MONTEBELLO UNIFIED SCHOOL DISTRICT
REGULAR BOARD OF EDUCATION MEETING
BOARD ROOM
123 SOUTH MONTEBELLO BOULEVARD
MONTEBELLO, CALIFORNIA

OCTOBER 19, 2017

6:00 P.M.

Board of Education
Dr. Lani Cupchoy, President
Mr. Edgar Cisneros, Vice President
Ms. Joanna Flores, Clerk
Mr. Hector A. Chacon, Member
Mr. Benjamin Cárdenas, Member

Executive Cabinet
Dr. Anthony J. Martinez, Interim Superintendent of Schools
Dr. Angel E. Gallardo, Assistant Superintendent, Human Resources
Ms. Marlene M. Pitchford, Director, Classified Human Resources
Dr. Anthony J. Martinez, Assistant Superintendent, Instructional Services

VISION STATEMENT
• **We Value** - An organization culture based upon both individual strengths and relationships in which learners flourish in an environment of collaboration, freedom of expression, high expectation and relationships
• **We Commit to** - Continually refining our efforts to provide educational equity and high expectations for all students as we prepare them for success in college, career and beyond
• **We Believe** - In developing and nurturing all of our students and staff through continuously creating conditions that promote rigor, relevance and relationships through our organization

1. Call To Order/Flag Salute

2. Approval of Minutes
   1-a Minutes, Special Meeting, September 25, 2017 (Dist. October 16, 2017)

3. Adoption of Agenda: Regular Meeting – October 19, 2017
4. Student Board Members - Reports or individual member items for discussion, research or future agendas
   Selina Duran, Montebello High School
   Omar Perez, Bell Gardens High School
   Emilio Rochin, Applied Technology Center
   Estevan Arce, Vail High School
   Sofia Carmona, Schurr High School

5. Presentation: Young Senators Program - Montebello Unified School District
   Presented by: Jonathan Flores, Field Representative - Senator Ricardo Lara’s Office

6. Presentation: Opterra’s Internship Program
   Presented by: Greg Coxsom, Opterra

7. Presentation/Discussion: Proposal for the Montebello Unified School District - JATON LLC’s
   Community Renewables Solar Energy Cost Savings Solution
   Presented by: Jake Brown/Antonio J. Perez, JATON LLC

8. MUSD GS Bond Update

9. School Service Organizations: Discussion
   DAC - Martha Cabral, Chair
   DELAC - Monica Heredia, Chair
   HSPC - Elpidio Beltran, President
   CAC - Lorena De La Torre, Chair
   MCPTA - Lisa Uyematsu, President

10. Employee Organizations: Discussion
    CSEA - Lloyd Garrison, President
    MUSD POA - David Park, President
    AMSA - Stacey Honda, President
    MTA - Doug Patzkowski, President

11. *Public Comment

    *Public Comment
    The Board President will recognize individuals in the audience who wish to speak to the Board of Education. The Laws and Policies governing Board of Education meetings will be observed with respect to all such presentations.

    Prior to the beginning of the Board Meeting, those persons wishing to speak on items within the subject matter jurisdiction of this Board of Education are requested to register with the Board Secretary (Superintendent) by filling out the “Speaker Request Card” located at the rear of the Board Room. There is a **three-minute time limit** and the rules when addressing the Board of Education are outlined on the Speaker Request Card.
CONSENT AGENDA

Items under the Consent Agenda are considered to be routine and may be enacted by one motion. However, Board members or the Superintendent may withdraw items for further discussion and/or separate action. Should any Board member desire to consider any item separately, the Board member should so indicate to the President of the Board of Education under “Consent Agenda.”

