

MORGAN HILL UNIFIED SCHOOL DISTRICT REGULAR BOARD OF EDUCATION MINUTES

June 16, 2020, 6:00 PM
Closed Session, 4:00 PM
Zoom Meeting

Attendance Taken at 4:07 PM:

Present:

Adam Escoto
Jeanne Gilliard
Carol Gittens
John Horner
Heather Orosco
Mary Patterson
Wendy Sullivan

A. CALL TO ORDER

President Gittens called the meeting to order at 6:16 PM

A.1. PUBLIC COMMENT ON CLOSED SESSION TOPICS

The following individuals addressed the Board:

Armando Benavides, Community Member, addressed the Board regarding the Superintendent's Evaluation and concerns with his performance related to budget, student achievement and ADA.

Gino Borgioli, Community Member, addressed the Board regarding the Superintendent's Evaluation and concerns with his performance relating to online learning.

Sally Casa, Community Member, had difficulties with technology and emailed her public comment to the Board directly.

A.2. ADJOURN TO CLOSED SESSION

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

A.3.a. Recommendation for readmission of student R 19/20-006

A.3.b. Recommendation for readmission of student R 19/20-007

A.3.c. Recommendation for readmission of student R 19/20-008

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: two cases

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

A.6.a. EL 17/18-001 v. Morgan Hill Unified School District Case No. 17CV319128

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.8.a. Property: APNs 764-16-028 (Main @ Hale Avenue) Agency Negotiators: Steve Betando, Superintendent; Kirsten Perez, Deputy Superintendent and Chief Financial Officer; Nancy Taylor, Orbach Huff Suarez & Henderson Negotiating Parties: City of Morgan Hill and Santa Clara Valley Water District Under Negotiation: Price and terms of payment for temporary construction easement and potential purchase for right-of-way traffic improvements

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

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

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 Gittens called the meeting to order at 6:16 PM and led the Pledge of Allegiance

C. INTRODUCTION OF BOARD MEMBERS AND STAFF

Board Members and Staff introduced themselves

D. RECOGNITIONS / PRESENTATIONS

E. ADOPTION OF AGENDA

Motion Passed: Passed with a motion by Adam Escoto and a second by Jeanne Gilliard.

Yes Adam Escoto
Yes Jeanne Gilliard
Yes Carol Gittens
Yes John Horner
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

F. APPROVAL OF CONSENT CALENDAR

Motion Passed: Passed with a motion by Wendy Sullivan and a second by Heather Orosco.

Yes Adam Escoto
Yes Jeanne Gilliard
Yes Carol Gittens
Yes John Horner
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

G. PUBLIC COMMENT / COMMUNICATIONS

H. COMMUNICATIONS

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

A.11. PUBLIC EMPLOYMENT / PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code 54957) Superintendent Satisfactory Evaluation Report Out:

No	Adam Escoto
Yes	Jeanne Gilliard
Yes	Carol Gittens
No	John Horner
No	Heather Orosco
Yes	Mary Patterson
No	Wendy Sullivan

H.2. Reports: Superintendent / Staff

Superintendent Betando provided an update on the status of COVID-19 and how it pertains to the District including Public Health updates and Shelter in Place orders.

H.3. Reports: Employee Groups: Morgan Hill Classified Employee Association / Morgan Hill Federation of Teachers / Morgan Hill Educational Leaders Association

Jim Levis, Morgan Hill Federation of Teacher President, reported on past Special Education case management and compensation agreements and urged the District to work toward an agreement with the Federation.

Patrick Buscher, Morgan Hill Educational Leaders Association President, thanked all the students and graduates for the unique closing of the 2019-20 school year, reported on the positive end of year activities, thanked District leadership for their dedication, commitment and consistency over the past eight years and congratulated the MHUSD retirees.

