



Regular Board of Education Meeting/Reunión ordinaria de la Junta de Educación
06/21/2023 06:00 PM
Open Session Begins at/La sesión abierta comienza a las 6PM (Closed Session
Begins at/La sesión cerrada comienza a las 5PM)
In-Person Attendance & Via Live Stream on YouTube/Asistencia en Persona y
Transmisión en YouTube
Marigold School/Escuela Marigold , 2446 Marigold Ave., Chico, California 95926

MEETING MINUTES

Attendees

Voting Members

Caitlin Dalby, Board President (Serving At Large)
Eileen Robinson, Board Vice President - Trustee Area 5
Matt Tennis, Board Clerk (Serving At Large)
Rebecca Konkin, Board Member - Trustee Area 1
Tom Lando, Board Member - Trustee Area 4

Non-Voting Members

Kelly Staley, Superintendent
Jim Hanlon, Assistant Superintendent Human Resources
Jay Marchant, Assistant Superintendent Educational Services
Jaclyn Kruger, Assistant Superintendent, Business Services

1. CALL TO ORDER

At 5:00 p.m. Board President Dalby called the Regular Board Meeting to order at Marigold School, 2446 Marigold Avenue, Chico and announced the Board would be going into Closed Session.

1. Public Comment on Closed Session Items

There were no public comments on Closed Session Items.

2. CLOSED SESSION

1. *Public Employee Appointment/Employment*
2. *Public Employee Appointment/Employment*
3. *Student Discipline or Other Confidential Student Matters*
4. *Public Employee Discipline/Dismissal/Release/Complaint*
5. *Personnel – Discipline/Dismissal/Release/Complaint*
6. *Update on Labor Negotiations*
7. *Conference with Legal Counsel - Anticipated Litigation*

3. RECONVENE TO REGULAR SESSION

1. Call to Order

At 6:02 p.m. Board President Dalby called the meeting to order.

2. Report Action Taken in Closed Session

Board President Dalby stated the Board took action on one item. The Board unanimously voted to uphold the Superintendent designee's final decision on a complaint concerning a district employee in accordance with Administrative Regulation 1312.1.

3. Flag Salute

Board President Dalby led the salute to the flag.

4. SUPERINTENDENT'S REPORT AND RECOGNITION

At 6:03 p.m. Superintendent Kelly Staley thanked the following retirees for their service to Chico Unified: Laurie Debock, Renee Spaggiari, Diane Olsen and Jim Hanlon.

5. ANNOUNCEMENTS

At 6:06 p.m. Board President Dalby introduced Heather Hacking, Program Manager of the Study of the United States Institutes for Secondary Educators. Each educator came forward and introduced themselves. Board Member Lando acknowledged Pride Month and those in the community who live their most authentic lives. Board Vice President Robinson recognized Pride Month and the success of the district summer programs.

6. ITEMS FROM THE FLOOR

At 6:19 p.m. Board President Dalby opened the floor to public comment. Seven people spoke for a total of 21 minutes. Subjects included gender concerns in the locker room and restrooms, concerns regarding Special Education integration with general education classes, the importance of parental rights and concerns regarding COVID-19 and vaccines.

7. CONSENT CALENDAR

At 6:38 p.m. Board President Dalby opened the floor to public comment. One speaker spoke for a total of three minutes regarding *Consent Item 7.4.2. - Classified Human Resources Actions*. Board President Dalby asked if anyone would like to pull a Consent Item for further discussion. Board Member Lando pulled Consent Item. 7.4.2.

A motion was made to approve the remainder of the Consent Calendar.

Motion made by: Eileen Robinson

Motion seconded by: Matt Tennis

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - Yes

Rebecca Konkin - Yes

Tom Lando – Yes

The motion passed (5-0).

1. GENERAL

1. The Board Approved Minutes of Regular Board Meeting May 17, 2023
2. The Board Approved Items Donated to the Chico Unified School District

2. EDUCATIONAL SERVICES

1. The Board Approved Expulsion of Students with the Following IDs: 75083, 79836, 83817, 85989, 88327, 95726, 98149, 100389, 100509, 101213
2. The Board Approved Expulsion Clearance of Students with the Following IDs: 70385, 73493, 73544, 73704, 74154, 82298, 83217, 83222, 83911, 84481, 84663, 86373, 88103, 95749, 96048, 96751, 97220, 97226, 97709
3. The Board Approved Chico Unified School District Monthly Enrollment Update