12. REPORTS

Martinez

3-a Purchase Order Report Summary No. 5(2017-2018) - motion to accept
3-b Warrant Report No. 3(2017-2018) - motion to approve
3-c Record of Collections No. 3(2017-2018) - motion to accept
3-d Suspensions of Pupils - Report dated September 2017 through October 2017 - informational

13. NEW BUSINESS

Anthony J. Martinez, Ph.D., Interim Superintendent of Schools

5-a Resolution No. 13(2017-2018)
5-b Approval of Amendments to Board Bylaw 9323 - Meeting Conduct
5-c Approval of Payment of Invoices from Buddy’s All Stars
5-d Approval of Contract for Specialized Legal Services – Tafoya & Garcia, LLP

Anthony J. Martinez, Ph.D., Assistant Superintendent – Instructional Services

7-a Attendance at Meetings/Workshops/Conferences
7-b Employment of Consultants
7-c **Public Hearing - 6:30 p.m.:** Resolution No. 12(2017-2018) Pupil Textbook and Instructional Materials Compliance for Modified and Traditional Schools for Fiscal Year 2017-2018
7-d Reimbursement of Education Expenses - Head Start Program
7-e Membership - National Association for the Education of Young Children
7-f CollegeBoard Institutional Membership 2017-2018
7-g Approval of Core Instructional Materials - High School
7-h Approval of Reimbursement for Parent Vaccination
7-i Approval of Agreement - Eureka Mathematics Professional Development by Ed Consulting
7-j Approval of Agreement - Technology Enhanced Arts Learning Project (TEAL)
7-k Approval of Participation to Attend Animation Viewing Field Trips - Montebello High School
7-l Approval of Participation to Attend California Science Center Field Trip - Applied Technology Center
7-m Agreements - Students with Disabilities in Nonpublic Schools/Residential
13. **NEW BUSINESS** - (continued)

*Anthony J. Martinez, Ph.D., Interim Superintendent of Schools*

**Business Services**

8-a Revolving Cash Fund Balance

8-b Donations

8-c ACLU Reimbursements to High School ASBs

8-d Approval of Contract for Annual Testing and Repairs for Fuel Station Dispensers

8-e Approval to Enter into Agreement with Environmental Network Corporation dba ENCORP for the Environmental Monitoring of the LED Lighting at Bell Gardens Intermediate School

8-f Award of Contract: Bid No. 08(16-17) Kitchen Modernization to Fremont Elementary School (Original Board Date June 29, 2017 - Correction to Owner’s Contingency Amount from $70,000 to $75,000)

8-g Award of Contract: Bid No. 07(16-17) Kitchen Modernization to Bella Vista Elementary School (Original Board Date: June 29, 2017 - Correction to Owner’s Contingency Amount from $70,000 to $75,000)

8-h Approval to Enter into Agreement with Group Delta Consultants, Inc., for Geotechnical Testing and Inspection Services for the Potrero Heights Elementary School Solar Installation Project

8-i Approval to Enter into Agreement with Group Delta Consultants, Inc., for Geotechnical Testing and Inspection Services for the Transportation Yard Solar Installation Project

8-j Approval to Enter into Agreement with Group Delta Consultants, Inc., for Geotechnical Testing and Inspection Services for the Bandini Elementary School Solar Installation Project

8-k Approval to Enter into Agreement with United-Heider Inspection Group for Geotechnical Testing and Inspection Services for the Maintenance and Operations Yard Solar Installation Project

8-l Approval of Change Orders No. 1 and No. 2 for Bid No. 07(17-18) Environmental Work for the Kitchen Modernization Projects

8-m Approval of Contract for Lab Pack Services of Hazardous Waste Accumulation Located District-Wide

8-n Approval to Enter into Agreement with CAL Building Systems for the Fire Alarm Circuit Modules Replacement at Montebello Intermediate School

8-o Award of Contract: Bid No. 04(16-17) Installation of One (1) Portable Classroom at Cesar Chavez Elementary School (Original Board Date: May 18, 2017 - Correction to Increase Owner’s Contingency Amount from $25,000 to $45,000)

8-p Amendment to Approval to Enter into Agreements for Geotechnical Services for Various District Projects (Original Board Date: April 20, 2017 Correction to Submittal Process and Extension of Contract Term)
13. **NEW BUSINESS** - (continued)

Anthony J. Martinez, Ph.D., Interim Superintendent of Schools

**Business Services**

8-q Amendment to Approval to Enter into Agreements for Environmental Consulting Services for Various District Projects (Original Board Date: April 20, 2017 - Correction to Submittal Process and Extension of Contract Term)

