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

August 2, 2018  
6:00 P.M.

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

TELECONFERENCE WITH DR. LANI CUPCHOY  
LOCATION: HYATT UNION SQUARE  
BOWERY ROAD (1ST FLOOR)  
134 FOURTH AVENUE  
NEW YORK, NEW YORK 10003

Executive Cabinet  
Dr. Anthony J. Martinez, Superintendent of Schools  
Dr. Angel E. Gallardo, Assistant Superintendent, Human Resources  
Ms. Elvira Alvarado, Interim Assistant Superintendent, Educational 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. Adoption of Agenda: Regular Meeting – August 2, 2018

3. Recognition: Damien Velasquez - Gold Medalist - National SkillsUSA Competition

4. Presentation: Eureka Math K-5 Mathematics Adoption  
   Presented by: Elvira Alvarado

5. Presentation: University Entrance Requirements: “A-G” Implementation  
   Presented by: Christian Sandoval
6. Discussion: Laguna Nueva Site

7. School Service Organizations: Discussion
   DELAC – Martha Cabral, Chair
   HSPC - Elpidio Beltran, President
   CAC - Lorena De La Torre, Chair
   MCPTA - Hector Hernandez, President
   DAC – Estela Ulloa, Chair

8. Employee Organizations: Discussion
   MTA - Doug Patzkowski, President
   CSEA - Lloyd Garrison, President
   MUSD POA - David Park, President
   AMSA – Cecilia Ramirez, President

9. Los Angeles County Office of Education (LACOE): Comments

10. *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.”

11. REPORTS
    Martinez  3-a Purchase Order Report Summary No. 20(2017-2018 Fiscal Year) – motion to
            " accept
            “  3-b Record of Collections No. 1(2018-2019 Fiscal Year) - motion to accept
            “  3-c Report of Revolving Cash Fund 1(2018-2019 Fiscal Year) - action to ratify
            “  3-d Purchase Order Report Summary No. 1(2018-2019 Fiscal Year) – motion to
               accept
12. **NEW BUSINESS**

Elvira Alvarado, Interim Assistant Superintendent, Educational Services

| 7-a | Attendance at Meetings/Workshops/Conferences |
| 7-b | Ratification of Employment of Consultants |
| 7-c | Approval of Employment of Consultants |
| 7-d | Agreements - Students with Disabilities in Nonpublic Schools/Residential |
| 7-e | Agreements - Students with Disabilities in Nonpublic Schools/Residential |
| 7-f | Approval of Agreement - After-School All Stars - Bandini Elementary School |
| 7-g | Approval of Agreement - After-School All Stars - Cesar Chavez Elementary School |
| 7-h | Approval of Agreement - After-School All Stars - Potrero Heights Elementary School |
| 7-i | Approval of Agreement - After-School All Stars - Bell Gardens Intermediate School |
| 7-j | Approval of Agreement - After-School All Stars - Bell Gardens Intermediate School |
| 7-k | Approval of Agreement - After-School All Stars - Suva Intermediate School |
| 7-l | Approval of Agreement - After-School All Stars - Suva Intermediate School |
| 7-m | Approval of Agreement - ICES Education LLC - Bell Gardens Elementary School |
| 7-n | Approval of Agreement - ICES Education LLC - Bella Vista Elementary School |
| 7-o | Approval of Agreement - ICES Education LLC - Fremont Elementary School |
| 7-p | Approval of Agreement - ICES Education LLC - Garfield Elementary School |
| 7-q | Approval of Agreement - ICES Education LLC - Greenwood Elementary School |
| 7-r | Approval of Agreement - ICES Education LLC - La Merced Elementary School |
| 7-s | Approval of Agreement - ICES Education LLC - Montebello Park Elementary School |
| 7-t | Approval of Agreement - ICES Education LLC - Rosewood Park School |
| 7-u | Approval of Agreement - ICES Education LLC - Winter Gardens Elementary School |
| 7-v | Approval of Agreement - ICES Education LLC - Eastmont Intermediate School |
| 7-w | Approval of Agreement - ICES Education LLC - Eastmont Intermediate School |
| 7-x | Approval of Agreement - ICES Education LLC - La Merced Intermediate School |
| 7-y | Approval of Agreement - ICES Education LLC - La Merced Intermediate School |
| 7-z | Approval of Agreement - ICES Education LLC - Macy Intermediate School |
12. **NEW BUSINESS (continued)**

Elvira Alvarado, Interim Assistant Superintendent, Educational Services

**Educational Services**

7-aa Approval of Agreement - ICES Education LLC - Montebello Intermediate School

7-bb Approval of Agreement - ICES Education LLC - Montebello Intermediate School

7-cc Approval of Agreement - Music Star - Creative Learning, LLC - Joseph Gascon Elementary School

