

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

March 2, 2021, 6:00 PM
Closed Session, 5:00 PM
ZOOM

Attendance Taken at 5:04 PM:

Present:

Adam Escoto
Carol Gittens
John Horner
Ivan Montes
Heather Orosco
Mary Patterson
Wendy Sullivan

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

A.6.b. EL 20/21-001 vs Morgan Hill Unified School District Case No 20CV369396

A.6.c. EL 20/21-004 vs Morgan Hill Unified School District

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

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.11. RECONVENE TO PUBLIC SESSION

B. CALL TO ORDER / PLEDGE OF ALLEGIANCE

President Sullivan called the meeting to order at 6:05 PM and Ann Sobrato High School Student Board Representative, Kylie Sullivan led the Pledge of Allegiance.

C. INTRODUCTION OF BOARD MEMBERS AND STAFF

Board Members and Staff introduced themselves

D. RECOGNITIONS / PRESENTATIONS

D.1. National Merit Scholarship Recognition Ann Sobrato High School Student

The Board and Staff recognized Ann Sobrato High School student, Trevor Myhre, on his selection as a "Finalist" for the National Merit Scholarship Program from the College Board.

E. ADOPTION OF AGENDA

Motion Passed: Passed with a motion by Heather Orosco and a second by Ivan Montes.

Yes Adam Escoto
Yes Carol Gittens
Yes John Horner
Yes Ivan Montes
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

F. APPROVAL OF CONSENT CALENDAR

Motion Passed: Item I.1.B passed with a motion by Mary Patterson and a second by Ivan Montes.

Yes Adam Escoto
Yes Carol Gittens
Yes John Horner
Yes Ivan Montes
Recuse Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

Motion Passed: the remainder of the consent calendar and amendment to item I.3.B passed with a motion by Wendy Sullivan and a second by Mary Patterson.

Yes Adam Escoto
Yes Carol Gittens
Yes John Horner
Yes Ivan Montes
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

G. PUBLIC COMMENT / COMMUNICATIONS

Roya Cruz, MHUSD Employee, addressed the Board regarding adding a Assistance Principalship to elementary school sites.

H. COMMUNICATIONS

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

H.2. Report: Student Board Member

Kylie Sullivan, Ann Sobrato High School Student Board Representative, congratulated Trevor Myhre, finalist for the National Merit Scholarship; acknowledged FFA recognitions; provided theater and ASB updates; recognized Central graduation; announced a support high school senior event and updated the Board on other site activities.

H.3. Reports: Superintendent / Staff

Superintendent Betando, reported on a natural artifact donation from a community member and the background of this large donation.

H.4. Reports: Employee Groups: Morgan Hill Classified Employee Association / Morgan Hill Federation of Teachers / Morgan Hill Educational Leaders Association

Danielle Nunes, Morgan Hill Classified Employee Association President, provided an update on the MHCEA scholarship programs; reported on negotiation opener activities and expressed concerns regarding classified employees taking personal time to get vaccinated.

Jim Levis, Morgan Hill Federation of Teachers President, congratulated National Merit Scholarship finalist; acknowledged teachers and TOSA's on their preparation for the April 12th re-opening and addressed reopening concerns with members of the Health and Safety Committee.

Patrick Buchser, Morgan Hill Educational Leaders Association President, reported sites are registering new students and recruiting staff; reported MHELA continues to participate in a book club; acknowledged all employees for their efforts with the re-opening and reported MHELA participated in the Superintendent Search input session.

Superintendent Betando introduced Glen Webb, Director Curriculum, Instruction and Assessment who announced the recommendation of a high school physics adoption and public viewing.

H.5. Reports: Board Members

Trustee Patterson, acknowledged trying times of change and appreciates all those who are working hard to preserve the healthy and safety of our kids.

Trustee Orosco, attended City of Morgan Hill Park and Recreation meeting and a SEAC meeting, reporting out information received.

Trustee Montes, reported attending SEAC meeting; updated on DLAC meeting and attended middle school information night.

Trustee Horner, reported a food give away at Cecelia's Closet; attended CSBA Legislative Action Committee and requested the District food distribution continue and Broadband be accessible.

Trustee Escoto, attended a Community Asset Builders meeting; will meet with CSBA Legislative Summit and acknowledged the District for extending communication to the Spanish speaking community.

Trustee Sullivan, participated in the Hoffman award validation team; attended a SCCOE webinar on new Title 9; attended a Chamber of Commerce Education meeting; met with CSMH Board and announced a community scholarship fundraiser event for high school seniors in our district.

