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2024-02-20, Regular Meeting

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- ▶ [**Aiden Hill**] Order at 6.05 PM. So Ms. Eugster, can we do roll call, please?

- ▶ [**Kadie Eugster**] President Aiden Hill? Yes, sir. So normally, you should go with that angle.

- ▶ [**Kadie Eugster**] Oh, I'm sorry. That's OK. Student Member Lee?

- ▶ [**Joy Lee**] Present.

- ▶ [**Nancy Thomas**] Here.

- ▶ [**Phuong Nguyen**] Here.

- ▶ [**Kat Jones**] Here.

- ▶ [**Aiden Hill**] Here. Thank you. OK, moving on to item 1.2. So in-person meeting information, NUSD has opened its boardroom for in-person meetings and will follow the state's and Alameda County's safety guidelines for public gatherings. Please refrain from attending in-person meetings if you have any of the following systems listed on this agenda item. Observing the Board of Education meeting, members of the public may observe the meeting via NUSD YouTube channel, live transmission on Comcast channel 26, or in person at the NUSD boardroom. Spanish translation will be available via Zoom upon request by contacting Katie Yukster at kukster at Newarkunified.org. Public comment, the public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized items with a live audio-only comment via Zoom with advance notice requested by email at publiccomment at newarkunified.org, a written comment by submitting a speaking card via email at publiccomment at newarkunified.org, or with live in-person comments submitted by submitting a speaker card with the executive assistant. Okay, item 1.3, public comment on closed session items. Ms. Euster, are there any comments that were sent in to you? Okay, great. Moving on, we're going to 1.4, we're going to recess to closed session. In closed session, we're going to be covering two items. 2.1, public employee appointment, employment discipline, dismissal release, government code 54957, subdivision B1. And item 2.2, conference with legal counsel, anticipated litigation, significant exposure to litigation pursuant to government code. 54956.9 subdivision D to section two or three. Okay, adjourning to closed session.

- ▶ [**Aiden Hill**] from closed session as of 7 o 1 p.m. okay yeah and so if we could we could focus our attention okay meeting called to order thank you member one okay All right, so we're recessing from closed section. There was one action taken under government code 54957. In closed session, under the agenda item 2.1, public employee discipline dismissal release, the board took action to terminate employee number 4218, HVAC technician. The district is exercising its authority to terminate the position for cause. in accordance with all policies and contracts. The board's action was taken by the following vote. So voting yay, Member Jones, Member Thomas, Member Nguyen, and Member Hill. There were no nay votes and no one was abstaining. And the action was moved by Member Thomas and seconded by Vice President Jones. OK, moving on. Let's go to agenda item 4.1, Pledge of Allegiance. If we can all stand, please. Repeat after me. I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all. Okay Okay, so let's moving on to Agenda item 5 approval of agenda 5.1. Can I get a motion to approve the agenda?

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- ▶ [**Phuong Nguyen**] Actually would like to pull a couple of items, please Under twelve point fourteen. I'm sorry. I Under 12.4, I would like to pull the Kennedy CSSP. One of the pages was not correct. It said that it was Schilling Safety Committee, but actually it's supposed to be Kennedy. So I'd like that pulled, but leave the remaining CSSPs.
- ▶ [**Aiden Hill**] OK. Are there any other items that anyone wants to pull?
- ▶ [**Phuong Nguyen**] Oh yes, also item 12.21, the policy is not redlined and don't know where the changes are and updates are. And also if we could bring it back to include, I know that that policy is student centric, but it would be nice to also include personnel as well. And then also 12.26, 12.27, 12.28, those are all Word documents and not PDFs, so some members of the public were not able to view them if they don't have access to Word. So I'd like those pulled.
- ▶ [**Aiden Hill**] So can you repeat that, 12.26 through where?
- ▶ [**Phuong Nguyen**] Yeah, 12.26, 12.27, 12.28. The other item for consideration is on the personnel consent item 11.3, the new job description for purchasing and procurement manager. And my reasoning for that is, I know that we're coming up with new job descriptions, but I would really like to see a comprehensive plan of budget reductions, which include positions presented to the board before we go ahead and approve any new positions.
- ▶ [**Aiden Hill**] Sorry, which item?
- ▶ [**Phuong Nguyen**] 11.3.
- ▶ [**Nancy Thomas**] Can I make a comment, please? Sure. Or ask a question. These board policies are there for first readings, so it's probably just as effective and maybe more appropriate to just discuss them at that time and hold them over based on.
- ▶ [**Phuong Nguyen**] That's fine, too.
- ▶ [**Nancy Thomas**] Yeah, so and then regarding The other one that you said, it would preclude the board from discussing it if you pull it.
- ▶ [**Phuong Nguyen**] Yes, correct. Because I would like us to, like in previous years when we had budget reductions, we've always had a study session. It was done transparently so that the public and community can see what was being affected, where the cuts were going to be, if it's going to be to staff and positions. So I don't necessarily agree that we should be approving new job descriptions if we don't know what positions we're cutting or what other areas of the district budget are we going to be cutting. As we know, there's going to be, as Per said, we're going to be, we have a structural deficit of over \$14 million.
- ▶ [**Nancy Thomas**] The agenda does not allow us to discuss it. And I do not feel we should pull anything from the agenda. If in the discussion it's decided that we won't approve it until your concerns are met, that makes sense to me.
- ▶ [**Phuong Nguyen**] Well, I mean, do we have an overall plan of where our budget cut is? That would make more sense. And then we can bring back the new job descriptions so that we can say, hey, OK, and then have a discussion on it. But I think we are being a little bit presumptuous about creating new job positions when we don't even know what jobs we're going to be cutting.

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- ▶ [**Aiden Hill**] Other comments from the board?

- ▶ [**Nancy Thomas**] So the question I have is, do we pull it or do we not pull it?

- ▶ [**Aiden Hill**] So I would like to echo your Recommendation member Thomas that that I think it's okay for us to discuss them right and rather than delay But if we don't feel that there if we feel that there are issues that need to get addressed We can table them at that point and have them come back at a future meeting. I I don't know if it's yes You know, but they're talking about taking it off the agenda

- ▶ [**Kat Jones**] I'd like to pull it so we can discuss it, not take it off the agenda.

- ▶ [**Aiden Hill**] So let me circle back with member Nguyen. So 12.4, I think that you identified some basically some important typos related to the Kennedy school safety plan. And so I don't think there's really much discussion there. Does the board agree that that's an item that we should we can pull? Okay And but then the other items so both the the policies Where because it does say that they are potentially a first reading that we can go Discuss those and if we decide we need to bring them back or if the formatting is not correct we can do that and then the same with 11.3 we can hear the proposal that the superintendent and CBO are offering and then decide what the appropriate next steps are.

- ▶ [**Nancy Thomas**] And in some cases when something's on consent we pull it if it's just a minor typo we can approve it with the typo corrected. That's another thought.

- ▶ [**Aiden Hill**] Okay so so can I get a motion to to adopt the agenda with the exception of 12.4 related to the Kennedy's school safety plan?

- ▶ [**Nancy Thomas**] I move that we adopt the agenda with the exception of 12.4. I'll second.

- ▶ [**Aiden Hill**] Can we do a vote, please?

- ▶ [**Nancy Thomas**] Yeah. 12.4, only the Kennedy 12.4. So can we get a vote?

- ▶ [**Aiden Hill**] I think she's restated it. Do we want to restate it again?

- ▶ [**Nancy Thomas**] I move that we approve the agenda with the exception of pulling the Kennedy School Site Safety Plan from item 12.4. I'll second. We're going to cover those.

- ▶ [**Joy Lee**] Yes.

- ▶ [**Nancy Thomas**] Yes.


- ▶ [**Kat Jones**] Yes. Yes.

- ▶ [**Aiden Hill**] Yes. Motion carries. OK, great. So moving on to one second. Sorry. So student board member report six point one. So student member.

- ▶ [**Joy Lee**] Good evening board executive cabinet and community. Okay, here's the recap of our past two weeks. So, Newark Memorial High School has had our campaign week for ASB positions and our class office positions. This year, not just for our ASB cabinet, but all of our class officer positions. It was a fierce battle, and I want to shout out everyone who had the courage to try and go for these positions and spend time campaigning. Our ASB president is Rachel Restu, Vice President Darian Wolf, Secretary Rami Hayani, Treasurer Porvi


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Sharma, and I will also be serving another year. Our class, our senior class is President Marwa Chopan, Vice President Juliana Barbosa, Secretary Chloe Hastings, Treasurer Alyssa Torres, and Historian Grace Veloso. And for our junior class, Kaylee Weber, President Kaylee Weber, Vice President Jacqueline May Torres, Secretary Tristan Latt, Treasurer Jordan Hernandez, and Historian Jalyn Ta. And lastly, our sophomore class, President Daphine Fong, Vice President Danica Dappolo, Secretary Adriana Conrad, Treasurer Precious, and our Historian Addison Wolf. They are all posted on our Newark Memorial Activities Instagram page, so if you guys would like to see No more. You guys can always go to our Instagram. Next, our League of Women Voters partnered with our high school to host a voter registration drive for all juniors and seniors on Friday, February 9th. A total of 369 completed registrar forms were completed. Thank you to Superintendent and Vice President Jones and Member Thomas for coming and supporting this event. And as well as our League of Women Voters and our Gen Up for hosting this event and bringing it to our school. Next, our Newark Athletics hosted our Special Olympics on February 16th. It was a great event where special education classes from Fremont and Union City came together to compete and play basketball with each other. Thank you to Athletics for hosting this event and all the student-athletes who volunteered to make this day a memorable one. If I were to sum this event in one word, just being there, it felt like a big reunion and it was really great. That same day, our seniors went on the senior cruise. For those who don't know what it is, it's a night where our seniors are able to go out on a cruise to San Francisco Bay. This one, however, unfortunately might be the last one due to just cost and low participation. Next, for our Newark Memorial High School Athletics, congratulations to sophomore Malaya Sao on her second place finish in NCS and qualifying for CIF State Wrestling Championships. And our boys' soccer team is seeded first in NCS, and they will compete against Mariah Carillo in the NCS semifinals, which was going to go originally tonight, but it got postponed due to poor field conditions. So our upcoming events are our Black Pride Expo Night Market featuring our local black-owned businesses on February 23rd after school. On March 1st, Newark Memorial High School will be having our Women's Empowerment Month kickoff. And for our elementary schools, Birch Grove will be having a family co-night on February 27th. Birch Grove 5th graders will also be going to Science Camp the week of February 26th. And at our middle school, the Exploratorium field trip for the 7th graders is scheduled for March 8th. And then something I'm sure all the board members will be looking forward to is our CASP testing will begin on March 25th at our middle school. Woo! So we got to spread the word and get ready. And this is everything. Thank you everyone for listening.

-  [**Aiden Hill**] Thank you, student member. Moving on to agenda item 7.1, employee organizations. Yes, employee organizations. Do we have anybody from? Okay, anyone from NTA? Okay, NEWMA? Okay. All right, moving on. So, moving on to public comment on non-agenda items. So, there's a number of new faces here, and so, And the way that this works is not always, what's the right term, obvious. And I know that I had challenges both as a community member when I came to board meetings and then also learning how it works as a board member. So I want to make sure that everybody understands how public comment works. So I just want to read something really quickly to you. So, greetings everyone and thank you for being here. Before we get started, I would like to say that the board appreciates and supports stakeholder input at our meetings. Engagement by members of the public in civic matters is a cornerstone of our democracy. Per the California School Board Association, however, it is important to note that a board meeting is not a meeting of the public, but rather a meeting to conduct the public's business. Everyone should have a chance to express their opinions within the guidelines the board has established for its meetings so that we were able to conduct the meeting effectively and efficiently. We've now reached the portion of the meeting set aside for comments from the public about matters not on the agenda, but within the subject matter jurisdiction of the board. Under Board Bylaw 9323, comments are limited to three minutes per speaker, and the Board will limit the total time for public input on each agenda item to 20 minutes. These limits have been put in place because the Board believes that late-night meetings deter public participation, can affect the Board's decision-making capability, and can be a burden to the staff. If a situation arises where there are more speakers on a topic than total time allotted, the president may ask members of the public with the same viewpoint to select a few individuals to address the board on behalf of that viewpoint. Another important thing that's important to understand is in order to ensure that non-English speakers receive the same opportunity to directly address the board, per government code 54954.3, non-English speakers who utilize a translator shall be provided at least twice the allotted time to address the board. And I know that

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there's been a lot of discussion about this, and there's been some confusion. And we had our attorney actually come in and write what he came in in person and provided commentary. But we've actually asked him to write a legal opinion so that it's formalized. So I would like to read this again so that everybody understands. And there are copies of this out in the audience for people who are interested and ultimately we'll post it on our website as well. So this is our legal opinion from Lozano-Smith. You requested an opinion regarding any applicable translation requirements under the Ralph M. Brown Act, Government Code Section 54950 for public comment during meetings of its Board of Education. Specifically, the district would like to determine whether it is required to allow speakers who address the board in English during public comment to also translate their comments into another language and or whether any translation of public comments from English into another language is required. As discussed below, there is no requirement for the district to provide a translator for the board meetings. Under the Brown Act, board meetings must provide an opportunity for the public to address the board on items of public interest within the board's jurisdiction. For any item on the agenda, the public must have the opportunity to address the board prior to or during the board's consideration of the item. At a regular meeting, the public is also permitted to comment on matters not on the agenda. The government code authorizes the board to set reasonable limits on the total amount of time allocated for public comment on a particular issue and for each individual speaker. However, to ensure that non-English, and this is, highlighted, non-English speakers receive the same opportunity to directly address the board. Any member of the public who uses a translator must be provided at least twice the allotted time to address the board, unless simultaneous translation equipment is used to allow the board to hear the translated public testimony. Here, the board has adopted bylaw 9323, which limits speakers to three minutes to address the board on each agenda or non-agenda item. Bylaw 9323 also provides any member of the public who uses a translator with at least twice the allotted time to address the board unless the board uses simultaneous translation equipment to hear the speaker. Therefore, while the board is required to provide additional time for a non-English speaker who uses a translator to convey his or her comments, the board is not required to provide additional time to an English speaker who wishes to translate his or her own comments into another language. nor is the Board required to provide translation of comments from English into another language. Further, Government Code Section 54954.3 does not contemplate a situation where a member of the public who speaks both English and another language also chooses to speak in another language first and then translate their own comments into English. Indeed, the legislative history amending the Brown Act to include the additional time translation equipment shows the legislature's intent to ensure that those individuals who need translators to make their voice heard, receive the same opportunity to directly address the legislative body of the local agency. The legislator's focus was therefore on the legislative body being able to understand the speaker's message, rather than the speaker being able to provide comments in English and another language. Accordingly, if a speaker does not need a translator because he or she can speak English, the district is not required to provide additional time to the speaker. And I think that the important thing to understand here is that per the California School Board Association, right, this, a board meeting is not a meeting of the public, but rather a meeting to conduct the public's business. And so really the intent here is to provide everybody an opportunity to be able to come and address the board. And if they speak another language, and they cannot address the board in English, and the board cannot understand their comments, that's when translation services come into play. But the purpose is not to provide a translation into one or multiple languages for larger members of the public. OK. So with that, and hold on one second. Let me make sure. I'm sorry, one last comment here, and this also comes from our bylaw. Per government code 54954.2, the board shall take no action or discussion on any item not appearing on the posted agenda except as authorized by law. However, without taking action, board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. OK, so with that preface. Oh, we have an online. OK, so why don't we start with the online? Which agenda? OK. OK, and what's the agenda item? OK. OK, and so she's here. OK, all right. So let me just make sure that I've got everything here. OK, so why don't we start with Brianna, I don't know, how do you say it? Aker. So Ms. Aker, please come forward.

