



CONEJO VALLEY UNIFIED SCHOOL DISTRICT
South Building Board Room
1402 E. Janss Rd., Thousand Oaks, CA 91362

BOARD OF EDUCATION REGULAR MEETING
Tuesday, August 20, 2019

MINUTES

1. CLOSED SESSION

A. Public Comments

At 5:01 p.m., President Connolly announced that there were no comment cards submitted and the Board then convened into Closed Session.

B. Conference with Legal Counsel, Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1), SCSS Holdings Inc. v. CVUSD Case 56-2016-00481228-CU-BC-VTA

C. Conference with Legal Counsel, Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1), Case OAH 2019070207

D. Conference with Legal Counsel, Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1), Case OAH 2019061096

E. Conference with Legal Counsel, Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1), Case OAH 2019050208

F. Conference with Legal Counsel, Anticipated Litigation, Significant Exposure to Litigation, Pursuant to Government Code Section 54956.2(d)(2) and e(3). Government Tort Claim 07102019

Closed Session ended at 5:50 p.m.

2. OPEN SESSION

A. Call the Meeting to Order and Roll Call

Call to Order and Roll Call: President Connolly called the meeting to order at 6:01 p.m.

Board Members present: President Connolly, Cindy Goldberg, Bill Gorback, Sandee Everett and Jenny Fitzgerald.

Administration present: Dr. Mark McLaughlin, Superintendent; Victor Hayek, Deputy Superintendent, Business Services; Jeanne Valentine, Assistant Superintendent, Human Resources; Lou Lichtl, Assistant Superintendent, Instructional Services and Dr. Lisa Miller, Assistant Superintendent, Student Support Services.

B. Pledge of Allegiance

C. Announcements from Closed Session and Open Session Procedures

President Connolly announced that the following items were discussed in Closed Session:

1B. Conference with Legal Counsel, Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1), SCSS Holdings Inc. v. CVUSD Case 56-2016-00481228-CU-BC-VTA

Mr. Gorback made the motion to approve, seconded by Mrs. Fitzgerald.

Motion carried: 5-0.

1C. Conference with Legal Counsel, Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1), Case OAH 2019070207

Mrs. Goldberg made the motion to approve, seconded by Mr. Gorback.

Motion carried:5-0.

1D. Conference with Legal Counsel, Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1), Case OAH 2019061096

Mr. Gorback made the motion to approve, seconded by Mrs. Goldberg.

Motion carried: 5-0.

1E. Conference with Legal Counsel, Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1), Case OAH 2019050208

Mrs. Goldberg made the motion to approve, seconded by Mrs. Fitzgerald.

Motion carried: 4-1, with Mr. Gorback voting no.

1F. Conference with Legal Counsel, Anticipated Litigation, Significant Exposure to Litigation, Pursuant to Government Code Section 54956.2(d)(2) and (e)(3).

Government Tort Claim 07102019

D. Approval of the Agenda

Mrs. Goldberg made the motion to approve the Agenda with the amendment to pull Consent Agenda items 4Q and 4W, seconded by Mr. Gorback. There was no discussion by the Board.

Motion carried 5-0 with an honorary yes vote from Student Board Member Scott.

E. Comments - Public

President Connolly announced that there were 15 public comment cards submitted:

- Speaker 1 spoke about the District making honest decisions.
- Speaker 2 spoke about declining enrollment and inclusion.
- Speaker 3 spoke about inclusion, the LEAP class at Westlake High School, and requested that the District advertise and promote SEDAC continuously for more parent buy in.
- Speaker 4 spoke about the importance of UDL and asked for support for inclusion.
- Speaker 5 spoke about being a former board member and reincorporating freedom of speech.
- Speaker 6 spoke about the Parent Alliance and this group's work to promote support and defend the rights of parents to raise their parents without the interference of the outside system.
- Speaker 7 spoke about K-5 education and concern for the outrageous contents in the book, "It's Perfectly Normal."
- Speaker 8 spoke about the sex education curriculum and the need to rebuild and strengthen the community.
- Speaker 9 thanked the Board for their hard work and asked the Board to consider all the factions of the community when making decisions that affect our youth.
- Speaker 10 spoke about the Board to listen to concerns from the public and address them with transparency.
- Speaker 11 spoke about concerns with student curriculum and literature.
- Speaker 12 spoke about concerns with the different sex categories that are being introduced to children through curriculum.