H.6. Calendar: Upcoming events

President Sullivan read aloud the calendar of upcoming events

I. CONSENT ITEMS

I.1. BUSINESS SERVICES

I.1.a. Ratification of contracts executed pursuant to Board Policy 3312 for the month of January 2021

I.1.b. Ratification of contracts executed pursuant to Board Policy 3312 for the month of January 2021

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

I.1.d. Approve amendment to CAW agreement for Nordstrom Elementary School Administration Modernization

I.1.e. Approve three year audit contract with Eide Bailly, LLP for Annual Financial Audit

I.2. EDUCATIONAL SERVICES

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.3.b. Adopt resolution proclaiming April 21, 2021 as Administrative Professionals' Day

I.3.c. Adopt resolution proclaiming April 27, 2021 as School Bus Drivers' Appreciation Day

I.4. SUPERINTENDENT

I.4.a. Approve the minutes from the Regular Board meeting of February 2, 2021

J. GENERAL BUSINESS - PUBLIC SESSION ITEMS FOR BOARD DISCUSSION

J.1. Update on Re-Opening Plan

The following individuals addressed the Board in support of returning to in-person instruction on April 12th:

*Marie King
Garner Green
Rachel Marquardt*

The following individuals addressed the Board with concerns regarding the return to in-person instruction on April 12th:

*Rosemary Thompson
Leslie Strich
Eileen Resnick
Krystal Price
Bertha Razo
Cortney Brooks*

Staff provided the latest information in an update on the Spring 2021 reopening of MHUSD schools for in-person instruction.

[210302 Program Plan Presentation](#)

Board discussion included instructional minutes, commitment survey, structure of instruction in the classroom, outdoor learning opportunities and staff accommodation requests.

The Board paused discussions to extend the meeting.

Motion Passed: Passed with a motion to extend the meeting until 11:30 PM by John Horner and a second by Mary Patterson.

Yes Adam Escoto
Yes Carol Gittens
Yes John Horner
Yes Ivan Montes
No Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

Motion Passed: To accept staff recommendation passed with a motion by Mary Patterson and a second by Ivan Montes.

Yes Adam Escoto
Yes Carol Gittens
Yes John Horner
Yes Ivan Montes
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

J.2. National Equity Project Presentation

Educational Services Department in partnership with National Equity Project presented highlights from an Equity Learning Series Staff has engaged and committed to this year and beyond.

Board discussions included the National Equity Project and tie to the LCAP.

J.3. LIGHT Grant Foundation and Professional Development Presentation

The Live Oak LIGHT Grant Team presented their progress on their grant funds on social justice and anti-bias, anti-racist training along with facilitating difficult conversations with staff and students.

Board discussions included appreciation for the work, report back timeframe and implementation plan.

J.4. Public Hearing: Public hearing and accept the Morgan Hill Unified School District contract openers for negotiations with Morgan Hill Federation of Teachers

Open Public Hearing: 10:21 PM

There was no public comment

Close Public Hearing: 10:21 PM

Following a public hearing, the Board took action to accept the District openers.

Motion Passed: To accept the openers from the Morgan Hill Unified School District for negotiations with the Morgan Hill Federation of Teachers. Passed with a motion by Heather Orosco and a second by Mary Patterson.

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

Yes Mary Patterson
Yes Wendy Sullivan

J.5. Lease-Leaseback Project Delivery Discussion for Britton Middle School Student Union and Administration

The following individual addressed the Board:

Armando Benavides, Community Member, addressed the Board regarding the allocations to Britton Middle School and requests the new Superintendent take the lead with next steps.

California Education Code 17406 authorizes school districts to use a delivery method known as Lease-Leaseback for construction. Phil Henderson, Partner with Orbach Huff Suarez & Henderson, provided a legal overview of this construction delivery method. Staff provided information on why this delivery method is preferred over standard competitive bidding ("design-bid-build") for the Britton Middle School Administration and Student Union project.

Board discussions included financial proposal clarification of lease leaseback, union contractor, prevailing wage, present Board pros and cons of method and responsible bid.

Board direction to staff was to provide additional information through perhaps a special meeting.

The Board paused to waive Board Bylaw and extend the meeting to 12:30 AM.

Motion Passed: Passed with a motion to extend the meeting until 12:30 PM by Adam Escoto and a second by Mary Patterson.

