



MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF EDUCATION
July 14, 2020
Closed Session 6:00 p.m./Regular Meeting 7:00 p.m.

Board Members Present: Mr. Joe Nava, President; Mr. Ron Freitas, Vice President; Mrs. Susan Macfarlane, Clerk; Mr. Ron Heberle; Mr. Gary Knackstedt; Mr. George Neely and Mr. Courtney Porter

Administrative Staff: Dr. Cathy Washer, Superintendent; Mr. Mike McKilligan, Assistant Superintendent, Personnel and Mr. Leonard Kahn, Chief Business Officer

Meeting Recorder: Mrs. Michelle Armstrong, Executive Assistant to the Board of Education

Call to Order

The meeting was called to order at 6:06 p.m. via YouTube and GoToWebinar.

Public Comment on Closed Session Items

Michelle Orgon, President, Lodi Education Association, commented on a Closed Session item.

Adjourn to Closed Session

The Board adjourned to Closed Session.

Reconvene Open Session

The meeting was reconvened at 7:24 p.m. and attendance was recorded. The Pledge of Allegiance was led by President Nava.

Closed Session

President Nava reported that the following action was taken in Closed Session:

Conference with Legal Counsel – Existing Litigation

The Board voted unanimously to approve a resolution and final written decision regarding a grievance (CSMCS Case No. ARB-19-0177) filed by the Lodi Pupil Personnel Association in accordance with the collective bargaining agreement.

Closed Session Personnel Matters

Mr. Neely moved, Mr. Porter seconded and the Board voted unanimously to approve the appointment of Enrique Avalos as Continuation High School Principal, effective date to be determined.

Announcement

Mr. Knackstedt gave his condolences for a social science teacher of Lodi High School, John Whitted, who recently passed away.

Superintendent's Report

Dr. Washer read a portion of the July 14, 2020 Amendment #1 to the 2020-2021 School Year Planning: A Guide to Address the Challenges of COVID-19. The joint statement from San Joaquin County Office of Education along with San Joaquin County Public Health Services, recommended that local schools begin the new school year providing only Distance Learning instruction to students through at least the end of August, 2020. Dr. Washer explained that the only recommended option is all Distance Learning. She proposed two questions to the Board: (1) Is there any revised direction the Board would like to give? (2) If at some point the Board gives direction to implement Level 2 (hybrid of Distance Learning and in person instruction), what direction would the Board like to provide? Dr. Washer continued into reports.

Report – *change in order of items*

Update on Health/Safety Measures as a Condition to Starting the 2020-2021 School Year on Level 3 (Full Opening)

Dr. Washer explained the report contains a chart (Personal Protective Equipment (PPE)) showing what has been purchased, received and still on order. She acknowledged Mr. Kahn and staff for how hard they have been working to get the PPE inventory in such a short amount of time. Dr. Washer moved on to the presentation titled Update on Health and Safety Modifications, but skipped over items that no longer apply due to the new guidelines. She provided background that on June 24, 2020 the Board gave direction to move forward with Level 3 (full opening), but now with the new guidelines, the details of the Level 1 – Level 4 of the Planning for School Operations chart will need to be modified and changed as new information is received. She explained that there is not a health order to close our facilities, so schools will start on a modified Level 1, all Distance Learning with facilities open.

Comments from Board Members

Mr. Neely stated we need new direction to open the school year with all Distance Learning and he would like to look at a modified model. He discussed his virtual meeting with Dr. Park, San Joaquin County Public Health Officer, and the difficulties that come with Distance Learning for the younger grades (TK – 1st) and the possibility of breaking classes into cohorts. Mr. Neely said he endorses all Distance Learning to begin the school year. Mr. Neely answered the second question recommending two options for the hybrid learning: (1) upper grade levels: AA on Monday and Tuesdays, Wednesdays off for cleaning, BB on Thursday and Friday and then cleaning again on Saturday; (2) one week on and one week off.

Mr. Heberle stated he doesn't fully embrace an all Distance Learning model, but is happy that the San Joaquin Public Health Officer has recognized that our children are best served when returned to as much in person instruction as possible. He strongly disagrees with the children being isolated at home in respect to not having access to everything schools offer: counseling; speech therapy; psychologists; food service; special education; other mental health services, and being the first line of defense for children as it relates to Child Protective Services. His concern with Distance Learning is not with the curriculum or teachers, it is the mode of learning. Mr. Heberle stated he does not support 100% Distance Learning and does not agree with the Level 1 model. He stated that he is in favor of morning/afternoon or one week on/one week off for Level 2.

