

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES
Governing Board of the Los Angeles Unified School District



REGULAR MEETING ORDER OF BUSINESS

333 South Beaudry Avenue, Board Room
1 p.m., Tuesday, February 19, 2019

Roll Call

Pledge of Allegiance

Student Voices

Celebrating Academic Decathlon Winners

Superintendent's Reports

National English Learner Project

Public Speaking

Individuals wishing to speak at a Board meeting must sign up at the meeting. Speakers to items for action on this agenda should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting. Speakers to items not on the agenda for action will be heard at the conclusion of the item begun before 4 p.m.

Each speaker is allowed a maximum of three minutes for his or her presentation. Accommodations are made for translation and for those needing assistance. Each speaker may only make a single appearance at each Board Meeting, but exceptions are made for items labeled "Public Hearing".

Each person who addresses the Board shall not make personal, impertinent, slanderous, or profane remarks to any Board Member, staff, or general public.

Any person who makes such remarks, or who utters loud, threatening, personal or abusive language or engages in any other disorderly conduct which disrupts, disturbs, or otherwise impedes the orderly conduct of any Board meeting shall, at the discretion of the presiding officer or majority of the Board, be barred from further audience before the Board during that meeting.

Consent Items

Items for action below assigned by the Board at the meeting to be adopted by a single vote. Any item may

New Business for Action

1. Board of Education Report No. 248 – 18/19
Procurement Services Division
(Procurement Actions) Recommends approval of procurement actions taken by staff for professional services, agreement amendments and purchases within the delegated authority of the Superintendent as described in Attachment A for a total amount of approximately \$20.8 million for bicycle usage encouragement services, training for safety precautions for students at a school site, parking lot attendants at District sites, and 12,214 procurement transactions and low value contracts. Additionally, recommends approval of professional services contracts goods and general services contracts with agreements and amendments for amounts over \$250,000 not under the delegated authority, as detailed in Attachment B, including three five year contracts for math instructional materials for English Learners in grades 6-8 for an aggregate \$5 million, a five year contract for after hour help desk services for \$800,000, a three year contract with Los Angeles County Office of Education to reimburse for Medi-Cal administrative services for \$300,000, two capacity contracts for three years for field soil for \$1.5 million, a contract to purchase 7 CNG field truck tractors for \$1.2 million, a contract to purchase 11 refrigerated trailers for \$1.5 million, and a capacity contract for five years to purchase Apple products for \$50 million. Also approves a five year revenue contract with the California Department of Health Care for reimbursement for health services provided for Medi-Cal eligible students for \$80 million.

2. Board of Education Report No. 236 – 18/19
Procurement Services Division–Facilities Contracts
(Facilities Contract Actions) Recommends approval of actions executed within the delegated authority of the Superintendent including the approval of the award of 10 advertised construction contracts for approximately \$16.5 million; a job order contract amendment for \$500,000; 237 change orders for \$711,768; the completion of 19 contracts; the award of 42 informal contracts for approximately \$1.1 million; the award of 2 architectural and engineering contracts for approximately \$1.4 million; and extra services and amendments for architectural and engineering contracts for \$321,786. Additionally, awards contracts and amendments not under the delegated authority, as detailed in Attachment B, for task order contracts for life and safety system testing for a not-to-exceed amount of \$5 million.

3. Board of Education Report No. 266 – 18/19
Accounting and Disbursements Division
(Report of Cash Disbursements, Reimbursement of the Controller’s Revolving Cash Fund, and Donations of Money, and Report of Corporate Card Charges) Recommends approval of warrants for things such as salary payments for a total value of \$596,264,033.77; reimbursement of the Controller’s Revolving Cash Fund in the amount of \$9,400.00; and the acceptance of 2 donations to the District totaling \$61,981.00; and the approval of corporate card charges totaling \$2,264.26.

4. Board of Education Report No. 274 – 18/19
Office of the Chief Financial Officer
(Emergency School Closure of Topanga Elementary Charter School and Material Decrease in Attendance at Several District Schools Due to the Woolsey Fire in November 2018; Request for Allowance of Attendance Due to an Emergency Condition; Payment of Employees)
Recommends approval to take all necessary actions to submit the request to obtain allowance of attendance to the Los Angeles County Office of Education and the California Department of Education, and ratifies payment of salaries for the closure period.

