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

FEBRUARY 15, 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

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

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, Regular Meeting, February 1, 2018 (Dist. February 9, 2018)

3. Adoption of Agenda: Regular Meeting – February 15, 2018

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. Recognition: Diana Knobler, Applied Technology Center
6. Presentation: Budget
   Presented by: Caroline Larson, Vavrinek, Trine, Day & Co., LLP
   Eric O’Leary, CEBS, Senior Vice President-Public Agency Retirement Services (PARS)

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

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

9. *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.
11. **NEW BUSINESS**

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

**Instructional Services**

7-a Attendance at Meetings/Workshops/Conferences
7-b Employment of Consultants
7-c Approval of Agreement – Sprint and the Sprint Foundation 1 Million Project (Original Bd. 5-19-17 – changes in terms of agreement)
7-d Approval of Agreement – Mathematics Professional Development by Ed Consulting
7-e Approval of Agreement – Mathematics Professional Development by Ed Consulting

**Business Services**

7-f Approval of Memorandum of Understanding – Azusa Pacific University
7-g Approval of Overnight/Out-of State Special Study Trip – Bell Gardens Intermediate School
7-h Approval of Overnight/Out-of State Special Study Trip – Wilcox Elementary School
7-i Approval of Overnight/Out-of State Special Study Trip – Applied Technology Center, Montebello and Schurr High School
7-j Approval of Overnight/Out-of State Special Study Trip – Schurr High School
7-k Approval of Overnight/Out-of State Special Study Trip – Schurr High School
7-l Agreements – Handicapped Students in Other Schools – Transportation
7-m Agreements – Students with Disabilities in Nonpublic Schools/Residential

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

7-a Amendment to Contract Amount and Contract Terms – Approval to Enter into Agreement with Orbach Huff Suarez & Henderson LLP for Legal Services Related to Facilities and Construction Programs as it applies to Contracting, Constructing and Compliance
7-b Approval to Enter into Agreement with Public Economics, Inc., for Consulting Services Regarding Former Redevelopment Agencies
7-c Award of Contract – Bid No. 16 (2017-2018) Districtwide Network Cable Upgrade (Telenet VoIP, Inc.)
7-d Amendment to J. Glynn & Company Agreement
7-e Approval of Contract with Nixon Peabody LLP to provide Bond Counsel, Disclosure Counsel and other Legal Services in Connection with the District’s General Obligation Bond and other Debt Obligations including Bond Counsel with the Existing Bond Program.
7-f Consider Approval of Contract for Specialized Legal Services – Artiano Shinoff Abed Blumenfeld Carelli Kostic Sleeth & Wade, APC
11. NEW BUSINESS (continued)
   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
   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
   Angel E. Gallardo, Ed.D., Assistant Superintendent, Human Resources
   9c- Pupil and Community Services
   9c-1 Approval of Agreement – Charity Vision International Foundation-
       Mobile Vision Health Services
   9c-2 Approval of Memorandum of Understanding – The Sherwood Foundation
       Grant
   9c-3 Adoption of 2016-2017 Comprehensive Safe School Plans
   9c-4 Resolution No. 29(2017-2018) “National School Counseling Week” –
       February 5-9, 2018
   9d - Adult Education
   9d-1 Contracts for Housing of Adult Education Classes 2017-2018
       (Original Bd. Date: 1-19-17) – Amendment

12. Proposed Revisions of Board Policy 4112.8, 4212.8, 4312.8 - Employment of Relatives

13. Superintendent’s Reports

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

15. Public Comment on Closed Session Agenda Items

16. Recess to Closed Session

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

Closed Session Agenda:

a) Closed Session under Govt. Code §54957.6 – Conference with Labor Negotiators

   Agency Designated Representative: Angel E. Gallardo, Ed.D./Adrianna Guzman
   Employee Organizations: Montebello Teachers Association
                           All Unrepresented Employees

   Agency Designated Representative: Bibi Alvarado/Adrianna Guzman
   Employee Organizations: California School Employees Association

   Agency Designated Representative: Marlene M. Pitchford/Adrianna Guzman
   Employee Organization: Montebello Unified School District Police Officers Association
Closed Session Agenda:

b) Closed Session pursuant to Government Code §54956.9(d)(1) - Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation: 1 matter

c) Closed Session pursuant to Government Code Section 54957 – Public Employee Discipline/Dismissal/Release

45 Matters

d) Closed Session pursuant to Government Code §54956.9(d)(1) - Conference with legal counsel – Existing Litigation

- Kenney & Kropff v. MUSD (Los Angeles Superior Court Case No. BC78131)
- Cal200 v. Apple Valley Unified, et al. (San Francisco Superior Court Case No. CPF15-514477)
- QP5837757 v. MUSD (Claim No. MOTB-009216)
- US7776393 v. MUSD (Claim No. MONZ-009201)
- MN1601657 v. MUSD (Claim No. MONZ-009093)
- FZ9444679 v. MUSD (Claim No. MONZ-009236)
- RB4395628 v. MUSD (Claim No. MONZ-009184)
- XC2405109 v. MUSD (Claim No. MONZ-008906)
- NZ1917535 v. MUSD (Claim No. MONZ-008998)
- BE1786620 v. MUSD (Claim No. MONU-007814)
- EN2732356 v. MUSD (Claim No. MONZ-008497)
- EN2732356 v. MUSD (Claim No. MONX-008646)
- DS0149326 v. MUSD (Claim No. MONY-008888)
- RG9000827 v. MUSD (Claim No. MONZ-009178)
- XD2017699 v. MUSD (Claim No. MONW-008327)
- XD2017699 v. MUSD (Claim No. MONW-008319)
- PN1557395 v. MUSD (Claim No. MONX-008574)
- CK3042049 v. MUSD (Claim No. MONR-007043)
- CW8477386 v. MUSD (Claim No. MONZ-009126)
- YW6669098 v. MUSD (Claim No. MONX-008627)
- YW6669098 v. MUSD (Claim No. MONX-008602)
- WC4971705 v. MUSD (Claim No. MONY-008931)
- JE2958968 v. MUSD (Claim No. MONY-008966)
- XC2405109 v. MUSD (Claim No. MONY-008906)

17. Report Out - Closed Session

**ADJOURNMENT** - To next regular meeting scheduled Thursday evening, March 1, 2018, at 6:00 p.m. (open session)

Motion: ___________________; Second: ___________________; _____ p.m.
MEMORANDUM
February 8, 2018

TO: Anthony J. Martinez, Ph.D., 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 Board Policy 4112.8/4212.8/4312.8 – Employment of Relatives.

Approved for presentation to the Board of Education: March 1, 2018

Marlene Marin Pitchford
Director
Classified Human Resources

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

Angel E. Gallardo, Ed.D.
Assistant Superintendent
Human Resources
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 or co-habitant 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 who is a close relative or co-habitant of the appointee 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.
An employee shall notify his/her supervisor within 30 days of any change in his/her 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: 2-15-2018

Policy adopted: September 7, 2000

MONTEBELLO UNIFIED SCHOOL DISTRICT
Montebello, California

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