7-dd Approval of Agreement - Music Star - Creative Learning, LLC - Montebello Gardens Elementary School

7-ee Approval of Agreement - Music Star - Creative Learning, LLC - Washington Elementary School

7-ff Approval of Agreement - Student Success Institute, Inc (SSI) - Wilcox Elementary School

7-gg Approval of Agreement - Student Success Institute, Inc (SSI) - Suva Elementary School

7-hh Approval of Contract with the California Department of Education, Early Education and Support Division for General Child Care and Development

7-ii Approval of Overnight/Out-of-State Special Study Trip Schurr High School

7-jj 2018-2019 Head Start Notice of Award

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

**Business Services**

8-a Inter-Fund Cash Transfers for 2017-2018 Year-end Closing

8-b Donations

8-c School Districts with ADA Above EC 41301 Level - Year-End Appropriation Transfers

8-d Membership - Coalition for Adequate School Housing

8-e Approval to Renew School Dude Solutions, Inc. Work Order System Software Service Agreement

8-f Use of PCC 20118 Bid Award - Distribution of Milk and Dairy Products (Clearbrook Farms, Inc.)

8-g Approval to Increase the Owner’s Contingency Amount for Bid No. 19 (17-18) with 2H Construction, Inc. for the Installation of Interim Housing, Power, Fire Alarm and Plumbing at Montebello Intermediate School

8-h Award of Contract: Bid No. 35 (17-18) Repairs to the Chiller at La Merced Intermediate School

8-i Approval to Enter into Agreement with TYR IOR Services for Inspector of Records Services for the Interim Housing Project at Bell Gardens Elementary School
12. **NEW BUSINESS (continued)**  
   Angel E. Gallardo, Ed.D., Assistant Superintendent, Human Resources

   9a - Certified Personnel
   9a-1 Ratification of Certified Employment  
   9a-2 Approval of Certified Employment  
   9a-3 Ratification of Certified Leaves of Absence  
   9a-4 Approval of Certified Leaves of Absence  
   9a-5 Ratification of Resignation/Release/Retirement of Certified Employees  
   9a-6 Ratification of Summer Employment - Certified Personnel - 2018

   9b - Classified Personnel
   9b-1 Ratification of Classified Personnel Employment  
   9b-2 Approval of Classified Personnel Employment  
   9b-3 Resignation/Release/Retirement of Classified Personnel  
   9b-4 Ratification of Non-Classified Personnel Employment  
   9b-5 Approval of Non-Classified Personnel Employment  
   9b-6 Classified Personnel Leaves of Absence  
   9b-7 Ratification of Classified Personnel Summer Employment  
   9b-8 Approval of Classified Personnel Summer Employment  
   9b-9 Property and Liability Coverage for Fiscal Year 2018-2019  
   9b-10 Labor Code Section 132a Claims - Fiscal Year 2017-2018

   9c - Adult Education
   9c-1 East Los Angeles College Non-Credit Program/Job Readiness Courses  
   9c-2 Adult Education Workforce Innovation and Opportunity Grant (WIOA) Grant Application

13. Proposed Revisions of Board Policy 5146 - Married/Pregnant/Parenting Students (First Reading)

14. Superintendent’s Reports

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

16. Public Comment on Closed Session Agenda Items

17. Recess to Closed Session

   Motion: ___________________; Second: ___________________; ______ p.m.
Closed Session Agenda:

a) Closed Session pursuant to Government Code §54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation
   • Compromise and Release Agreement: 153932 v. MUSD, OAH Case No. 20180608902
   • Compromise and Release Agreement: 139758 v. MUSD, OAH Case No. 20180608990

b) Closed Session pursuant to Government Code Section §54957 - Public Employment
   • Assistant Superintendent, Human Resources
   • Chief Business Officer

c) Closed Session Pursuant Government Code Section §54957.6 - Conference with Labor Negotiators
   Agency Designated Representative: Anthony J. Martinez, Ph.D.
   Unrepresented Employee: Assistant Superintendent, Human Resources
   Unrepresented Employee: Chief Business Officer

d) Closed Session pursuant to Government Code Section §54957 - Public Employment
   • Principal, High School
   • Administrator on Special Assignment

e) Closed session pursuant to Government Code Section §54957(b)(1) - Public employee discipline/dismissal/release: One (1) matter

18. Report Out - Closed Session

ADJOURNMENT - To next regular meeting scheduled Thursday evening,
August 16, 2018, at 6:00 p.m. (open session)

Motion: ___________________ ; Second: ___________________ ; _____ p.m.
MEMORANDUM
July 27, 2018

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

VIA: Elvira Alvarado, Interim Assistant Superintendent, Educational Services

FROM: Laurie Capps, Teacher on Special Assignment

SUBJECT: Proposed Revisions of Board Policy 5146 – Married/Pregnant/Parenting Students

In order to comply with all requirements of various District programs, the District must have in place and maintain updated basic procedures and guidelines regarding federal and state statutes and regulations. In order to maintain this compliance, the District is updating its policy regarding Married/Pregnant/Parenting Students.

