ON CLOSED SESSION TOPICS**

**A.2. ADJOURN TO CLOSED SESSION**

**A.3. PUPIL PERSONNEL - Student discipline Education Code 48918 (c)(K-12)**

**A.3.a. Recommendation for Expulsion and Rehabilitation Plan for Student E 18/19-008**

**A.4. LIABILITY CLAIMS - Governmental Code Section 54956.95**

**A.5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: one case**

**A.6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to subdivision (a) of Government Code 54956.9**

**A.6.a. OAH Case No. 2019021070; EL 18/19-007**

**A.6.b. EL 18/19-008 vs Morgan Hill Unified School District et al Case No. 19CV345561**

**A.6.c. A Voice for Choice Advocacy, Inc., v. Morgan Hill Unified School District, et.al, Case No. 17CV316128**

**A.6.d. Santa Clara Superior Court Case No. 17CV319128; EL 17/18-001**

**A.6.e. Jane Doe 1 et al vs South Valley Dance Arts et al, Case No. 18CV340012**

**A.6.f. Catherine Rudolph v. Morgan Hill Unified School District Case No. 18CV338592**

**A.7. CONFERENCE WITH LABOR NEGOTIATOR (Government Code 54957.6) Morgan Hill Classified Employees Association (MHCEA) and Morgan Hill Federation of Teachers (MHFT), Designated representative: Fawn Myers / Morgan Hill Educational Leaders Association (MHELA), Unrepresented employees, Designated representative: Steve Betando, and Superintendent, Designated representative: Karen Rezendes, Lozano Smith**

**A.8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code 54956.8)**

**A.9. PUBLIC EMPLOYEE-DISCIPLINE / DISMISSAL / RELEASE / REASSIGNMENT / COMPLAINT (Government Code 54957 and 54957.1)**

**A.10. PUBLIC EMPLOYEE APPOINTMENT (Government Code 54957)**

**A.10.a. P.A. Walsh STEAM Academy Principal**

**A.11. PUBLIC EMPLOYMENT / PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code 54957) Title: Superintendent**

**A.12. RECONVENE TO PUBLIC SESSION**

**B. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

*President Patterson called the meeting to order at 6:04 PM.*

*Luis Alavez, Ann Sobrato High School Senior lead the Pledge of Allegiance.*

**C. INTRODUCTION OF BOARD MEMBERS AND STAFF**

*Board Members and Staff seated around the dais introduced themselves.*

**D. RECOGNITIONS / PRESENTATIONS**

**D.1. Equity Item: Inclusion at Los Paseos--All Kids are Our Kids**

*Los Paseos Elementary School Principal, Debbie Stewart highlighted how their Special Education and General Education teachers work together to educate students using the MTSS framework.*

[190423 LP Presentation All Kids Are Our Kids](#)

**E. ADOPTION OF AGENDA**

**Motion Passed:** Passed with a motion by Adam Escoto and a second by Wendy Sullivan.

Yes Adam Escoto  
Yes Carol Gittens  
Yes John Horner  
Yes Heather Orosco  
Yes Mary Patterson  
Yes Wendy Sullivan  
Yes Vanessa Sutter

**F. APPROVAL OF CONSENT CALENDAR**

**Motion Passed:** Passed with an amendment to item I.4.c to pull BB 9322 for further review with a motion by John Horner and a second by Adam Escoto.

Yes Adam Escoto  
Yes Carol Gittens  
Yes John Horner  
Yes Heather Orosco

Yes Mary Patterson  
Yes Wendy Sullivan  
Yes Vanessa Sutter

## **G. PUBLIC COMMENT / COMMUNICATIONS**

*There was no public comment.*

## **H. COMMUNICATIONS**

### **H.1. Closed Session Action Report (Government Code 54957.1)**

**Motion Passed:** Passed with a motion by John Horner and a second by Heather Orosco.

Yes Adam Escoto  
Absent Carol Gittens  
Yes John Horner  
Yes Heather Orosco  
Yes Mary Patterson  
Yes Wendy Sullivan  
Yes Vanessa Sutter

### **H.2. Report: Student Board Member**

### **H.3. Reports: Superintendent / Staff**

Superintendent Betando, reported attending an event with President Patterson where an introduction of a new bill for environmental issues in Coyote Valley were discussed; attended the Ann Sobrato High School Booster Club meeting and updated the Booster Club on the ongoing discussions regarding a turf field and stadium at Ann Sobrato High School; attended a Santa Clara Public Health Department event in Downtown San Jose recognizing two MHUSD students for winning a viral video competition; attended a luncheon for Bus Driver Appreciation Day and will be attending an event at the County Office which MHUSD will be accepting an award for Bilingual / Multilingual Learner Advocacy.

Assistant Superintendent Myers, announced the new P.A. Walsh STEAM Academy Principal Shannon Rafat and invited Principal Rafat to come say a few words at the podium. Principal Rafat provided a background about herself and thanked Staff and the Board for the opportunity.

### **H.4. Reports: Board Members**

Trustee Orosco, reported attending Resilience Day at Martin Murphy Middle School and was impressed with the student projects.