8-r Amendment to Approval to Enter into Agreements for Material Testing Labs and Inspection Services for Various District Projects (Original Board Date: April 20, 2017 - Correction to Submittal Process and Extension of Contract Term)

8-s Approval to Enter into Agreement with J&E Asphalt for the Slurry Coat and Striping of the Entire Campus (Including the Staff Parking Lot) at Vail High School

8-t Approval of Expenditure for the Division of the State Architect Plan Check Fees on Various Projects District-Wide

8-u Award of Contract - Bid No. 08(2017-2018) District-Wide Network Cable Upgrade (Federal Technology Solutions, Inc.)

8-v Approval to Enter into Agreement with SADA Systems, Inc. - District Email Migration to Google Services (Revision of Original Board: 9-14-17 - Correct Spelling of Company Name)

8-w Fiscal Stabilization Plan – Vacant Positions on Employee Database

8-x Approval of Contract for Specialized Legal Services – Alvarez-Glasman & Colvin, LLP

Angel E. Gallardo, Ed.D., Assistant Superintendent, Human Resources

9a - Certificated Personnel

9a-1 Certificated Employment

9a-2 Certificated Leaves of Absence

9a-3 Resignation/Release/Retirement of Certificated Employees

9a-4 Approval of Contract for Specialized Legal Services - Liebert Cassidy Whitmore

9b - Classified Personnel – Marlene M. Pitchford, Director

9b-1 Classified Personnel Employment

9b-2 Resignation/Release/Retirement of Classified Personnel

9b-3 Non-Classified Personnel Employment

9b-4 Classified Personnel Leaves of Absence

9b-5 Classified Personnel Summer Employment

9b-6 Public Notice - Initial Contract Proposal from the Montebello Unified School District Police Officers Association for the 2017-2018 School Year
13. **NEW BUSINESS** - (continued)
   Angel E. Gallardo, Ed.D., Assistant Superintendent, Human Resources
   
   **9c - Pupil & Community Services**
   
   9c-1 Revision of Board Policy 5141.52(a) - Suicide Prevention
   9c-2 Approval of Memorandum of Understanding - California Hispanic Commission on Alcohol and Drug Abuse - Substance Abuse Counseling Services

14. Proposed Revisions of Board Policy 4112.8, 4212.8, 4312.8 - "Employment of Relatives" - (First Reading)

15. Proposed Revision of Board Policy No. 6200 - Instruction - "Adult Education" - (First Reading)

16. Interim Superintendent’s Reports

17. Board of Education Members – Reports or individual member items for discussion, research or future agendas

18. Public Comment on Closed Session Agenda Items

19. Recess - To Closed Session

   Motion: _______________; Second: _______________; ______ p.m.

**Closed Session Agenda:**

a) Conference with labor negotiator (Govt. Code Section 54957.6)
   Agency Negotiator: Angel E. Gallardo
   Employee Organizations: Montebello Teachers Association
                           California School Employees Association
                           All Unrepresented Employees

b) Conference with labor negotiator (Govt. Code Section 54957.6)
   Agency Negotiator: Marlene Pitchford
   Employee Organization: Montebello Unified School District Police Officers Association

c) Closed Session Pursuant to Government Code §54956.9(d)(2) - Conference with Legal Counsel - Anticipated Litigation: Four (4) Matters
Closed Session Agenda: - (continued)

d) Closed Session Pursuant to Government Code §54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation

  • J.G. v. MUSD, Claim Numbers MONW-008316 & MONQ-006665
  • S.K. v. MUSD, Claim Numbers MONR-007000 & MONR-007043
  • J.M. v. MUSD, Claim Numbers MONX-008602 & MONX-008627
  • L.M. v. MUSD, Claim Number MONW-008242

e) Closed Session Pursuant to Government Code §54957(b)(1) – Personnel Matters

  Public Employee Appointment
  Title: Superintendent

f) Closed Session Pursuant to Government Code §54957(b) – Public Employee Discipline/Dismissal/Release