F. Comments from Individual Board Members:

The Board discussed the following: Welcome back to parents and students on a new school year, UDL presentation at Newbury Park High School for teachers, Thousand Oaks Library Ribbon Cutting event, Measure I support from the voters, Young Artists Ensemble, welcome to new Student Board Member Jordan Scott, and a Board member request to show a presentation that she had shown at a local church.

G. Comments from the Superintendent:

Dr. McLaughlin welcomed 18,500 students back to school and stated that he is looking forward to great things this year. He thanked the grounds, administration, certificated and classified staff for preparing for the first day of school, and thanked Mr. Lichtl and his staff for their work on the professional development day for teachers. Dr. McLaughlin welcomed new Student Board Member Jordan Scott, and thanked the trades' workers for their construction work on the Board dais. Dr. McLaughlin also stated that he is open to dialogue with the community, and has no hesitation in answering any questions they may have.

3. ACTION ITEMS – GENERAL

A. Board of Education – Approval of Board Bylaw 9260 – Legal Protection

Mrs. Goldberg made the motion to approve, seconded by Mr. Gorback. The Board discussed the Gamut language that was incorporated into the bylaw, and the response from the District's attorney on the bylaw language. **Motion carried: 5-0.**

B. Board of Education – Approval of Subcommittee's Recommendation for Citizens' Bond Oversight Committee Member Selection

Mr. Gorback made the motion to approve, seconded by Mrs. Fitzgerald. The Board and District staff discussed the interview and selection process and the option of choosing members that may not already be participating in another parent group within the District. **Motion carried: 5-0, with an honorary "yes" vote from Student Board Member Scott.**

C. Business Services – Approval of Purchase Order Report (Fund 672 – Health and Welfare)

Mrs. Gorback made the motion to approve, seconded by Mrs. Everett. The Board discussed why this agenda item was moved from the Consent agenda. Dr. Hayek stated that this item was moved so that Mrs. Fitzgerald could recuse herself from this vote rather than the entire Consent agenda. **Motion carried: 4-0, with a recusal from Mrs. Fitzgerald.**

D. Business Services – Approval of Warrants – June and July 2019 (Fund 672 – Health and Welfare)

Mrs. Goldberg made the motion to approve, seconded by Mr. Gorback. Mrs. Fitzgerald recused herself from voting on this agenda item. There was no Board discussion on this agenda item. **Motion carried: 4-0, with a recusal from Mrs. Fitzgerald.**

4. ACTION ITEMS – CONSENT

President Connolly stated that the Board would start the approval of the consent agenda by addressing pulled items 4Q and 4W, in the order given.

Q. Student Support Services – Approval of Contract – Lourdes G. Campbell and Associates

Mrs. Everett made the motion to approve, seconded by Mrs. Fitzgerald. The Board discussed whether we provide Spanish closed captioning for the Board meeting, to which Dr. McLaughlin responded that staff would look into this option for future meetings. **Motion carried: 5-0.**

W. Business Services – Approval of Facility Agreement with Interface Children and Family Services

Mrs. Goldberg made the motion to approve, seconded by Mrs. Fitzgerald. President Connolly announced that there was one public comment card submitted:

- Speaker 1 spoke about the lack of consequences in the agreement if employees hold raffles and fundraisers that are not allowed, and food sales without the proper licensure.

The Board discussed the provisions required by law, and clauses to include in the contract preventing the allowance of food sales. **Motion carried: 5-0.**

President Connolly asked for a motion to approve the remainder of the amended Consent Agenda. Mrs. Goldberg made the motion to approve the remainder of the Consent Agenda, seconded by Mr. Gorback. **Motion carried: 5-0.**