Trustee Sullivan, reported attending the Ann Sobrato High School Booster Club meeting and wants to continue to spotlight the stadium needs at the school; attended the AAUW Women's Conference; traveled to Washington DC as a parent chaperone with Martin Murphy Middle School 8th grade students and reported receiving many compliments about the students during the trip. Trustee Sullivan has also attended Spring school site open houses.

Trustee Horner, was invited by Assembly Member Robert Rivas to tour San Benito High School in Hollister and was impressed with the school climate and programs. He invited other Trustees to tour as well.

Trustee Escoto, attended Jackson Academy of Math & Music Open House and complimented Principal Buchser and Staff; attended Woman's Leadership Conference and was inspired by the women Trustee contributions to the conference; attended the Bus Driver Appreciation Luncheon and shared his appreciation for those in our transportation department.

President Patterson, attended the Policy Subcommittee Meeting and complimented the Policy Subcommittee Members and MHUSD Staff for their hard work on policies; reported on an upcoming environmental bill; shared an experience at Ann Sobrato High School during spring break where President Patterson walked the perimeter of the school and was given a tour of the farm by the Agricultural Teacher and Students. President Patterson reminded the Board that although schools are on break, there is still work going on in the District. President Patterson expressed appreciation and gratitude for all the staff who work during breaks or time off.

#### **H.5. Reports: Employee Groups: Morgan Hill Classified Employee Association / Morgan Hill Federation of Teachers / Morgan Hill Educational Leaders Association**

Sylvia Ortega, Morgan Hill Classified Employee Association Barrett Elementary Representative, introduced herself to the Board and spoke about the sunshine letter coming up on the agenda during General Business.

Gemma Abels, Morgan Hill Federation of Teachers President, addressed the Board about the hearing that took place earlier in the day regarding the PKS Layoff of a Preschool Teacher. Ms. Abels spoke about the negotiation openers for MHFT and salary schedules, comparing our District to other Districts in Santa Clara County.

#### **H.6. Calendar: Upcoming events**

President Patterson announced the calendar of upcoming events.

### **I. CONSENT ITEMS**

#### **I.1. BUSINESS SERVICES**

**I.1.a. Approve declaration of obsolete and sale of surplus equipment**

**I.1.b. Approve the renewal lease agreement with Child Development Center for the use of a district owned portable at Walsh Elementary School**

#### **I.2. EDUCATIONAL SERVICES**

**I.2.a. Approve travel for three students to attend the National History Day State Competition in Rocklin, California leaving Friday, May 10, 2019 and returning Saturday, May 11, 2019**

**I.2.b. Approve travel for 39 Martin Murphy Middle School Band students to Southern California to visit University of California Irvine and University of California Los Angeles campuses and Disney Recording Studio**

#### **I.3. HUMAN RESOURCES**

**I.3.a. Approve personnel action to employ, re-employ, promote, reassign, accept resignation, accept retirement, and authorize related compensation**

#### **I.4. SUPERINTENDENT**

**I.4.a. Approve the minutes from the Regular Board meeting of April 2, 2019**

**I.4.b. Adopt resolution authorizing compensation for John Horner's absence from a regular meeting of the Morgan Hill Unified School District Board of Education held on April 2, 2019.**

**I.4.c. Proposed revisions to Board Policy based on updates from California School Boards Association Policy Maintenance Services**

## J. GENERAL BUSINESS - PUBLIC SESSION ITEMS FOR BOARD DISCUSSION

### J.1. Public Hearing: Public hearing and accept Morgan Hill Classified Employees Association contract reopeners for negotiations

Open Public Hearing: 6:49 PM  
Comments: No public comments  
Closed Hearing: 6:50 PM

**Motion Passed:** It is recommended that the Board of Education accept the reopeners for negotiations with the Morgan Hill Classified Employees Association and the Morgan Hill Unified School District following the public hearing. Passed with a motion by Heather Orosco and a second by Vanessa Sutter.

Yes Adam Escoto  
Yes Carol Gittens  
Yes John Horner  
Yes Heather Orosco  
Yes Mary Patterson  
Yes Wendy Sullivan  
Yes Vanessa Sutter

### J.2. Approve Resolution for Environmental Stewardship

*President Patterson spoke to the Board about the process of this new policy and the importance of this issue in our community.*

*The following individuals addressed the Board:*

*Rich Constantine, Morgan Hill Mayor, pulled a speaker card but was unable to stay to speak in support of this resolution.*

*Andrea Mackenzie, Santa Clara Open Space Authority General Manager, addressed the Board in support of the Environmental Stewardship resolution, sharing the background of the Open Space Authority organization. Ms. Mackenzie represents the Board of Directors and Staff of Open Space Authority and applauds the leadership of the District in purposing this resolution.*

*Superintendent Betando, shared additional letters in support of the resolution from Council Member Sergio Jimenez, Mayor Pro Tem Morgan Hill, Rene Spring and Sierra Club Loma Prieta Chapter, Santa Clara Valley Audubon Society, Committee for Green Foothills and California Native Plant Society, Santa Clara Valley Chapter.*