20. Report Out - Closed Session

**ADJOURNMENT** - To next regular meeting scheduled Thursday evening, November 2, 2017, at 6:00 p.m. (open session)

Motion: ________________; Second: ________________; ______ p.m.
MEMORANDUM
October 12, 2017

TO: Anthony J. Martinez, Ph.D., Interim Superintendent of Schools

FROM: Marlene Marin Pitchford, Director, Classified Human Resources

SUBJECT: Proposed Revisions of Board Policy 4112.8, 4212.8, 4312.8 - Employment of Relatives

The District recognizes that potential conflicts of interest may exist when members of the same, immediate family are employed by the District, particularly in the same department, unit or division. The Governing Board desires to maximize staff and community confidence in district hiring, promotion, and other employment decisions by promoting practices that are free of conflicts of interest or the appearance of impropriety.

The purpose of this policy is to provide guidance in the assignment of relatives of employees, in accordance with appropriate laws and rules.

It is recommended that the Board adopt the following motion:

That the Board of Education adopt the attached revisions to the Board Policy 4112.8/4212.8/4312.8 – Employment of Relatives.

Approved for presentation to the Board of Education: November 2, 2017

Marlene Marin Pitchford
Director
Classified Human Resources

Anthony J. Martinez, Ph.D.
Superintendent of Schools
Secretary to the Board of Education
EMPLOYMENT OF RELATIVES

In order to preclude situations which could bring about a conflict of interest for members of the
administrative staff, an employee should not be appointed to a position where a member of
his/her immediate family maintains supervisory or evaluation responsibilities for the position.

Immediate family members may be employed at the same department or work location with the
approval of the Superintendent or designee.

(cf. 9270 - Conflict of Interest)

Legal Reference:
GOVERNMENT CODE
12940 Unlawful employment practices, exceptions

The Governing Board desires to maximize staff and community confidence in district hiring,
promotion, and other employment decisions by promoting practices that are free of conflicts of
interest or the appearance of impropriety.

(cf. 4030 - Nondiscrimination in Employment)
(cf. 9270 - Conflict of Interest)

The Board prohibits the appointment of any person to a position for which his/her relative
maintains management, supervisory, evaluation, or promotion responsibilities and prohibits an
employee from participating in any decision that singularly applies to any of his/her relatives.

(cf. 4111/4211/4311 - Recruitment and Selection)
(cf. 4115 - Evaluation/Supervision)
(cf. 4215 - Evaluation/Supervision)
(cf. 4315 - Evaluation/Supervision)

For purposes of this policy, relative includes the individual's spouse, domestic partner, parents,
grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters,
aunts, uncles, nieces, nephews, and the similar family of the individual's spouse or domestic
partner.

In addition, the Superintendent or designee may determine, on a case-by-case basis, whether to
appoint a person to a position in the same department or facility as an employee with whom
he/she maintains a personal relationship when that relationship has the potential to create (1) an
adverse impact on supervision, safety, security, or morale of other district employees or (2) a
conflict of interest for the individuals involved which is greater because of the their relationship
than it would be for another person.
circumstances that may constitute a violation of this policy.

Legal Reference:
EDUCATION CODE
35107 School district employees
FAMILY CODE
297-297.5 Rights, protections, benefits under the law; registered domestic partners
GOVERNMENT CODE
1090-1098 Prohibitions applicable to specified officers
12940 Unlawful employment practices
CODE OF REGULATIONS, TITLE 2
7292.0-7292.6 Marital status discrimination, especially:
7292.5 Employee selection

Management Resources:
WEB SITES
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov
Institute for Local Government: http://www.cacities.org/index.jsp?zone=ilsg

Policy
Revised: 10-19-2017

Policy
adopted: September 7, 2000

MONTEBELLO UNIFIED SCHOOL DISTRICT
Montebello, California

#14
MEMORANDUM
October 3, 2017

TO: Anthony J. Martinez, Ph.D., Interim Superintendent of Schools

VIA: Angel E. Gallardo, Ed.D., Assistant Superintendent, Human Resources

FROM: Dan Garcia, Director of Adult Education & Support Services

SUBJECT: Proposed Revisions of Board Policy No. 6200 – Instruction – Adult Education

To ensure efficient and coordinated adult education services, the district shall collaborate with other local educational agencies and the community college district in the region's adult education consortium. The district shall participate in the consortium's identification of the educational needs of adults in the region, identification of available funding and services, development and approval of an adult education plan pursuant to Education Code 84906, and implementation of strategies to address the identified needs, improve the effectiveness of district services, and improve students' transitions into postsecondary education and the workforce.

