UNADOPTED

Minutes of
Madera County Board of Education
July 13, 2021

Present: Cathie Bustos, Shelley Deniz, Tammy Loveland, Zimri Padilla, Alfred Soares, Jr., Brian Ramirez, Joe Vived

Absent: None

Also Present: Julie DeWall, Jessica Drake, Dianna Marsh, Jennifer Pascale, Tricia Protzman, Hugo Sanchez

1.0 Call to Order

1.1 Flag Salute

President Alfred Soares, Jr., called the meeting to order at 3:30 p.m., followed by the flag salute.

2.0 Consideration of Minutes

2.1 Special Meeting June 29, 2021

Mrs. Pascale stated no written or verbal comments were submitted for this agenda item.

Tammy Loveland moved to approved the minutes of June 29, 2021, seconded by Cathie Bustos and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None
Absent: None

3.0 Adoption of Board Agenda

Mrs. Pascale stated no written or verbal comments were submitted for this agenda item.

Cathie Bustos moved to adopt the agenda as presented, seconded by Zimri Padilla and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None
Absent: None

4.0 Information

4.1 Public Comment

President Soares, Jr., stated this time is offered to members of the public wishing to address the Board on matters under the jurisdiction of the Board, but not listed on the

agenda. Board members may listen to, but not discuss matters not on the agenda. (G.C. 54954.2) The Board will not take action on any items presented under public comment. Speakers are limited to three minutes.

Mrs. Pascale stated no written or verbal comments were submitted for this agenda item. No one came forward to address the Board.

4.2 Letters and Communications

Executive Secretary Massetti reported:

- A legal clarification was received since the last Board of Education meeting explaining that the 29 page brochure mentioned at the June 29th meeting is an advertisement for legal services. The brochure is from the law firm that represented the Orange County Board of Education regarding hiring of attorneys. The lawsuit was settled without any court ruling. There is no legal precedence that affects any other county. The case is specific to the one dispute and specific circumstances. Dr. Massetti sharedthe conditions when a Board mayhire legal counsel. Those circumstances are:
    1. Education Code Section 35041.5, which authorizes school agencies to hire their own attorneys, provides that the county superintendent and county board shall appoint "the same legal counsel."
    2. In every county, the day-to-day work of the county office is the responsibility of the county superintendent, who requires regular and ongoing advice from counsel familiar with the office's needs and challenges.
    3. County boards do not need advice on a frequent basis because their duties are more limited in nature.
    4. In almost all counties, the attorney hired by the county superintendent is available to meet the needs of the county board and there is seldom any conflict.
    5. The Attorney General has explained that a county board may not appoint outside counsel, in addition to in-house counsel hired by the county superintendent, to provide unrestricted, independent advice to the board.
    6. In specific instances, the county board may hire its own counsel for these limited purposes:
        a. The in-house counsel has a conflict of interest and cannot represent both in a particular matter.
        b. The in-house counsel has failed to render timely advice in a particular matter.
        c. The services sought by the board are in addition to those usually, ordinarily, and regularly obtained from in-house counsel.
        d. The county board seeks a second legal opinion from that which has been provided by in-house counsel in a particular matter.

- The Tribune featured some of MCSOS' graduates. A copy of the paper will be brought to the next meeting.

4.3 Non-School Sources
None

4.4 Madera County School Boards Association (MCSBA) Executive Committee Meeting Report
Mrs. Deniz announced the next meeting will be held August 25 at 7 p.m. in Oakhurst. Dr. Massetti added the Executive Committee authorized professional development for the association. Dr. Linda Jordan will be the presenter. A survey will be sent to the group to determine the training date.

Mrs. Deniz asked if a door prize is needed from the Board. Dr. Massetti explained two door prizes are usually submitted per district and the County Office. Mrs. Deniz volunteered to bring a prize.

Donations and door prize money go toward student scholarships. Mrs. Deniz noted the scholarship pool is very low this year. Each year, individual board members and the superintendent are expected to donate $20.00 for the fund scholarship.

4.5 Madera County Foundation Board Report
Mrs. Bustos reported the Foundation met via Zoom on June 22. A $5,000 donation was received from PG&E. The EECU account is at $36,000 and the Pitman scholarship account is at $32,000. There are some expenses for the Pitman scholarship that need to be transferred to that account.

The ArtsFest competition was completed online last year. Some of the artwork is displayed in the lobby. The next ArtsFest will take place on May 7th.

Pitman scholarships went to a Madera High and a Madera South students. Mrs. Bustos noted Kristi Winter does a fabulous job organizing student events. The next meeting will be held Oct. 9th.

