



Regular Board of Education Meeting/Reunión ordinaria de la Junta de Educación

06/12/2024 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)

Tom Lando, Board Vice President - Trustee Area 4

Rebecca Konkin, Board Clerk - Trustee Area 1

Eileen Robinson, Board Member - Trustee Area 5

Matt Tennis, Board Member (Serving At Large)

Non-Voting Members

Kelly Staley, Superintendent

Jaclyn Kruger, Assistant Superintendent, Business Services

John Shepherd, Assistant Superintendent Human Resources

1. CALL TO ORDER

At 5:06 p.m. Board President Dalby called the Regular Meeting to order at Marigold School, Multipurpose Room, 2446 Marigold Ave., Chico and announced the Board was 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. *Conference with Legal Counsel - Anticipated Litigation*
3. *Conference with Legal Counsel - Existing Litigation*
4. *Update on Labor Negotiations*

3. RECONVENE TO REGULAR SESSION

1. Call to Order

At 6:01 p.m. Board President Dalby called the meeting to order.

2. Report Action Taken in Closed Session

Board President Dalby stated that during Closed Session, the Board voted unanimously to ratify a settlement agreement to resolve a special education dispute against the District. Pursuant to the agreement, the District authorizes educational assessments and services for an eligible special education student and agree to reimburse a portion of the parent's attorney fees. Under the express terms of the agreement, the Board's ratification of agreement does not constitute an admission of liability by the District.

Board President Dalby stated that during Closed Session, the Board voted unanimously to approve Erica Sheridan as the new Chico High School Principal.

3. Flag Salute

Board President Dalby led the salute to the flag.

4. SUPERINTENDENT'S REPORT AND RECOGNITION

At 6:04 p.m. Maintenance Manager Eric German presented the Superintendent's Award to Billie Voyles and Eric Nelson who serve as weekend shift custodians. Pleasant Valley High School Principal Damon Whittaker presented the Superintendent's Award to retiring Career Technical Education (CTE) and Culinary Arts Instructor Priscilla Burns.

Superintendent Kelly Staley shared the number of promoting and graduating students for the 2023-24 school year.

5. ANNOUNCEMENTS

At 6:13 p.m. Staff from California State University, Chico introduced administrators and educators visiting as part of the Study of the U.S. Institutes (SUSI) for Secondary Leaders on topics to deepen of U.S. society, education, culture, values, people and institutions. The program runs June 1, 2024, to July 7, 2024 and is funded by a grant from the Bureau of Educational and Cultural Affairs at the U.S. Department of State. The 18 educators introduced themselves.

6. ITEMS FROM THE FLOOR

At 6:20 p.m. Board President Dalby asked if there were any Items from the Floor. There were none.

7. CONSENT CALENDAR

Board President Dalby asked if anyone would like to pull a Consent Item for further discussion. No Consent Items were pulled. A motion was made to approve the Consent Calendar.

Motion made by: Tom Lando

Motion seconded by: Eileen Robinson

Voting:

Caitlin Dalby - Yes

Tom Lando - Yes

Rebecca Konkin - Yes

Eileen Robinson - Yes

Matt Tennis – Yes

The motion passed (5-0).

1. GENERAL

1. The Board Approved the Minutes of Regular Board Meeting on 5/15/24
2. The Board Approved the Items Donated to the Chico Unified School District
3. The Board Approved the Notification to Consolidate Governing Board Member Elections
4. The Board Approved Resolution No. 1646-24, Order of Election

5. The Board Approved Resolution No. 1647-24, Costs of Candidates' Statements
6. The Board Approved Resolution No. 1648-24, Procedure in Case of Tie Vote at Governing Board Election
2. **EDUCATIONAL SERVICES**
 1. The Board Approved the Expulsion of Students with the Following IDs: 78658, 78841, 82665, 85755, 100419
 2. The Board Approved the Chico Unified School District Monthly Enrollment Update
 3. The Board Approved the Declaration of Obsolete Instructional Materials
 4. The Board Approved the Williams Uniform Complaint Quarterly Report
 5. The Board Approved the Proposition 28: Arts and Music in Schools Funding Annual Report for Fiscal Year 2023-24
3. **BUSINESS SERVICES**
 1. The Board Approved the Account Payable Warrants
 2. The Board Approved the Contracts
 3. The Board Approved the Notice of Exemption of the California Environmental Quality Act Acquisition of Approximately 2.47 Acres of Real Property
4. **HUMAN RESOURCES**
 1. The Board Approved the Certificated Human Resources Actions
 2. The Board Approved the Classified Human Resources Actions
 3. The Board Approved the Classified Human Resources Actions - Summer School
8. **DISCUSSION/ACTION CALENDAR**
 1. **EDUCATIONAL SERVICES**
 1. **PUBLIC HEARING/INFORMATIONAL: Draft 2024-2025 Local Control Accountability Plan (LCAP)**
 At 6:22 p.m. Director Tina Keene and Director Tim Cariss provided a presentation. The Local Control Accountability Plan (LCAP) process requires that the plan, in addition to the 2024-2025 Budget, be presented in two public meetings. The meeting held this evening is the first meeting, a public hearing, during which the Board and the public are encouraged to present recommendations about the LCAP and the budget. The Educational Services Team held 19 community meetings along with student input meetings throughout the year to get input for developing the LCAP.

