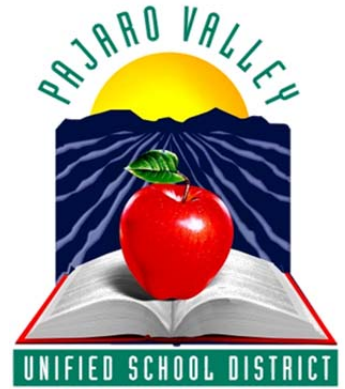


**January 21, 2015  
REGULAR BOARD MEETING  
ADOPTED MINUTES**

**CLOSED SESSION – 5:30 p.m. – 7:00 p.m.  
PUBLIC SESSION – 7:00 p.m.**

**DISTRICT OFFICE  
Boardroom  
292 Green Valley Road, Watsonville, CA 95076**



**1.0 CLOSED SESSION OPENING CEREMONY IN OPEN SESSION – 5:30 P.M.**

**1.1 Call to Order**

Vice President Rivas called the meeting of the Board to order in public at 5:30 PM at 292 Green Valley Road, Watsonville, CA.

**1.2 Public comments on closed session agenda.**

The following students and parents advocated for the continuation of services from teacher Ryan Kuntz: Emily Sanchez, Clarissa Gonzalez, Yuritza Arciga, Ismael Ramirez-Mendoza, Alejandra Garcia, Marisol Serrato, Amie Sanchez, Andre Juarez, and Isaac Rodriguez, Lowell Hurst, and Martin Parra.

Ryan Kuntz, teacher, commented on his impression of mistreatment on behalf of management; he commented on his accomplishments as a teacher throughout 17 years.

**2.0 CLOSED SESSION (AND AFTER REGULAR SESSION IF NECESSARY)**

**2.1 Public Employee Appointment/Employment, Government Code Section 54957**

- a. Certificated Employees
- b. Classified Employees

<b>New Hires – Probationary</b>	
1	Administrative Secretary III
1	Behavior Technician
1	Custodian II
3	Instructional Assistant – Moderate/Severe
1	Library Media Tech
1	Office Assistant II
2	Planning Assistant
1	Parent Education Specialist
<b>Rehires</b>	
	None
<b>Promotions</b>	
	None

<b>New Hires</b>	
2	Counselors
6	Teachers
<b>New Substitutes</b>	
18	Substitutes
<b>Administrative Appointments</b>	
	None
<b>Transfers</b>	
	None
<b>Other</b>	
3	Principals
1	Teacher
<b>Extra Pay Assignments</b>	
1	Activity Director
16	Coach
<b>Extra Period Assignments</b>	
	None
<b>Leaves of Absence</b>	
7	<i>Teacher</i>
1	<i>Assistant Principal</i>
1	Principal
2	Cafeteria Assistant
1	Health Care Assistant
2	<i>Office Manager</i>
1	<i>Warehouse Worker II</i>
2	<i>Registration Specialist I</i>
1	<i>Interpreter/Tutor – Sign Language</i>
1	<i>Instructional Assistant – Moderate/Severe</i>
1	<i>Maintenance Specialist</i>
<b>Retirements</b>	
	None
<b>Resignations/Terminations</b>	
	None
<b>Supplemental Service Agreements</b>	
67	Teacher

<b>Miscellaneous Actions</b>	
	None
<b>Separations From Service</b>	
3	Behavior Technician
1	Instructional Assistant – General Ed
1	Instructional Assistant – Moderate/Severe
1	Lead Custodian II
2	<i>Office Assistant II</i>
1	<i>Supervisor, Food Services</i>
<b>Limited Term – Projects</b>	
2	Administrative Secretary III
1	Cafeteria Assistant
3	Campus Safety & Security Officers
3	Custodian I
1	Custodian II
1	Director, Transportation
1	Guidance Specialist
2	Instructional Support – Child Development
3	Instructional Support – General Ed
1	Library Media Tech
1	Mental Health Clinician
1	Office Assistant II
20	Office Assistant III
1	Office Manager
2	Student Information System Specialist
6	Translator
1	Warehouse Worker II
<b>Exempt</b>	
7	Childcare
3	Enrichment Specialist
36	Student Helper
8	Yard Duty
<b>Provisional</b>	
	None
<b>Limited Term - Substitute</b>	
	None