 [**Brianna Aker**] Sorry. All right. So, hello. My name is Brianna Aker. I'm a kindergarten teacher at Coyote Hills Elementary. I'm a product of Newark Schools, Snow, and the middle school and the high school, as is my husband, and we're both homeowners now in Newark as well. I'm sure you've seen me here before, either

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speaking to the board over the past seven years I've worked here, or supporting my school, specifically two weeks ago, feeding my toddler chicken nuggets in the back. I continue to introduce myself as such, simply because it showcases my investment into this community, both as an employee, but also as a future parent as well. I wanted to paint a picture for you of what my classroom looks like. I have 26 kindergartners in my room, along with myself as their sole teacher. Of my 26 students, 12 of them are English language learners. So that's nearly half of my class coming to me speaking another language other than English. Within this group, there are a huge range of English knowledge, from already established bilingual students to students who speak no English at all. English language learners are not an outlier in my classroom. They are the heart of my classroom. So my teaching practice needs to reflect that in order to make sure that I'm addressing all state standards as well as the designated ELD requirements set forth by the state. In looking at methods that I use in my teaching, I need to be particular about ones that I choose in order to be most effective for the entirety of my class. Many of the adopted curriculum that we have and curriculum that we are looking at adopting has barely touched designated ELD, simply making it a side note on a page of lessons that we are to teach, often disjointed and unrelated to the lesson at hand. When half of my class is English language learners, that means that I'm only teaching lessons to half of my class, which is only going to invite a larger achievement gap and set up my students for failure. Luckily, I've been fully trained in SEAL, a methodology and a practice, not a curriculum. It's been shown time and time again that all students learn more through discussion and oral language as opposed to only direct instruction from a teacher. Through everything I've learned from SEAL, I'm able to address the state standards and practices that target oral language components that have been left out of traditional curriculum. It takes about six years to learn a new language, which means that everyone in my class of five and six year olds benefits from that targeted language instruction and are able to achieve higher level thinking that will benefit them in the long run. Enforcing these kinds of teaching practices helps my students not only academically, but socially and with behaviors in my classroom as they're learning how to communicate their thoughts and ideas properly in a school setting. It's really hard to express in three minutes what type of teaching and what that type of teaching and learning looks like and how it truly impacts the school community. So I'm here tonight to invite you to come and see what that looks like in a SEAL classroom at Coyote Hills. I know that some of you are set to be readers during Read Across America next week and I really, really, really want to encourage you to please look at our classrooms and talk to our teachers. Because it often feels like decisions on what we are teaching in our district and what that's going to look like is made without teachers. And we would love to share our hard work and how it impacts our students and how important that is to us.

▶ [**Aiden Hill**] Thank you. Thank you so much, Ms. Aker. OK. OK. And then that one, too. Okay, that's Okay, that's fine Okay, so so well, we'll ask you to keep track of time. Okay, perfect. Okay, so Mr. Aaron Fink, could you please come forward?

▶ [**Aaron Fink**] Hello, esteemed board. Last week, my sixth grade daughter received an unprovoked physical assault from a fellow student that I'm sure you've all now seen the video of. This assault in large part was due to a careless act on the part of a teacher that placed a target on my daughter. All the details of this incident from our perspective, I will forward to the board in an email. Upon hearing about what the teacher did a week prior to the attack, we contacted the principal expressing our concern that our daughter was now in danger of retaliation. The principal assured us that our daughter was absolutely safe and nothing would happen to her. During the week between the teacher's actions and the attack last week, the girl who attacked our daughter was not at school. One can assume she had been suspended. The attack occurred on the first day the girl returned to school. Needless to say, the principal's assurances to us leave us less than confident that our daughter's future safety. Last Friday, two girls confronted our daughter, recording and accusing her of lying. Our daughter felt very threatened and did, as we told her, walked away straight to a teacher. Now the school's solution to our daughter's safety is to provide her with a shadow. Wow, let's make the target really big. If you have the resource to shadow our daughter, why don't you shadow the ones actually causing the problem? Since posting our concerns on Facebook page, we've received several contacts from parents who have removed their children from Newark schools. They've told us stories of repeat offenders with multiple suspensions returning to school. And according to some, the school administration's frustrations with the district's office lack of action to provide a

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safe environment for their children. I'm not here to make accusations. I'm here reporting what I've heard and whatever the facts may be, there's a perception that, and it's growing, that the district is far more concerned with state funding through attendance than they are in resolving problems and protecting our students. Consider for a moment what happened. through her poor decision put a target on our daughter's back. In that single instant, our daughter learned that she cannot trust a teacher as we have taught her to do. In that moment, she learned that being honest and telling the truth is not always in her best interest. In that moment, she learned for the first time in her life what it is to fear for her safety. My goal is not to find blame or to prosecute a person for mistakes. My goal is to bring not only awareness to the board of the perceptions that exist, but hopefully initiate real effort to alter those perceptions. I was born and raised in Newark and attended Newark schools all the way through high school. I have a daughter in the high school, I have a sixth grader, and I have a six-month-old daughter. I hope to be able to give my daughter's opportunity to attend Newark schools as well. I'm hoping we can begin working together to bring about sufficient change to give us the confidence that our daughters will be safe. When my ninth grader was in elementary school, I firsthand spoke to a father in tears. This man was lost because he couldn't protect his daughter through repeated bullying. He pleaded with administration to protect his daughter and ultimately removed his daughter from the school. I now know how that man felt and no one should ever feel this way. My wife and I are resilient. We will not falter. We will not crumble and we will not go away. Thank you for your time.

▶ [**Aiden Hill**] Thank you, Mr. Fink. And I just want you to know that not only is the superintendent and staff aware of this issue, but also a number of board members aware of this issue. And we take it very seriously and it directly ties to our goal number two, our overall district goal of safe and healthy learning environments. And so it's something that we're definitely going to be focusing on improving. But thank you for coming and speaking up regarding that situation. Thank you. Okay. Moving on. And so it's this person's name is Zoila Rivera. Zoila Rivera.

▶ [**Zoila Rivera**] Buenas noches. Ahora vengo yo porque estuvimos hablando ante la, como podemos hablar los latinos, okay? Las nuevas leyes. Estoy aquí porque todos sabemos que tienen que traducirlo. Esa es la ley. ¿Cómo los padres van a venir a hablar con ustedes? Cuando ustedes no hablan, no están traduciendo los documentos o las reuniones.

Good evening. I'm coming now because we were speaking before the, how can we Latinos speak, okay? The new laws. I'm here because we all know that they have to translate it. That's the law. How are the parents going to come and talk to you? When you don't speak, you are not translating the documents or the meetings.

▶ [**Zoila Rivera**] It's not fair that you keep saying that parents could come over here, they're welcome to come, but you don't translate the documents or the meetings. So that's not, it doesn't make no sense at all, okay? Because we have a lot of Spanish parents, they do care about their students. They do care about the coming over here, but they don't feel welcome. So everything what you said about the meetings and everything, we've been saying so many parents coming over here all burned over. And that's not right. You know, that's not what the way it works. Thank you.

▶ [**Aiden Hill**] Thank you. Thank you, Ms. Rivera.

▶ [**Aiden Hill**] Yes. OK. Jeff Anderson.

▶ [**Jeff Anderson**] Good evening, esteemed board members, staff, faculty, parents in the room and at home. It's good to see you. Happy Tuesday. I am here with three messages. First, I want to echo Zaula's point about translations. I would love to see live translators provided here. YouTube, it would not be hard to connect the translators here with headphones that automatically stream into YouTube with a dropdown menu so that people could actually hear that as the meetings were going on. Also, that would mean that folks live in the room would have live translations. I believe that that is very important. I have taught myself two languages as an adult, and it is very difficult to do that. And I believe that if we serve Spanish-speaking community, that community should have the ability to engage here in public. So please let us know how we can support you in that, in following that

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part of the law. The second two comments really have to do with the next steps for our community. I'm really looking forward to hearing some of the other folks. At Schilling, we've been working on a model which really has three pillars for our parents at home to be able to support our staff. Newark Unified School District is the largest landowner in Newark. We have the most land, which means we're also one of the wealthiest organizations in Newark. And if you look on Wikipedia for Newark City, Newark Unified School District is the largest employer in Newark, which is very exciting. Because I believe we have brilliant folks, the strength of the community is really what's going to get us through dark times and tough times. And I believe that by working together, we can strengthen this district. We can strengthen our schools. At Schilling, we've been working on a three-pronged model. That model includes volunteering in the classrooms to decrease student-to-teacher ratios. I am so happy to give five to 15 hours of unpaid labor per week to help with my school and my kids. The second one, if you think about a Venn diagram with three circles in the middle is your child for families at home. So first one is volunteering. How can we get more folks into classrooms to help decrease student-to-teacher ratios and increase student time? The second one has to do with fun, fundraising, and kind of community support for fun activities. And the third one has to do with political organization and democracy. I think it is so important that we show up into these spaces. We are all here to strengthen the learning of our kids. In that, I think it's so important that parents come share your voice. And in this next step, whatever we're going to build to address our budget deficits, I believe that when we work together, we can do so better when all of us are on board. So for parents at home, I would encourage you to think about those three things. Volunteering in the classroom, how can we decrease student to teacher ratio with no extra cost to the district? This is for our kids. Number two, fundraising and community events. I'm so happy to give Shilling money every single month. And number three, how can we hold our elected board members and admin at this district accountable to provide the excellent educational experiences that our kids deserve and be part of the next generation. And that includes supporting our teachers, by the way. The stronger our teachers union is and the better we can support them, the more power we'll have as a community. Thank you so much. I look forward to engaging. Come on, y'all. Come in. Much love. Thank you.

▶ [**Aiden Hill**] Thank you, Mr. Anderson. So moving on, Ms. Lucia Gutierrez.

▶ [**Lucia Gutierrez**] Tonight, I come to address the community. My name is Lucia. I have lived in Newark for over 30 years. I went to Schilling, Graham, junior high, graduated from Newark Memorial. Many of my family members also graduated from Newark Memorial. I now have a child in kindergarten and nieces and nephews still in the district. I have been involved with helping the youth for over 20 years and continue to help my community now. I was also a previous member of the NUSD staff. I truly enjoyed being able to positively influence and help our youth people, our young people, with their education. However, while working here, I learned so much about what plagues this district. I learned the negative comments about our students never stop. Uninformed adults could not stop talking about how bad students are at the middle school and at the high school. Yet, while I was working there, I met so many wonderful young people trying to navigate the system and learn how to be young adults with minimal support. These uninformed adults also insulted staff, especially district staff. Yet, I met some of the most hard-working, Newark-loving staff members who are actually overworked, yet graciously do the work of three or more people, all because they love and care our community. Thank you, staff. Thank you, NUSD staff, for all your hard work. I've also met various NUSD superintendents. Some like to keep everything status quo and didn't do much. Others were very creative, student-centered, super-fiscally responsible, but didn't appeal to the masses. The one thing in common that I have heard from multiple previous superintendents is that there are two individuals in the community that never let them do their job. I then heard the same comment from various members of the California School Board Association and even from people in Sacramento. These two individuals have ran district for over 20 years and continue to do so now. However, this year I have seen something different when it comes to the superintendent. For the first time, I have seen these two individuals let the superintendent have full reign to do whatever she wants without objection. This superintendent is depleting the districts of all its resources. She is a crony hiring her friends, family, and paying them super high salaries while our students and staff are suffering. Staff members are being threatened and told that they are replaceable. So now they fear that if they speak against the superintendent, she will retaliate and fire them. Our

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staff is leaving because they no longer want to deal with the fear and harassment. Our students will soon suffer the consequences of this superintendent. I've had anonymous letters sent to my home about the lawsuit for property theft and identity theft from the superintendent, which, by the way, the board was aware of since she was served at the district office. People from the superintendent's previous district have warned me that her actions are the exact same ones that destroyed their own districts. The board was also aware of this and has been made aware of these red flags since before hiring her, yet she was still hired and is now being allowed to ruin our district, threaten our staff, and mishandle our funds. Tonight, I urge the community to come together and put a stop to this mismanagement by telling the board that we want to stop to this. Remember, the board was voted on by this community. We have the power to get rid of them. Our students deserve better, and they definitely do not deserve this board or this superintendent.

-  [**Aiden Hill**] Thank you, Ms. Gutierrez. And as I noted in the guidelines for public comment on non-agenda items, per government code 54954.2, the board shall take no action or discussion on any item not appearing on the posted agenda except as authorized by law. However, without taking action, board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Understand so Miss Gutierrez had referenced this and I understand that There are rumors that are floating out right now on social media, and I think it's important to provide More disclosure about exactly what's going on and so regarding the lawsuit that Miss Gutierrez referenced so Superintendent has forwarded me a response from her attorney And the response is as follows. So Mrs. DeLeon, I have reviewed the Salas versus Kinnon lawsuit documents which your daughter provided to my firm. I understand that a default judgment was recently entered against you because of a court date hearing missed by a former attorney which you were not made aware of. My firm will need to file a motion to set aside the default judgment so that you may offer a defense in this action. I have also reviewed the court history of the plaintiffs, Janae Christy Solis and Linda I. Christy, and it would appear that they have brought a number of actions lacking merit within Riverside County. Based on my review of the court record in this lawsuit, plaintiffs' claims against you lack merit or reasonable factual support. It appears that the only basis for your inclusion in this lawsuit is that you are the mother of Catherine Kennan. Please note, I also believe that the claims made against your daughter lack merit. Based on my review of the lawsuit, it would appear that it lacks any reasonable basis and that the plaintiffs are utilizing the legal system to abuse you and your family based on an alleged dispute for which you are not responsible. I will be contacting the plaintiffs and demanding they immediately dismiss this lawsuit. Once I speak with the plaintiffs, I will immediately contact you. I'm sorry that you have been included in what appears to be a patently frivolous lawsuit. Okay. Okay, so moving on, Ramon Medina. Yes.
-  [**Ramon Medina**] Buenas noches, good evening. I left this district two years ago. I still own a home here. I have nephews and nieces that are coming to this district. I really, when I see some of the things going on, it continues. I remember the first time I came here, talked about board member Thomas and her and I had our challenges to go over with. I remember when I had the privilege to host at our school and music school the the first event with the whole community involved. We had about 300 people there and board members were there and it was the first time that we had that done. I also did a rally during COVID where we went around all the schools, all the schools, and we worked together to try to let the boards know that they shouldn't close the schools. They shouldn't close the schools, that there were other ways to do it. But the current board members, including some of the board members, Lucia that was here, they didn't go on.
-  [**Aiden Hill**] And sorry, Mr. Medina, if you could address the board, that would be great.
-  [**Ramon Medina**] They decided to close the schools. My wife worked in this district and understood the challenges of teachers. My wife taught 11 years in East Palo Alto and she discovered that we were in worse shape than East Palo Alto was. That's incredible. That's when I finally told myself and after the last superintendent and some other people involved decided to go ahead and tell the aide that was my daughter had for almost six years. and challenged her to tell her that she would not have a job if she didn't move on. How bad is that? You know, my daughter has special needs. She had one-on-one. That's what the last board members

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did. That's what the last superintendent did to me. When we talk about understanding each other, I always came and encouraged everyone here that we could be better than Palo Alto, not East Palo Alto. I challenge every day to be better than Palo Alto and we can and we still can do it. But all these adult issues that we have, all this personal stuff, I challenged the last superintendent. I had a conversation with our music school and I challenged him. He decided not to take the challenge. I challenge our board members, make sure that The only Latino superintendent that was here that people voted on got kicked out. He got put in a hole. So I want to make sure that we understand that this district cannot continue on this inconsistency of leadership. And if we do, we will never get out. You're at a 10 year, 10 years to get better.

- ▶ [**Aiden Hill**] And Mr. Medina, you're out of time.

- ▶ [**Ramon Medina**] I'm sorry. But I hope that people here realize that their bickering and personal issues should be put aside and understand to solve problems or else you're going to be on a deeper hole than you can ever imagine. I'm at Livermore now and I'm glad I left but I can't stand the fact that I left because there was people here hating every day.

- ▶ [**Aiden Hill**] Yeah, so Mr. Medina, I'm sorry. Thank you. Yeah, thank you very much. Okay, moving on to agenda, I'm sorry, to Mr. Oz Jimenez. Is it Mr.? Okay, so point of order, please, point of order. Okay, so Mr. Jimenez.

- ▶ [**Mr. Jimenez**] Good evening board and everybody here. It's kind of tough to follow up all the topics that just came up before mine but I happened to watch last meeting and you guys discussed with I guess it was the DSA or whomever it was over the track and field and the football field at the high school and the reason I'm here is I know that you guys put on hold and I'm hoping that that You're able to put a project manager in place to put to get this back on track I do understand that you know That the way, you know, there's a lot of transitioning going on and kind of fell through the cracks and whatnot However, I work for a city and I know that if you put a project like this on hold It's only gonna get more expensive along the way I know you have an earmarked amount of money for that facility and I know that if you hold it longer, a field like that's going to go. But once you put that field, that track, that's going to help you with your budget that you're discussing. You have a budget deficit that you're dealing with. The 10-year lifespan of these fields do save you on maintenance costs, equipment, and even staffing. So that does help you out in the long run. It is expensive to put it in right now, but when you have to redo the field in 10, 12 years, whatever it is, it's a lot cheaper than it is. I oversee six soccer fields similar to these kinds of projects, and we just redid a field last year in the city that I work for, and it was \$400,000 to put a new turf on it compared to the millions that you do up front. So I hope that the board can push for, you know, a project manager that can handle this project, get it going, because our students, whether they're in high school now or the incoming, you know, in the future years that we can get this going. I feel bad coming up discussing this when we have other issues that the district has to deal with, but I just wanted to say my piece for all the student athletes that we have here in town. Thank you.