4. The Board Approved Field Trip Request for Chico High School FFA Officers to Attend a Leadership Planning Trip in Lake Almanor, CA from 7/11/23-7/13/23
5. The Board Approved Field Trip Request for Pleasant Valley High School FCCLA Students to Attend the National Convention to Denver, CO From 7/2/23-7/4/23
6. The Board Approved Field Trip Request for Pleasant Valley High School Cross Country Team to Attend A Running Camp in Taylorsville, CA from 8/6/23 - 8/9/23
7. The Board Approved the Williams Uniform Complaint Quarterly Report
3. BUSINESS SERVICES
 1. The Board Approved the Account Payable Warrants
 2. The Board Approved the Contracts
 3. The Board Approved the 2023-24 Nutrition Services' Food and Supply Bid Results
 4. The Board Approved the Notice of Completion – Pleasant Valley High School Engineering & Architecture and Manufacturing & Product Development CTE
 5. The Board Approved the Declaration of Surplus Property
4. HUMAN RESOURCES
 1. The Board Approved Certificated Human Resources Actions
 2. This Item Was Pulled for Further Discussion
 3. The Board Approved Classified Human Resources Actions - Summer School

8. DISCUSSION/ACTION CALENDAR

ITEMS PULLED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION

7.4.2. Consider Approval of Classified Human Resources Actions

At 6:43 p.m. Board Member Lando asked for additional information regarding the Paraprofessional position. Discussion included hiring practices, staffing and compensation. A motion was made to approve Consent Item 7.4.2.

Motion made by: Tom Lando

Motion seconded by: Eileen Robinson

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - Yes

Rebecca Konkin - Yes

Tom Lando - Yes

The motion passed (5-0).

1. EDUCATIONAL SERVICES

1. DISCUSSION/ACTION: Resolution No. 1600-23, A Draft Resolution Calling for School and Family Partnerships

At 6:49 p.m. Superintendent Kelly Staley stated additional community meetings were held throughout the 2022-2023 School Year per Board direction. The Educational Services Team's intent is to continue to provide both academic, social and emotional support for students in our schools.

At 7:01 p.m. Board President Dalby opened the floor to public comment. Five

speakers spoke for a total of 15 minutes in support of parental rights. Board Clerk Tennis made a motion to table this item and present two drafts; seconded by Board Member Konkin. A substitute motion was brought forward to reaffirm here and now our dedication to working with families and parents and pass no resolution at this time.

Board President Dalby called the vote.

Motion made by: Tom Lando

Motion seconded by: Eileen Robinson

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - No

Rebecca Konkin - No

Tom Lando – Yes

The motion passed (3-2).

The resolution brought forward was not approved.

At 7:32 p.m. Board President Dalby stated the Board would take a short break.

At 7:44 p.m. Board President Dalby called the meeting back to order.

2. PUBLIC HEARING/INFORMATIONAL: Draft 2023-2024 Local Control Accountability Plan (LCAP)

Assistant Superintendent Jay Marchant introduced Director Tina Keene and Director Tim Cariss. The Local Control Accountability Plan (LCAP) is based on eight state priorities. Funding for K-12 public education in California is allocated through the Local Control Funding Formula (LCFF). The LCFF requires school districts to develop a Local Control Accountability Plan (LCAP) which delineates the manner in which the district proposes to meet annual goals for all students in addition to specific activities to address state and local priorities.

Discussion included the All Star Parents Program, the addition of Multi-Tiered System of Support Site Coordinators (MTSS) and the Positive Behavior Intervention Support (PBIS) Program.

At 8:21 p.m. Board President Dalby opened the Public Hearing. There were no public comments. At 8:22 p.m. Board President Dalby closed the Public Hearing.

No action is required on this agenda item. The Local Control Accountability Plan (LCAP) will be brought forward for approval at the June 28, 2023 meeting. Members of the public can submit comments and input throughout the week.