5. Board of Education Report No. 249 – 18/19
Human Resources Division
(Routine Personnel Actions) Recommends approval of 3,684 routine personnel actions such as promotions, transfers, leaves, terminations, etc. Additionally, approves salary reallocation for Director of Food Services position to align salary with other District Director positions, and additional salary steps for Staff Assistant to Board Member VII and Staff Assistant to Board Member VIII positions.

6. Board of Education Report No. 250 – 18/19 **NOT ON CONSENT**
Human Resources Division
(Provisional Internship Permits) Recommends approval of the continuing employment of 9 teachers who are employed under the Provisional Internship Permit requirements, allowing the District to continue to staff subject field shortage classrooms.

7. Board of Education Report No. 251 – 18/19
Human Resources Division
(March 15 Notices to Administrators) Recommends authorization for notices to be sent to all certificated contract level management and senior management employees of the classified service with expiring contracts; all non-school based certificated administrators, confidential employees, and supervisory employees; and all school-based non-permanent and selected permanent certificated administrators informing them they may be released or reassigned, and authorization for staff to send subsequent notices of release by June 30, 2019 to employees that have been identified for actual release.

8. Board of Education Report No. 169 – 18/19
Facilities Services Division
(Amendment to the Facilities Services Division Strategic Execution Plan to Approve a High School Student Classroom Furniture Replacement Program) Recommends approval of an amendment to the Strategic Execution Plan to approve a program to replace high school student classroom furniture at specified schools and to authorize the Chief Facilities Executive to make execute all necessary instruments, including budget modification and purchasing. The combined budget for these projects is \$14.1 million.

9. Board of Education Report No. 235 – 18/19
Facilities Services Division
(Amendment to the Facilities Services Division Strategic Executive Plan to Define and Approve 27 Local District Priority and Board Member Priority Projects) Recommends approval of an amendment to the Strategic Execution Plan to define and approve 27 Local District priority and Board Member priority projects for a combined budget of \$ 1,512,168.

10. Board of Education Report No. 237 – 18/19
Facilities Services Division
(Amendment to the Facilities Services Division Strategic Execution Plan to Approve the Project Definition Proposal for the Verdugo Hills High School New Chemistry Laboratory Building Project) Recommends approval of an amendment to the Facilities Services Division Strategic Execution Plan to define and approve the project definition proposal for the Verdugo Hills High School New Chemistry Laboratory Building Project and authorize pre-construction activities for approximately \$1.6 million.
11. Board of Education Report No. 254 – 18/19
Facilities Services Division
(Authorization to Continue Performance of All Necessary Functions Related to Federal Emergency Management Agency and California Governor’s Office of Emergency Services Financial Assistance Programs) Recommends authorization for the Chief Facilities Executive or his designee to continue performance of all necessary functions related to Federal Emergency Management Agency (FEMA) and California Governor’s Office of Emergency Services financial assistance programs.
12. Board of Education Report No. 255 – 18/19 (Requires 2/3 vote)
Facilities Services Division
(Resolution of Intention to Dedicate Easements, Required for the Construction of the East Valley High School No. 1A Project, at Richard E. Byrd Middle School and Francis Polytechnic High School) Recommends adoption of a resolution of intention to dedicate easements to the City of Los Angeles for existing public Americans with Disabilities Act (ADA) accessible ramps, driveway aprons, and completed street widening at Byrd Middle School located at 8501 Arleta Ave. in Sun Valley; and for existing public Americans with Disabilities Act (ADA) accessible ramps and completed street widening at Polytechnic High School located at 12431 Roscoe Blvd. in the Sun Valley area of Los Angeles. Also authorizes the Chief Facilities Executive to execute any related instruments for the project.
13. Board of Education Report No. 256 – 18/19 (Requires 2/3 vote)
Facilities Services Division
(Resolution to Exempt All Los Angeles Unified School Sites from Local Land Use Regulations under California Government Code Section 53094) Recommends adoption of a resolution making the necessary findings of fact to exempt all Los Angeles Unified school sites from local city and county zoning ordinances, including city and county redevelopment plans, as allowed by Government Code, that may compromise the ability to construct the facilities.
14. Board of Education Report No. 263 – 18/19
Facilities Services Division
(Authorization to Extend the Agreement with the City of Los Angeles for the Operation of Community School Parks at Four District Elementary School Sites) Recommends authorization for District staff to extend the agreement with the City of Los Angeles Department of Recreation and Parks for a period of one year with a one-year option for its continued operation of Community School Parks at specified schools.