- ▶ [**Aiden Hill**] Thank you, Mr. Jimenez. So now we're moving on to public comments on agenda items. And again, just want to provide just brief instructions here. So prior to the board's deliberation on posted agenda items, we will now hear any comments from the public on these items. And by the way, you can make your comment now, or you can decide if you want to make it right before or you can also make it after board deliberations. Comments will be limited to three minutes each and we will take comments on a total, for a total of 20 minutes for each item. Public comments on agenda items must follow the guidelines set forth at the beginning of the meeting. Okay, so with that, so make sure. Okay, so Ms. Carrillo, so agenda item 9.1, would you like to speak now or would you like to wait until the agenda item comes up?

- ▶ [**Aiden Hill**] Okay.

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- ▶ [**Jacqueline Curillo**] Good evening. My name is Jacqueline Curillo. I am a Newark resident, and my son is a kinder at Schilling. He is in the DLI program and completely thriving and loving the program. It's come to my attention that a judgment has been entered against Dr. DeLeon and her two daughters for property and identity theft, and they've been ordered to pay more than \$5.8 million to the plaintiff. According to the superintendent employment contract between Newark Unified... So, Ms.
- ▶ [**Aiden Hill**] Correa, I'm sorry to interrupt you. But I don't think that this is connected to that agenda item, to agenda item 9.1. It is. It's superintendent report. Yeah, it is. This is a personal item.
- ▶ [**Jacqueline Curillo**] OK. Well, I'd like to continue.
- ▶ [**Aiden Hill**] Can you pause my time? I'm sorry, but it's not connected to this topic.
- ▶ [**Jacqueline Curillo**] OK. I'd like to continue. The public and the community deserve to hear what I have to say.
- ▶ [**Aiden Hill**] So if you'd like to talk about the superintendent report, you may. Superintendent DeLeon's legal issues that are outside of this are not connected to that item.
- ▶ [**Jacqueline Curillo**] Okay, then I'll speak to a different topic. President Hill, since you love to constantly reference your business acumen and extensive project management expertise, I recommend you and the board conduct an immediate risk assessment on Dr. DeLeon. It's alarming that this wasn't conducted prior to her hiring considering her negative history with other districts that you were aware of. A simple Google search could have prevented this whole mess. Teachers do not even feel safe attending public board meetings for fear of retaliation. It's unacceptable and frankly disgusting. that she's caused so much havoc in just a few months. What's even more unsettling is there is absolutely no accountability by the board. I request that Dr. DeLeon be placed on unpaid administrative leave immediately while a thorough investigation is conducted. Thank you. Thank you.
- ▶ [**Aiden Hill**] OK. Agenda item 10.1. Lucy Gutierrez.
- ▶ [**Lucia Gutierrez**] After looking at this report, I have another comment to the community. When the superintendent and the board members say they are going to right-size the district, this is a palatable way to say closing schools. So please, community, pay attention before it's too late. The board has ridiculously increased our deficit, and the superintendent's solution is to close schools. Her and her CBO friend were hired because they have so much experience raising funds for school districts and passing bonds. So why is right-sizing the district a topic of conversation? And not how to raise funds. And trust me, turning off lights and shutting down ACs will not save you \$14 million. Additionally, the superintendent was hired because of her extensive experience with leasing land, but the presentation actually says sell land. We've been down that path. And we only get a finite amount that depreciates over time. Nancy, you've been there, done that. Are you planning to make the same mistake again?
- ▶ [**Lucia Gutierrez**] Para la comunidad hispana, por favor, revisen el reporte del presupuesto en esta agenda. El reporte dice que van a encoger el distrito. Pero eso significa que van a cerrar escuelas. No dejen que los confundan y por favor pongan atención. Esta mesa directiva está ridículamente incrementando la deuda del distrito. Y la solución de esta superintendente es cerrar escuelas. Le pueden negar en sus caras como todas sin vergüenza, pero eso es lo que dice en el reporte. Ella y su amiga, la jefa de finanzas, fueron contratadas porque supuestamente tienen tanta experiencia en recaudar fondos para distritos escolares. Pero si ese es el caso, entonces, ¿por qué están hablando de cerrar escuelas y no cómo recaudar fondos? Y les aseguro que la propuesta de apagar las luces y la calefacción no los va a ahorrar 14 millones, que es la deuda que tienen ahorita. También la superintendente fue contratada por su extensa experiencia en alquilar propiedades para recaudar fondos. Pero la presentación habla de vender propiedades. El distrito no está hablando de alquilar. El

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vender propiedades ya pasó cuando se vendió Russian. Y cuando se vende una propiedad, el dinero es limitado. La señora Nancy ya hizo esto una vez, y por favor, no dejemos que se repita ese error.

For the Hispanic community, please review the budget report in this agenda. The report says they are going to shrink the district. But that means they are going to close schools. Don't let them confuse you and please pay attention. This board is ridiculously increasing the district's debt. And this superintendent's solution is to close schools. They can deny her to her face like all shamelessly, but that's what she says in the report. She and her friend, the chief financial officer, were hired because they supposedly have so much experience raising money for school districts. But if that's the case, then why are they talking about closing schools and not how to raise funds? And I assure you that the proposal to turn off the lights and heat is not going to save them \$14 million, which is the debt they have right now. Also the superintendent was hired for her extensive experience in renting properties to raise funds. But the presentation talks about selling properties. The district is not talking about renting. Selling properties already happened when Russian was sold. And when property is sold, money is limited. Ms. Nancy already did this once, and please, let's not let that mistake be repeated.

- ▶ [**Aiden Hill**] Thank you, Ms. Gutierrez. Okay, so moving on to 12.11, Ms. Gutierrez, it looks like, hold on a second, the remaining items are yours. Would you like to speak to all of them right now or would you like to do it after each or when the item comes up for discussion? Okay, all right, so we'll give you three minutes for each one. So 12.11. 11.3, I'll go in order.
- ▶ [**Lucia Gutierrez**] I'm sorry? 11.3, I'll go in order.
- ▶ [**Aiden Hill**] No, so she can speak at this point. Yeah, yeah. So I have 12.11, right?
- ▶ [**Lucia Gutierrez**] You don't have 11.3? No.
- ▶ [**Aiden Hill**] Oh, yeah, I thought we just did that one.
- ▶ [**Lucia Gutierrez**] We did.
- ▶ [**Aiden Hill**] Oh, I'm sorry. I'm sorry. OK, please, 11.3. OK, 11.3.
- ▶ [**Lucia Gutierrez**] There is so much lack of transparency in this agenda item. First, you're not including the pay schedule to understand the financial implications. Second, what pay schedule are you referring to? The ones that were approved possibly two years ago? And then it says that there's a new position, but you will be using general fund dollars budgeted from an existing position. That sounds a little bit of an oxymoron. If this is a new position that you're approving, then how is there money from a previously budgeted position? So, to our Fortune 500 business expert and previous audit committee president, how was that so hard for you to miss? Or are you at a point where you just don't care? Finally, someone is already doing this work. Doesn't it seem that in order to be more fiscally responsible, you guys should probably give the existing person a slight raise to continue to do these added duties? than to hire another friend of the superintendent at a ridiculously high salary. This board needs to stop adding positions at super high salaries. We don't have the money for it. So how is hiring another person worth closing another school? La superintendente y la mesa directiva quieren aprobar la creación de otra posición, pero no explican cómo le van a pagar. La agenda dice que van a pagar el salario con fondos ya reservados para esta posición. Pero si esta es una nueva posición, ¿cómo pueden tener fondos reservados de una posición que no existe? Okay, so would you like to move on to your next item? Yes, 12.11. Okay, 12.11. Okay, so this is a policy on employee safety which starts as follows. The governing board is committed to maximizing employee safety and believes that workplace safety is the responsibility of every employee, is every employee's responsibility. Working conditions and equipment shall comply with standards prescribed by federal, state, and local regulations. No employee shall be required or permitted to be in any place of employment which is unsafe or unhelpful. The board expects that all superintendent or designees to promote a safe, correct, and correct any unsafe work practices through the education and enforcement. I know this policy is talking about

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building safety, but what about proper treatment for staff? What about superintendent not intimidating and harassing employees? When will the board begin to care about that? The superintendent is using fascist tactics. The board has been made aware of this by various people, yet you are still doing nothing. And now I sit here, and the superintendent stares at me, trying to intimidate me. So I completely understand where staff is coming from and why they are feeling like that. There is no need for the superintendent to be sitting on the dais, staring at me, laughing at me. That is completely unprofessional and shows a sign of intimidation that she's doing. Thank you.

▶ [**Aiden Hill**] So 12.21? 12.21.

▶ [**Lucia Gutierrez**] This policy states, bullying is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social, relational, and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes but is not limited to the acts described in this code. President Hill, I would like to note that the way you address member Lee at the last board meeting would constitute bullying under this definition. I hope you are more careful and more cautious in the way you address people, especially our students. Additionally, I hope that the board takes this policy seriously, especially when it comes to behavior of the superintendent towards staff members and towards a member of the public. Having a police officer here does not invite the public to come to these meetings. It's showing us that we are not welcome. It's showing us that you are treating us as some kind of criminals because we're going to cause some kind of ruckus and we need a cop here. I did speak to the police officer and he was told and he told me that he was told today to come because there was going to be ruckus at this board meeting. That is inappropriate and that is not making the public feel welcome. As mentioned, I hope this policy is taken seriously because there is a lot of bullying done to the NUSD staff. It is not a coincidence that she has lost her last two assistants in the past six months. Finally, I am actually requesting that you pull agenda items 12.21 because it does not follow the color coordinating key. This therefore does not provide any transparency. I know Member Thomas said that you guys can review it, but at this point you guys are discussing an item that the community has not been fully aware of or been able to review because the item was not agendaized properly. Secondly, I am also requesting to pull agenda items 12.26 and 12.27 because the attachments were not properly attached. Again, I understand that Member Thomas says that this is the first reading and you guys are going to discuss it, but it's still not providing transparency to the community for this meeting. Thank you. 12.29. 12.29, these minutes should be pulled for lack of transparency and clarity. Regarding, once you guys open up the minutes and you guys look at the items within the minutes that say 15.12 through 15.16, you cannot tell what the motion is. This is a technical situation within BoardDocs that when you use the consent button, it carries the same motion across. So in this situation, we can't identify what the motion is for each individual item. what what the actual vote was for each item or who actually made the motions. So for the sake of clarity and transparency and to avoid confusion, I request that this item be removed and be brought back at a later meeting. Again also within the same minutes item 18.1 is just confusing because the motion is not clear. Having clear minutes is very important because it provides transparency to the community and it allows us to look back and see what are the actions that were being taken. Thank you.

▶ [**Aiden Hill**] Thank you. 12.30? 12.30.

▶ [**Lucia Gutierrez**] This is regarding, again, the minutes as well. When you look at the attachments and you look at the minutes, if you look at agenda item number 12, it said that, just to provide an example, it says that a motion was made by Member Jones and second by Member Jones. As well, it says the agenda items for all the actions under the section 12 were all passed. But the information regarding what the agenda item is and what the motion for each agenda item is, is not clear. The agenda items themselves are not even described. So how is this providing transparency to the community? There is no idea who was approved, what was discussed. Additionally, 12.9 within the minutes also is not clear as to what the motions are. The minutes provide a history of what occurred in these minutes. If you do not place a high importance in accuracy of those minutes, it means that you do not care to inform the community and you do not care to be transparent. There was a clear intention

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to shift the minutes with the previous administration to provide transparency and to provide the many requests from the community member. So I believe the same attention should be paid to the minutes now. Additionally, Mr. Ramon, as well, your threats and your looks do not scare me. I understand that you may be a guinea pig to the community member in the back, but trust me, we have support here. Thank you.


- ▶ [**Aiden Hill**] Thank you, Ms. Gutierrez. Okay, so moving on to Agenda item 9.1 superintendent report superintendent

- ▶ [**Penny DeLeon**] I'm like, how do I do it? OK, great. Andrew, could you move to the next slide, please? Thank you. President Hill, members of the board, members of the community, Next slide. Thank you. So tonight I wanted to talk a little bit about Newark Middle School and the supports at Newark Middle School and all the things that they're trying to do. Before I begin talking about that, though, I think it's really important that we talk about a phenomenon that is occurring across the state of California and actually across the nation when it comes to middle school students post-pandemic. What we have discovered is our middle school students and students at that age who missed critical social interaction time during the pandemic returned from the pandemic missing a good deal of the social cues and peer interactions that they would have had had they been in school. And that critical developmental time in their lives has had an impact on the socio-emotional well-being and behaviors of our students at the middle school level. And the reason I think that this is important is Because as a state, I can tell you at every single superintendent conference we are meeting to try to figure out how best we can assist our middle school students to transition back and to ensure that they get the socio-emotional supports that they need. And to move past the next couple years where we, in the past couple years where we have seen really, really intense behaviors much more so than we've ever seen before and this is across the state when you talk to superintendents they will tell you that the one area where we're struggling the most is those intense behaviors at the middle school level and a little bit a little bit of that is also seen in the ninth grade at high school which is there's always a little bit of freshman-itis at ninth grade but what we've seen is more violence at that grade level and also in the middle school and so I want the community to know that this is something that we are working as a state, throughout the state, to try to figure the best supports for our students at the middle school level. And it is not unique to Newark Middle School. It's not unique in Newark. You can go into most districts and see that the number of suspensions or discipline referrals at the middle school is much higher post-pandemic than before. So I say that to say that as we work on this, there are several things that are happening to encourage the social emotional development of our students to assist them. Things that have been put in place post pandemic to ensure they have extra supports and also extra safety and security supports. And I want you to know what those are because there have been some fights. They've been put on social media. Social media is extremely, extremely difficult because students film everything. And when they do that, they post it. And kids make really awful comments. They see the fights on social media, and they make really awful comments sometimes, which even increases the behaviors and the bullying. So that's a problem. But I did want to talk a bit about it. So in terms of social emotional development, The things that we have in place at Newark Middle that they've been working on for the last couple of years, there is an actual curriculum to encourage our students towards positive behavior in character strong. It is also a PBIS school. Those of you who are coming out of the elementary schools, you know that several of our elementary schools are PBIS schools, like Schilling Coyote Hills and Lincoln and we're really proud of those schools. And so is Newark Middle School another and PBIS is a support system where students and Teachers are there are certain routines and supports they have in the classroom And then they are rewarded with prizes points tickets dollars Whatever it is and there's a store where they can go and you know, they they earn so many bucks and they can go get something fun So that's an encouragement for students. We also are employing restorative practices. Restorative practices are a way of helping students to restore relationships once they've had trouble with another student or a staff member on campus. I want to say very clearly that restorative practices is a support for students, a support for staff, a way to transition back from suspension It is not a replacement for discipline. Students also have to have consequences for what they do, and they do have consequences. Restorative practice is a way to help them restore a relationship upon their return and or restore a relationship that's going downhill before something worse happens. Also at our site, we have very, very great counselors at Newark Middle School. In fact, I am so impressed with the counselors. They

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are out every passing period, brunch, lunch, just interacting with kids and trying to support them, even in times when kids are kind of running around and getting lunch and stuff like that. And then also, we have mental health clinicians who come in and work with our kids throughout the week. So that's on that side of the house. In terms of student safety and security and what supports the district is providing, so Newark Middle School has three site administrators. They had one assistant principal that left. And since then, we've been to become a principal in Fremont, which is something we're very happy about for her. In the meantime, we've been filling in with retired principals. And also, we have now moved one of the assistant principals over from another school to help out until we can hire. They have three campus monitors. We have asked one of the campus monitors from another school to go over and help until they hire the fourth. We've had a great deal of trouble trying to find a fourth campus supervisor who would also be somebody to help us with our intramurals there. And I have to say that the intramurals at Newark Middle School are also notable. We probably have, every time I, because I have myself filled in over there multiple times in the absence of their second AP. They have probably 300 or more kids all working at doing sports, all different kinds of sports, with teachers, coaches volunteering to kind of monitor them. The whole gym is full of kids playing basketball. You've got kids with football, you name it, out in the fields. It's really a great thing. And so we're hoping to find somebody to be able to do that. And then, as I said, many teachers and counselors supervising at brunch and lunch every day. So I say that to say that, you know, We have a long way to go there. All of us are trying to figure out this quandary of sort of intensive behaviors and increased behaviors that we had not previously seen. It's a tough thing because we need to teach them. But at the same time, we have to be safe. And there have to be consequences for any kind of physical violence. Newark Middle School and the principal who's here tonight, Ms. Piaski, and the staff there will continue to work very hard. I think it's also notable for this district and community to know that even though there's been a few more incidences than there had been lately, a little bit of spring fever happening, unfortunately, kids get very antsy this time of year. We have to really buckle down and have more supports when this happens, which is why we're sending people over to help. But even though that's happening, they're still well below the suspensions that they had last year at this time. And so they are making gains through all of the other positive social emotional supports and development that they have there. And we will continue to put supports in place and try to figure out how we can best support a positive environment at Newark Middle School. And I just wanted to give this information because I had a few emails about the fights this week from parents wanting to know what we were doing. And so I wanted to make sure that we spent some time talking about this. And I'm also open to ideas. And another piece I wanted to mention, too, is that Miss Piawski will be convening a series of parent workshops about this very topic to get more parent input and also for parent education around how to work with teens at this age, which in and of itself can be a bit challenging. So I just wanted to mention all the things we're doing and to encourage people in our community, particularly our middle school parents, to please come out to the forums when you receive the invitations. OK, next. Next. Next slide. I don't know if you can hear me or not. There we go. Thank you. Oh, back one. Can you go back one, please? OK, well, I'll do this one. Oh, there we go. Wonderful. Thank you, Andrew. So I am really excited to announce that we had the League of Women Voters come to Newark Memorial High School. on the 12th to do their voter registration campaign, which is a really important campaign that we have in this district. This is something that is done statewide. Many, many high schools have a voter registration campaign. And we were able to register 369 students at this event. Yay! And I want to thank many people who were there. First of all, the League of Women Voters who came out and ran the whole thing. Many people volunteered there. Member Thomas worked. Mayor Hannon worked and was there. I know Member Wynn worked. Oh, you signed up!