- A. Approval of Minutes
- B. Human Resources – Personnel Assignment Orders
- C. Human Resources – Approval of Annual Renewal Contract with 24 Hour Fitness
- D. Human Resources – Approval of Directed Teaching, Practicum Experiences and/or Fieldwork Experiences Agreement with the University of La Verne
- E. Human Resources – Approval of Student Teaching Agreement with California State University, Northridge
- F. Human Resources – Approval of Educational Practicum or Student Teaching Internship Agreement with Kansas State University
- G. Instructional Services – Overnight Trip Request – Sycamore Middle School
- H. Instructional Services – Approval of Watercraft Trip Request – Newbury Park High School
- I. Instructional Services – Approval of Contract – Pegleg Entertainment - NPHS
- J. Instructional Services – Pre-authorization of Overnight Trip Requests
- K. Instructional Services – Approval of Contract – All It Takes
- L. Instructional Services – Approval of Watercraft Field Trip – EARTH'S Magnet School
- M. Instructional Services – Approval of Contract – Riverside Insights
- N. Instructional Services – Approval of Contracts Under \$5,000
- O. Student Support Services – Approval of Contract – Tom Kuznkowski
- P. Student Support Services – Approval of Contract - EdFiles
- R. Student Support Services – Contract for Residential Placement for Student #34-18/19
- S. Student Support Services – Approval of Independent Educational Evaluation, Mary Large, Ph.D.
- T. Business Services – Approval of Quarterly Report on Williams Uniform Complaints
- U. Business Services – Accept the GASB 75 Actuarial Valuation
- V. Business Services – Approval of Agreement with School Services of California, Inc.
- X. Business Services – Approval of Agreement with Santa Barbara Airbus, Inc.
- Y. Business Services – Approval of Agreement with Southwinds Transportation
- Z. Business Services – Approval of Ad Hoc Maintenance Agreements for 2019-2020
- AA. Business Services – Approval of Application to Receive Mandate Block Grant Funding for Fiscal year 2019-2020
- BB. Business Services – MEASURE I: Award of Contracts – Under the Guidelines of California Uniform Public Construction Cost Accounting Act (CUPCAA)
- CC. Business Services – MEASURE I: Notices of Completion
- DD. Business Services – Notice of Completion – Boys & Girls Club – Redwood Middle School
- EE. Business Services – Approval of Petty Cash Funds and Responsible Administrator for 2019/2020
- FF. Business Services – Approval of Amendment to Board Policy and Administrative Regulation 3100 – Budget

- GG. **Business Services – Approval of Amendment to Board Policy and Administrative Regulation 3260 – Fees and Charges**
- HH. **Business Services – Approval of Amendment to Board Policy and Administrative Regulation 3515.4 – Recovery for Property Loss or Damage**
- II. **Business Services – Approval of Purchase Order Report (PO's exceeding \$5,000)**
- JJ. **Business Services – Approval of Purchase Order Report (PO's under \$5,000)**
- KK. **Business Services – Approval of Warrants – June and July 2019**
- LL. **Business Services – Disposal of Surplus and Obsolete Equipment**

5. INFORMATION/DISCUSSION ITEMS – GENERAL

A. Instructional Services – Approval of New Core Literature Titles for Middle School English

Mr. Lichtl presented information on the core literature adoption website and discussed the articulation committee's work on this process. He announced the days that parents can preview the four books that are up for adoption and referenced the book reviews available.

President Connolly announced that there was one public comment card submitted:

- Speaker 1 spoke about the importance of reading diverse works of literature.

The Board discussed the literature recommended for approval and the opt out process.

B. Student Support Services – Approval of Amendments to Board Policy and Administrative Regulation 5113.1 – Chronic Absence and Truancy

The Board discussed the subgroups referenced in the policy and recommended changes to the verbiage. Dr. Miller stated that she would look into how subgroups are being defined and bring that information back to the Board.

C. Student Support Services – Approval of Amendment to Board Policy and Administrative Regulation 5113 – Absences and Excuses

The Board discussed recommended verbiage changes on the Board Policy and Administrative Regulation, what is classified as a confidential medical service that students can be excused for without parental consent, where legal responsibility falls during that absence, what resources students have access to at school, information provided in the student handbook, and how parents are notified of absences. Dr. McLaughlin confirmed that the changes in the policy and regulation are state mandates, and there is no change to the District's current process. The Board further discussed clarification on the current processes at the school sites. *Dr. McLaughlin stated that staff knew there was further work required on this item prior to approval, and President Connolly provided staff direction to bring the Board Policy and Administrative Regulation back for action at a future meeting with the discussed revisions.*

D. Student Support Services – Presentation: Special Education by Dr. Lisa A. Miller, Assistant Superintendent, Student Support Services

Dr. Miller presented information on Special Education, including a review of the IEP process that leads to specialized program recommendations, the definition of a specialized program and specialized programs offered, least restrict environment continuum, parent tours of specialized programs, social-emotional programs and supports, staffing, sensory materials and equipment, behavior intervention and de-escalation strategies, SEDAC and recommendations from the SEDAC Executive Committee, and actions and next steps to improve specialized programs and services. Dr. Miller acknowledged the Special Education staff, including Director Erika Johnson. President Connolly announced that there were five public comment cards submitted:

- Speaker 1 donated time to Speaker 2.
- Speaker 2 requested that the District eliminate the use of de-escalation rooms.
- Speaker 3 donated time to Speaker 4.