 At 7:02 p.m. Board President Dalby opened the Public Hearing. There were no public comments. At 7:03 p.m. Board President Dalby closed the Public Hearing and stated this is informational only and will be brought forward at the June 26, 2024 meeting for discussion/action.

2. BUSINESS SERVICES

1. DISCUSSION/ACTION: Resolution 1650-24, Committing Fund Balances

At 7:04 p.m. Assistant Superintendent Jaclyn Kruger explained the committed fund balance classification includes amounts that can be used only for specific purposes as determined by the Board of Education. The resolution being brought forward will commit \$7 million toward Electric Vehicle Infrastructure and Safety repairs. The deadline to commit funds is June 30, 2024. A motion was made to approve Resolution No. 1650-24, Committing Fund Balances.

Motion made by: Matt Tennis

Motion seconded by: Eileen Robinson

Voting:

Caitlin Dalby - Yes

Tom Lando - Yes

Rebecca Konkin - Yes

Eileen Robinson - Yes

Matt Tennis - Yes

The motion passed (5-0).

2. PUBLIC HEARING/INFORMATIONAL: 2024-25 Original Budget

At 7:08 p.m. Director Marie Hartman, Charise Bromley and Assistant Superintendent Jaclyn Kruger shared the 2023-24 Estimate Actual (EA) budget estimates a positive change in fund balance of \$3,627,672 in unrestricted programs and a negative change of \$2,940,485 in restricted programs.

Chico Unified School District's General Fund ending balance as of June 30, 2024 is projected to be \$77,519,703. This value is comprised of the unrestricted ending fund balance estimate of \$47,860,308 and the restricted ending fund balance estimate of \$29,659,395.

The Original Budget is based on the Governor's May Revise Budget Proposal which provides a 1.07% Cost Of Living Adjustment (COLA). It is the historical practice to use the Governor's May Revise as the basis for revenue projections for the next fiscal year. Overall, the 2024-25 Original Budget estimates a negative change in unrestricted fund balance of \$1,004,166 and a negative change in fund balance for restricted programs of \$12,146,605.

As of June 30, 2025, CUSD's General Fund ending balance is projected to be \$64,368,932. The unrestricted ending fund balance is estimated to be \$46,856,142 and the restricted ending fund balance is estimated to be \$17,512,790.

At 7:26 p.m. Board President Dalby opened the Public Hearing. There were no public comments. At 7:27 p.m. Board President Dalby closed the Public Hearing. Board President Dalby stated this is informational only and will be brought forward for discussion/action at the June 26, 2024 Board Meeting.

3. PUBLIC HEARING/INFORMATIONAL: 2024-25 Education Protection Account (EPA)

Assistant Superintendent Jaclyn Kruger provided an update on the Education Protection Account (EPA). These funds are not new money. They are simply a reclassification of unrestricted revenues to a separate unrestricted resource code for tracking purposes only. For Chico Unified School District, the estimated 2024-25 EPA amount is \$27,562,014. These dollars are distributed to school districts on a quarterly basis.

At 7:27 p.m. Board President Dalby opened the Public Hearing. There were no public comments. At 7:28 p.m. Board President Dalby closed the Public Hearing. This is informational only and will be brought forward for discussion/action at the June 26, 2024 Board Meeting.

4. PUBLIC HEARING/INFORMATIONAL: 2024-25 Original Budget – Reserves Disclosure

At 7:29 p.m. Assistant Superintendent Jaclyn Kruger provided an overview of the reserves. At 7:30 p.m. Board President Dalby opened the Public Hearing. There were no public comments. At 7:31 p.m. Board President Dalby closed the Public Hearing. This item is informational only and will be brought forward for discussion/action at the June 26, 2024 Board Meeting.

5. DISCUSSION/ACTION: Facilities Bond Charter School Allocation

At 7:31 p.m. Assistant Superintendent Jaclyn Kruger shared that Chico Unified district administration and two Board liaisons for facilities have had several meetings with leaders of the charter community to discuss the distribution of potential bond dollars to charter schools serving in-district students. The allocation presented today was the result of many discussions and ultimately resulted in a unanimous approval by both the CUSD administration and the charter schools.