2. BUSINESS SERVICES

1. PUBLIC HEARING/DISCUSSION/ACTION: Adoption of Resolution No. 1607-23 Increasing the Level 1 Fee

At 8:22 p.m. Director Julie Kistle shared that pursuant to Education Code 17620, school districts are authorized to levy fees on new residential and commercial/industrial construction to mitigate the impact of new development on school facilities. These fees are generally referred to as statutory fees or Level 1 fees. By statute, the developer fees are capped. The caps are adjusted every two years by the State Allocation Board to account for inflation. In February 2022, the developer fee cap for residential development increased by \$0.71 to \$4.79 per square foot. The cap for commercial/industrial construction was increased by \$0.12 to \$0.78 per square foot. On May 4, 2022, in an effort to be responsive to the development community the Board of Education approved a partial increase in developer fees of \$4.49 per square foot for residential development and a full increase to \$0.78 per square foot for commercial/industrial development. The School Fee Justification Study conducted by the District's consultant, Koppel & Gruber Public Finance, demonstrated the relationship between new residential and commercial/industrial construction and the District's need for school facilities construction and reconstruction and justified the full increase to \$4.79 per square foot of residential development. This item would complete the allowable increase to \$4.79 per square foot of residential development. Government Code 66016 requires the District to hold a public hearing regarding the increase of developer fees as part of a regularly scheduled Board of Education meeting prior to adopting or increasing such fees in Resolution 1607-23, which was conducted on June 21, 2023. The resolution will go into effect 60 days after the date of adoption. If this resolution is adopted by the Board of Education, the residential developer fees will increase on August 20, 2023. The different categorical funding options and allowable uses were discussed.

At 8:35 p.m. Board President Dalby opened the Public Hearing. One speaker spoke for a total of three minutes requesting no fee increases. The representative spoke on behalf of the Chico Builder's Association. At 8:39 p.m. Board President Dalby closed the Public Hearing.

A motion was made to approve Resolution No. 1607-23 Increasing the Level 1 Fee. Board Member Konkin made a friendly amendment to go in the middle and do half of the requested fee increase. The friendly amendment was not accepted.

The motion on the floor is to approve Resolution No. 1607-23 Increasing the Level 1 Fee.

Motion made by: Eileen Robinson

Motion seconded by: Caitlin Dalby

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - No
Rebecca Konkin - Abstain
Tom Lando - Yes

Motion pass (3-1).

2. **DISCUSSION ACTION: Charter Schools Measure K Projects Requests**
At 8:48 p.m. Director Julie Kistle brought forward two projects. Nord Country School requested \$110,000 to replace ramps with raised walkways. Wildflower Open Structure requested \$155,772 to purchase four relocatable classrooms. A motion was made to fund the projects as requested.

Motion made by: Tom Lando
Motion seconded by: Rebecca Konkin

Voting:
Caitlin Dalby - Yes
Eileen Robinson - Yes
Matt Tennis - Yes
Rebecca Konkin - Yes
Tom Lando – Yes

The motion passed (5-0).

3. **DISCUSSION/ACTION: California Water Service Company Easement for at McManus Elementary School**
At 8:51 p.m. Director Julie Kistle shared as part of the construction at McManus Elementary School, a new connection to the underground fire water supply that serves the campus must be made. In cooperation with California Water Service Company, a revised easement that allows for ongoing maintenance and monitoring of the water line is required. A motion was made for approval.

Motion made by: Matt Tennis
Motion seconded by: Tom Lando

Voting:
Caitlin Dalby - Yes
Eileen Robinson - Yes
Matt Tennis - Yes
Rebecca Konkin - Yes
Tom Lando – Yes

The motion passed (5-0).

4. DISCUSSION/ACTION: Resolution No. 1612-23: Adopting Updated Prequalification Questionnaire and Uniform System of Rating Pursuant to Public Contract Code Sections 20111.5 and 20111.6.

At 8:52 p.m. Director Julie Kistle updating the resolution and uniform application process. On November 5, 2015 the District previously adopted a Prequalification Package through Board passed Resolution No. 1264-14. District staff would like to update its Prequalification Package and requires Board approval to do so. By approving the resolution, any previously approved prequalification questionnaires, processes or packages are replaced with the Prequalification Package. Approving the resolution would further authorize the District's Superintendent or designee to take certain actions, which are outlined in the resolution, that do not materially change the intent of the Prequalification Package, such as adjusting the minimum score required to prequalify, and adjusting the size, type, and number of past projects required of each prospective bidder.

A motion was made to approve Resolution No. 1612-23.

Motion made by: Eileen Robinson

Motion seconded by: Caitlin Dalby

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - Yes

Rebecca Konkin - Yes

Tom Lando – Yes

The motion passed (5-0).

The Board approved the resolution Adopting Updated Prequalification Questionnaire and Uniform System of Rating Pursuant to Public Contract Code Section 20111.5 and 20111.6 for future Projects.

5. DISCUSSION/ACTION: Resolution No. 1609-23 Change Authorized Signatories for the School Facilities Program

At 8:58 p.m. Director Julie Kistle explained that when applying to the State Allocation Board (SAB) for school facility projects pursuant to Chapter 12.5, Part 10 of the Education Code, for needed school facilities, the SAB has required school districts ensure the authenticity of an authorized applicant. This is the updated language and added Charise Bromley as a signatory. These signatories are, Kelly Staley, Superintendent, Jaclyn Kruger, Assistant Superintendent, Julia Kistle, Director Facilities and Construction, Charise Bromley, Director Fiscal Services.