*President Patterson, shared on behalf of our young people and was impressed with how many social media posting there were in honor of Earth Day.*

**Motion Passed:** Approve as submitted Passed with a motion by Mary Patterson and a second by Wendy Sullivan.

Yes Adam Escoto  
Yes Carol Gittens  
Yes John Horner  
Yes Heather Orosco  
Yes Mary Patterson  
Yes Wendy Sullivan  
Yes Vanessa Sutter

### **J.3. Review five year District demographic study**

*Ken Reynolds, School Works, Inc., presented an updated demographic study which provides a comprehensive enrollment analysis for the District. The district-wide and school-specific enrollment projections are meant to serve as a planning tool to help with both long and short-term planning. Demographic studies examine the factors that influence school enrollments - namely trends in demographics, birth rates, and housing development. They are also used as a tool to identify certain facility planning requirements such as capacity, utilization of existing facilities, planning for modernization or new construction, and attendance boundary redistricting.*

*The updated demographic study, which begins in 2018-2019 and projects enrollment through 2024-2025, shows that the District will increase in enrollment each year as compared to 2018-19.*

*Trustee Horner expressed concerns about the impact of decreased population and financial impacts to the District.*

[190423 2018-2019 Demographic Report Morgan Hill](#)

### **J.4. Special Education Update**

Michael Vogel, Director of Special Education, presented the Board an update on the status of Special Education within the district including an overview of programs and current trends.

[190423 Special Education Update](#)

### **J.5. Morgan Hill CREATES Strategic Arts Plan**

*Assistant Superintendent Zavala, provided an overview of the Morgan Hill CREATES Strategic Arts Plan and credited all the stakeholders involved in creating the document.*

*Amanda Knudtson Raudsep, VAPA TOSA, presented the Morgan Hill CREATES (Core Reforms Engaging Arts to Educate Students) new visual and performing arts master plan. This plan was developed to expand VAPA instruction and opportunities for students to express learning through the arts. This VAPA strategic plan guides us district-wide to provide equity and access to VAPA instruction for all students, which prepares them for success in institutes of higher education, in careers, and in life. Morgan Hill CREATES calls attention to expanding VAPA programs at the secondary level; but also describes how elementary schools can integrate the arts across all disciplines and encourage student performances. The plan expects and supports more students, including priority target students, to continue to develop their aesthetic skills and appreciation of the arts.*

### **J.6. Adopt resolution to decrease the hours of classified service due to lack of work**

**Motion Passed:** Approve as submitted Passed with a motion by Adam Escoto and a second by Mary Patterson.

Yes Adam Escoto  
Yes Carol Gittens  
Yes John Horner  
Yes Heather Orosco  
Yes Mary Patterson  
Yes Wendy Sullivan  
Yes Vanessa Sutter

### **J.7. 2019 Delegate Assembly Region 20 Run-Off Election**

*Following board discussion, the Board selected George Sanchez of Franklin McKinley School District for Region 20 Delegate Assembly which will be mailed to CSBA by April 30, 2019.*

**J.8. 1st Quarterly Report 2019 on Williams Uniform Complaints, January 1, 2019 March 31, 2019, for the Morgan Hill Unified School District**

*Assistant Superintendent Zavala, reported no deficiencies in the 1<sup>st</sup> Quarterly Report 2019.*

**J.9. New business: future agenda items / recognitions**

*Trustee Sullivan requested to look into MHUSD becoming a test site for CollegeBoard SAT testing.*

*Trustee Sullivan requested to recognize the Martin Murphy Middle School Math Team who won a competition assisted by Kelly Barnes.*

*Trustee Sullivan requested to recognized the Bernal Bible Church for community service they have provided to the Martin Murphy Middle School and Los Paseos Elementary communities, updated staff lounges and a possible future outdoor area.*

*Trustee Sullivan requested to recognize the Live Oak Robotics Team for their accomplishments.*

*President Patterson explained the process for the BOE requested items. Items on the Future Board Request document may be communicated in various way. Some may become agenda items, as others may be communicated in a Friday update or other form of communication.*

*Trustee Escoto requested to explore an Education Foundation.*

*Trustee Horner requested clarification on the process of the requested items and who is notified when an item drops off the list.*

*Trustee Horner requested to discuss the Focus Academies specific to how they are meeting expectations.*

*Trustee Horner requested to look explicitly into a policy around romantic relationships with employees. Superintendent Betando asked Trustee Horner to bring a sample policy to what he was envisioning.*

**K. PUPIL DISCIPLINE**

**K.1. Recommendation for Expulsion and Rehabilitation Plan for Student E 18/19-008**

**Motion Passed:** Approve as submitted Passed with a motion by Adam Escoto and a second by Heather Orosco.

Yes	Adam Escoto
Absent	Carol Gittens
Yes	John Horner
Yes	Heather Orosco
Yes	Mary Patterson
Yes	Wendy Sullivan
Yes	Vanessa Sutter

**L. ADJOURNMENT**

The meeting was adjourned at 9:17 PM.