15. Board of Education Report No. 264 – 18/19
Facilities Services Division
(Joint Powers Agreement with the City of Cudahy for the Development, Use and Maintenance of a Vacant District Parcel as a Pocket Park) Recommends authorization for District staff to negotiate and execute a joint powers agreement with the City of Cudahy for development, use, and maintenance of a vacant District parcel, located at 8020 Park Avenue in the City of Cudahy, as a pocket park.
16. Board of Education Report No. 267 – 18/19
Division of District Operations
(Naming Dan M. Isaacs Avalon High School) Recommends approval of the renaming of the school currently known as Avalon Continuation High School to Dan M. Isaacs Avalon High School.
17. **WITHDRAWN PRIOR TO MEETING**
18. Board of Education Report No. 272 – 18/19
Office of the General Counsel
(Adoption by Governing Board of Title IX Policy) Recommends adoption of Title IX policy and grievance procedures in accordance with the District’s Strategic Plan to ensure compliance with Title IX of the Education Amendments of 1972 in federal statutes.
19. Board of Education Report No. 273 – 18/19
Office of the General Counsel
(Delegated Authority to Review, Approve and Adopt Nondiscrimination and Related Policy)
Recommends delegation of authority to review, approve and adopt updates to nondiscrimination and related policy, including those related to Title IX of the Education Amendments of 1972 in federal statutes.

Board Member Resolutions for Action

20. Mr. Melvoin, Dr. Vladovic – Empowering Schools and Teachers with Choice of Employment
(Res-015-18/19) (Postponed from Previous Meetings)

Whereas, The Los Angeles Unified School District is dedicated to ensuring that every student has access to a high quality education in a positive school environment shaped by dedicated and mission-driven professionals;

Whereas, The District applauds and respects the tireless dedication of educators and other school staff who deserve agency to make professional decisions about their own careers;

Whereas, The District applauds and supports the capacity of school leaders and school site decision-makers to select, support, and manage teachers who are aligned with and committed to a common, local vision for success at each District school;

Whereas, A strong and aligned team of teachers and school leadership promote student academic success and college-readiness; now, therefore, be it;

Resolved, That no teacher shall be employed at a school without the mutual agreement of the teacher and the school site decision-maker, subject to legal or contractual requirements (such as reasonable accommodations for teachers with disabilities); and, be it finally

Resolved, That the Superintendent amends or modifies any policies or practices and negotiate contractual obligations where necessary to ensure that by the 2019-2020 school year employment of all Los Angeles Unified School District teachers will be upon mutual agreement of the employee and the school site decision-maker, subject to legal or contractual requirements. The Superintendent will report to the Board within 90 days outlining efforts to ensure implementation of this resolution.

21. Mr. Schmerelson – Reimagining Open Government Based on Transparency, Accountability and Oversight (Res-020-18/19) (Waiver of Board Rule 72)

Whereas, Los Angeles Unified School District is the largest school district in the nation governed by a duly elected Board of Education;

Whereas, Members of the Governing Board of the Los Angeles Unified School District serve as fiduciary agents responsible for informed decision making and oversight of all policy and financial matters that affect the delivery and efficacy of public education for the children of Los Angeles;

Whereas, The Superintendent of Schools serves at the pleasure of the Board and is bound by law and protocol to provide all Board Members with the information required to effectively govern the district, to protect the safety, privacy and best interests of our students and employees, and to ensure the responsible and ethical expenditure of public funds;