Mrs. Macfarlane stated she is in favor of Distance Learning. She believes it is what's best for our teachers and students; however not necessarily the best for our community. She commented that we

need to be very cognizant of our community, our employees and their families, and how hard this will be for them and do what we can to help. She expressed concern for the special at-risk groups, special day classes, and special education and feels they need to be given the tools to be successful during Distance Learning as well as when we come back. For Level 2, Mrs. Macfarlane stated that if it's safe to have the children come back, she would want them back as much as possible but it is too early to discuss the model. She is in favor of some sort of hybrid but stated that Level 2 should be left open and we should defer to the teachers and administrators with Cabinet's direction to have a variety of models ready.

Mr. Freitas stated that it is not safe for our children to come back to school. He referred to an article from the California School Board Association's magazine with a quote from the article, "Ensuring student and staff safety before re-opening schools is a moral imperative". Mr. Freitas is in favor of following the Distance Learning recommendation because safety is a moral imperative to him. He agrees with Mrs. Macfarlane about the Level 2 models and would like to defer to our stakeholders with safety taken into consideration.

Mr. Knackstedt stated his number one priority is student safety. He is advocating for Level 1, all Distance Learning, with modifications as needed, because it is recommended by County Public Health, County Office of Education and being implemented by other districts. Mr. Knackstedt as well, commented that school facilities should remain open with staff working and teachers in their classrooms. He feels like this should be implemented at least through the 1st quarter and then re-evaluate. Mr. Knackstedt stated for Level 2 he also agrees that the guidance should come from Cabinet and the Task Force of teachers, but if he had to choose now it would be the AA/BB schedule on Monday/Tuesday and Thursday/Friday.

Mr. Porter stated he is in favor of all Distance Learning for the entire 1st quarter because it will give teachers, parents and students clarity on how long it will last and therefore, the ability to plan for childcare accordingly. He stated teachers should be able to refer students in crisis to a hub that would be organized by administrators and counselors at each site for help. Mr. Porter is in favor of the hybrid AA Monday/Tuesday and Distance Learning in the middle, then BB Thursday/Friday.

Mr. Nava stated that the best and safest way to start school is with all Distance Learning and agrees that it should go for the full 1st quarter. He is personally against any hybrid models and feels like Level 2 should be skipped and go straight to Level 3 with all students in class with all the safety measures in place. He announced that the consensus across the Board is to start school on a modified Level 1, all Distance Learning for the 1st quarter and then go into Level 2 the AA/BB hybrid model. A discussion ensued about after school programs and sports. Mr. Nava stated we will have more direction regarding sports from the California Interscholastic Federation on July 30, 2020.

Mrs. Macfarlane commented on the phone numbers we give out on District communications and would like to ensure parents and staff are getting answers in a timely manner. She also would like to see how we are going to approach the special day classes and special education classes during all Distance Learning.

Mr. Heberle stated he wants the implementation to be as clear as possible now that new direction has been given and wants to ensure that good customer service and clear communication is available.

Mr. Neely stated he wants to make sure that on-site services, including support staff will be available for students. He would like to see an exception for special education classes due to the small size of classes and would like to speak with special education teachers to see what they would need to make that happen. Mr. Neely would like to have a separate telephone line for parents to call for tech support, different from the one employees use. He also would like for there to be enough hot spots for everyone to get online.

Public Comments

Justin Tomek, Parent

Nichole Champeau, Parent

Kimberly Freeberg, Teacher, Lockeford Elementary

Rob Reynolds, Parent

Jennifer Leinske, Parent

Jen Dietrich, Parent

Michelle Orgon, President, Lodi Education Association

Debra Ladwig, President, California School Employees Association, Lodi, Chapter #77

Mary Vallerga-Hood, Teacher, Lockeford Elementary

Jenny Miller, Parent

Jessica Kempker, Parent/Assessment Research and Evaluation Analyst

Comments from the Public

Sanaa Dredar, Parent, thanked the Board for listening to the recommendations of the county health department.

Kallie Tanaka, Parent, thanked the Board for starting all Distance Learning and commented on hybrid model concerns.

Elizabeth Ing, Teacher, Lodi High, commented that she is pleased we are doing Distance Learning. She voiced concern about being required to teach from school sites, technology issues, and hybrid models, and having enough custodial staff.

Aimee Garvida, Community Member, commented on special education students and staff and the needs of para educators during this time and how vulnerable they are.

Comments from Board Members

Mr. Porter acknowledged the teacher protest from earlier in the day. He said it showed how organized and passionate they are. He stated that the District has to come a long way in communicating.

Mr. Porter stated that he and the members of the Board all have well intentions, although everyone might not agree they have the best interest at hand for all employees and students. Mr. Porter recognized the LEA negotiation team members and Mr. McKilligan who give up their own time to be a part of the negotiations. Mr. Porter stated he is proud to be a part of this Board and is proud of the teachers and everything they do.