A motion was made to approve Resolution No. 1609-23.

Motion made by: Tom Lando

Motion seconded by: Eileen Robinson

Voting:

Caitlin Dalby - Yes
Eileen Robinson - Yes
Matt Tennis - Yes
Rebecca Konkin - Yes
Tom Lando - Yes

The motion passed (5-0).

6. PUBLIC HEARING/INFORMATIONAL: 2023-24 Original Budget

At 9:00 p.m. Director Charise Bromley shared the 2023-24 Original Budget includes the 2022-23 Estimated Actuals budget which estimates ending fund balances as of June 30, 2023. These ending fund balances become the estimated beginning fund balances for the 2023-24 fiscal year. The 2023-24 Original Budget is presented for public hearing and allocates dollars for the activities identified in the Local Control Accountability Plan (LCAP).

CUSD's General Fund ending balance as of June 30, 2024 is projected to be \$66,206,968. The unrestricted ending fund balance is estimated to be \$44,766,617 and the restricted ending fund balance is estimated to be \$21,440,351.

At 9:16 p.m. Board President Dalby opened the Public Hearing. There were no public comments. At 9:17 p.m. Board President Dalby closed the Public Hearing.

This item does not require action at this time and will be brought forward for approval at the June 28, 2023 Board Meeting.

7. PUBLIC HEARING/INFORMATIONAL: 2023-24 Education Protection Account (EPA)

At 9:17 p.m. Director Charise Bromley provided background information. Proposition 30 added Article XIII, Section 36 to the California constitution effective November 7, 2012. School districts are required to determine how the money received from the Education Protection Account (EPA) are spent in the schools within its jurisdiction on an annual basis.

For CUSD, the estimated 2023-24 EPA amount is \$29,698,668. These dollars are distributed to school districts on a quarterly basis.

At 9:17 Board President Dalby opened the Public Hearing. There were no public comments. At 9:18 p.m. Board President Dalby closed the Public Hearing.

This item does not require action at this time and will be brought forward for approval at the June 28, 2023 Board Meeting.

8. PUBLIC HEARING/INFORMATIONAL: 2023-24 Original Budget – Reserves Disclosure

At 9:18 p.m. Director Charise Bromley brought forward the District's reserves disclosure. Per Education Code 42127(a)(2)(B), a public hearing is required to seek input related to the statement of reasons that substantiate the need for assigned and unassigned ending fund balances in excess of the minimum reserve standard for economic uncertainties.

At 9:19 p.m. Board President Dalby opened the Public Hearing. There were no public comments. At 9:20 p.m. Board President Dalby closed the Public Hearing.

This item does not require action at this time and will be brought forward for approval at the June 28, 2023 Board Meeting.

3. HUMAN RESOURCES

1. DISCUSSION/ACTION: Resolution No. 1610-23, To Allow Teachers With A Multiple Subject Credential To Teach A Specific Subject Below Grade 9

At 9:20 p.m. Assistant Superintendent Jim Hanlon shared per Education Code 44256(b): "The governing board of a school district by resolution may authorize the holder of a multiple subject teaching credential or a standard elementary credential to teach any subject in departmentalized classes to a given class or group of students below grade 9 provided that the teacher has completed at least twelve semester units or six upper division or graduate units, of coursework at an accredited institution in each subject to be taught."

The Board discussed the positions brought forward in the Resolution. Most of the teachers are fine arts teachers and there are only six remaining teachers with a Multiple Subject Credential. A motion was made to approve Resolution No. 1610-23.

Motion made by: Eileen Robinson

Motion seconded by: Tom Lando

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - Yes

Rebecca Konkin - Yes

Tom Lando – Yes

The motion passed (5-0).

2. DISCUSSION/ACTION: Resolution No. 1611-23, To Allow A Credentialed Teacher To Teach Any Single Subject Class Based On Appropriate Coursework

At 9:27 p.m. Assistant Superintendent Jim Hanlon shared per Education Code 44263: "A teacher licensed pursuant to the provisions of this article may be assigned, with his or her consent, to teach any single subject class in which he or she has eighteen semester hours of coursework or nine semester hours of upper division or graduate coursework." Two teachers are being brought forward. The Board expressed concerns about health instructors not being fully credentialed. A request was made to change the language in the first paragraph of the resolution from "a single subject" to "the single subject."

A motion was made to approve Resolution No. 1611-23 with the recommended changes.