If a General Obligation bond is passed in November 2024, then 15.45% of the proceeds will be allocated to charter schools to finance improvements to their school facilities. From the proceeds, \$10 million will be taken off the top and allocated to Inspire School of Arts & Sciences. Of the remaining dollars, 35% will be allocated to the remaining charter schools and 65% will be available by request for larger projects for any of the charter schools.

At 7:34 p.m. Board President Dalby opened the floor to Public Comment. One person spoke for three minutes in support of the allocation option. A motion was made to approve the Facilities bond charter school allocation if we move forward with the election bond resolution.

Motion made by: Caitlin Dalby

Motion seconded by: Tom Lando

Voting:

Caitlin Dalby - Yes

Tom Lando - Yes

Rebecca Konkin - Yes

Eileen Robinson - Yes
Matt Tennis – Abstain

The motion passed (4-0).

6. DISCUSSION/ACTION: Resolution 1651-24, School Facilities General Obligation Bond Election - November 5, 2024

At 7:37 p.m. Assistant Superintendent Jaclyn Kruger provided background information. The Chico Unified School District (CUSD) Board of Education adopted a long-term Facilities Master Plan (FMP) on September 6, 2023. This plan indicates over \$1 billion dollars of facility improvements to provide quality educational programs and equity in facilities for all CUSD schools.

To meet the funding needs to implement the Facilities Master Plan, the district is bringing forward a Resolution to place a General Obligation Bond election on the November 5, 2024 ballot. The bond measure requires a 55% approval threshold by voters in order to successfully pass.

The Resolution for Board consideration has been prepared in accordance with all legal requirements and presents a \$239,000,000 bond measure to District voters under Proposition 39 for the purpose of financing projects summarized on the specific project list attached as Appendix A to the Resolution, which will be printed in the Sample Ballot provided to District voters. Appendix B includes the abbreviated statement of the measure and is limited to 75 words or less that will be printed on the ballot label and read by voters at the time of casting their vote. Appendix C presents the Tax Rate Statement which will also be printed in the Sample Ballot and discloses to District voters' current expectations regarding the property tax rates and other matters that will apply if bonds are approved and issued.

In order to call the election, the Resolution must have a 2/3 vote of the Board. Director Julie Kistle presented an overview of what's been done with the past bond dollars. A motion was made to approve Resolution No. 1651-24 School Facilities General Obligation Bond Election on the November 5, 2024 ballot.

Motion made by: Tom Lando

Motion seconded by: Eileen Robinson

Voting:

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

The motion passed (5-0).

At 8:12 Board President Dalby stated the Board was going to take a break. At 8:25 p.m. Board President Dalby called the meeting back to order.

7. DISCUSSION/ACTION: Charter Schools Measure K Projects Requests

At 8:26 p.m. Director Julie Kistle brought forward a project for Nord Country School. The project was under budget, so they would like to place \$16,000 back into their Measure K account. A motion was made to approve the Charter Schools Measure K Project Request.

Motion made by: Tom Lando

Motion seconded by: Matt Tennis

Voting:

Caitlin Dalby - Yes

Tom Lando - Yes

Rebecca Konkin - Yes

Eileen Robinson - Yes

Matt Tennis - Yes

The motion passed (5-0).

8. DISCUSSION/ACTION: Resolution 1649-24 Adopting Procedures Evaluating Qualifications and Proposals of Lease-Leaseback Contractors

At 8:27 p.m. Director Julie Kistle stated that if a school district desires to construct a project utilizing the lease-leaseback delivery method, Education Code section 17406 ("LLB Statute") requires that the Board first adopt and publish criteria and procedures for evaluating contractors "that ensure the best value selections by the [District] are conducted in a fair and impartial manner." In consultation with counsel, District staff drafted best value evaluation procedures that comply with the LLB Statute, which are attached to the Resolution as Exhibits A through C ("Evaluation Procedures"). District staff desires to utilize these Evaluation Procedures for future lease-leaseback construction projects.

The Evaluation Procedures are drafted pursuant to the LLB Statute and allow the Superintendent or designee to issue separate Requests for Qualifications ("RFQ") and Requests for Proposals ("RFPs"), or combined RFQ/Ps for prequalified contractors for District Lease-Leaseback projects. It would further authorize the implementation of a Subcontractor Procurement Process for RFQs, RFPs and RFQ/Ps that comply with Education Code section 17406 and the Resolution.