- 2.2 **Public Employee Discipline/Dismissal/Release/Leaves  
Legal Conference with Lozano Smith Attorney Regarding:**
  - a) **Dismissal charges for one (1) Certificated Employee**
  - b) **Settlement Agreement with one (1) Certificated Employee OR Dismissal Charges for one (1) Certificated Employee**
  - c) **Dismissal of one (1) Classified Employee**
  
- 2.3 **Negotiations Update**
  - a. **CSEA**
  - b. **PVFT**
  - c. **Unrepresented Units: Management and Confidential**
  - d. **Substitutes – Communication Workers of America (CWA)**
  
- 2.4 **Claims for Damages**
  - **Charles Schwartz III v. Pajaro Valley Unified School District**
  
- 2.5 **Pending Litigation**
  
- 2.6 **Anticipated Litigation**
  - **Legal Conference with Lozano Smith Attorney Regarding Pajaro Valley High School Bond Project**
  
- 2.7 **Real Property Negotiations**
  
- 2.8 **6 Expulsions**

**3.0 OPENING CEREMONY – MEETING OF THE BOARD IN PUBLIC - 7:00 P.M.**

President De Serpa called the meeting of the Board in public to order at 7:25 PM.

**3.1 Pledge of Allegiance**

Assistant Superintendent Ylda Noguera led the board in the Pledge of Allegiance.

**3.2 Welcome by Board President**

Trustees Leslie DeRose, Maria Orozco, Karen Osmundson, Lupe Rivas, Jeff Ursino and President Kim De Serpa were present. Trustee Willie Yahiro was absent.

President De Serpa welcomed all to the meeting. She reported on the passing of former trustee Carlos Rico as well as of Joanne Yahiro, wife of trustee Yahiro. A moment of silence took place in their honor.

**3.3 Superintendent Comments**

Dorma Baker reported on her attendance to a presentation by motivational speaker Kevin Bracey and commented on the highlights of his message to the audience.

**3.4 Governing Board Comments/Reports Standing Committee Meetings**

Trustee DeRose reported she had attended the Pajaro Valley Prevention and Student Assistance's board meeting and was pleased to welcome Erica Padilla Chavez, native of Watsonville and alumnae of Watsonville High, as the new CEO of the organization.

Trustee Orozco invited all community members and students to next city council meeting on Tuesday to show support during the discussion on Pajaro Valley High School construction projects.

Trustee Rivas reported that she had attended a special function in honor of Martin Luther King.

Trustee Osmundson reported she has attended a celebration in honor of Martin Luther King.

### **3.5 Student of the Year Recognition**

Administration, teachers, family and friends honored the following student and congratulated them for their accomplishments:

- *Maira Alejandra Espinoza-Casillas – Mintie White Elementary School*
- *Hayden Mennie - Aptos Jr. High School*
- *Rafael Diaz – Lakeview Middle School*
- *Andrea Navarro Rivera– Rolling Hills Middle School*

### **4.0 APPROVAL OF THE AGENDA**

Trustee DeRose moved to approve the agenda. Trustee Orozco seconded the motion. The motion passed 6/0/1 (Yahiro absent).

### **5.0 APPROVAL OF MINUTES**

#### ***a) Minutes of December 10, 2014***

Trustee Orozco moved to approve the minutes for December 10, 2014. Trustee Rivas seconded the motion. The motion passed 5/0/1/1 (DeRose abstained; Yahiro absent).