 [**Phuong Nguyen**] Thank you for giving me credit, but I was not there.

 [**Penny DeLeon**] I worked one of the days. It's just so much fun. This is something that I always encourage in all, oh, did you, oh, Member Jones, yes, Member Jones was there, and she spoke. So anyway, this is something that I always encourage every high school to do. They also did an event over at Bridgepoint, and we're really excited, and we're just gonna continue to get that number up higher and higher every single year. Next slide. Special Olympics basketball, February 19th at Newark Memorial. We hosted basketball for the Special Olympics. And I want to give a huge shout out to our special education director and department, Director Olivia Rangel, our

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special education department. I want to give a shout out to Coach K and all the athletes who put on the event. This is an incredible event that happens every year. And it happens around the state. And it's so heartwarming to watch students helping students and cheering students on and everybody giving their best and putting their whole heart into it. And so I want to thank everybody for a spectacular event this year. Next slide. Yay, Special Olympics. OK, and then lastly, I wanted to give you a chance to hear about some future events. So as you know, we've been doing family code nights for our elementary schools, where our wonderful coding Tosa, Miss Kim, comes and does an example of how to teach kids how to code and what they've been learning in class. And they hold them at the STAR Lab over at the high school, so they get to see what they're going to look forward to in high school. It's a great event. Most of our board members have been there. The next one is Birch Grove Intermediate on Tuesday, February 27th. At the lab, they're all at 530. Oh, I'm sorry. I messed up. Schilling is 530 as well. Well, it's 530 for food. The event starts at 6. Schilling is Wednesday the 28th at 530. And then Kennedy is Thursday the 29th at 530. So we do encourage everybody to come out. It's a great time to watch your students learn how to code. And this is something that we're working on turning into a CTE pathway as we speak. And then, in fact, we had a big conversation with MVROP today. It's going to go. We're excited. So then also, I wanted to mention our next superintendent's advisory committee is on Wednesday, February 28 at 6 o'clock here at the district office. And that is all for me tonight. Thank you, board.

▶ [**Aiden Hill**] Thank you. Question number one.

▶ [**Phuong Nguyen**] Oh, just a comment in regards to family code night. I just wanted to let families know that families know that you can come and code with your your students, too. It's really cute to see parents helping their student and also the student teaching the parent how to do the scratch coding. So it was really great to see the interaction. And everybody is having a wonderful time. And then at the end, I believe Miss Kim has raffled prizes for each of the events. I know there was one there when we were there for Lincoln. So I think there was one for each and every one of them. So come out. enjoy, have fun, and learn how to code with your student, and possibly win a prize too, you know?

▶ [**Aiden Hill**] Thank you, Member Nguyen. Any other questions from the board regarding the superintendent report? Okay, thank you.

▶ [**Penny DeLeon**] Could I ask a huge favor before this next number? I forgot to reorder while we were in agenda setting. And we have a young mother here who has a baby she needs to get home to. And I was hoping that you would allow us to, even if we have to take a vote, to do the safety plan presentation before the budget task force presentation.

▶ [**Aiden Hill**] Board, are we OK with adjusting the schedule? OK, sure.

▶ [**Penny DeLeon**] We have a little one at home, don't we? OK. OK. Thank you.

▶ [**Aiden Hill**] So which item is it again? 10.2. 10.2.

▶ [**Penny DeLeon**] So we're moving 10.2 up. And she does have a PowerPoint as well. OK, great. Come on up. At this time, it's my great pleasure to introduce our wonderful, fabulous coordinator of Pupil Services, Ms. Ana Scovel. Previously, Ana Leon. And she just actually, I have to tell you, just took this job over of the Site Comprehensive Safety Plans. But she's been doing a lot of great work with our principals. And without further ado, Ms. Scoville.

▶ [**Ana Scoville**] Thank you. So good evening, board and executive cabinet and Newark community. Like Dr. DeLeon said, my name is Ana Scoville. I'm the people services coordinator. And I do want to apologize ahead of time because I'm not an expert in this area. This year is the first year I've taken over comprehensive safety plans. Historically, it was the director of special projects that would do this work. So now it's me. So I did the best

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that I can, and I'm here to present this to you. So I do apologize ahead of time if I don't have the answer to all your questions, but we will get back to you if there are questions I can't answer.

▶ [**Penny DeLeon**] Thank you. Oh, no.

▶ [**Ana Scoville**] Thank you. So what is a comprehensive school safety plan? The California Constitution guarantees California children the right to attend public schools that are safe, secure, and peaceful. The CDE, public school district, county office of education, and school and their personnel are responsible for creating learning environments that are safe and secure. First responders, community partners and families play an essential role as well. Schools must be prepared to respond to emergencies including natural and man-made hazards and strive to prevent violence and behavior issues that undermine safety and security. Comprehensive school safety plans include strategies aimed at the prevention of and education about potential incidents involving crime and violence and the school campus and aspects of social, emotional, physical safety for both youth and adults. So comprehensive school safety plans are a coordinated approach to school safety. And in addition to district-wide policies, which we do have, there's procedures, emergency protocols, and safety initiatives, sorry, site-specific procedures and resources are in place to address the unique needs of each school. And that's why there's an individual school safety plan for each site. This last year, the CDE added new requirements to the school safety plans. And the first requirement was a protocol for responding to an opiate overdose. So we already had something regarding opiate overdose, but now we had to add the protocol for responding. Number two, responsive procedures for dangerous, violent, or unlawful activities. It's a new law also to add to our comprehensive safety plan. Number three included an appropriate adaptation for students with disabilities which we had already included in our safety plans prior. So what I'm going to do is I'm going to go over the process that I went over with principals. First, we asked them to review their prior year safety plan. We wanted them just to look at it and just get familiarized or familiarize themselves with it. We gave them a timeline, so principals update their draft in November, December, January. work with your school site council to review it and get it approved. On February 9th, they were to send it to me. And then February 14th, final, upload it to the board docs. So this is the timeline we provided to principals. So I did present to principals and I asked them what areas needed to be updated, the title page. And I'm going to actually go into these pages and into these sections with a little bit more detail and provide you more information. So this was what they needed to update, what they needed to focus on. So under current safety assessment, An assessment of the current status of school crime at the school and school related functions that may be accompanied by reviewing one or more of the following types of information. So attendance rates, suspensions, and expulsions. So this is what this section is about. And so principals had to go in there and talk about their suspension rates, expulsion rates, attendance rates, and how they were going to address that. For disaster response procedures, disaster response procedures, routine and emergency plans, and crisis response plans are developed and included adaptations for people with disabilities. And this also included earthquakes, fire drills, lockdown, bomb threats, bioterrorism, hazardous material, flood, gas, and et cetera. There are Ed codes that require for schools to schedule, or how often they should have those. And this is what we provided under Ed Code. So fire drills, elementary needs to have it monthly, middle school quarterly, and high school by semester. Earthquakes, same thing. So under the school dress code, again, we have board policies for all these, but certain schools have certain dress codes that are very specific to their sites. So this is where they put that information. Safe ingress and egress, procedures for safe ingress and egress of pupils, parents, and school employees to and from school. This section includes bells and bell schedules and maps and also sometimes or it identifies areas of supervision and who was supervising. A lot of that we had to redact because it's tactical information. Safe and orderly environment. School is a safe place for students to learn, staff maintain safe and orderly environment conducive to learning by, and these are just some of the examples of what goes in this section. For example, open and close doors during instruction, strategies to prevent loud noises. So pretty much how does this classroom function, but also once students move around the campus, How do they follow rules? How to travel on campus with quiet, orderly manner to stay safe and demonstrate respect for the classes that are in session. Rules and procedures on school discipline. School rules are included in this section in addition to information of how students and parents are notified of these rules and procedures. Examples, PBIS, positive behavior interventions and supports. A lot of elementary sites, this is

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when they teach their students what the rules are, how to follow rules, and what the consequences would be. Also incentivize them with PBIS dollars. I know different schools call them different things. That's what that's what would be under this section. Discipline procedures and how school addresses discipline and again it's very specific to aside from our board policy and ed code on suspensions and expulsions every school has their own school rules. Bullying prevention policies and procedures so once again we want school to be a safe place for for all of our students so This is where we had all the principals at school policies and procedures aimed to prevent bullying. So what are they doing about it? There is also another positive school climate. Again, principals added there. Some of them did speak to PBIS in that area and how they promote positive school climate. Opioid overdose and life-saving response procedures. Again, we used to have opioid overdose, but now we've added life-saving response procedures to that. So it's a new requirement. And most staff have been trained on how to administer Narcan. And under this section, you also know where the location is of the Narcan at the school site. So that was very specific where they store it. And like I said, most staff, not all staff have been trained, but this was included at the elementary sites as well because elementary sites have also been trained.

- ▶ [**Penny DeLeon**] Could I just quickly add, this is something that Agnes really has spearheaded, Agnes Lopez, our district nurse, and has done a phenomenal job ensuring that NARCAN, not just the actual dose, but the training has happened in every site. It's really a life-saving procedure for our kids and great.
- ▶ [**Ana Scoville**] Yeah, I worked with her for this section. Yeah. And response procedures for dangerous, violent, and unlawful activities. So this was a threat assessment. So this was the new section. So comprehensive school safety plans, we asked principals to incorporate their school site maps in the egress, As you can see, a lot of them are redacted. For safety purposes, we've been asked to redact a lot of those. And then we also talk to the principals in regards to what signatures need to be included. So after the principals completed their comprehensive school safety plans, I reviewed them myself. Then we went over them with our ed services team. So each person took a safety plan and we reviewed it just because it's always good to have a second pair of eyes. And once there were some corrections recommended, I sent that to the principals, the corrections were made, and then they went ahead and moved forward with the school site council to get it approved.
- ▶ [**Mike Berg**] Questions?
- ▶ [**Aiden Hill**] Thank you, Ms. Scoville. Are there questions from the board? Number one.
- ▶ [**Phuong Nguyen**] So just bringing it back to the egress and ingress map and plans for exiting and entering school, I know that it's been redacted, which I agree with, especially because these are public documents. And if there were something to happen, it's easy to pull that up and see the plan and for someone to use that against us. But at the school sites, everybody is aware and trained of those path escape routes in.
- ▶ [**Ana Scoville**] Correct. And so the principal actually has the original version. I have the redacted just to upload here. But there is an original version to at the office. So if anybody wants to review it they can review it at the office.
- ▶ [**Phuong Nguyen**] And then how often do the students practice practice any of the drills for to go for egress and ingress.
- ▶ [**Ana Scoville**] For those it varies by school site. So this These are required by Ed Code, the fire, earthquake and lockdown drills. These are required. But the other ones are the ingress and I think at the beginning of the school year, some sites practice the first few weeks of school.
- ▶ [**Phuong Nguyen**] And do they revisit it midway through the year or it's generally just at the beginning of the school year?

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- ▶ [**Ana Scoville**] Oh, I'll have to get back. Thank you.

- ▶ [**Aiden Hill**] OK, other questions from the board member Thomas.

- ▶ [**Nancy Thomas**] Thank you very much. This has been a very impressive documents, and thank you for your presentation. I did notice, though, that there was a wide variety among our schools when it came to the excess absences. Was there any discussion among the principals about why some schools had a much higher percentage of students that were true

- ▶ [**Ana Scoville**] that were absent. Truant. Truant. So yes, and we will be focusing with, we're gonna actually be focusing with principals on that. Like I'm starting to provide names and faces to the names for principals so we can start trying to identify what the barriers are. But yes, we've had those discussions and we're gonna continue to have them with the principals. Okay, thank you.

- ▶ [**Aiden Hill**] Other questions?

- ▶ [**Kat Jones**] Member Jones. I noticed that as I was looking through, and I just looked at the middle school, I looked at several of them, but checking the middle school, their student handbook, it still is showing as an 18, a 2018-19 handbook with Sanchez as superintendent. How current are you asking the schools to make their handbooks because that seems to be a little more than a year out of date and really should be fixed. The appearance is not great.

- ▶ [**Ana Scoville**] Thank you. I actually, I tried to click on all the websites or web links that I found. I probably missed that one. Schools are, if I'm not mistaken, they update their handbook every year.

- ▶ [**Kat Jones**] It should be done on a yearly basis. That was my experience as a teacher in the district. We did update it every year. So that concerned me that it was so far out of date.

- ▶ [**Ana Scoville**] I think it's a typo. And I could almost, I mean, I can't reassure, but I almost think that it's a typo.

- ▶ [**Kat Jones**] It's actually a link that you can follow. And I followed the link. And that's where it took me was to, and it says 1819 document right there.


- ▶ [**Penny DeLeon**] Can I, can I, I think I know what, they have updated handbooks because they have to every single year they do it with all the rules and the parents sign it. But I think it could be an old link. So what we need is the new one linked in versus the old one because every year they're updating it. And I know because I have to sign the updated ones that the parents sign and I have to put a new letter in and there's a whole thing that we do. I just think that, I don't know if maybe the link wasn't updated or if it's the wrong link or something like that.

- ▶ [**Kat Jones**] You know, I just think from a standpoint of appearances and putting these kind of reports together, that they do need to be updated and if, you know, Ed Services had the opportunity to be able to go back and to look at those, that kind of thing should have been caught. It just is not great for appearances and that saddens me.