Whereas, Austin Beutner was hired by a Board majority on May 1, 2018 and assumed his position on May 15, 2018;

Whereas, On July 5, 2018, Superintendent Beutner announced the launch of the Fund for Equity and Excellence and the receipt of just over \$3 million from five foundations and organizations “to further the work of Los Angeles Unified and support students, teachers and families”;

Whereas, On August 10, 2018, without Board approval, Mr. Beutner announced that the \$3 million contributed to the Fund for Equity and Excellence would be used to engage the services of Ernst and Young and Kitamba consultants "to develop a plan to provide more resources to schools and improve student learning". By September 1, 2018, also without Board approval, ThirdWay Solutions was also hired to join the "reimagining" efforts directed by Mr. Beutner;

Whereas, At least one Board Office has consistently raised the issue of the lack of transparency and responsiveness concerning requests for information and documents regarding the activities and roles of the outside consultants retained by Mr. Beutner. Specifically, in a meeting with Mr. Beutner on October 1, 2018, Board Member Schmerelson asked for donor information, copies of contracts and memorandums of understanding (MOU), scope of work, and compensation information that Mr. Beutner pledged to provide;

Whereas, At a meeting with Mr. Beutner on November 5, 2018, Mr. Schmerelson again requested the information and documents promised on October 1, 2018. Mr. Beutner stated that the Executive Director of one of the Fund for Equity and Excellence donors had been unavailable but was now back and would facilitate the transmission of the requested information within several days;

Whereas, When the requested information and documents had still not been provided to Mr. Schmerelson by the Regular Board Meeting on November 13, 2018, Mr. Schmerelson publicly appealed for responses to his repeated requests and Mr. Beutner's repeated commitments to comply. Mr. Beutner again, in this public Board meeting, agreed to provide the information and documents.

Whereas, In an email to then Executive Coordinator, Nicole Elam, on November 14, 2018, and again to Mary Lu Camacho on December 1, 2018, Mr. Schmerelson's questions and concerns raised at the Board Meeting on November 13, 2018 were memorialized as copied below:

1. During the Procurement Briefing on November 7, 2018, Board Offices were briefed on the MOU between the California Community Foundation (CCF) and the District. On November 9, Board Offices were provided with a copy of the MOU with only one electronic signature (attorney for CCF) dated November 5, 2018 although the agreement purports to be effective from September 1, 2018. Is the MOU referenced above the first and only MOU between the parties on the subject of Temporary Consultant Services for "reimagining"? When and by whom was this MOU generated? Did the CCF subcontractors providing the consulting services to the District have access to District finances, student and other data, records, personnel, facilities or any other LAUSD information and documents without an MOU, contract, or written confirmation of the relationship between the entities prior to November 5, 2018 or whenever the MOU was also signed by a representative of LA Unified?
2. Of the five initial donors to the Fund for Equity and Excellence (the Ballmer Group, California Community Foundation, California Endowment, the Eli and Edythe Broad Foundation and the Weingart Foundation), what is the amount contributed by each donor?
3. Of the entities being compensated with these philanthropic funds (Ernst and Young, Kitamba, Thirdway Solutions, Capri Maddox and Janelle Erickson), how much is each entity being compensated?
4. Do each of these entities have a contract with the California Community Foundation? If so, can you provide copies to the Board? If not, why not?

Whereas, By the date of submission of this resolution (February 6, 2019), despite continuing ongoing requests and continuing reassurances that the transmission of the requested information and documents "are being worked on", Mr. Schmerelson has still not received the requested information and documents;

Whereas, The lack of access and transparency from Mr. Beutner's administration, experienced by some Board offices, is also a persistent complaint from parents, community members, and the media; and

Whereas, In a free and democratic society, honesty, openness and accountability is at the heart of how citizens hold their public officials, and their leadership staff, accountable and what inspires trust in government institutions, especially at this time in history when our nation's democracy is currently under attack at every level of government and civic life; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District directs the Superintendent to immediately disclose, to all Board Offices and the public, the information and documents requested by Board Member Schmerelson regarding The Fund for Equity and Excellence and the private consultants who are being compensated by this funding source;