Additionally, the Evaluation Procedures include criteria and scoring to evaluate lease-leaseback contractors and permit District staff to adjust the criteria and scoring based on the specific needs of lease-leaseback projects. Further, the Evaluation Procedures permit District staff to adjust the Evaluation Procedures based on whether the contractor is solicited via an RFP or RFQ/P, and/or depending on whether the solicitation includes multiple projects.

District staff determined that this Resolution allows District staff to leverage the flexibility that the LLB Statute provides. A motion was made to approve

Resolution No. 1649-24 regarding selection of our lease-leaseback contractors.

Motion made by: Eileen Robinson

Motion seconded by: Matt Tennis

Voting:

Caitlin Dalby - Yes

Tom Lando - Yes

Rebecca Konkin - Yes

Eileen Robinson - Yes

Matt Tennis – Yes

The motion passed (5-0).

3. HUMAN RESOURCES

1. DISCUSSION/ACTION: Resolution 1653-24, Elimination of Classified Staff Due to Lack of Work or Lack of Funds

8:31 p.m. Executive Director Mike Allen explained three positions were never filled and are no longer needed. A motion was made to approve Resolution No. 1653-24, Elimination of Classified Staff Due to Lack of Work or Lack of Funds.

Motion made by: Matt Tennis

Motion seconded by: Rebecca Konkin

Voting:

Caitlin Dalby - Yes

Tom Lando - Yes

Rebecca Konkin - Yes

Eileen Robinson - Yes

Matt Tennis – Yes

The motion passed (5-0).

2. DISCUSSION/ACTION: Resolution 1654-24, Elimination of Classified Staff Due to Lack of Work or Lack of Funds

At 8:32 p.m. Executive Director Mike Allen stated one position at Chapman Elementary School is being brought forward. A motion was made to approve passage of Resolution No. 1654-24, Elimination of Classified Staff Due to Lack of Work or Lack of Funds.

Motion made by: Matt Tennis

Motion seconded by: Tom Lando

Voting:

Caitlin Dalby - Yes

Tom Lando - Yes

Rebecca Konkin - Yes

Eileen Robinson - Yes

Matt Tennis – Yes

The motion passed (5-0).

4. BOARD

1. DISCUSSION/ACTION: Cellular Devices Policy Update

At 8:34 p.m. Assistant Superintendent Jay Marchant provided background information on the current cell phone policy. Director Pedro Caldera and Director Tim Cariss provided an overview of the current cell phone practices, survey results and student input. At 9:19 p.m. Board President Dalby opened the floor to public comment. One speaker spoke for three minutes in support of the existing Board Policy and the development of an Administrative Regulation.

Two options were presented for the Board Policy. Mobile communication devices shall not be accessed by students during (option 1) school hours for all students in grades TK-12 or (option 2) school hours at elementary and junior high schools and during instructional time at the high school level.

A motion was made to create an Administrative Regulation that incorporates or directly reflects option two: mobile communication devices shall not be accessed by students during school hours at elementary and junior high schools and during instructional time at the high school level in the board policy. Board Member Tennis clarified the motion is to amend the current Board Policy to reflect the presented language regarding option two, that mobile communication devices shall not be accessed by students during school hours at elementary and junior high schools and during instructional time at the high school level and to build an Administrative Regulation reflecting this language and to clarify the why behind the policy.

Motion made by: Matt Tennis

Motion seconded by: Rebecca Konkin

Voting:

Caitlin Dalby - Yes

Tom Lando - Yes

Rebecca Konkin - Yes

Eileen Robinson - Yes

Matt Tennis – Yes

The motion passed (5-0).

The Administrative Regulation will be brought to the June 26, 2024, Board Meeting as an informational item.

2. DISCUSSION/ACTION: Approval of Revised/Updated/New Board Policies

At 9:38 p.m. Board President Kelly Staley shared this Board Policy was brought to the Board for a first reading at a previous meeting. Chico Unified administration worked with the NorCal Anti-Racism Coalition. The Board Policy

is being brought forward tonight for discussion/action. A motion was made to approve Board Policy 5145.9 - Hate-Motivated Behavior.

Motion made by: Tom Lando

Motion seconded by: Caitlin Dalby

Voting:

Caitlin Dalby - Yes

Tom Lando - Yes

Rebecca Konkin - Yes

Eileen Robinson - Yes

Matt Tennis - No

The motion passed (4-1).

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

At 9:41 p.m. Superintendent Kelly Staley shared this is the first reading and the Board Policies will be brought forward for discussion/action at the June 26, 2024 Board Meeting.

This is information only and no action is required.

9. ITEMS FROM THE FLOOR

There were none.

10. BOARD MEMBER REQUEST TO AGENDIZE ITEM

There were none.

11. ADJOURNMENT

At 9:42 p.m. Board President Dalby adjourned the meeting.

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Board Clerk
Superintendent