- ▶ [**Aiden Hill**] Thank you, Member Jones. Other questions from the board? Thank you. So I have a comment. So first off, Ms. Scovell, so thank you for coming, and thank you for kind of diving in. And I know that this wasn't your original job, and so you're kind of coming in midstream and basically doing your best to pull things together. The one thing, though, that, and it builds a little bit on what Member Jones is saying, is that, I think the perception out there in our community is that we have safety issues, right? And let's be frank about it, that we have safety issues. And particularly, there are a lot of comments that come related to the middle school and the high school. And so that's the narrative, right? I think that the board and the challenge, we've had multiple people come a couple of years ago under a prior principal at the Newark Middle School. The teachers were so

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upset with the safety issues that they actually came and issued a vote of no confidence against the principal. And I know that I've had real estate agents come and reach out to me to say, you know, Newark is great until you reach the middle school and the high school. And so there's a lot of, you know, anecdotal evidence that we have safety issues in some of our schools. And that's why the board for this year for our strategic goals said, look, the only way that we're going to address this is with data. And so, you know, but one of my old mentors said to me a long time ago is, there's this whole idea of perception versus reality. And my mentor said, perception is reality. And so right now, perception is that we have safety issues. The only way that we're going to address them is to actually start to measure them. And I am concerned. that this comprehensive school safety plan process is something that's mandated by the state. There's a certain due date for when these need to get submitted. And I think that it has been for many years a check the box activity. And I've heard through the rumor mill that it kind of continues right now. And I think that what Member Jones had pointed out is that how closely are people really looking at these documents I mean, if they were looking, if they were, these should be living, breathing documents that literally the principal wakes up every morning and says, okay, how am I doing in terms of safety? What are my key dashboard metrics? And I need to make sure that I update the district office and the board. And if there are issues, I need to ask for help, right? It is, this is not just a document that somebody puts together once a year and then puts it on a shelf and then ignores it. And I think that, you know, per some of the comments that were made earlier by Mr. Fink and others, right, I mean, until we actually come out and start to take this process seriously in the school, it starts with the school principals and the school staff, and it needs to come up to the district and the board. Until we start to take this process seriously, the perception is going to continue to be that we have safety issues. But if we start to actually really have true measurements at the school level and correct reporting and we have actions that we're taking to address that, we're going to see progress and then the perception is going to change because the reality is going to change. And I just want to remind everybody, so we said in our goal setting The number one priority in the district is academic outcomes, as it should be. But number two is safe, secure, and healthy learning environments. So unless the students feel safe, unless the teachers feel safe, unless the parents feel safe, then kids are going to face challenges in terms of learning. And what we said in our goal was we said by March 1st, and obviously March 1st is coming up right now, each site will update, revitalize the comprehensive site safety plan to include student and staff wellness and to address the metrics below. So my perception, and again, I want you to understand, Ms. Scoville, I'm not pointing fingers at you. I understand that, you know, you're just kind of trying to come in and, gather everything and put it together. So none of this is directed at you. But we really have to take this seriously. And the second part of our goal, it says, by June 30th, 2024, the district will create an associated public safe and healthy learning environment dashboard to track key metrics, which will inform our future programs and resources, right? So we can't solve a problem until we're actually measuring it. And what we lay out is the areas where we want to see measurements is suspension expulsion data, fights, drugs, cyber bullying, vandalism, attendance rate, chronic absenteeism, which is the issue that member Thomas had just raised, student discipline referral numbers, and counseling mental health services. So those are key things that we called out. there may very well be more and they may be customized at the different sites. But I really want to emphasize that, at least from my viewpoint as a board member, that this is a top priority, that we need to take it seriously, and that the schools need to take it seriously. And this is not just to check the box, you know, put a document together and then file it on some website somewhere. And so to the degree, Ms. Scoville, that you can help carry that message forward and to the degree that we can, you know, basically take up our actions here a notch and really have something impressive come back by June 30th, that's going to help us move in the right direction. So thank you.

 [**Nancy Thomas**] Member Hill, may I say something? Yes, please. As kind of a follow-up to what Member Hill said, there's a template in there, a self-assessment template. And I think Coyote Hills was the only school that filled out that template. And so you have the March 1st request. That template would give you a lot of the information that you would need to be able to demonstrate to meet that March 1st request in our goals. Thanks. Okay.

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- ▶ [**Aiden Hill**] Thank you, Member Thomas. Any other questions, comments? Okay. Thank you, Ms. Scogel.

- ▶ [**Joy Lee**] Thank you.

- ▶ [**Penny DeLeon**] She has done a beautiful job picking up. You really have. Thank you. Thank you.

- ▶ [**Aiden Hill**] OK, so should we go back to the earlier order of the agenda? Yes, Budget Task Force. OK, great. So we're going to move now back to item 10.1, Budget Task Force Report, Superintendent.

- ▶ [**Penny DeLeon**] Yes. It is my great pleasure at this point to introduce our Deputy Superintendent of Business Services, Ms. Tracey Vackar, who will lead this presentation with our business services consultant, Mike Berg, who is on Zoom right now. Ms. Vackar.

- ▶ [**Tracey Vackar**] Yeah, I just want to make sure that Mr. Berg is right there. Mr. Berg, can you confirm that you're online?

- ▶ [**Mike Berg**] I am here.


- ▶ [**Tracey Vackar**] Fantastic. Well first of all I really want to thank the budget task force for spending time with the district to take a look take a closer look at what some of the things that we should do things that are important to the community. And also not only for this year but for next year as we start to move into our adoption process things that we take a look at. I think the board had a lot of insight in wanting to be able to create a task force to start to look at this, and I'm so appreciative of them and of Mr. Berg to take a deeper dive. With that, there'll be some additional commentary from Mr. Berg as he helps us think out things that we need to do as we continue to, and I'm still gonna say it, to right-size the district. And right-sizing the district isn't just about selling property, as was mentioned earlier. It's about doing a whole lot of things together to be able to make things better. As you know, we had that little thing called a pandemic. And really, I think there's some things that kind of got delayed. Some things that kind of gave us a little bit of a crutch, not just us, but all school districts. And by the way, I wanna tell you that there's 85% of our school districts that are in declining enrollment. And 85% of our school districts in California are dealing with the same things that we're looking at here in our own district to be able to sit there and make adjustments with. So you're not alone. We're not alone. There's a lot of seminars going on. Our board members are attending webinars. They've been attending things with CSBA. Staff has been attending things with AXA, with CASBO, with CASH, to be able to look at a number of different programs and best practices to be able to move forward. So with that said, let me go ahead and move on to, so looking at our first slide, just to kind of remind everybody about the budget cycle. There's some really important dates that we bring things back to our board as we continue to move through the cycle. Right now, we're getting ready to do our second interim, which will be coming back to you at the next board meeting. So I'm excited to be able to bring second interim back to you. That second interim is super important. As you might recall, in our first interim, we were qualified in our outer years. With that, we need to figure out how do we make that work in our budget and what are things that we will have to do as additional strategies to be able to get there as we shift some of our monies that were those committed funds back up into operational costs. But then we still had to work on our operational costs to be able to get that down so that in our third year, we're able to really have a good budget and show that it's positive. And it's hard to do. There are some assets, as was pointed out by another community member. We are rich in having some property that we can make some decisions with and be able to do some things. Doesn't mean that you just have to sell it, but there's some other things that we could look at as being strategies that would be long-term commitments that we would be bringing back into our school district to be able to bring in some revenue streams. So we'll be talking about that a little bit further. The other thing that will be happening is that we will be working on the adopted budget. And you see that actually there in the top line, because that's really what starts off our cycle, right, is that adopted budget. And although we do that based on assumptions, if we don't have our assumptions down well, and we don't use them as our guide, we're not really telling the whole story about what we need to do as we continue to move forward throughout the district. So as

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we work on the 24-25 adopted budget that we'll be bringing to you, you'll be seeing some of these recommendations within that budget. All right, so let's take a look at the debriefing task force team activity. They were asked five questions, and they came up with their top ideas, which were really important. So question number one, how can we increase monies coming to the district? They looked at a bunch of different things, and I heard somebody talk about the idea of doing something with fun fundraisers. Those are really important things, but it's not the only important thing. We also need to make sure that we build connections with our cities, our counties, multiple agencies to be able to leverage some of those things. Even things like our safety presentation we just had a few moments ago. Being able to leverage and work together across various entities will help and support us as we move forward. We can be looking at what we can do with our vacant properties, including selling land, reevaluating the school boundary lines. As we continue to downsize, we may have to make some very difficult decisions. It's always hard to close a school. It's never popular. It comes with a lot of history, a lot of blood and sweat and really time that's being given and really just traditions that come from that local community that were part of that school, right? So super important. Question number two, we looked at ways that they could spend our existing money more efficiently. And so yes, they were looking at some of the vendor agreements and noting that some of our vendor agreements are expensive. There may be some reasons they often have vendor agreements, but what are we doing as far as making sure that we are being proactive and getting out there and getting multiple bids, making sure that we're getting the best bang for our buck, and then also maybe looking at how can we also use existing school districts that might be a little bit larger than us, that have a little bit more buying and purchasing power than we do, and can we actually leverage off that? Those are some things that we can do and continue to kind of look at those ideas. Looking at what we can do with HVAC and making sure that we're mitigating lots of different energy type things that will help us. The district's done a good job with bringing in some solar power and doing some other things, but there's more that we can do. And there's also state funds available to help us do those things. We should be looking at technology and how technology can be used to help save us money, but more importantly, to help inform instruction and to ensure that technology is there so that our students have access to being able to use their technology devices and how important that is to them. And then I think we really need to, they talked about limiting overtime spending. I will actually tell you, I think the district overall has done a pretty good job in overtime spending. Usually we try to do it as a cost savings when we have a vacancy, and we try to leverage that money to go along with it. And I think the district has been very conscientious of that, just in general. With that, looking at question number three, are there things we can do to reduce or eliminate to save money? So yeah, this is definitely one where we need to be able to get there and do some more communication. We need to look at how we do some things with recycling, how we need to look at our electrical costs. Those costs have gone up substantially over the last couple of years. You all know this just from your own bills that are happening. And our community knows that. Every week they probably get some kind of wire, some kind of notice from a utility telling them there's going to be an increase or a hearing on an increase. And believe me, we feel that same thing here at our school district, and we are a super user. If we have the most property, I guarantee, and plus we have the most kids, we've got the most employees. We are a super user of utilities, whether it's water, gas, electric, that's us, we're using it. And we need to figure out ways that we can sit there and try to reduce those energy costs to try to save as much money for the long term. It's a good investment, long range out. We need to be out there evaluating all vendors. And we need to make sure that we get value and quality that goes along with it, and that we've got ways to be able to exit out of our agreements when they're not doing the services that we need. And we need to be able to look at those performance evaluations that go along with vendors that we use to ensure that we're getting what we need when our employees can't offer the services here directly. We also need to evaluate. One thing that I think is interesting is the whole global recycling and waste reduction. There's a lot of incentive programs coming down, and we need to make sure that we're jumping on board with that. And so you're gonna see some plans coming forward over the next year, where we'll be working on some of those things. I don't know if they're actually cost savings, but they're things that we should be doing in general just because it's good for the environment. Looking at question number four, what programs and or services must be funded no matter what? And school safety, right there at the top of our parents and our community when they were coming together and our teachers and employees that were looking at these plans. Everybody talked about school safety and the importance. We need to make sure that there's a high value put into our budget to ensure that we have the appropriate safety tools for our schools to

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be able to A, respond and to be able to take care of our children and our employees when the time happens. We've already started making some investments in doing fencing around the community perimeter, fencing around some of our schools. And I think we need to continue looking at those things. Those will be things that also a bond measure will help us with in the future. As we look at how do we need to make sure that our schools and safety and within our facilities is actually addressed. We need to look at teacher development, additional staff support, being competitive with pay. Our team really recognizes the importance of making sure that we find a way to attract the best people to come to our district. And we need to look at ways that we can do that collectively together. I know many of you have got some great ideas. We've heard some great ideas from the audience over the last few weeks. And I think those are things that we need to take more note on and do a little further study on how we can go about doing those. Library reading programs. Joy, thank you so much for taking me to the library today. I really enjoyed my time there. I enjoyed meeting our librarian that's over at the high school and talking about some of the things that could happen for the future and also how we could partner with other agencies. STEAM and STEM activities were a huge piece of the discussion when they talked about the instructional needs and helping to do academic achievement. This committee really said that they wanted to see more of these kinds of programs. They know that this is the thing that folks go off and they pay money for at other schools that surround us and they leave our schools so they can go get that kind of programming. They want to make sure that every school has some kind of a signature program that attracts the students, gets them invested, and wants them to be at that school site. We also know that those programs oftentimes can be the real curve also to discipline, because students want to be there, and they want to be part of that. That could also be a benefit that comes along with that. And then lastly, communication to parents, to our employees, making sure that we're doing really good communication. And lastly, question number five, how can Newark Unified improve or increase enrollment and attendance. What are the community factors, the performance indicators, and perceptions? Again, this is really all about marketing and telling our story. We need to make sure that we do a better job of all of that, that we get this information out. Parents, staff that was there. They really cared about what we had to say and also their input. But they said we need to be able to tell the story to more people, not just to them, but we need to be able to expand upon that. There's an in-depth discussion that occurred with that. I think it was an important element. Again, talking about safety, talking about a STEAM expansion, all of these things that we need to be communicating. I know we do a really good job sometimes talking about it right here, but we really need to publicize that and get that word out. That's going to be so important. We talked a lot about right sizing the district budget and what does that take and I'm not going to read all these different things I think you're familiar with many of them and a lot of them like I said start with the budget assumptions making sure that we understand that paying close attention to what's happening with the governor's budget what's happening with the May revise what's happening with the economy just in general and making sure that we're paying really close attention paying close attention what's happening with COLA adjustments paying close attention what's happening with pension and pension adjustments that are happening all those things make a really big difference. And then most importantly, we need to make sure that our community knows that our schools are in need of repair, that we need to be able to repair them and make sure that they are state of the art so that we can offer these really great services to our students. And with that, that's going to take the ability to be able to go out there for a bond, either in 24 or 26. Remember, we do a bond on even years. And I'm looking forward to bringing back a future presentation to you. Hopefully, maybe on March 5th is what I'm shooting for, to be able to structure out a program for your consideration. Some hard decisions now will really help us stabilize the district. And I asked Mr. Berg to stay online so that he could really kind of discuss with the board some of the really important aspects and really play some of the hardest work that will be coming down and hard decisions that many of you will have to be making up here as we continue to look at how do we make sure that we do the things that we want to be able to do. But at the same time, we may have to let go of some precious things that we really do love, people that we love. things that we care about in order to be able to prioritize for some of these other things that need to happen as we move the future of new work forward. Mr. Berg?

 [Mike Berg] Yes, thank you and good evening board and Superintendent DeLeon. It's really the presentation that Deputy Superintendent Bacar just presented was a good overview of what we did and by way of just background very briefly, I want to explain the process we went through with the budget task force. There were

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three very rigorous, very lengthy meetings. The first of which was nothing more than an overview, and I shouldn't say nothing more, was a purposeful, intentional explanation of how school funding works and what the challenges are. The second one was this exercise where we posed these five key questions. And what I really want you to know about this full respect to the community that participated in this, is this is the community's thoughts. We actually have the chart paper, we have the raw data that the community worked on to generate these thoughts, because these are all really great thoughts. You did have a speaker in the community earlier tonight who said something along the lines of the things that are, she didn't say the list that are here, but turning off the lights isn't gonna save enough money. That's correct, that's correct. In the work that I do for background information, I work in distressed districts. I'm called in by FCMAT, I'm called in by the state frequently, and I'm hired periodically as an interim to come into distressed districts and identify what I call the leaks in the boat. Every district, every public agency has systems that exist, but can be better. Sometimes they have systems that don't exist, that need to be improved, but the point is, When you have a leak in your boat, it doesn't matter where the leak is or how big the leak is. Any leak can sink your boat. And so the conversation here with this group was, here's how it works. Here are the challenges. Here are the potential leaks in the boat. We need you to feed us with the information. And probably two of the most important questions here are number four and number five. As a board, as representatives of your constituents, you know there are reductions that need to be made. There's no question. The math is very clear. The deficit is very clear, but it is important. And I hear the sincerity and the discussions at your board level about the things that are important to you and the things that you absolutely do need to sustain. By saying that, we also know that that means other things might have to sacrifice in order to sustain those key things. And I just say that out loud because these are very difficult times. They're very difficult decisions, but they're decisions that have to be made. Question five is really designed around the lowest hanging fruit. And the lowest hanging fruit in any district, in particular your district, is when your attendance, I mean your enrollment is declining and that is a factor, but more importantly your attendance, the percentage of kids that come to school as a share of the whole attendance is lower than average. And it's something that's relatively easy to address. A typical school district has 95, 96, and the highest performing have 97, 98% attendance ratio, or average daily attendance. As you know, in the funding system, it isn't how many kids you have enrolled, it's how many kids you have attending. And your ratio is low. And just a level of magnitude for you, 100 student increase in attendance, whether your enrollment rises or not, 100 student kid increase in attendance, About a 2% increase is \$1 million. That's \$1 million that are just being lost year to year for every 100 kids that aren't attending. And you have room to increase by 4% to 6%. So that \$2 or \$3 million, it could be easily grabbed by initiating some sort of attendance campaign, literally knocking on doors, literally reaching out to your community, literally educating your community about simply the impact of kids not coming to school or students not being brought to school. So that's a big deal, and it's the reason that we have that question there. We wanted to make sure they understood that. So just perspectives on this, if you can bear with me for just a moment. I've made a number of notes while I've worked with your district over the last few months, and I made a number of notes tonight. There was, and I know there still is, some concern about staffing, whether it's district office staffing, school site staffing, or even things like, there was comment about a purchasing position. And I'm not here to advocate one way or another, but what I will say to you is when times are tough in school fiscal, the last place you wanna reduce is in fiscal. And I'm not defending fiscal, I've been a fiscal person, both sides of the ledger. But the challenge in your district is there are a number of internal controls. Your auditors have cited it. I've cited it. A couple other key consultants have cited it. When you don't have adequate internal controls in terms of your spending, your receipts, and your accounts payable, you have a lot of potential for a lot of loss. And you have that situation in Newark. And I know that may be hard to hear. And I apologize for saying it so succinctly. when you don't have the right staff in the right place, and I'm not saying reduce staff, I'm talking about reassigning staff or reassessing the talents of each staff member and making sure we have the right person in the right seat. So I would not solely talk about waiting until you make all your reductions or waiting until you see the grand plan before you make moves to secure your fiscal position. It's really important that you get the right people doing the right job at this time so that as you move through any kind of fiscal adjustment, you have the right competent people that can help you solve those problems. You're suffering from a facilities issue. Your bond is expended. You could use an additional bond. But more importantly, years ago, not just your district, but many districts as they encountered fiscal distress back in the 07-08 recession, they stopped funding deferred