Resolved further, That all existing reports, analysis and associated documents and work product materials generated by Ernst and Young, Kitamba and Thirdway Solutions, in the course of their employment and consultations for the District, be disclosed and distributed to all Board offices by close of business on February 22, 2019;

Resolved further, That the Board directs the Superintendent to immediately begin providing a detailed, weekly written update of all meetings, activities, initiatives, business decisions and priorities in the manner by which his predecessors communicated with Board offices in the past;

Resolved further, That the Board directs the Superintendent to create and communicate a protocol that guarantees that email and other communications from all Board Offices will be promptly acknowledged and any requests for information or documents shall be provided in a timely manner or responded to with a comprehensive explanation of why the request cannot be accommodated; and, be it finally

Resolved, That the Superintendent shall prepare a plan for presentation to the Board at the Regular Board Meeting, on March 19, 2019, on how Mr. Beutner intends to improve access, communication, transparency and customer service with all District stakeholders.

Board Member Resolutions for Initial Announcement

22. Dr. McKenna – Building Healthier Communities and Lives for Californians through Investment in Community-Based Prevention (Res-021-18/19) (For Action March 19, 2019)

Whereas, The Los Angeles Trust for Children’s Health (The L.A. Trust) was formed through a 1991 resolution of the Governing Board of the Los Angeles Unified School District to address the myriad and significant health challenges faced by many District students;

Whereas, The L.A. Trust is a non-profit organization that champions healthcare programs and supports comprehensive school-based medical clinics that provide healthcare services for Los Angeles County’s highest-need students;

Whereas, The L.A. Trust believes that student wellness is a critical factor in student academic achievement;

Whereas, Chronic diseases and injuries, most of which are preventable, accounted for 80 percent of deaths in California in 2010;

Whereas, We are in the midst of a large-scale epidemic of obesity and diabetes that shows little sign of slowing and may lead this generation of children to have shorter lives than their parents;

Whereas, More than half of California's adults are overweight or obese, and therefore at greater risk for the six most prevalent chronic conditions - diabetes, heart disease, cancer, arthritis, stroke and high blood pressure;

Whereas, This burden of preventable illness generates enormous costs for families, employers, local and state government and health care systems;

Whereas, The six leading chronic diseases alone generated treatment costs of \$25,355,680,148 (or \$2,580 per person) in Los Angeles County in 2010, and these continue to rise;

Whereas, California had 18,152 injury deaths, with \$21 billion in lifetime costs (\$538 for every resident in the state) in 2014 alone;

Whereas, Poor diet is now the leading risk factor for death in the United States, followed by tobacco, high blood pressure, obesity and physical inactivity;

Whereas, People who have access to healthy food and eat a healthy varied diet are at lower risk of obesity and chronic disease;

Whereas, People who live in highly walkable, safe, mixed-use communities with easy access to green space and public transit options are more physically active and less obese, contributing to greater overall health;

Whereas, This burden of illness is distributed unfairly, and birthplace, where you live, income, race, and ethnicity all play a role in determining how likely you are to become ill, be injured or die too young;

Whereas, A strategic investment in prevention of just \$10 per person would represent less than 1/1000th of our annual healthcare spending in California;

Whereas, As our population ages and medical care becomes more complex and costly, we seek to assure health care coverage for Californians and the need to invest in reducing the rates of preventable illnesses has never been more urgent; and

Whereas, Oklahoma, Minnesota and Massachusetts have created wellness trusts or funds that provide sustained, dedicated funding to reduce leading causes of premature illness and death and have demonstrated positive outcomes in reducing risk factors for disease; now, therefore, be it

Resolved, That The Governing Board of the Los Angeles Unified School District supports the establishment of a California Wellness Trust, or other mechanism, to assure sustained, dedicated investment in preventing the leading causes of illness, injury, and premature death in California by addressing the root causes of these conditions in order to promote greater health equity, build healthier communities through community-based disease prevention and wellness efforts, and make our healthcare dollars go further.