Education Code 84900-84920, as added by AB 104 (Ch. 13, Statutes of 2015), establish the Adult Education Block Grant to provide adult education services through a regional consortium of school districts, county offices of education, community college districts, and joint powers authorities consisting of those entities.

I recommend adoption of the following motion:

That the Board of Education adopt the attached revision of Board Policy No. 6200 – Instruction – Adult Education.

Approved for presentation to the Board of Education: November 2, 2017

Dan Garcia
Director of Adult Education & Support Services

Anthony J. Martinez, Ph.D.
Interim Superintendent of Schools
Secretary to the Board of Education

Angel E. Gallardo, Ed.D.
Assistant Superintendent, Human Resources
ADULT EDUCATION

The Board of Education recognizes that education is a lifelong process and that it is important for individuals to continuously develop new skills.

The Superintendent or designee shall develop and oversee the district’s adult education program. The Board shall approve all courses to be offered in this program.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

The Governing Board believes that education is a lifelong process and that it is important for individuals to continuously develop new skills. Eligible adults shall be offered opportunities to enroll in programs and courses that develop academic and workforce skills and, as appropriate, lead to completion of requirements for high school graduation.

The Superintendent or designee shall recommend, for approval by the Board and the California Department of Education, courses to be offered through the district's adult education program.

To ensure efficient and coordinated adult education services, the district shall collaborate with other local educational agencies and the community college district in the region's adult education consortium. The district shall participate in the consortium's identification of the educational needs of adults in the region, identification of available funding and services, development and approval of an adult education plan pursuant to Education Code 84906, and implementation of strategies to address the identified needs, improve the effectiveness of district services, and improve students' transitions into postsecondary education and the workforce.

The district's representative to the region's adult education consortium shall be designated by the Board. (Education Code 84905)
(cf. 9140 - Board Representatives)

The Superintendent or designee shall ensure that all teachers of adult education classes possess an appropriate credential issued by the Commission on Teacher Credentialing and have access to high-quality professional development to continuously enhance their knowledge and skills.
(cf. 4112.2 - Certification)
(cf. 4131 - Staff Development)

Adult education classes may be offered any day or evening, including weekends, for such length of time during the school year as determined by the Board. (Education Code 52505, 52513)

Enrollment Policy

Adult education assignments are pursuant to Board approval and contingent upon maintenance of adequate attendance minimum of:

15 students per class setting for Elementary and Secondary Basic Skills, ESL, and Citizenship.
10 students per class setting for Career Technical Education Courses.
8 students per class setting for Adults w/Disabilities.
ADULT EDUCATION (continued)

A certificate of completion of the eighth grade shall be awarded through the adult school upon successful completion of both of the following:
1. At least one term in the adult elementary program
2. Overall eighth-grade placement on a recognized standardized achievement test

Adult education students who fulfill the district's graduation requirements shall receive a diploma of high school graduation.
(cf. 6142.7 - Physical Education and Activity)
(cf. 6146.1 - High School Graduation Requirements)

The Superintendent or designee shall regularly report to the Board on the effectiveness of the district's adult education program. This report shall include, but not be limited to, the number of adults and high school students participating in the program, student participation in each type of adult education course or class, and the extent to which students successfully completed these programs, including, as applicable, the completion of requirements for the high school diploma or certificate of equivalency.
(cf. 0500 - Accountability)