Yes Adam Escoto
Absent Carol Gittens
Yes John Horner
Yes Ivan Montes
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

J.6. Vote to Support Proposition 56 Law Enforcement Tobacco Grant to fund a School Resource Officer

During an era of escalated tobacco and other drug use in our State, the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (Proposition 56) provides local public agencies with funding to promote a healthier California by reducing illegal sales and marketing of cigarettes and tobacco products, including e-cigarettes, to minors. The City of Morgan Hill, Morgan Hill Police Department recently received notice they were awarded the two-year Proposition 56 Law Enforcement Tobacco Grant to fund a School Resource Officer for two years beginning July 1, 2021. Recipients were given a deadline, March 5, 2021, to accept or decline the grant award.

City staff presented the Grant goals. The Grant can only be accepted upon support of the School District while partnering with the activities identified in the Grant. MHUSD Staff recommended taking action on supporting the activities identified in the Grant and request for the City of Morgan Hill to accept the Grant.

Board discussions included enforcement operation outlined in the proposal, timeline of grant proposal submission, goal on counseling session, tobacco education and medical health professionals, money intended for an Officer and legal benefits.

Motion Failed: Approve as submitted failed with a motion by Heather Orosco and a second by Wendy Sullivan.

No Adam Escoto
Absent Carol Gittens

No John Horner
No Ivan Montes
Yes Heather Orosco
No Mary Patterson
Yes Wendy Sullivan

J.7. Superintendent Search Update

The District began its search for a qualified candidate to become its new superintendent of schools to start on July 1, 2021. At its December 15, 2020 Meeting, the Governing Board authorized a proposed timeline for the search along with a Request for Proposal (RFP) process and document to seek services of an executive search firm or individual with experience in the recruitment and selection of superintendents. A Superintendent Search webpage is now linked to the District's website and can be accessed here: <https://www.mhusd.org/superintendent-search-2021>. As the process continues, new information will be added to the webpage.

The Superintendent Search firm updated the Board on the timeline and next steps.

Discussions included review of the timeline of events to date, employee group participation, adding advisory group panel, next steps and finalist selection and formation of a advisory panel.

J.8. Measure G Bond Quarterly Update

On September 15, 2017, the Board of Education approved 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

Construction management

A total of \$57,479,738 has been spent, or 69%, of Series B proceeds as of January 31, 2021. Staff will present an overview of the project and budget status for Measure G.

The Board received and acknowledged the report.

J.9. Approve 2020-21 Second Interim Budget for the General Fund as reported in the Standardized Account Code Structure (SACS) report

In accordance with Education Code 42130, a school district is required to submit twice during the fiscal year a financial report certifying the district's ability to meet its financial obligations. These reports examine the district's enrollment, spending pattern, fund balance, and reserve for economic uncertainties.

Motion Passed: Approve as submitted Passed with a motion by Wendy Sullivan and a second by Adam Escoto.

Yes Adam Escoto
Absent Carol Gittens
Yes John Horner
Yes Ivan Montes
Yes Heather Orosco
Yes Mary Patterson

Yes Wendy Sullivan

J.10. Adopt resolution to decrease the number of certificated employees due to a reduction in Particular Kinds of Services

Motion Passed: Approve as submitted Passed with a motion by Adam Escoto and a second by Ivan Montes.

Yes Adam Escoto
Absent Carol Gittens
Yes John Horner
Yes Ivan Montes
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

J.11. California School Boards Association (CSBA) Delegate Assembly Election Ballots Due March 15, 2021

The Board discussed the candidates and selected the four incumbent's and add Devin Connolly and Bridget Watson.

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

Yes Adam Escoto
Absent Carol Gittens
Yes John Horner
Yes Ivan Montes
Yes Heather Orosco
Yes Mary Patterson
Yes Wendy Sullivan

J.12. New business: future agenda items / recognitions

Trustee Patterson requested to extend LCAP meeting from two to three hours and the third hour conduct board business.

Trustee Horner requested a policy discussion regarding CSMH listed on website.

Trustee Orosco requested a discussion on the release time for employees to schedule vaccination appointments, a summary on Middle School advanced placement curriculum and discussion on Board schedule.

Trustee Montes requested a conversation regarding grades and implications of repeating courses and graduation.

Trustee Escoto requested a recognition for Dori Prado and Shane Palsgrove for collaborative work in community and a conversation on home visitations.

K. PUPIL DISCIPLINE

L. ADJOURNMENT

The meeting was adjourned at 12:41 AM