Mrs. Macfarlane stated that we all need to have awareness, ability to change and respect. If we all have awareness that we are all headed to the same place; we need to stay on the same path. Change is ever more important and roll with the change and have a positive attitude. She thanked the Board for having

a positive attitude behind closed doors. Ms. Macfarlane said she respects each bargaining unit, each Board member, and every Cabinet member. She stated that we need to move forward with a little compassion and awareness for each other.

Mr. Knackstedt stated there were many negative comments that were way off base tonight. He stated how appreciative he is of the teachers, staff, and fellow Board members.

Mr. Freitas thanked all the staff that greeted them before the Board meeting and how nice it was to see everyone. Mr. Freitas thanked his colleagues for all the insightful comments at tonight's meeting and all the work they do. He mentioned a thank you letter from Violet, a student at Reese and thanked her for the letter.

Mr. Neely thanked all of his colleagues for their comments. He stated how it has been an incredible journey since March. He acknowledged this is a changing situation and he feels like Lodi Unified is going to do an excellent job with all Distance Learning. He goes on to say that when this is all said and done, we will all be stronger than when this started and that's due to all the people, staff and teachers.

Mr. Nava made comments on the 1918 flu pandemic. He stated how the Board has character and integrity and how they get things done and the key to everything is that they care for the children, community, parents, and staff.

Consent Agenda A, Routine Business

Ms. Orgon and Ms. Ladwig pulled Item A-2 and Ms. Orgon pulled Item A-5 from Consent Agenda A for discussion.

- Item A-1 Changes to the Adopted Budget
- Item A-3 Approval of Resolution 2020-55 Nutrition Services – Extension Contracts 2020-2021 School Year
- Item A-4 Community Eligibility Provision (CEP)
- Item A-6 Notice of Completion for Public Works Projects under the California Uniform Construction Cost Accounting Act (CUPCCAA)
- Item A-7 Purchase Order Detail Report
- Item A-8 Purchase Order Detail Report
- Item A-9 2020-2021 Master Contract for Non-Public Agencies
- Item A-10 2020-2021 Master Contract for Non-Public Schools
- Item A-11 Minutes of the Regular Meeting of June 23, 2020
- Item A-12 Minutes of the Special Meeting of June 24, 2020
- Item A-13 Minutes of the Special Meeting of June 25, 2020

Mr. Freitas moved, Mr. Knackstedt seconded, and the Board voted unanimously to approve Consent Agenda A, Routine Business, as amended.

Individual Action on Items Pulled from Consent Agenda A – Routine Business

Item A-2 Contracts List

Debra Ladwig, President, California School Employees Association, Lodi, Chapter #77, referred to the Contract for Windwalker Security and requested that the work be offered to our classified employees and not to Windwalker.

Mr. Kahn stated he would support the general idea but the only caveat would be that it's part of a Measure project and it can be expended against Measure proceeds which is very explicit that it cannot be used for salaries or wages of any sort. If it was assigned to staff members it would have to be paid for out of District funds.

Michelle Orgon, President, Lodi Education Association, agreed with Ms. Ladwig and commented that the funds should stay in house. She commented that items 4, 5 and 6 are spending money for school police officers and sheriffs. She feels like they are important resources in our community; however, she feels like this should not come out of District funds.

Mr. Kahn stated that current school resource officer agreements run through June 30, 2021 and feels that a larger discussion may be in order.

Mr. Porter, Mr. Neely, Mr. Heberle, Mr. Freitas and Mrs. Macfarlane commented and voiced their support of school resource officers. Mrs. Macfarlane requested Mr. Kahn provide a report on what it would cost the District, how many employees we would need, etc., so Board could take a closer look at the program.

Mr. Freitas moved, Mr. Knackstedt seconded and the Board voted unanimously to approve Consent Agenda A, Item A-2 Contracts List.

Item A-5 Approval of Construction Project Change Order 1-Final for the Valley Robotics Extension Road Project No. 0826-8426

Michelle Orgon, President, Lodi Education Association, questioned the numbers, as she remembers them being very different and asked why the change was made.

Mr. Kahn admitted to recommending probably a lesser budget then maybe he should have and explained that the projects from last year in the Lodi area did not present soil improvement problems; however, the dirt at Valley Robotics campus needs extensive soil improvement, as well as irrigation, prior to paving.

Ms. Orgon, responded that she feels this should not be where our money is spent at this time.

Mr. Porter moved, Mr. Neely seconded and the Board voted unanimously to approve Consent Agenda A, Item A-5 Approval of Construction Project Change Order 1-Final for the Valley Robotics Extension Road Project No. 0826-8426.

Consent Agenda B – Student Discipline Cases

Item B-1 Reinstatement: Student #19/20-9-08

Item B-2 Readmission: Student #19/20-6-31

Mr. Neely moved, Mr. Knackstedt seconded and the Board voted unanimously to approve Consent Agenda B, Student Discipline Cases, as presented.