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maintenance. And the state stopped the funding deferred maintenance permanently at that point. And your facilities are suffering under that weight. And the challenge there is there needs to be a more thorough assessment of your facilities, what the current needs are. And rather than saying, well, we can't afford it and we need to kick that expense down the road, I would recommend quite to the contrary that you address those issues now. You do your very best to address those issues now. Because as one of the speakers earlier said, If you don't do it now or don't find a way to do it now, it's going to cost you even more later. That's a big issue. It's a big issue statewide, not just in Newark. But even though you're talking about making reductions, I would highly recommend you do your very best to address those fiscal issues now. A bond is one way. Reprioritizing funding is another. Your enrollment, I am shifting gears on you a little bit. You know, there's a lot of talk. The word rightsizing has come up a lot of times. I don't know that that necessarily means you're unnecessarily changing, adjusting, or reducing staff. But what I will say to you is if you look at your staffing ratios and you look at your declining enrollment, I'm certain that the staffing decline or the staffing reductions that should have probably tracked your enrollment decline or your enrollment reductions haven't occurred. School districts, in any business for that matter, but especially school districts are very compassionate people. They're people that teach kids. They're people that care about human beings. And so they're very compassionate, and they tend to err toward the side of not tracking and reducing staff in alignment with reduction in enrollment. And that's such a critical need, and now, unfortunately, more critical than ever, as your funding is jeopardized by the state's deficit and as your funding is jeopardized by your reduction in attendance and enrollment. So I would say to you that the list that the community has generated is terrific. It isn't adequate. I don't mean adequate in terms of confidence. I mean adequate in terms of quantity. And so you are definitely going to need to look at reducing staff. The good news is that there's a lot of room to reduce funded positions without reducing personnel that are in positions who are productive people doing good things. So it's not as draconian as it might sound, but I would challenge your staff to look very carefully at how many vacant funded positions you have, how we can shuffle people who are currently employed into essential positions, and then how many non-essential positions could potentially be reduced. And I would think about incentivizing retirement. paying an incentive, paying a monetary reward for staff to declare. If staff are close to eligible for retirement or planning retirement, try and get them to declare that early with some sort of incentive. And usually the financial incentive is the one that's most effective because the dollars you save and those that you don't need to replace are pure straight savings. And those you do need to replace are usually that usually are filled with still confident but less veteran people who start lower on the scale, and you save money. It's a very common practice. It's a way to mitigate the pain, if you will.

▶ [**Tracey Vackar**] The other thing, if I could just add to that, those early tells are so important to us here for us to be able to identify and find staffing, knowing that we are paying a little bit less than other districts. We need to make sure that we get that word out as early as possible. And so we did offer an incentive this year. I want to thank our teachers union for weighing in on that and our CSEA for weighing in on that. We are doing a little early tell. So people tell us as early as possible so that we can make those adjustments both within our budget and also in critical staffing positions that we need to have for our students.

▶ [**Penny DeLeon**] And it's been successful so far. We already have several early tells.

▶ [**Mike Berg**] Just a couple more points, if you don't mind, and then I will be quiet and happy to answer questions. Your administration, your district office staff, they're all great people. They're very competent people. They are very committed people. I can't tell you the number of people I ran into that said, I was born here, I went to school here, I work here, and I love it here. And I believe it. Our challenge is that per capita, you do appear to be overstaffed at the district office level in virtually every area. It doesn't mean you don't need those positions, but it does mean, unfortunately, given your fiscal constraints, that you're going to have to have people double up. The young lady that just presented the safety plans, I know that's not her primary area and it's probably an additional duty, not a change of duty, but those are the kinds of things that have to happen in this kind of time. If you're going to reduce staff at certificated and classified levels, you absolutely have to do the same at the administrative level, and everybody has to bear that cross. There has been talk about whether you close sites, whether you sell sites, whether you lease sites. If you have sites that are underutilized or sites that are not

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fiscally sustainable, that's not a first choice of anybody's to approach that. But if you've made the reductions or as many reductions as you think you can, at some point, that's a possibility to look at what you do with surplus sites or even sites that are underutilized. If you have a site that's under-enrolled or under, say, 300 to 350 enrollment, it isn't technically fiscally sound to even have that site open. Now, I'm not crazy either. I've worked in a lot of districts where geographic constraints demographic constraints, safety concerns, highways, roadways, railways, pose a reason where you keep a site open even though it's not optimum fiscally. So it's not all about the dollars and cents, but unfortunately at the end of the day, that's something you need to consider. Finally, the assumptions. The last slide here, on the slide deck that was presented to you, talks about the assumptions. Your assumptions over the last couple of years, no fault of the board, no fault of the current administration, were really, really optimistic. And most of that was underwritten by the COVID money, call it ESSER funds, call it whatever you want to call it. Those were one-time monies, and unfortunately, those one-time monies were expended on, by and large, the right things, the response and the recovery from COVID, but they're gone. So I would say your assumptions have to be more conservative than liberal, more cautious than optimistic, because while the legislature and our governor are talking as though they're going to find a way to preserve public ed funding, the unfortunate truth is by the time we get to the May revise, it's unlikely that they'll be able to preserve it to the degree they're talking. There are likely going to be reductions. Otherwise, you'll see reductions and all kinds of other public services social services law enforcement You name it. So it's there's always a balancing act at the state legislature Level and so finally I would just say Well, you have good staff you have competent staff I would say and I'm not advocating for myself because it doesn't need to be me but you know, you're going to need a set of eyes and a FCMAT-like set of eyes, a School Services of California-like set of eyes, to really continue to forensically audit your processes, your budget, all of those things, because these are deep reductions, and they are going to be reductions that, if done well, you'll do over a couple of years, but you can't wait. This can't be kicked down the road until next year, those deficits compound themselves. Again, it's a pay me now, pay me later proposition. So I just can't emphasize enough that whatever the level of ultimate cut needs to be made, I would try and take that at least in a 50-50 proposition this year and next, meaning by this March 15 noticing period and this June 30 adoption period and the next one as well to mitigate to the extent possible the pain, the anguish that does unfortunately come with this level of reduction. With that, I appreciate you tolerating my speech to you, and I'm happy to answer any questions.

- ▶ [**Aiden Hill**] Thank you, Mr. Berg. Questions from the board? Number one.

- ▶ [**Phuong Nguyen**] Hi, Mr. Berg. Thank you for being here tonight, and thank you, Ms. Vackar, for making the presentation. I know that I'm totally in agreement with you. I don't disagree with the fact that making changes and selecting talent and moving them around to be able to fit into what positions is really good to maximize staffing. But again, when we're talking about right-sizing the district budget and we don't have an actual plan or a guide to see the overview of what needs to be cut or where we should start cutting I don't necessarily agree with that like we should just go ahead and you know create positions where we need them right now in order to and without really knowing like what actually is needed to be cut and what actually needs to be consolidated or where we need to you know make those budget cuts so I do have a concern with that kind of a statement.

- ▶ [**Mike Berg**] I respect that, Member Nguyen. And I would not normally, and I don't normally recommend adding staff or changing staff or reclassifying salaries. But when it is staff that, when done well, and I've seen evidence within your operations in your budget to suggest to me that you're losing more money or not tracking revenue as well as you could. of purchasing or any other key position in business that can save you more money than it costs you, I recommend doing that because this isn't a, it's almost impossible in all candor to give you the long range plan all in one nice capsule. This is gonna be a work in progress. You're gonna have to do some work by March 15, then you have another couple months of really heavy lifting a lot of forensic analysis to decide what you're going to do with those notice those March 15 notices by May 15. And you might activate and you might rescind them, but it's a you're giving the we're giving the example, but you are going to be reconstructing your plane while you're flying your plane because you can't simply shut down and wait for the plan. You still have to function.

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- ▶ [**Phuong Nguyen**] No, I agree. I agree with that. I mean, like you know with any project plan or with any plan in general there's always a moving target but and you can adjust to whatever it is but we haven't even seen like you know tonight I was hoping that you guys would be presenting to us some sort of like outline of where where you know what we're going to be doing in order to mitigate some of the district in order to right-size the district with what kind of budget, you know, a simple layout. I understand that, you know, we can make changes. It is a living document or a living plan that, you know, there needs to be pivots in between, but we don't even know exactly, like right now, for the second interim, you know, what the county is asking for us to make cuts and, And we don't even know exactly where it is. I mean, we have a general reorganization plan, but that's not a full plan. And I would like to also see a full plan in place, even if there's going to be pivots and movements around it. I'm OK with that. But right now, I don't see any of that. And for facilities, we saw something in regards to staffing, but it isn't concrete. And nothing's been, you know, nothing's been presented to the public in our community for transparency. So those are my main concerns.
- ▶ [**Mike Berg**] I get it. And I completely respect that. I guess, you know, I don't know that trying to recommend the specific reductions would be wise on the staff's part because it really shouldn't be a staff decision as much as it should be a staff conversation with the board. And ultimately it's a board decision based on staff recommendation or staff information. The key here though, is to recognize probably what I would ask of you is to focus on the magnitude of the problem. I believe Deputy Superintendent Becker said the number, the deficit is \$14 million. I'm recommending doing that over two years. So let's say it's \$7 million. And unfortunately, when I look at your budget and the way you spend your money, you spend about 80% of your money on personnel. It would be really simple for me to say, well, if you spend 80% of your money on personnel, then 80% of the \$7 million should be personnel. That's \$5.6 million in positions. I would not recommend that, because I think you're potentially spending excessively in the \$4,000s and \$5,000s of goods, supplies, and contracts within your budget. That forensic analysis is underway. You have a couple of people working on that very thing for you. But the key right now, and I think I said it at one of your last board meetings, is you're going to have to do some very broad, probably deeper than necessary noticing and recognizing you may need to make reductions in order to do that. And then have your two months between March 15 and May 15 to have those deliberations, to have those discussions and make final decisions. But I would submit to you, there's no way that your staff can even provide that data. You have large holes in your staff as well, and that's a concern. You have consultants filling positions. You have people who are well-intended, but are interim and temporary and aren't adept at the fiscal acrobatics it takes to get to these kinds of definitive reductions. I'm asking you initially to look at it from a level of magnitude standpoint, authorizing staff to provide the right data by adding, if it means adding a position, and I don't know that, I didn't think I heard they were adding a position. I thought they said they were reassigning or taking a vacant position and doing something different with it. I think that's wise, because there are some functions that can hold, and there are other functions that can't hold, and purchasing is one. When you don't have a solid purchasing process, as an example, that's the worst thing that can happen because you have a lot of expenditures that go unchecked. There's no way to put a cork in that bottle if you don't have somebody standing guard over the opening in the bottle. That's of concern. I'm not necessarily advocating one way or the other. I'm trying to provide rationale behind what I think staff has recommended.
- ▶ [**Nancy Thomas**] My question is around the 4,000 and 5,000. It's really hard to make heads or tails of it when you look at the first interim because we have so many services that we're buying because we have vacant positions or we can't fill a special ed position. Those are some examples. What have you seen when you look at the \$4,000s and \$5,000s of some of the big ticket items in the \$4,000s and \$5,000s that seem out of line to you? Could it be legal expenses? What are those kinds of things that you've seen as you've looked at our numbers?
- ▶ [**Mike Berg**] I do see the legal expenses are higher than normal. I see your facilities construction management numbers are extraordinary. And there's a place, there's a great place, I would say, find yourself a competent project manager and pay that person \$100,000 or \$150,000 a year, which sounds absurd when we're talking about making reductions, but you're paying double that right now to a consultant to do the same thing. And I'm not saying that's a bad consultant, that's a very good consultant, very competent consultant, but it's a very costly. It's a very costly interim measure when truthfully, it's just more cost effective to do it internally. Your

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HVAC repair issues are still ongoing. Your roofing issues are still ongoing. Your bond, unfortunately, ran out of money before it ran out of projects. Your facilities are suffering. I did walk several of your facilities a couple of different times. I'm saying those expenditures look extraordinary, but I'm not saying they're out of line given the condition of the district. You've got a couple of fiscal analysts right now, including myself, that are out there. I'll be happy to work myself out of a job. But right now, for lack of business staff, because the business staff you have are doing the day-to-day essential tasks, You know, you've got to make payroll, you've got to pay your bills, and you've got to make sure the revenue you have coming in comes in. So those functions are so critical, and they do consume business staff time, which is why I'm concerned about, you know, long-term you might want to right-size business also, but right now that's not the place I would do it. When I go into distressed districts, I try and make sure I have a really solid business staff before I even have a really solid curriculum staff. And I'm not saying curriculum's not essential. But what I'm saying is you've got to stem the bleeding, I guess. There are just a lot of things in the 5,000s. The contracts, there are contracts everywhere. You did get a good point. Special ed, speech, a lot of those specialized services for the neediest kids you have go unfilled for lack of competent people out there. There just aren't enough people qualified to do that. Now, when you initially budget, you run the risk of having them budgeted as a position that's not filled, and you also budget for them as a contract service. That initially sounded like, oh my gosh, we're double counting, therefore our numbers are no good. The contrary is true. The numbers are inflated at the beginning, but they are corrected at first interim and second interim because where you have a vacant position where the money goes unspent, That money gets swept back into the general fund and is accounted for at that time.

▶ [**Nancy Thomas**] I'd like to challenge you on that. I'm sorry, because at the end of the year, we have this huge fallout. And it seems to me a lot of it is in just the area that you mentioned. And maybe they haven't made those corrections at first and second interim. I don't want to go into the detail on that. I did want to bring up another area. And that is that, and I've shared this with staff, I've done an analysis of the middle school and high school master schedules, and over the years, you know, we've had declining enrollment, but we've had an increase in the number of courses, and the attendance or the enrollment in our courses is well below what it should be to meet 31 students, for example, in our core courses, 35 in our electives 45 or more in our performing arts and stuff. And it's really hard for me to see how or why we don't seem to be able to get those class sizes up at the middle and high school level. And then, of course, with some of our low schools enrollment, trying to maximize our elementary classrooms is also a challenge. You know, I think there's probably about 10 FTE that if we could fill classes, we could save 10 FTE, and that's a lot of money.

▶ [**Mike Berg**] I don't disagree at all. And those are local decisions. There are districts, and I don't know your policy to be honest, there are local districts that say you can't have a combination class. Well, that's beautiful programmatically, although I would argue that a good teacher and a good curriculum can mitigate much of that. But my point is not that. My point is, yes, I can look at your master schedule, and I'm sure if I look at your staffing ratio and your master schedule, you have more teachers, more FTE than you have kids per the staffing ratio. But I also have worked with high school principals and high school folks for a lot of years, and they're going to tell you they don't come in those neat little packages. And if you're going to eliminate the classes of eight because it's eight piano players or eight kids in AP English or eight kids in forensics, your community is going to get a little upset. And already we have a perception that maybe we don't offer the right things, or we don't offer them well, or we don't do a lot of things, which is perhaps why the attendance is lower, or perhaps why the enrollment is declining. So as you're making these thoughtful reductions, you also have to consider the ramifications to what may happen internally within your community. And so I'm not saying this is easy. trying to identify the facts.