### **6.0 ORGANIZATIONAL MEETING (CONTINUED FROM DECEMBER )**

#### ***6.1 Recognition of Outgoing Board President***

##### ***Dorma Baker, Superintendent***

Dorma Baker thanked President De Serpa for her board leadership and presented her with a gift as outgoing president.

Public comment:

Bill Beecher, community member, commented on the challenges facing the district, including an effective English Language Learners program and vocational training, is a need and a change is needed. He recommended board actions that help improve student achievement.

#### ***6.2 Election of Officers of the Board***

##### ***1. President***

Trustee DeRose thanked president De Serpa for her leadership noting her fair and equitable treatment of all people. She nominated trustee Ursino for president. Trustee Ursino accepted the nomination and seconded the motion. The motion passed 5/1/1 (Rivas dissented; Yahiro absent).

##### ***2. Vice President/Clerk***

Trustee De Serpa nominated trustee Orozco as Vice President/Clerk of the Board. Trustee DeRose seconded the motion. Trustee Orozco accepted the nomination. The motion passed 6/0/1 (Yahiro absent).

### **7.0 HIGH SCHOOL STUDENTS BOARD REPRESENTATIVES REPORT**

Elias Napa, Leela Stevens of Aptos High School, Brittney Contreras and Felicia Davidson of Pajaro Valley High School, and Destany Vargas and Maria Rosas of Watsonville High School reported on various academic and club activities and gave a sports update.

### **8.0 VISITOR NON-AGENDA ITEMS**

The following parents, students and community members advocated for Mr. Ryan Kuntz and spoke of his dedication to FFA: Francisca Cabrera, Sergio Cabrera, Clarissa Gonzalez, Martin Parra, Yuritza Arciga, Emily Sanchez, and Omar Cabrera.

Ryan Kuntz, teacher, spoke of his negative experience with administration in regards to the basis for his performance evaluations. He commented on his 17 year tenure at Watsonville High and of his accomplishments.

Lowell Hurst, community member and retired agriculture teacher, commented on the effectiveness of the agriculture program at the school.

Christine Matthey, parent, commented on the importance of addressing dyslexia, which affects 20% of students, and her concern for the district's lack of services for students with dyslexia.

Max Matthey, student, spoke of his experience and his frustration as a student with dyslexia and the need for adequate materials and tools.

Christine Kelsey, community member, was surprised to realize schools have students practice sports while students should instead be getting ready for finals.

#### **9.0 EMPLOYEE ORGANIZATIONS COMMENTS – PVFT, CSEA, PVAM, CWA**

Jack Carroll, PVFT, reported that the Tentative Agreement was approved and that negotiations went well. He reminded the board of the request for a study on the pesticides to be on the agenda. PVFT is looking forward to receiving FCMAT's report.

#### **10.0 CONSENT AGENDA**

Trustee DeRose moved to approve the consent agenda. Trustee Orozco seconded the motion. The motion passed 6/0/1 (Yahiro absent).

**10.1 Purchase Orders December 4, 2014 – January 14, 2015**

**10.2 Warrants December 4, 2014 – January 14, 2015**

**10.3 Approve Resolution #14-15-10, Report on Use of Developer Fees for 2013-2014.**

**10.4 Approve Williams Quarterly Report for October – December 2014, Number of Complaints: Zero (0).**

**10.5 Approve 2014-15 School Improvement Plans for Student Achievement.**

**10.6 Approve RFP's for California Environmental Quality Act (CEQA) Service from Board Approved Consultants.**

**10.7 Approve Award of Contract to Remodel/Repair the Watsonville High School Football Field Announcement Booth.**

**10.8 Approve Change Order #3 for Aptos High School Solar Projects #8107.**

**10.9 Approve Change Order #3 for Rolling Hills Middle School Solar Projects #8337.**

#### **11.0 DEFERRED CONSENT ITEMS**

None.