Other Action Items

Item OAI-1 Agriculture Career Technical Education Incentive Grant

Jeff Palmquist, Assistant Superintendent of Secondary Education, presented a yearly grant that supplies equipment, supplies and resources for agriculture programs at the high school level.

Mr. Freitas asked why McNair High School was not included in the grant proposal.

Mr. Palmquist responded that McNair High School does not currently have an Ag program.

Mr. Freitas commented that he would like the Board to look into getting an Ag teacher and program started at McNair High School.

Public Comment
None

Mr. Neely moved, Mr. Heberle seconded and the Board approved Item OAI-1 Agriculture Career Technical Education Incentive Grant by a vote of 7-0.

Item OAI-2 Ratification of the Tentative Agreement with Lodi Pupil Personnel Association

Mike McKilligan, Assistant Superintendent, Personnel, presented the ratification of the tentative agreement with Lodi Pupil Personnel Association.

Public Comment
None

Mr. Freitas moved, Mr. Neely seconded and the Board approved Item OAI-2 Ratification of the Tentative Agreement with Lodi Pupil Personnel Association by a vote of 7-0.

Item OAI-3 Approval of Construction Project Change Order 1 Facility Improvement-Building Demolition Clyde Needham Elementary School Project No. 0917-8217-3

Leonard Kahn, Chief Business Officer, presented the construction project change order request for the demolition project at Needham School.

Public Comment
None

Mr. Knackstedt moved, Mr. Heberle seconded and the Board approved Item OAI-3 Approval of Construction Project Change Order 1 Facility Improvement-Building Demolition Clyde Needham Elementary School Project No. 0917-8217-3 by a vote of 7-0.

Item OAI-4 Resolution 2020-57 The Hiring of Short-Term Classified Employees

Mr. McKilligan, presented the resolution to hire short-term employees for the Bridge Program.

Public Comment

None

Mr. Knackstedt moved, Mr. Heberle seconded and the Board approved Item OAI-4 Resolution 2020-57 The Hiring of Short-Term Classified Employees by a vote of 7-0.

Item OAI-5 Approval of the Board of Education of Amendment #1 to Facilities Lease between LUSD and Meehleis Modular, Inc. For Construction of the Lodi High School Classroom Modular Project Increment 2 Installation of Modular and/or Prefabricated Classroom Buildings, located at 3 S. Pacific Ave., Lodi, CA 95240

Mr. Kahn explained that this will provide an additional 8 classrooms above the 58 classrooms the Board earlier approved on February 20, 2018. Mr. Kahn advised that the District we will run over budget on this project. He believes the Meehleis group will be on site in August to begin installation.

Public Comment

None

Mr. Heberle moved, Mr. Neely seconded and the Board approved Item OAI-5 Approval of the Board of Education of Amendment #1 to Facilities Lease between LUSD and Meehleis Modular, Inc. For Construction of the Lodi High School Classroom Modular Project Increment 2 Installation of Modular and/or Prefabricated Classroom Buildings, located at 3 S. Pacific Ave., Lodi, CA 95240 by a vote of 7-0.

Personnel Matters

Mike McKilligan, Assistant Superintendent, Personnel, presented Personnel Matters for Board consideration.

Public Comment

Michelle Orgon, President, Lodi Education Association, commented on the number of resignations and retirements that came in at the last minute. She mentioned possibly having exit interviews to see if the employees would now be interested in returning to Lodi Unified, as the District will be starting the year on all Distance Learning.

Mr. Freitas moved, Mr. Neely seconded, and the Board approved Personnel Matters by a vote of 7-0.

Communications

Comments from Employee Group Representatives

Debra Ladwig, President, California School Employees Association, Lodi, Chapter #77, reminded the Board Members that negotiations are tomorrow. She is looking forward to negotiations and reviewing all the new information for the start of school. Ms. Ladwig finished by thanking the Board Members for all the work they do.

Michelle Orgon, President, Lodi Education Association, thanked the Board Members for their decision tonight stating that it's not very often school boards make life and death decisions. She stated that this pandemic has put a heavy load on the Board Members' shoulders and thanked them for listening and communicating with the employee groups and public via email, phone calls, meetings, etc. She is hoping

that during the next bargaining session that safety details can be firmed up. Ms. Orgon thanked the Board Members again for their time, energy, and comments and looks forward to working together.

Comments from the Superintendent

No further comments.

Board Advisory Committee Reports

No reports were presented.

Adjourn

Mr. Freitas moved, Mr. Neely seconded and the Board voted to adjourn the meeting at 10:07 p.m. by a vote of 7-0.

Clerk of the Board

President of the Board