It is recommended that the Board adopt the following motion:

That the Board of Education adopt the attached revisions to Board Policy 5146 – Married/Pregnant/Parenting Students.

Approved for presentation to the
Board of Education: August 16, 2018

Anthony J. Martinez, Ph.D.
Superintendent of Schools
Secretary to the Board of Education
MARRIED/PREGNANT/PARENTING STUDENTS

The Governing Board recognizes that early marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and to promote the healthy development of their children.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At Risk Students)
(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
(cf. 6164.5 - Student Success Teams)

The district shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. (Education Code 230; 20 USC 1681-1688 34 CFR 106.40)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3127 - Graduation Ceremonies and Activities)

For school-related purposes, a married student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in any comprehensive school or educational alternative program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or his/her child.

(cf. 6158 - Independent Study)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6184 - Continuation Education)
(cf. 6206 - Adult Education)

Any education program or activity that is offered separately to such pregnant students, including any class or extracurricular activity, shall be comparable equal to that offered to other district students. A student's participation in such programs shall be voluntary. (34 CFR 106.49 5CCR 4950)

(cf. 6142.7 - Physical Education and Activity)
Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the district’s uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

As required for other students with physical or emotional conditions or temporary disabilities, the Superintendent or designee may require a student may be required, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician indicating that she the student is physically and emotionally able to participate in an educational program or activity if other students with physical or emotional conditions or temporary disabilities are required by the district to provide such certification. (34 CFR 106.40)

To the extent feasible, educational and related support services shall be provided, either through the district or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities

2. Parenting education and life skills instruction

3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28

4. Health care services, including prenatal care

5. Tobacco, alcohol, and/or drug prevention and intervention services
6. Academic and personal counseling

(cf. 6164.2 - Guidance/Counseling Services)

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

(cf. 6179 - Supplemental Instruction)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

**Absences**

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 - Absences and Excuses.

(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by a physician. At the conclusion of the leave, the student shall be reinstated to the status she held when the leave began. (34 CFR 106.40)

(cf. 5112.3 - Student Leave of Absence)

A parenting student may also request exemption from attendance because of a related physical or mental condition or because of personal services that must be rendered to a dependent. (Education Code 48410)

(cf. 5112.1 - Exemptions from Attendance)

**Reasonable Accommodations**

When necessary, the district shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program.

A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. (34 CFR 106.40)

(cf. 6183 - Home and Hospital Instruction)
The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222)

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child

2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk

3. Access to a power source for a breast pump or any other equipment used to express breast milk

4. Access to a place to store expressed breast milk safely

5. A reasonable amount of time to accommodate the student’s need to express breast milk or breastfeed an infant child

Complaints

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the district’s uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Any complaint alleging district noncompliance with the requirements to provide reasonable accommodations for lactating students also may be filed in accordance with the district’s procedures in AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 222; 5 CCR 4600-4687)

Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support married, pregnant, and parenting students, which may include data on participation rates in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.

(cf. 0500 - Accountability)
(cf. 6162.3 - Student Assessment)
Legal Reference:

EDUCATION CODE
222 Reasonable accommodations: lactating students
230 Sex discrimination
8200-8498 Child Care and Development Services Act
48203 Excused absences
48220 Compulsory education requirement
48410 Persons exempted from continuation classes
49533 Nutrition supplements for pregnant/lactating students
51220.5 Parenting skills and education
51745 Independent study
52610.5 Enrollment of pregnant and parenting students in adult education
54740-54749 Cal-SAFE program for pregnant/parenting students and their children

CIVIL CODE
51 Unruh Civil Rights Act

FAMILY CODE
7002 Description of emancipated minor

HEALTH AND SAFETY CODE
104460 Tobacco prevention services for pregnant and parenting students

CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
4950 Nondiscrimination, marital and parental status

CODE OF REGULATIONS, TITLE 22
101151-101239.2 General licensing requirements for child care centers
101351-101439.1 Infant care centers

UNITED STATES CODE, TITLE 20
1681-1688 Title IX. Education Act Amendments

UNITED STATES CODE, TITLE 42
1786 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7
246.1-246.28 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34
106.40 Marital or parental status

ATTORNEY GENERAL OPINIONS

COURT DECISIONS

Management Resources:

CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS
Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements
Pregnant Students and Confidential Medical Services
The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education
WEB SITES
California Department of Education: http://www.cde.ca.gov
California Women’s Law Center: http://www.cwlcc.org/resources