H.4. Reports: Board Members

President Gittens, reported Superintendent Betando offered to suspend his increase of pay for the 2020-21 school year, along with Deputy Superintendent and Chief Financial Officer Perez, Assistant Superintendent Myers and Assistant Superintendent Vazquez-Vialva without condition. In clarity, President Gittens reiterated the Executive Cabinet will not take a pay increase or raise even if staff are provided an increase or raise in the 2020-21 school year and thanked the Executive Team. This information was also sent to all Trustees.

Trustee Sullivan, reported attending various webinars and Zoom meetings including COVID guidance from SCCOE; reported CSBA budget updates and policy relating to COVID and acknowledge Site and District Staff for creating special end of year recognitions for our students.

President Gittens also acknowledged and congratulated our 2020 graduates.

Trustee Patterson, thanked District Staff for their end of efforts in this current situation.

Trustee Escoto, reported attending a webinar on school re-opening; participated Santa Clara County Association of Latino School Board Member meeting in regards to Police on site facilities; requested the Board to consider a resolution in support of ethnic studies and acknowledged the success of the end of year activities.

Trustee Horner, thanked staff and community for participating on the ZOOM call, shared a current climate and budget opinion, as well as thoughts on the current situation with equality.

H.5. Calendar: Upcoming events

I. CONSENT ITEMS

I.1. BUSINESS SERVICES

I.1.a. Ratification of contracts executed pursuant to Board Policy 3312 for the months of April and May 2020

I.1.b. Adopt resolution to accept donations made to the Morgan Hill Unified School District and increase budgets

I.1.c. Approve Measure G Citizen's Oversight Committee member term extension

I.1.d. Approve Resolutions of intent to grant an easement to City of Morgan Hill and PGE on the corner of Hale and Main Avenue

I.2. EDUCATIONAL SERVICES

I.2.a. Preview Supplemental Reading List

I.2.b. Adoption of COVID Operations Report

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 June 2, 2020

J. GENERAL BUSINESS - PUBLIC SESSION ITEMS FOR BOARD DISCUSSION

J.1. Special Education Presentation (Equity Item)

The following individuals addressed the Board:

Chris Thompson, Rosemary Thompson, Cortney Brooks, Lisa Maack, Katie Asplund, Raven Jackson, Site Special Education Staff Members, regarding Special Education high turnover rate and concerns regarding case load and compensation.

Rebecca O'Brien, Director of Special Education provided the Board an overview of their revised vision and mission and the current state of Special Education enrollment and programs.

Questions from the Board included staffing levels, program categories, SDC pre-school, professional development and retainment, program placement and social emotional curriculum.

J.2. School Plans for Student Achievement Presentations

Principals presented their School Plans for Student Achievement for the 2020-21 School year and provided the Board with a highlight of their plan. The plans have been drafted, reviewed and approved in collaboration with each school site council and will return as an action item on August 4 for approval.

Questions from the Board included suspension rates, absenteeism decreases, enrollment decline and subgroup assessment increases.

Motion Passed: Extend the meeting to 11:00 PM passed with a motion by Carol Gittens and a second by Wendy Sullivan.

Yes Adam Escoto
Yes Jeanne Gilliard
Yes Carol Gittens
Yes John Horner
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

J.3. Follow up from Board Study Session: 2020-2021 Budget Alignment Process, Update and Discussion

On June 4th, the Board participated in a Budget Workshop where Staff provided an overview of the District's finances, reviewed current multi-year projections trends, the potential consequences of a negative or qualified budget, and the Budget Committee's recommendations for reductions. The Board discussed reserve levels and multi-year strategies to address the District's structural deficit in light of the Governor's proposed 10% reduction in education funding.

Victoria Knutson, Director Fiscal Services and Kirsten Perez, Deputy Superintendent and Chief Financial Officer presented on the Budget Workshop by presenting the Board with options for further discussion. The Board opted for a blend of Option A and B.

Option A: Budget reduction of \$4M in 2021-22 and \$4M in 2022-23

Option B: Budget reduction of \$2M in 2020-21, \$2.1M in 2021-22, and \$2.1M in 2022-23

Discussion from the Board included SCCOE recommendations, special reserve fund, Board's role in budget cuts, budget committee reduction suggestions, categorical funds, human impact to budget cuts, transportation sales and stipends.