Motion made by: Eileen Robinson

Motion seconded by: Tom Lando

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - Yes

Rebecca Konkin - Yes

Tom Lando – Yes

The motion passed (5-0).

Assistant Superintendent Jim Hanlon stated he would change the language to read, "... graduate coursework in the single subject they will be assigned to."

3. DISCUSSION/ACTION: Declaration of Need for Fully Qualified Educators

At 9:38 p.m. Assistant Superintendent Jim Hanlon shared this is an annual estimate. The declaration would support any Emergency Credential and/or Limited Assignment Permit applications that might need to be submitted to the California Commission on Teacher Credentialing during the 2023/24 school year in hard to fill subject areas.

A motion was made to approve.

Motion made by: Matt Tennis

Motion seconded by: Eileen Robinson

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - Yes

Rebecca Konkin - Yes

Tom Lando – Yes

The motion passed (5-0).

4. **DISCUSSION/ACTION: Approval of Updated Certificated Management Salary Schedule to Meet CalPERS Reporting Requirements**

At 9:39 p.m. Assistant Superintendent Jim Hanlon shared there was a change taking the Master's Degree from the salary schedule. In order to remain compliant with CalPERS reporting requirements, the certificated management salary ranges should not include the masters degree stipend. The masters degree stipend has been removed as a salary range and is now listed as a separate stipend to comply with this requirement. The salary schedule requires board approval prior to implementation.

A motion was made to approve.

Motion made by: Tom Lando

Motion seconded by: Caitlin Dalby

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - Yes

Rebecca Konkin - Yes

Tom Lando – Yes

The motion passed (5-0).

4. **BOARD**

1. **INFORMATIONAL: First Reading of Revised/Updated/New Board Policies**

At 9:41 p.m. Superintendent Kelly Staley stated this is a first reading of the revised, new and updated Board Policies. The policies will be brought back for approval at the June 28, 2023.

2. **DISCUSSION/ACTION: Chico Unified School District Governance Handbook for 2023-24 School Year**

At 9:43 p.m. Superintendent Staley shared the Board Governance Handbook is being brought forward for review and Board discussion. After discussion, Board President Dalby stated this item will be tabled until the next Board Meeting.

3. **DISCUSSION/ACTION: Proposed 2023-24 Board Workshop Calendar: Topics, Liaisons and Board Member Assignments**

At 9:46 p.m. The Board tabled this item for discussion at the June 28, 2023 Board Meeting.

4. **INFORMATIONAL: Proposed 2023-24 Chico Unified School District Board Adopted District-Wide Goals and Mission Statement**

At 9:50 p.m. The Board tabled this item for discussion at the June 28, 2023 Board Meeting.

5. DISCUSSION/ACTION: Chico Unified School District Board Self-Evaluation

At 9:51 p.m. The Board Self-Evaluation was brought forward for discussion. A motion was made to move the Board Self-Evaluation to the December agenda and to bring it back well in advance allowing for time to review the evaluation process.

Motion made by: Caitlin Dalby

Motion seconded by: Tom Lando

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - Yes

Rebecca Konkin - Yes

Tom Lando – Yes

The motion passed (5-0).

9. ITEMS FROM THE FLOOR

At 9:54 p.m. Board President Dalby asked if there were Items From the Floor. There were none.

10. BOARD MEMBER REQUEST TO AGENDIZE ITEM

At 9:55 p.m. Board President Dalby opened the floor to motions. Board Member Lando moved to agendize for the August meeting a discussion on hearing from a diverse member of the community and getting feedback from a wider group of parents and community members. Superintendent Kelly Staley shared this would be part of an existing Board Workshop topic. The motion was withdrawn.

A motion was made to propose a Discussion/Action Item to adopt a streamlined process to be made in advance and submitted in a form that would guide Board Members as to what LCAP goal the item is related to and what topic would address this and submit and have the agenda item published so the public can provide public comment.

Board President Dalby clarified the intent is to streamline the process and get the items in the same timeline as other agenda materials by utilizing a common form.

Motion made by: Caitlin Dalby

Motion seconded by: Eileen Robinson

Voting:

Caitlin Dalby - Yes

Eileen Robinson - Yes

Matt Tennis - No

Rebecca Konkin - Yes

Tom Lando – Yes

The motion passed (4-1).

11. ADJOURNMENT

At 10:04 p.m. Board President Dalby adjourned the meeting.

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A handwritten signature in blue ink, appearing to be "Theresa Z.", written over a horizontal line.

Board Clerk

A handwritten signature in blue ink, appearing to be "Kelly Dalby", written over a horizontal line.

Superintendent