23. Dr. McKenna - Celebrating Women's History Month and International Women's Day (Res-022-18/19) (For Action March 19, 2019)

Whereas, The advocacy efforts of the National Women's History Project (NWHP) led to an annual observance of Women's History Month, which highlights the contributions of women to events in history and contemporary society and is celebrated during March in the United States, the United Kingdom, and Australia, corresponding with International Women's Day on March 8;

Whereas, Women of every race, class, and ethnic background have made significant and historic contributions to the growth and strength of our society in countless recorded and unrecorded ways;

Whereas, International Women's Day has been observed in the United States since 1908 when 15,000 women marched in New York City to raise awareness of issues such as wages, shorter working hours, and voting rights;

Whereas, International Women's Day is a collective day of global celebration and a call for gender parity;

Whereas, Women of every race, religion, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement since the turn of the 20th century;

Whereas, Women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which help create a more fair and just society for all;

Whereas, Despite these contributions, the role of women has been consistently overlooked and undervalued, in literature, teaching, labor, business and history studies;

Whereas, The NWHP National Women's History Month theme for 2019 is "Visionary Women: Championing Peace and Nonviolence";

Whereas, The 2019 theme honors women of diverse backgrounds who have led efforts to end war, violence, and injustice and pioneered the use of nonviolence to change society;

Whereas, For generations, women have resolved conflicts in their homes, schools, and communities;

Whereas, Women have rejected violence as counterproductive and stressed the need to restore respect, establish justice, and reduce the causes of conflict as the surest way to peace;

Whereas, From women's rights and racial justice to disarmament and gun control, the drive for nonviolent change has been and continues to be championed by visionary women;

Whereas, 2019 marks the centennial year since the passage of the 19th Amendment that granted women the right to vote;

Whereas, The 127 women who now serve in the US Congress are a living example of the power and vision of women who are striving to fight for peace and justice through public service;

Whereas, The International Women's Day theme for 2019 is #BalanceforBetter; and

Whereas, Additional education is needed in order to increase the knowledge of all citizens relative to the contributions of women to the development of society; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District celebrates the month of March as Women's History Month;

Resolved further, That the Board observe Wednesday, March 8, 2019 as International Women's Day and encourage all students to seek #BalanceforBetter; and, be it finally

Resolved, That the Superintendent call upon all Los Angeles Unified School District family to join the UN Women call to "Step it Up for Gender Equity: Planet 50/50 by 2030."

Correspondence and Petitions

24. Report of Correspondence including Williams Settlement Uniform Complaint Quarterly Report Summary (ROC-007-18/19) **PUBLIC HEARING**

Minutes for Board Approval (Min-007-18/19)

25. April 10, 2018, Regular Board Meeting, 1:00 p.m.
May 8, 2018, Regular Board Meeting, 1:00 p.m.
December 17, 2018, Special Closed Session, 10:00 a.m.
January 22, 2019, Special Closed Session, 10:00 a.m.

Announcements

Public Comment – Speakers to items not on the Order of Business for action will be heard no earlier than 4 p.m.

Adjournment

Please note that the Board of Education may consider at this meeting any item referred from a Board Meeting 5 calendar days prior to this meeting (Education Code 54954.2(b)(3)). The Board of Education may also refer any item on this Order of Business for the consideration of a committee or meeting of the Board of Education, which meets on the Thursday immediately after this meeting.

Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to the Board Secretariat in person or by calling (213) 241-7002.

Individuals wishing to speak at a Board meeting must sign up at the meeting. There will be no sign ups in advance of the meeting. Speakers must sign up prior to the item being acted upon by the Board. Speakers should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting.

If you or your organization is seeking to influence an agreement, policy, site selection or any other LAUSD decision, registration may be required under the District's Lobbying Disclosure Code. Please visit <http://ethics.lausd.net/> to determine if you need to register or call (213) 241-3330.

Materials related to an item on this Order of Business distributed to the Board of Education are available for public inspection at the Security Desk on the first floor of the Administrative Headquarters, and at:
<http://laschoolboard.org/02-19-19RegBd>

Items circulated after the initial distribution of materials are available for inspection at the Security Desk.