#### **12.0 REPORT, DISCUSSION AND POSSIBLE ACTION ITEMS**

**12.1 Report, discussion and possible action to approve the District's 2013-14 Annual Financial Report and Audit.  
Report by Brett McFadden, CBO.**

Brett McFadden was pleased to report that the audit found two minor findings that can be easily remedied and for which correction plans are already in place: 1 - extended learning not all sites have similar reporting requirements; 2 - compliance issue with the public hearing for instructional materials. Mr. McFadden thanked his staff for the work on to ensure that the district is always compliant and allow for fiscal transparency.

Public comment:

Jack Carroll, PVFT, pointed out a typographical error on page 13 of the report, which prompted a question to the number on page 73 and the fund balance of \$53 million being showed in 2014 while we have been using a \$38 million number.

Brett McFadden clarified that the additional funds are from fund 6, bond endowments, which need to be counted towards the ending balance of the general fund.

Board participated with comments and questions.

Trustee DeRose moved to approve this item with the correction to page 13's total reinvestment plan amount from \$3 million to \$13 million. Trustee De Serpa seconded the motion. The motion passed 6/0/1 (Yahiro absent).

## **12.2 Report, discussion and possible action to approve Resolution #14-15-14 Authorizing the Transfer of \$4.5 Million from the Self-Insurance Fund to the General Fund.**

### ***Report by Brett McFadden, CBO.***

Brett McFadden stated that given the district's negative certification on the first interim report, this action is warranted because the district's structural deficit has not been addressed in two years. As this point, bond investors are expressing their concern with the negative certification. The district will continue to face and address ongoing challenges in finance, including STRS/PERS contribution, and rising retiree benefits. Since the first interim report a few events affecting the district's budget have transpired, including the new LCFF calculation based on the governor's budget. The district is expecting a report from FCMAT in February, which will assist as programs are evaluated. From now until June, this district expects to move from negative to qualified to positive.

Mr. McFadden spoke on the action that is being recommended: moving about \$4.5 million dollars from the self-insured reserve, which is a fund that is no longer necessary, to the general fund to increase the ending balance. This action is enough to move from negative to qualified certification.

The board participated with comments and questions.

Trustee Rivas moved to approve this item. Trustee De Serpa seconded the motion. The motion passed 6/0/1 (Yahiro absent).

## **12.3 Report, discussion and possible action to approve First Reading of the Instructional Calendar for the 2015-16 School Year.**

### ***Report by Sharon Roddick, Assistant Superintendent, HR***

Sharon Roddick reported that the committee has convened for three meetings with the expectation to bring forward three calendars; the reason from bringing only one this time is that the district coordinates with the County Office of Education with the goal to find some consistency throughout the county on some of the major pieces on the instructional calendar. One piece we found to be out of alignment with the county is spring break. The committee is doing some investigation on the community's need around that issue. For this reason, staff is bringing one year instead of three for tonight's action. Early start date is to relieve some of the

transition for students and teachers we are recommending starting on a Thursday. This is a first reading and will come back for a last reading.

Trustee DeRose moved to approve the first reading as presented. Trustee Orozco seconded the motion. The motion passed 6/0/1 (Yahiro absent).

**12.4 Report, discussion and possible action to approve the Classified Exempt Salary Schedule for 2014-15.**

***Report by Sharon Roddick, Assistant Superintendent, HR***

Sharon Roddick reported that this is a salary schedule with exempt classifications, which received a raise on July 1<sup>st</sup>.

Trustee DeRose moved to approve this item. Trustee Orozco seconded the motion. The motion passed 6/0/1 (Yahiro absent).

**12.5 Report, discussion and possible action to approve Resolution #14-15-13, Acknowledging National School Counseling Week, February 2 – 6, 2015.**

***Report by Sharon Roddick, Assistant Superintendent, HR***

Sharon Roddick said that recognizing the work of staff is a high point and acknowledging counseling is important: counselors are helpful for students and parents in guiding them through the academic system. With the implementation of LCAP, the district is making a greater effort to recognize the value of counselors to students.