▶ [**Nancy Thomas**] No, I understand exactly what you're saying. And for example, we have to have a band. We have to have a choral group. We have to have a theater program. We have to have our AP courses for our upper division kids that want to be ready to go to college. So I'm not saying to eliminate those things, but it just seems to me that even our core courses at the junior high and high school level are not filled. And I don't know, maybe they just can't be. I'm not an expert at doing the master schedule.

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- ▶ [**Penny DeLeon**] But I am.

- ▶ [**Nancy Thomas**] Well, what's your thought on that?

- ▶ [**Penny DeLeon**] Well, we've already given them their staffing allocations, which are significantly less FTEs than they had last year. So when you contract the overall FTEs, they have to make it work. And having been a high school assistant principal in charge of the master and then a high school principal who taught all my APs how to do it, it's a jigsaw puzzle. You've got to get your credential list, your course tallies, and you put the two together and you make it work within the FTEs that you get. And we just basically, we did reduce to, we contracted to what the enrollment told us they should have for the allocation. And so there's not going to be an opportunity to be running classes low. We would love to have lower class sizes, but they're going to have to make some hard decisions because they won't have the staffing numbers they have. In that situation, and what I have advised the administration at the high school, and they'll tell you that Tracy and I met with them, was that they really needed to, number one, start from scratch. They should not try to roll over this year's master into the new master. It's not going to work. They really should start from scratch, take the course tally sheet, divide it by the number of the class size, get your section list, and go from there and fill those classes and make it work. And that means that we might have to do combo classes, more combo classes. It means some classes won't get to run because there just weren't enough kids that asked for them. I mean, obviously, we're going to run some AP courses that kids, if this is their fourth in the series and there's only 15 kids who made it through the fourth in the series of, let's say, mathematics, we've got to run that for them, right? So we protect those classes. But there are many others on that schedule that are really just lowly enrolled. And they won't have the ability to run them with, as you know, we made significant FTE cuts to match their enrollment. So what we did was exactly what Mike had said earlier. The hard thing to do and the reason that districts get in this situation is during the declining enrollment years, let's say you go down 100 kids, 200 kids a year, right? And you just keep going down. You don't contract your staff usually at the same rate as your enrollment. It's hard to do. And so then at a certain point, you're just so overstaffed that you just have to say, OK, we've got to do it. We have the ability to do it at our schools because we have vacancies. That helps us. So we're hoping that a lot of the vacancies will take care of that. And we told them to call us every step of the way. We will come and help them figure out the jigsaw puzzle. Sometimes it just takes eyes on it, like another set of eyes to sit and look at it. I said, do it old school. Go to your magnet board. Get your magnets out. Like, you know, that's how you do it. That's the best way. Call in your department chairs, call in your counselors, put up your singletons, put up your doubletons, put up your tripletons, and then build the rest of the schedule. And so that's kind of what we're working at, Nancy. It's going to be a hard thing because they have less staff than they've had before. Thank you. Thank you. Sorry. I know that was a long explanation, but they're going to do it.

- ▶ [**Aiden Hill**] Other questions from the board?

- ▶ [**Phuong Nguyen**] to appreciate Superintendent DeLeon for making that comment about, you know, if there's a series and if you're, if there's only 15 students that you're going to be able to push it through because a lot of our kids, like the AP, Calculus AB or in Calculus BC, you know, I, especially if we're pushing the STEM for computer science, I'm hoping that those do stay. So I appreciate you saying that. Thank you.

- ▶ [**Aiden Hill**] Thank you, Member Nguyen. Student member?

- ▶ [**Joy Lee**] I just want to say thank you for all the work you guys did. I had just a clarifying question for the slide three. Question three, are there things we can do to reduce or eliminate to save money? It says institute a global recycling waste reduction program with incentive program or competition between classes or schools. But the thing is we already have a recycling program at all our schools, correct?

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- ▶ [Tracey Vackar] Right. We haven't been doing like e-waste. There's other things that we could be doing and I can show you rooms. We talked about it today that there is some rooms that people have stacked things up that we need to go off and get rid of things. So besides the recycling waste there's also e-waste or electronic waste that also needs to happen and we basically need to do that as well.
- ▶ [Phuong Nguyen] OK.
- ▶ [Tracey Vackar] Thank you. Good point.
- ▶ [Aiden Hill] Other questions from the board? So I just have a quick comment. And I know I sound like a broken record, but I always come back to the board goals. And we intentionally said that just like on the dashboard of a car, if you have a million gauges on your dashboard, you're going to crash. So you only have a couple, but they're the most important things, and they're the things that you always want to pay attention to. And so we had a lot of discussion at the board level about what those things needed to be. We said number one, academic outcomes. Number two, school safety and safe learning environments. Number three was community engagement, and number four of stuff this year and there's a lot of things going on and it's been challenging but I want to I want to bring us back to what our goal said what our goal said was by February 15th 2024 the district will present a comprehensive plan to eliminate the structural deficit and balance the budget including strategies for increasing revenue through ADA and building back a hiring practices. Now granted, we put this goal together in the summer. Superintendent was new at that point. We didn't have Ms. Vackar at this point. But the challenge is that our trajectory is continuing to go in a dire direction. And so we don't have time. And so I have to agree with Member Wendt that It may not be comprehensive to the level that we might be able to do with no distractions, but we need much more than this because we're running out of time. And Mr. Berg, you hit a little bit on it, but I think that we need to dumb it down and we need to say, OK, what's our bogey? our bogey 14 million all right so is that the structural deficit is that the number that we're hitting right so overall each year correct correct right so we so we chip away goal you know year one at seven million and and then make sure that we've got that stabilized and then year two we go seven seven million but but I think that we need to get this clearly articulated and And then the other thing that we need to say is, I mean, there's a million and one things that we could be doing to go chip this away. But the question is, and so there's this famous guy, this old Italian guy, and his name was Pareto. And he said that based on his analysis, that you usually can achieve, that 20% of the things that you do produce 80% of the results. And I think anecdotally many people have found that to be true. And that's what we need to be looking at right now. We can't, we do not have time to boil the ocean, right? And I think that we need to get the staff together and the right people very quickly to come in and say, okay, here's three options. I mean, and I'm just throwing this out on the, you know, as spitballing it and for feedback from the board. But I think that we need to have, you know, quickly some type of process to say, Okay, here are three options that are going to get us 80% of the results that we're looking for, and if that 80% is \$7 million or whatever per year, whatever. But we need to see something much more concrete, and we need to be able to see, okay, you know, this particular item is going to chip away at 10% of that \$7 million bogey, right? This other thing is going to chip away at 5%. and that we really have numbers, and then we can focus in on it. And again, it's not a million things, it's the 20%. It's the 20% of items that's gonna get us 80% of the results. So we really need, and since we're past this date, and I know that, again, there's been a lot of stuff going on, but we're running out of time. And so we really need to figure out how we can allocate the right resources and staff. since this is a topic here. I don't know, is this an action item? All right, so I'll make the request at the end. OK, I'm off my soapbox. Yeah, so since we are at 930, by the way, I did notice that in the bylaws that are up for approval, that it was requested that we move our standard time from 10 to 10.30. But erring on the side of caution, can we get somebody to make a motion to extend to 11 o'clock? Oh wait, only 11 o'clock? I know, we're about continuous improvement. I was expecting like 12. So would you like to make the motion, Member Lee?
- ▶ [Joy Lee] I would like to make a motion to extend our meeting to 11 o'clock.

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- ▶ [**Aiden Hill**] I will second. All in favor? All right, thank you. And again, I want to make sure that the district and Mr. Berg don't take our comments I mean, so our comments are well-intentioned, right? But I think you understand the seriousness of this. And so we just need help in putting a more detailed plan together. So, but thank you. Let's move on to the next agenda item. So sorry, I need to flip over here. Okay. So we're now on to 11 consent agenda personnel items. Would anybody like to pull?
- ▶ [**Phuong Nguyen**] Item I think remember when you have one that you want to pull I Already had made my comments on it, so I don't if you guys want to have a discussion on it We can but otherwise I'm okay with voting on it so That member Thomas.
- ▶ [**Aiden Hill**] Do you have any thoughts on this and she were also talking about 11.3. Do you want to pull it for discussion?
- ▶ [**Nancy Thomas**] What's 11.3?
- ▶ [**Aiden Hill**] It's the new job for Purchasing and Procurement Manager.
- ▶ [**Phuong Nguyen**] I just ask that we vote separately on the two items, that's all.
- ▶ [**Nancy Thomas**] Yeah, I'd like to see it kept on the agenda.
- ▶ [**Aiden Hill**] So you want to pull it out or you want to just... Pull it for action, right?
- ▶ [**Penny DeLeon**] Yeah, pull it for action. Yeah, right. And then vote on the rest of the personnel.
- ▶ [**Aiden Hill**] Okay, all right. So can I get a motion to approve 11.2?
- ▶ [**Phuong Nguyen**] I move to approve item 11.2, personnel report. I'll second.
- ▶ [**Aiden Hill**] And we're still doing roll call votes? OK. So do you want to go ahead? Yeah. I vote for Elise. She doesn't vote on personnel items. I'm sorry.
- ▶ [**Nancy Thomas**] Board member Thomason? Yes. Member Nguyen?
- ▶ [**Lucia Gutierrez**] Yes. And member Jones? Yes.
- ▶ [**Aiden Hill**] Yeah. Yes. Okay. Thank you. All right. So, motion carries. So, 11.3, new job description, purchasing and procurement manager. So, superintendent and CBO Vacar, do you want to explain this before we have the board ask questions?
- ▶ [**Tracey Vackar**] This item is coming before you this evening for a couple of reasons. One, I know this was a concern also of the board with the fact that we need to have more system controls in place as to how we spend money. I agree. I think there are huge amounts of savings that could potentially come from this, actually more than a million dollars in savings. in the first year. I think if we have somebody who's really setting up procedures and processes that we need to follow, I think we can do things. I think we can also do things through purchasing power agreements, much like having a membership at Costco. We are able to sit there and join cooperative groups to be able to make our purchasing power go further. We also should be looking at a number of actions such as doing bids and making sure that those bids are able to. materialize a better value for the district as we sit there and look at things. And also I think as we look at our PO process and we open up POs for long-term obligations with a variety of vendors for next year, we can do a better job if we had a purchasing person that had

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some parameters in place to be able to help staff know how to do procurement of those things, we would see that savings. Currently right now, I know we end up doing a lot of additional contributions, and you may remember seeing this on the first interim, that the district has to make contributions because a lot of our programs aren't running in the black, they're running in the red. These are areas I think that a purchasing manager can help us significantly. We've gone many years without one, and we need to have one, I think, brought back. It's my recommendation that you approve this position so we can start looking for it. I don't think it'll happen before the beginning of the year. This is actually meant to be a 24-25 position. not for this current budget year.

▶ [**Penny DeLeon**] We also would like to add that this is a position that is replacing a position that is going away.

▶ [**Aiden Hill**] Okay.

▶ [**Phuong Nguyen**] I just have one question.

▶ [**Aiden Hill**] Go ahead, member Nguyen.

▶ [**Phuong Nguyen**] In terms of the new job description, was there a meet and confer process with NEWMA?

▶ [**Penny DeLeon**] This was brought up with NEWMA in meet and confer with a number of positions and also meet and confer with CSEA.

▶ [**Phuong Nguyen**] Were there any concerns regarding this new position? With which one? With either.

▶ [**Penny DeLeon**] I think initially Concern with the range and with with Pneuma I believe I don't remember But with CSEA the concern was they thought they had a similar position, but it's not really Okay, thank you Other questions from the board So I I have just one comment here

▶ [**Aiden Hill**] And it goes along the lines of, I think, what Superintendent, Associate Superintendent Vackar and Superintendent DeLeon are talking about and what Mr. Berg is talking about. So my experience many years ago when I worked at Accenture and Ernst & Young and their supply chain practices, so when we sold supply chain consulting services, there were a variety of things that our customers could buy from us. So we could build them a grand supply chain strategy. We could help them with forecasting. We could help them with, you know, shop floor layout. We could help them with transportation. There were a million things that we could help them with. But the thing that customers almost always wanted us to help them with was procurement. And the reason why, so we sold a lot of procurement projects, and the reason why is because that's where the money is. And so that's where companies spend the money, and that's where the cost-saving opportunities are. And so I understand Member Nguyen's concern of, like, okay, how does this fit into the whole picture, right? And so I understand that. but what I would say is is that this is an area that I think that we've been deficient in and this is something that I've been you know been commenting on at the board level for the past couple of years because I have seen the lack of internal controls I've seen the waste and I think that there are potentially a lot of cost savings just there that can help us with our with our budget issues however the thing that that is important for for me is I'm happy to support this. But I've also seen, I mean, we've gone into organizations to help them with procurement because the people that worked in their procurement department were duds. And so we can't hire duds, right? We have to bring in somebody that really can come in and can get a handle on this and can really understand where we're spending money and how to save money. Otherwise, it's not worth having this position. So that's my two cents. Any other comments?

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- ▶ [**Phuong Nguyen**] Actually, a clarification. So is this a new job description or a brand new position?
- ▶ [**Tracey Vackar**] It's a brand new position and a brand new job description. OK, thank you. There are similarities with this job description, though. There are some things that this job does do that was done by a CSEA employee in the past, but this is a lot more. The responsibility is much heavier and the expectation for what they're going to have to do to achieve and put policies and programs in place is a much higher thing than just going off and maintaining, just looking for, you know, implementing it once it's already been moving.
- ▶ [**Phuong Nguyen**] Okay, thank you.
- ▶ [**Aiden Hill**] Fair question. Any other questions?
- ▶ [**Tracey Vackar**] Before we sign off, I just want to thank Mr. Berg. He's still online with us. I just want to send our thanks. Thank you. Thank you, Mr. Berg.
- ▶ [**Aiden Hill**] Appreciate all your help.
- ▶ [**Penny DeLeon**] I don't think he was there. He was.
- ▶ [**Mike Berg**] I'm here.
- ▶ [**Penny DeLeon**] Thank you. Thank you. You did awesome. Thank you for all your insights. We appreciate you for everything you've done for us. Thank you. All right.
- ▶ [**Aiden Hill**] Good night. Thank you. Okay, so, Ms. Eugster, can we do a roll call vote on 11.2? I'm sorry, we need to get a motion.
- ▶ [**Kat Jones**] I'd like to make a motion to approve 11.3.
- ▶ [**Aiden Hill**] Thank you, Member Jones, Vice President Jones.
- ▶ [**Nancy Thomas**] I'll second that.
- ▶ [**Aiden Hill**] Can we get a roll call vote?
- ▶ [**Phuong Nguyen**] I'm a no, just only because I would like to see us have a plan and also, generally, in a budget process in a local, I mean, I come, I work for a local city and agencies and during the budget process, everything's always been brought to the board. What positions are going to be cut? What budget reductions are going to be made? It's always been in a presentation. So that's what I'm used to. And I would like that detailed level of what it is. And it also creates transparency so that, so that everyone in the district, our community, knows exactly what's going on instead of like pivoting now and making and creating jobs but not really knowing what the whole picture is. So I'm not in disagreement of creating new positions or reclassification or having you know employees be able to move up in in position. So all those things are great. And so that's the only reason why I'm voting against it tonight. But otherwise, I do support reclassification of this position.
- ▶ [**Aiden Hill**] Member Thomas?
- ▶ [**Nancy Thomas**] Member Jones? Yes.