Legal Reference:
EDUCATION CODE
8500-8538-Adult education
41976-41976.2-Adult education; authorized classes and courses
44865-Qualifications for home teachers and teachers in special classes
46190-46192-Adult school; days of attendance
46300.4-Independent study in adult education
46351-46352-Adult classes
51040-Prescribed courses
51225.3-Requirements for graduation
51241-Temporary or permanent exemption from physical education
51242-Exemption from physical education for athletic program participants
51246-Exemption from physical education for certain students in grade 12
51730-51732-Elementary school special day and evening classes
51810-51815-Community service classes
52500-52523-Adult schools
52530-52531-Use of hospitals
52540-52544-Adult English classes
52550-52556-Classes in citizenship
52570-52572-Disabled adults
52610-52616.24-Finances
52651-52656-Immigrant Workforce Preparation Act
52900-52904-Alternative education and work centers for high school dropouts
60410-Books for adult classes
CODE OF REGULATIONS, TITLE 5
10501-Adult education
10508-Records and reports
ADULT EDUCATION (continued)

10530-10560 Standards
10600-10615 Adult education innovation
UNITED STATES CODE, TITLE 8
1184 Foreign students
Management Resources:
CDE PUBLICATIONS
Adult Education Handbook for California
CDE LEGAL ADVISORIES
0319.97 Amendments to F-1 Student Visa Requirements, LO: 1-97
CDE MANAGEMENT ADVISORIES
0680.92 Using Independent Study in Adult Education Programs:—An Option
CDE PROGRAM ADVISORIES
0689.88 Education Fees for F-1 Visa Students
0622.87 Discrimination Against the Handicapped in Adult Education Programs

Legal Reference:
EDUCATION CODE
8500-8538 Adult education
10200 CalWORKs education and job training plan
41975-41976.2 Adult education; authorized classes and courses
44260.2-44260.3 Credential requirements, designated subjects adult education credential
44865 Qualifications for home teachers and teachers in special classes
46190-46192 Adult school; days of attendance
46300.1-46300.4 Independent study
51040 Prescribed courses
51056 Adult education course of study
51225.3 Requirements for graduation
51241 Physical education exemptions
51246 Physical education exemptions
51730-51732 Elementary school special day and evening classes
51745-51749.6 Independent study
51810-51815 Community service classes
52500-52523 Adult schools
52530-52531 Use of hospitals
52540-52544 Adult English classes
52550-52556 Classes in citizenship
52570-52572 Disabled adults
52610-52616.24 Adult schools, finances
52651-52656 Immigrant Workforce Preparation Act
60410 Books for adult classes
84830 Adult education consortium
84900-84920 Adult Education Block Grant
WELFARE AND INSTITUTIONS CODE
11320-11329.5 CalWORKs, including education and job training
ADULT EDUCATION (continued)

CODE OF REGULATIONS, TITLE 5
10501 Adult education
10508 Records and reports
10530-10534 Standards
80034 Teaching credentials, adult education
80034.5 Adult education, substitute teachers
80036-80036.4 Requirements for designated subjects adult education credential
80040.2-80040.2.7 Programs of personalized preparation for the designated subjects adult education teaching credentialing

UNITED STATES CODE, TITLE 20
2301-2415 Carl D. Perkins Career and Technical Education Act

UNITED STATES CODE, TITLE 29
3101-3255 Workforce Innovation and Opportunity Act
3271-3333 Adult Education and Family Literacy Act

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Adult Education Handbook for California, 2005
Pupil Fees, Charges, and Other Deposits, Fiscal Management Advisory 12-02, April 24, 2013

WEB SITES
California Council for Adult Education: http://www.ccaestate.org
California Department of Education: http://www.cde.ca.gov/sp/ae
California Department of Industrial Relations, Division of Apprenticeship Standards: http://www.dir.ca.gov/das
Commission on Teacher Credentialing: http://www.ctc.ca.gov
Comprehensive Adult Student Assessment Systems: http://www.casas.org
(6/97 7/99) 5/16

Policy
adopted: June 15, 2000
Policy
revised: November 2, 2017

MONTEBELLO UNIFIED SCHOOL DISTRICT
Montebello, California