Trustee Osmundson moved to approve this item. Trustee De Serpa seconded the motion. The motion passed 6/0/1 (Yahiro absent).

**12.6 Report, discussion and possible action to approve the following updates and additions to Board Policies (BP), Regulations (AR), Exhibits (E), and Board Bylaws (BB):**

- ***5145.3 BP, Nondiscrimination/Harassment (Students Series)***
- ***-6161.1 BP, AR, E, Selection and Evaluation of Instructional Materials (Instruction Series)***
- ***6161.11 BP, Supplementary Instructional Materials (Instruction Series)***
- ***9310 BB, Board Policies (Board Bylaws)***
- ***9223 BB, Filling Vacancies (Board Bylaws)***
- ***9320 BB, Meetings and Notices (Board Bylaws)***
- ***9321 BB, Close Session Purposes and Agendas (Board Bylaws)***
- ***9323.2 BB. Actions by the Board***

***Report by Dorma Baker, Superintendent***

Public comment:

Bill Beecher, community member, offered his recommendations for changes to policy 6162.41 in the instructional series.

Vincent Oberst, parent, appreciates the proposed change to 6161.1 regarding showing of R rated movies in classroom. He believes the outstanding issue remains with the district's permission slip system and offered an example of one.

Mr. Murry Schekman stated that the issue of permission slip needs to be further studied to identify the best process for teachers to follow.

Trustee DeRose moved to approve the item, excluding AR 6161.1 and recommending that the issue of permission slip be researched. Trustee Orozco seconded the motion. The motion passed 6/0/1 (Yahiro absent).



### **13.0 REPORT AND DISCUSSION ITEMS**

#### **13.1 Report and discussion on Coordination of Board Representatives to District and Community Committees.**

The following board representatives volunteered to be on these committees:

1. *Community Advisory Committee – SELPA: Osmundson, De Serpa*
  2. *District English Learners Advisory Committee (DELAC): Rivas, Osmundson*
  3. *Inter-Governmental Relations: Ursino, Orozco, DeRose*
  4. *Migrant Head Start Policy Advisory: Orozco, Osmundson*
  5. *Pajaro Valley Prevention and Student Assistance (PVPSA): De Serpa, DeRose*
  6. *Safety: Yahiro*
  7. *SPECTRA- Arts Education Advisory Committee (VAPA): Rivas, DeRose*
  8. *Drop Out Committee: Rivas, Yahiro, Orozco*
- Report by Dorma Baker, Superintendent*

At 10:21 PM, trustee De Serpa moved to extend the meeting to 11:00 PM. Trustee DeRose seconded the motion. The motion passed 6/0/1 (Yahiro absent).

#### **13.2 Report and discussion on the Governor's Proposed January 2015-2016 State Budget and District Fiscal Update.**

*Report by Brett McFadden, CBO.*

Brett McFadden reported that the Governor's proposed budget is overall good for public education; it sets the tone and direction for education policy making. The governor stays the course in the Local Control Funding Formula and on the Local Control Accountability Plan. The plan also commits to Adult Education and Career Technical Education. Mr. McFadden outlined the major proposals for the 2015-16 budget, including designated funds to close the gap, one time discretionary funds, Adult Education and CTE grant blocks. He was pleased to see the investment to CTE as it promotes the continuation of the program. It was noted that the combined funding and LCFF implementation progress would cover about 58% of the gap in three years. The LCFF growth provides an average increase of 8.7% in per-pupil funding. Staff will return to the Board with calculator projections in February.

Mr. McFadden noted that the County Office of Education has reviewed and concurs with the districts accounting and analysis. The letter from the COE, along with their recommendations, was included in the board packet. In reference to the challenges, the district will continue to face a significant amount of them as programs, structural deficit, employee health benefits, increasing STRS and PERS contributions, post retirement liability, vacation accrual and unexpected changes to the LCFF are addressed.