- Speaker 4 spoke about supports and services needed for all students to succeed, and discussed her tour of the de-escalation rooms.
- Speaker 5 spoke about de-escalation rooms being a violation of human rights.

The Board discussed the legal parameters of having cameras installed in de-escalation rooms, to which Dr. McLaughlin responded that this addition would need to be negotiated with the unions. The Board further discussed data available on the correlation of the use of de-escalation rooms and students referred to County programs, the uniformity of current de-escalation rooms, soliciting student and parent input, SDAC students participating on SEDAC, and informing parents about what techniques may be used on their students.

E. Instructional Services – Approval of Amendments to Board Policy and Administrative Regulation 6142.2 – Sexual Health and HIV/AIDS Prevention Instruction

President Connolly stated that she would not be entertaining any comments on elementary curriculum since this policy and regulation are not applicable to that level, and made the decision to set the public comment time to two minutes due to the large number of public comment cards submitted. ***Mrs. Everett disagreed with President Connolly's statement and stated that this agenda item did cover K-6 sexual education curriculum and that speakers should be allowed to speak to that during the public comments portion of this agenda item.*** Mr. Lichtl presented information regarding the California Healthy Youth Act, including Education Code 51938, the right to opt out of comprehensive sexual health education, HIV prevention education and assessments related to that education. He stated that the current Board Policy provides parents with the right to opt out their student, but the Administrative Regulation needs to be updated to comply with California Education Code to offer parents to option to opt out rather than opt in.

President Connolly announced that there were 32 public comment cards submitted:

- Speaker 1 spoke in favor of the Sexual Health Education and HIV/AIDS Prevention curriculum.
- Speaker 2 spoke in favor of educating students about gender identity.
- Speaker 3 spoke in favor of inclusion and diversity with minorities and LGBTQ+ individuals.
- Speaker 4 spoke in favor of the Sexual Health Education curriculum.
- Speaker 5 yielded back her time.
- Speaker 6 spoke in favor of providing students with information about relationships, LGBTQ issues, and sexuality.
- Speaker 7 spoke against the Sexual Health Education curriculum and provided suggestions for policy and regulation verbiage changes.
- Speaker 8 requested that the Board form a parent committee to review materials and be inclusive of the entire community, and addressed concerns with the Positive Prevention Plus curriculum.
- Speaker 9 requested that the Board create a diverse committee to review this Board Policy and Administrative Regulation.
- Speaker 10 spoke requested that the District present more information to parents regarding curriculum changes in the interest of transparency.
- Speaker 11 spoke against the Sexual Health Education curriculum and recommended a comprehensive anti-bullying campaign that includes all students.
- Speaker 12 asked the Board to include verbiage in the Board Policy and Administrative Regulation that assures that the District will no adopt any new curriculum for grades K-6 or curriculum regarding gender identity.
- Speaker 13 requested information on how parents are informed of new curriculum adoption and opt out policies.
- Speaker 14 asked the Board to remove the verbiage in the Administrative Regulation to alter curriculum for grade K-6 students and asked for transparency.

- Speaker 15 spoke against the Sexual Health Education curriculum and against the change to the Board Policy and Administrative Regulation.
- Speaker 16 spoke against the Sexual Health Education curriculum.
- Speaker 17 spoke against the Sexual Health Education curriculum.
- Speaker 18 asked the Board to reconsider the Sexual Health Education curriculum and addressed issues with the Board Policy, Administrative Regulation and Positive Prevention Plus curriculum.
- Speaker 19 spoke about CVUSD providing a safe place for all students to learn, not discriminating against any child, and asked the Board to implement a policy to include all students.
- Speaker 20 spoke about the opt out notification to parents and asked what methods will be used to distribute information.
- Speaker 21 was not present.
- Speaker 22 spoke against the Sexual Health Education curriculum.
- Speaker 23 advocated for transparency, opt out rights for parents and inclusion of all students.
- Speaker 24 was not present.
- Speaker 25 spoke in favor of the Board Policy and Administrative Regulation changes.
- Speaker 26 spoke in favor of the Board Policy and Administrative Regulation changes and in favor of inclusive education.
- Speaker 27 spoke in favor of the Board Policy and Administrative Regulation changes.