J.4. Approve Morgan Hill Unified School District's annual budget for 2020-21 school year in accordance with Education Code 42122-42127

Motion Passed: Approve as submitted Passed with a motion by Heather Orosco and a second by John Horner.

Yes Adam Escoto
Yes Jeanne Gilliard
Yes Carol Gittens
Yes John Horner
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

J.5. Public Hearing: Disclosure of Reserves

Public Hearing Open: 10:28 PM

Comments: None

Public Hearing Close: 10:28 PM

J.6. Measure G Bond Quarterly Update

Casino Fajardo, Director Construction and Modernization presented on the Series B preliminary project list. The \$80 million in proceeds from Series B were broken into five main categories: Britton Middle School reconstruction, Nordstrom Elementary portable replacement, Jackson Academy of Math and Music new multi-use room/gym, technology infrastructure and instructional technology replacement, and construction management. Of the \$80 million series bond funds, \$40.9 million has been spent for a total of 50% of Series B as of April 30, 2020.

J.7. Tax Revenue Anticipation Note (TRAN) update

Kirsten Perez, Deputy Superintendent and Chief Financial Officer, updated the Board regarding Tax and Revenue Anticipation Notes (TRANs) which is a common method for governmental agencies to mitigate a cash shortfall. TRANs are short-term loans that are issued by school districts and secured by anticipated tax revenues to be collected from the same fiscal year. TRANs funds may be used for any purpose including current expenses, capital expenditures, repayment of indebtedness or working capital. At a previous meeting, the Board gave direction for Staff to continue with a TRANs at a level not to exceed \$5 million; however, prior to issuing any debt Staff needed to receive final authorization from the Board.

The initial cash flow projection indicates that the District will not need to issue a TRAN for the first half of the 2020-21 fiscal year. A TRAN may need to be issued later in the fiscal year to provide cash flow due to the proposed apportionment deferrals especially under the Legislature's proposal if Federal funds are not received.

J.8. Adopt resolution to reduce classified positions due to lack of funds and/or lack of work

Motion Passed: Approve as submitted Passed with a motion by John Horner and a second by Carol Gittens.

Yes Adam Escoto
Yes Jeanne Gilliard
Yes Carol Gittens
Yes John Horner
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

J.9. CSBA discussion

The Board has decided to attend the California School Board Association Annual Educational Conference virtually in December 2020 with the option to attend in person.

J.10. New business: future agenda items / recognitions

Trustee Patterson recognized Gay Pride Month and requested reviewing policies regulating our School Resource Officers.

Trustee Sullivan provided information on the SCCOE LGBTQ Step In Speak Up free training and suggested the District look into a District license; requested more information on BP 0470 COVID 19 Mitigation Plan and would like more discussion regarding Special Education contract issues and bridging the gap.

K. PUPIL DISCIPLINE

K.1. Approve recommendation for readmission of student R 19/20-006

Motion Passed: Passed with a motion by Mary Patterson and a second by John Horner.

Yes Adam Escoto
Yes Jeanne Gilliard
Yes Carol Gittens
Yes John Horner
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

K.2. Approve recommendation for readmission of student R 19/20-007

Motion Passed: Approve recommendation for readmission Passed with a motion by Mary Patterson and a second by John Horner.

Yes Adam Escoto
Yes Jeanne Gilliard
Yes Carol Gittens
Yes John Horner
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

K.3. Approve recommendation for readmission of student R 19/20-008

Motion Passed: Approve recommendation for readmission Passed with a motion by Mary Patterson and a second by John Horner.

Yes Adam Escoto
Yes Jeanne Gilliard
Yes Carol Gittens
Yes John Horner
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

L. ADJOURNMENT

The meeting was adjourned at 11:05 PM

Steve Betando, Superintendent