Public comment:

Jack Carroll, PVFT, the multi-year project has not been presented as these numbers are still being analyzed. Page 73 of the audit the district shows an improvement to its first operating deficit since 2003.

Board participated with comments and questions.

Due to time restraints, the Board continued with action items.

Trustee DeRose moved to move action items prior to the LCAP presentation. Trustee Orozco seconded the motion. The motion passed 6/0/1 (Yahiro absent).

## **14.0 ACTION ON CLOSED SESSION**

### **2.1 Public Employee Appointment/Employment, Government Code Section 54957**

#### **a. Certificated Employees**

Trustee DeRose moved to approve the certificated employee report with the following additions: 1 Assistant Principal and 3 Teachers under Leaves of Absence. Trustee Orozco seconded the motion. The motion passed 6/0/1 (Yahiro absent).

#### **b. Classified Employees**

Trustee DeRose moved to approve the classified employees report with the following additions: 1 Warehouse Worker, 2 Registration Specialists, 1 Interpreter/Tutor Sign Language, 1 Office Manager and 1 Maintenance Specialist under Leaves of Absence; 1 Supervisor - Food Services and 1 Lead Custodian II under Separations from Service. Trustee De Serpa seconded the motion. The motion passed 6/0/1 (Yahiro absent).

### **2.2 Public Employee Discipline/Dismissal/Release/Leaves Legal Conference with Lozano Smith Attorney Regarding:**

#### **a) Dismissal charges for one (1) Certificated Employee**

#### **b) Settlement Agreement with one (1) Certificated Employee OR Dismissal Charges for one (1) Certificated Employee**

Trustee DeRose reported that the Board had approved in closed session a settlement agreement for certificated employee #3097 with a vote of 6/0/1 (Yahiro absent).

#### **c) Dismissal of one (1) Classified Employee**

Trustee DeRose reported that the Board had approved in closed session the dismissal of certificated employee #1184 with a vote of 6/0/1 (Yahiro absent).

### **2.4 Claims for Damages**

#### **- Charles Schwartz III v. Pajaro Valley Unified School District**

Trustee DeRose reported that the Board voted in closed session to reject claim and send notice of rejection to claimant.

### **2.8 6 Expulsions**

#### **Action in Expulsions:**

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

#### **14-15-026**

Trustee DeRose seconded the motion. The motion passed 6/0/1 (Yahiro absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

#### **14-15-027**

Trustee DeRose seconded the motion. The motion passed 6/0/1 (Yahiro absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

#### **14-15-028**

Trustee DeRose seconded the motion. The motion passed 6/0/1 (Yahiro absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

#### **14-15-029**

Trustee DeRose seconded the motion. The motion passed 6/0/1 (Yahiro absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

**14-15-030**

Trustee Orozco seconded the motion. The motion passed 6/0/1 (Yahiro absent).

Trustee Osmundson moved to approve the recommendation of the District Administration for the following expulsion:

**14-15-031**

Trustee DeRose seconded the motion. The motion passed 6/0/1 (Yahiro absent).

The Board President recessed from Board of Trustees meeting and reconvened as Board of Directors for the Pajaro Valley Unified School District Financing Corporation.

After adjournment from the Board of Directors meeting, the Board President reconvened the Board of Trustees meeting.

Continuation of Board of Trustees agenda:

**13.0 REPORT AND DISCUSSION ITEMS** (continued)

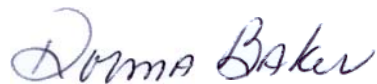
**13.3 Report and discussion on Local Control and Accountability Plan (LCAP) Progress Update.**

*Report by Susan Perez, Assistant Superintendent, C&I*

Due to the time, trustee De Serpa moved to table item #13.3 to the next board meeting. Trustee Orozco seconded the motion. The motion passed 6/0/1 (Yahiro absent).

**15.0 ADJOURNMENT**

There being no further business to address, the board meeting adjourned at 10:58 PM.



Dorma Baker, Superintendent