4.6 Member Report(s)
Mr. Vived congratulated the office on being in the Tribune. He noted the skills of the staff at MCSOS are wonderful and should be featured in the paper.

The Board asked about masks for students. Dr. Massetti explained initially health officials stated no masks would be needed. Reports showed that 34% of students 12 and older have been vaccinated. Health officials then determined that unvaccinated students would need to wear masks. Due to the fact that 70% of the eligible students are not vaccinated, officials felt teasing and bullying issues would occur if only a portion of the student population had to wear masks. As of today, health officials are mandating that all students wear masks indoors, but can remove them outside. If students will not wear a mask, they will have to be excluded from the school site.

Students will be given the opportunity to enroll in independent study. Guidelines for independent study have changed to include synchronous learning and daily live interaction specifications by grade. Independent study will have to offer all A-G requirements. These changes will require policy updates, which will be brought to the Board for approval.

The Board asked if weekly meetings will continue to be held with superintendents and health officials. Dr. Massetti explained that many of the superintendents are on vacation this month, but weekly meetings will begin again next week.

5.0 Information from the Superintendent and Staff

5.1 State Budget Review

Mrs. DeWall reported that on June 28, the governor signed AB 128, the Budget Act of 2021 making appropriations to support State government for 2021-2022. Yesterday, the governor signed AB 129, the Budget Bill Junior, which included specifications for independent study, the COLA, and special education funds. Additional implementation bills are coming. Many funding streams are available. They are all categorical, which means they come with specifications for what and how the money can be spent. The Business office will be busy this year monitoring funds.

Dr. Massetti noted that School Services of California will present this week. Board members that would like to attend can come to the Conference Center from 9 a.m. to 12 p.m. Thursday.

5.2 Annual Board Calendar

Dr. Massetti explained the calendar provided is tentative. Items may need to be moved around in accordance with changes in legislation and reports needing to be submitted to the State and Federal government.

5.3 Declaration of Need for Fully Qualified Teachers

Mrs. Protzman explained the California Commission on Teacher Credentialing requires that MCSOS seek to hire fully qualified teachers. However, there are times when teachers need to be hired on special permits. Currently, twelve teachers will be working on internship permits.

5.4 Quarterly Report on Williams Uniform Complaints

Ms. Drake informed the Board that no complaints have been filed.

5.5 Census Update and Process

Dr. Massetti stated every ten years following the federal census, school board district boundaries must be adjusted to ensure each district contains a substantially equal number of residents. The census data is late in coming to the State. For MCSOS and the districts, however, the deadlines for adjusting and setting boundaries remains the same. All districts must have trustee areas balanced by April 1st. If they do not, the Madera County Committee on School District Organization will be required to do that for

them.

For now, the Board of Education will work on its boundaries when the data is available. Odell Planning and Research, Inc. has been hired by all districts and the County Office. Mr. Odell will provide maps to realign the areasif it is needed. A 10% variance is allowed. Once the maps are complete, they will be brought to the Board for consideration and adoption.

6.0 Old Business

None

7.0 Closed Session

None

8.0 New Business

8.1 Consideration Issuance of Temporary County Certificates

Mrs. Pascale announced no written or verbal comments were submitted for this agenda item.

Mrs. Protzman asked the Board to ratify the issuance of Temporary County Certificates (TCCs) from June 1-30, 2021. TCCs are issued in order to authorize the individual to work while the California Commission on Teacher Credentialing reviews his/her waiver request, emergency permit, initial and/or renewal credential application packet.

Mr. Vived moved to ratify the TCCs, seconded by Brian Ramirez and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None
Absent: None

8.2 Consideration Disposition of Surplus/Obsolete Equipment

Mrs. Pascale announced no written or verbal comments were submitted for this agenda item.

Ms. DeWall provided the Board with a list of equipment declared obsolete. Items included laptops, Chromebooks, a printer, a monitor and low incidence items such as projectors, Phonak systems, tactile image enhancers, etc.

Cathie Bustos moved to approve the list of surplus/obsolete equipment submitted, seconded by Shelley Deniz and approved by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None

Absent: None

8.3 Consideration Destruction of Records

Mrs. Pascale announced no written or verbal comments were submitted for this agenda item.

Mrs. DeWall stated that under Title V, California Administrative Code, the office may destroy Class 3 Disposable Records after July 1. Each year the Board is requested to authorize destruction of these records. A list of the records to be destroyed was provided.

Tammy Loveland moved to approve the list of Class 3 Disposable Records, seconded by Joe Vived and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None
Absent: None

8.4 Consideration Acceptance of Annual Facility Education Program Review and Evaluation Report

Mrs. Pascale announced no written or verbal comments were submitted for this agenda item.