Mrs. Goldberg made the motion to extend the Board meeting to no later than 1:00 a.m., seconded by multiple Board members. Motion carried: 5-0.

- Speaker 28 thanked the District for the FAQ information on the Health Education website, and recommended the inclusion of verbiage in the Board Policy and Administrative Regulations that covers refusal skills and illegal underage sexual activity.
- Speaker 29 spoke about the lack of transparency with the changes to the Sexual Health Education curriculum for grades K-6.
- Speaker 30 was not present.
- Speaker 31 spoke in favor of the Sexual Health Education curriculum.
- Speaker 32 was not present.

The Board discussed recommended changes to verbiage in the Board Policy and Administrative Regulation, modifying the questions on the parent survey, reviewing the alternative assignment to ensure equal rigor and work, parent notifications regarding outside guest speakers in the classroom, looking at opt out notifications from other districts, and making a good faith effort to inform parents regarding literature and opt out policies. Dr. McLaughlin confirmed that the District is not making any changes to the Sexual Health Education curriculum for grades Tk-6. The Board reached consensus on changing the verbiage from opt in to opt out in the Administrative Regulation to ensure compliance with California Education Code.

F. Board Discussion Item – Censure of Sandee Everett?

President Connolly announced that there were 18 public comment cards submitted:

- Speaker 1 spoke against the censure.
- Speaker 2 spoke against the censure.
- Speaker 3 spoke in favor of the censure.
- Speaker 4 spoke against the censure.
- Speaker 5 spoke about providing a better example to children when adults choose to disagree on controversial issues.
- Speaker 6 spoke against the censure.

- Speaker 7 spoke against the censure.
- Speaker 8 spoke against the censure.
- Speaker 9 spoke in favor of the censure.
- Speaker 10 spoke in favor of the censure.
- Speaker 11 spoke in favor of the censure.
- Speaker 12 spoke against the censure.
- Speaker 13 spoke against the censure.
- Speaker 14 spoke against the censure.
- Speaker 15 spoke against the censure.
- Speaker 16 spoke in favor of the censure.
- Speaker 17 spoke in favor of the censure.
- Speaker 18 spoke against the censure.

President Connolly asked each Board member to indicate if it is his or her wish to move forward with the Board President creating an Ad Hoc Committee to draft a resolution for the censure of Sandee Everett. The Board reached consensus that that they would not be in favor of creating an Ad Hoc Committee to draft a resolution for the censure of Sandee Everett.

The Board discussed the process involved for a censure to be placed on the Board agenda. Dr. McLaughlin stated that the District's attorney reviewed the requests and recommended that these censures be placed on the Board agenda.

G. Board Discussion Item – Censure of Jenny Fitzgerald?

The Board reached consensus to table this item until the next Board meeting.

H. Instructional Services – Amendments to Board Policy 6146.1 – High School Graduation Requirements, Board Policy and Administrative Regulation 6146.11 – Alternative Credits Toward Graduation, and Administrative Regulation 6146.12 – High School Credit for Concurrent Enrollment in High School and College Classes

This agenda item was tabled until the next Board meeting.

6. ADJOURNMENT

A. Future Board Topics/Activities

The Board did not add any items to future Board topics or activities.

B. Adjournment

President Connolly adjourned the Open Session at 12:51 a.m. **The next regularly scheduled Board meeting will be Tuesday, September 3, 2019, 5:00 p.m. Closed Session, and 6:00 p.m. Open Session** at Conejo Valley High School (CVUSD Board Room), 1402 E. Janss Road, Thousand Oaks.

October 1, 2019

Date

A handwritten signature in cursive script, appearing to read "Bill Torback", written over a horizontal line.

Clerk

October 1, 2019

Date

A handwritten signature in cursive script, written over a horizontal line. The signature is stylized and difficult to decipher.

Superintendent