Mr. Sanchez explained that the State requires a qualified outside agency or individual to conduct a review of the MCSOS Facility Education Program. This year, Principal Elizabeth Norris of Kings County's juvenile facility conducted the review. Mr. Sanchez considered asking Merced to do the review, but since their teachers were not performing in-person instruction, MCSOS contacted Kings County.

Mr. Vived asked about parent contact. Mr. Sanchez explained teachers use ParentSquare, which allows them to text and e-mail with parents directly.

Tammy Loveland moved to approve the Annual Juvenile Facility Education Program Review and Evaluation Report, seconded by Cathie Bustos and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None
Absent: None

In order to hold the Public Meeting at 5:15 p.m., President Soares, Jr., moved to agenda item 8.7.

8.7 Consideration of Investment Performance Statement
Mrs. Pascale announced no written or verbal comments were submitted for this agenda item.

Mrs. DeWall explained MCSOS' funds are deposited with the Madera County Treasurer. The County Treasurer-Tax Collector's investments continue to provide as favorable a rate of return as can be expected in the current financial market. The current rate of return is 0.54% and is lower compared to last year's rate of return of 1.98% for the same time period. This is a decrease of 1.44%.

Joe Vived moved to approve the report as presented, seconded by Zimri Padilla and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None
Absent: None

8.8 Consideration Adoption of Revised 2021-2022 School Calendars
8.8.1 Endeavor Secondary (Juvenile Hall) & Voyager Secondary
8.8.2 Pioneer Technical Center/Madera County Independent Academy
8.8.3 Pioneer Technical Center – Chowchilla
8.8.4 Madera County Superintendent of Schools Special Education (Gould)
Mrs. Pascale announced no written or verbal comments were submitted for this agenda item.

Ms. Drake explained that MCSOS finalized negotiations. Four additional days have been added to the 2021-2022 school year for teachers to work with students before school starts to assess learning loss. Because of the additional days, the calendars were revised. This will allow students to be brought back earlier for assessments. The actual school year of 180 days has not changed for students.

President Soares, Jr., asked if additional funding will be used for those days. Ms. Drake explained that there are different pots of money due to COVID that will be utilized to cover the cost of the additional days.

President Soares, Jr., asked if contacting families has been difficult. Ms. Drake stated that because of the types of students served by MCSOS in special education programs, staff has been in contact with families on a regular basis, so contacting them for assessment dates was not difficult.

Shelley Deniz moved to accept the calendars as presented, seconded by Brian Ramirez and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None

Abstain: None
Absent: None

9.0 Other
None

President Soares, Jr., asked to adjourn the meeting to the Madera County Committee on School District Organization (MCCSDO) meeting.

Shelley Deniz moved to adjourn the meeting to the MCCSDO meeting, seconded by Zimri Padilla and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None
Absent: None

The meeting adjourned at 4:47 p.m.

The meeting reconvened at 5:15 p.m. for the public hearing.

8.5 Consideration Resolution #1, 2021-2022 Availability of Instructional Materials for Alternative Education
Mrs. Pascale announced no written or verbal comments were submitted for this agenda item.

President Soares, Jr., opened the public hearing at 5:15 p.m. on the Availability of Instructional Materials for Alternative Education. No one came forward to speak. The public hearing closed at 5:16 p.m.

Tammy Loveland moved to approve Resolution #1, 2021-2022 Availability of Instructional Materials for Alternative Education, seconded by Joe Vived and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None
Absent: None

8.6 Consideration Adoption of Instructional Materials for Madera County Superintendent of Schools Alternative Education Programs
Mrs. Pascale announced no written or verbal comments were submitted for this agenda item.

President Soares, Jr., asked if any changes or upgrades had been made anywhere. Mr. Sanchez said ELA was updated and online curriculum was added.

Cathie Bustos moved to adopt the list of Instructional Materials for Madera County Superintendent of School Alternative Education Programs, seconded by Zimri Padilla and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None
Absent: None

10.0 Adjournment

Mrs. Pascale announced no written or verbal comments were submitted for this agenda item.

Zimri Padilla moved to adjourn the meeting, seconded by Brian Ramirez and carried by unanimous vote.

Ayes: Bustos, Deniz, Loveland, Padilla, Ramirez, Soares, Jr., Vived
Noes: None
Abstain: None
Absent: None

The meeting adjourned at 5:20 p.m.

Respectfully submitted,

Cecilia A. Massetti, Ed.D.
Executive Secretary

CAM/jep