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- ▶ [**Kat Jones**] President Hill?
- ▶ [**Aiden Hill**] Yes. OK, motion carries 3 to 1. And member, student member?
- ▶ [**Joy Lee**] Just for clarification, we're getting Are we getting a comprehensive plan?
- ▶ [**Penny DeLeon**] Yes, you're going to have a comprehensive plan. But I will say for the community who's watching that for personnel items, when people are tied to positions, this is not something that we roll out for the public until all of those actions have been taken.
- ▶ [**Aiden Hill**] Because it impacts people's current jobs. Okay, thank you. All right, so moving on to Item 12, Consent Agenda and Non-Personnel Items. Are there items that people want to pull? So, member, student member?
- ▶ [**Joy Lee**] I just had 12.2, the warrant report. Okay. If you go on page 3, it says the... We're just pulling, we're not discussing. Oh, just pulling? Yeah.
- ▶ [**Aiden Hill**] Yeah, just let's pull it first. Oh, okay, sorry. All right, so 12.2? Yeah, 12.2. All right, are there other items that people want to pull? I just want to confirm.
- ▶ [**Phuong Nguyen**] 12.26, 27, 28. The minutes, 29 and 30. And also, yes, 12.21. OK. All right.
- ▶ [**Aiden Hill**] Can I get a motion to approve 12.3 through 12.20, and then 12.22 through 12.25, and 12 point, are we to point 31? No. No, okay, so 12.31 and 12.32, so a little bit of a jigsaw puzzle. So can I get a motion to approve those?
- ▶ [**Kat Jones**] I'll make a motion to approve all the ones you just listed. I'll second that.
- ▶ [**Aiden Hill**] OK. So Ms. Eugster, if we could do a roll call vote, please.
- ▶ [**Nancy Thomas**] Yes.
- ▶ [**Kat Jones**] Yes.
- ▶ [**Nancy Thomas**] Yes.
- ▶ [**Aiden Hill**] Yes.
- ▶ [**Nancy Thomas**] I believe the student board member can vote on this.
- ▶ [**Aiden Hill**] She can vote on this. That's OK.
- ▶ [**Nancy Thomas**] Yes.
- ▶ [**Aiden Hill**] OK, great. OK, so motion carries. It's unanimous. OK, so we're going to move to agenda item 12.2. And so student member, it's the warrant report. You have the floor.

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- ▶ [**Joy Lee**] Yeah, so I just had a quick question about the Newark Memorial High School and the Newark Middle School bleachers seats. So are we getting new bleacher seats at the school sites?
- ▶ [**Tracey Vackar**] We are not. That would be something we would be putting into a bond measure, because we do not have the funding to be able to pay for those.
- ▶ [**Aiden Hill**] It wasn't included in the original estimate for the track and field.
- ▶ [**Nancy Thomas**] Is it in the warrants? Where is it in warrants?
- ▶ [**Penny DeLeon**] It could be to replace a single one.
- ▶ [**Phuong Nguyen**] Page three.
- ▶ [**Joy Lee**] Yeah, page three.
- ▶ [**Kat Jones**] \$78.18.
- ▶ [**Penny DeLeon**] For \$9,360.
- ▶ [**Phuong Nguyen**] Yes. That's a repair.
- ▶ [**Joy Lee**] It's a repair. It's a repair.
- ▶ [**Penny DeLeon**] Yeah.
- ▶ [**Tracey Vackar**] It could also be maintenance, because you also have to make sure, like the bleachers that are inside the gymnasium, that the mechanisms and stuff are kept up to par. You have to do an annual safety inspection check on those.
- ▶ [**Joy Lee**] OK. Thank you.
- ▶ [**Aiden Hill**] And I have a request related to the warrant report. So there is an item on the warrant report regarding the path of travel for the track and field project that was done by a consultant. And I'd like to request that Ms. Vaccaro, I'm not sure who oversees that, but if you could make that available to us and the public to look at since we're going through this whole process, that would be great.
- ▶ [**Tracey Vackar**] I've already got that information today.
- ▶ [**Aiden Hill**] OK, great. Thank you. OK. Any other questions or comments on the warrant report? OK. Do we need to vote to approve it? Yeah. All right. So can I get a motion to approve 12.2 warrant report?
- ▶ [**Joy Lee**] Can I motion? I motion to approve the 12.2 warrant report. Oh, do I have to state my name?
- ▶ [**Nancy Thomas**] Oh, I'll second that.
- ▶ [**Aiden Hill**] OK. Roll call vote, please.

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- ▶ [Joy Lee] Yes.
- ▶ [Nancy Thomas] Yes.
- ▶ [Kat Jones] Yes. Yes.
- ▶ [Aiden Hill] Yes. OK. It's motion carries. It's unanimous.
- ▶ [Phuong Nguyen] OK. I have a I have a comment. Student member joy student member Lee you're going to be practicing. So you're going to be making motion for the rest of the items.
- ▶ [Aiden Hill] Excellent. That's an excellent recommendation. OK. Practice makes perfect. This does make perfect. OK, so 12.21. So number one?
- ▶ [Phuong Nguyen] Yes, I just asked that this item be brought back for a second reading just because there were no redlining to indicate maybe there weren't any changes. But I just wanted to make sure.
- ▶ [Nancy Thomas] There seems to be redlining in mine.
- ▶ [Aiden Hill] Are you looking at what's on the board agenda?
- ▶ [Phuong Nguyen] There isn't. Yeah. There's no. And the legend to define what the color is.
- ▶ [Nancy Thomas] Are you talking about the policy or the. Both.
- ▶ [Phuong Nguyen] Both. Both the AR and the policy.
- ▶ [Nancy Thomas] I think they I think she used the CSBA markup rather than.
- ▶ [Kat Jones] So we just need to bring back the RRF, not the CSBA.
- ▶ [Phuong Nguyen] Yeah.
- ▶ [Aiden Hill] So can I get a motion to bring back for second?
- ▶ [Penny DeLeon] Do you want to approve the first reading, bring back for second, or do you want to take all?
- ▶ [Nancy Thomas] Well, just we'll bring it back for a second reading. We don't have to vote. We don't want to vote? No. No, so we don't need to vote.
- ▶ [Aiden Hill] OK, so all right, moving on. So 12.26, remember when?
- ▶ [Phuong Nguyen] Also, these three items, 26, 27, and 28, they were Word documents. And not all of our community members were able to read them because they didn't have Word installed on their computer. So generally, they're all usually PDFed so that the general public can access them to read them.
- ▶ [Aiden Hill] OK. Are there any objections with bringing that back?

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- ▶ [**Nancy Thomas**] No problem. Yeah, we should always change those to be PDFs. And somehow, I think I messed up on that.
- ▶ [**Aiden Hill**] OK. Great. Moving on to 12.29.
- ▶ [**Phuong Nguyen**] Again.
- ▶ [**Kat Jones**] Oh, go ahead. I was going to say 12.29 and 12.30 had errors in the notes that need to be checked.
- ▶ [**Penny DeLeon**] What you can do is ask it, approve it with whatever revisions that you say. And then we approve it with the revisions.
- ▶ [**Aiden Hill**] I don't remember. I think we just pull them.
- ▶ [**Nancy Thomas**] I mean, unless there's objections. You could capture it from the video, right? Yeah.
- ▶ [**Penny DeLeon**] If you could send us, I know Nicole Rory, our substitute, has spent days and hours and hours doing all the back minutes. I think she'll have another four at the next one. So even being able to just tell her what item it was or whatever is helpful, so she doesn't have to go all the way back.
- ▶ [**Kat Jones**] Yeah, that would be great.
- ▶ [**Aiden Hill**] And not to give a shameless plug, but there is a community member that's figured out how to create transcripts from the YouTube videos. And so if that would be helpful, member Nguyen, as you go look and see. Because I know that there were challenges that Ms. Gutierrez had raised about like with board docs and how it doesn't always say like who made the motion. But those transcripts will say that.
- ▶ [**Phuong Nguyen**] Thank you for assigning me homework. I am happy to accept it.
- ▶ [**Kat Jones**] You're entirely welcome.
- ▶ [**Aiden Hill**] Hey, I'm a teacher.
- ▶ [**Kat Jones**] That's what we do.
- ▶ [**Aiden Hill**] OK.
- ▶ [**Phuong Nguyen**] I'm happy we're ending the night on laughter. So it's great.
- ▶ [**Aiden Hill**] All right, good. OK, so we're going to have those come back as well. Do I get to make the motion now? There's no motion needed for these. Sorry. So yeah, so she baited you. Okay.
- ▶ [**Joy Lee**] I was so excited too.
- ▶ [**Aiden Hill**] Yes.

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- ▶ [**Kat Jones**] There you go. We need a motion to adjourn. Okay. When we get there.

- ▶ [**Aiden Hill**] So moving on to 13.1 Board of Education Committee reports, announcements, requests, debrief and discussions. Student member.

- ▶ [**Joy Lee**] Thank you to everybody. I had a quick question about the Gmail on my Website is it possible to get the login for that so that I can log in Like there's a gmail. I'm pretty sure there's like a school board student member gmail because I was searching up like gmail Well you you have you have your district gmail account that one doesn't allow me to get outside Because we have a whole bunch of

- ▶ [**Penny DeLeon**] Yeah, I would say it's probably not going to happen.

- ▶ [**Joy Lee**] Why is there a Gmail then?

- ▶ [**Penny DeLeon**] I don't know.

- ▶ [**Joy Lee**] I don't know. OK. It may be inactive. Yeah. OK. Thank you, then. We'll find out, though.

- ▶ [**Aiden Hill**] OK. Other comments, requests?

- ▶ [**Joy Lee**] Oh, when is the next meeting for the football field where we're going to?

- ▶ [**Aiden Hill**] So we haven't done the agenda setting yet, but probably at the next meeting.

- ▶ [**Joy Lee**] The next meeting? The study session. Yeah, correct, for the study session. Correct.

- ▶ [**Aiden Hill**] It would have to be early, so like a 5 o'clock.

- ▶ [**Aiden Hill**] Correct, correct.

- ▶ [**Phuong Nguyen**] At the next board meeting?

- ▶ [**Aiden Hill**] Correct.

- ▶ [**Phuong Nguyen**] I'm going to request that we have Coach K and any other staff members that are part of the process so far be included in the study session. Thank you.

- ▶ [**Aiden Hill**] OK. OK. So other questions or comments, student member?

- ▶ [**Joy Lee**] No. Thank you so much.

- ▶ [**Aiden Hill**] OK. Great.

- ▶ [**Nancy Thomas**] Member Thomas? Good meeting. Long meeting, but I think we got a lot done tonight. So thank you, staff, for your presentations. I went to the Special Olympics, which was great the other day. ran into Member Jones. Then Young Authors at Lincoln, they did just a fantastic job. I was able to give them their medal and ribbon and the winners. And the League of Women Volunteers Registration Drive, it was nice to participate in that. And thank you, Superintendent, for being there and the mayor and everyone else.

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- ▶ [**Penny DeLeon**] I want us to get the secretary to come down from the state to honor us. That's what happens if you have the largest growth in the state in your registration. They'll come down and do an assembly at your school.
- ▶ [**Nancy Thomas**] That's cool.
- ▶ [**Penny DeLeon**] Wow.
- ▶ [**Nancy Thomas**] Well, that's good because I think this is the largest increase because I think we had zero before.
- ▶ [**Penny DeLeon**] Oh, you know what? You very well may. Because it has to do with the percentage increase at your school. So we might. Oh my gosh, wouldn't that be amazing?
- ▶ [**Nancy Thomas**] That's it. Thank you.
- ▶ [**Aiden Hill**] Great. Member Nguyen.
- ▶ [**Phuong Nguyen**] No committee meetings that I partake or to report back on. I just wanted to mention that I was at the Lincoln Family Code Night. It was great. I know that there was some confusion as to where the location of the STAR Lab was because we don't have signage out front. for families that are coming from the elementary school. But I know that Ms. Paulina Kim and other teachers who, the school site administrators, principals who are working and organizing the family code night, that's one of the improvements that they recognize. So Lenora had mentioned that. And so I thought it was wonderful. The parents, the kids, they had such a great time. Member Pellincarte was there that night. I missed Member, I probably missed Member Thomas. I don't know if Member Jones, did you go to? I wasn't able to come. I was there early but I had to leave. So I came a little bit later but I missed Member Thomas. But it was a wonderful, wonderful event and I just wanted to congratulate our boys varsity JV soccer team, girls varsity JV soccer team for doing an amazing job. The boys are still in it. And hopefully we can all go out there tomorrow night and freeze our butts and watch them play since the game got postponed tonight. But congratulations on an amazing season. And then to our basketball, both boys and girls basketball team, they also did an amazing job this season, worked really hard and had some close games and didn't win all of them. they showed up and competed anyways. And that was representing Newark schools wonderfully. And also the wrestling team are doing really well and are in NCS. And then this past weekend, the girls cheer competition went to nationals down in Anaheim. So I was able to go see that, partake in that. My daughter is on the team along with her teammates, and they did very well. It was the best performance they had during the season. They did not win, but it's OK. I think progress and improvement over time is really, really good. It's really important. But that's it. And thank you so much to all the coaching staff, to all our teachers. We're back after the holidays, and I hope everybody had a wonderful holiday. But thank you for all your hard work and dedication.
- ▶ [**Aiden Hill**] Thank you, Member Nguyen. Member Jones?
- ▶ [**Kat Jones**] Yeah, I have a couple things. First one is that I just wanted to ask a clarifying question of you, President Hill. Have we formed a board committee on the track and field at this point to represent the board at any events or is that something that we might consider doing or that we might need to do? But have we at this point done that?
- ▶ [**Aiden Hill**] So you're trying to put me on the spot? So not to my knowledge. But what I would like to suggest is that that be a topic that we cover during this study session.

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- ▶ [**Kat Jones**] Perfect. That sounds great. OK. I just was trying to, I'd heard a couple of rumors and just wanted to kind of ask you for that clarification a little

- ▶ [**Aiden Hill**] I have no additional information.

- ▶ [**Kat Jones**] Previously, I might have. Yes. OK. The next thing is, and it has to do with, spurred on by the safety issues on, and people, whether it's students or staff, feeling safe on the middle school. I know that on our student safety goal two is safety, that we're getting ready to create that matrix. And my request is that while we're putting that together before the end of the school year, if we could, would it be possible for us to the board to get a mini report every, at least once a month, if not every meeting on what's happening in terms of fights and suspensions on the middle school in particular, since that's where it seems to be a much bigger focus right now, not so much on the elementary or the high school campus, but on the middle school campus. Because it's really disconcerting to read about a fight or a situation that happened on social media and to hear about it that way. So I would just prefer the honesty from the site coming directly to us to let us know, like, yes, we had three altercations in the last two weeks. One of them resulted in a suspension. The other two were dealt with in house. Just that's not a lot of information, but it's a little bit of information to let us know, but also to say that we want that accountability. We want to know what's going on. I don't want to read it on Facebook before I hear it as a board member. So that's a request that I'm making of staff, if that's possible, to do that. And I would just like to- And then I have a statement I want to read that just kind of backs that up, but go ahead.

- ▶ [**Aiden Hill**] No, I just wanted to echo your request and you know if there's a way to provide the data where it isn't tied to a particular student, obviously that's something that we can discuss in open session. But if it's tied to, if there's one, if the only way we can discuss it is to talk about a specific student, maybe there's some way we'd have to look at the Brown Act around can we agendaize that to discuss it. But I think that the board needs to have visibility into what's happening regarding safety. And I see Member Thomas.

- ▶ [**Nancy Thomas**] We have gotten some information from the principal at the middle school that I found very helpful.

- ▶ [**Penny DeLeon**] So may I suggest that instead of having this as a public open session report because of all of the confidentiality issues which could end up being a nightmare, could we do it in a written site report like once a week like here's the discipline report or whatever?

- ▶ [**Kat Jones**] Yes, I mean, I definitely want to respect all the confidentiality. I just want to be more informed. So I'd like to read a small statement that I wrote about this. And I'm going to take a deep breath so that I can say this without getting any more emotional about it than I feel. Safety in Newark is really important. We heard a parent tonight speak about the lack of safety that their child feels on the middle school campus. And I'm speaking now as a teacher and someone who's been in this district for a very long time. As a teacher, it was my job to help students feel safe so that they could learn. But if I did not I got to clear my eyes so I can see what I wrote. But if I did not feel that I was being supported by my principal or if I was directly confronted by deaf students, it was difficult, thank you, to feel safe as an adult. Just imagine how that student feels if I as an adult didn't feel safe and I have the maturity to be able to handle that. We need to create an environment, and this is something that was very important to me in my classroom, to create a safe environment. So we need to create environments on each one of our campuses that promote safety for all students, which means that in turn, all staff must feel safe and supported by administration. In order to create a safe environment, we must uphold our zero tolerance policy, working with parents and staff to change the campus culture into a place that is safe for students to learn and grow. And this is very dear to my heart. Not only did I experience a lot of situations as a teacher, I also have connections with things that have happened recently. And so it is very important to me that we really address how to create a culture on our campuses where our students feel safe, where they feel that they can come to school and that their ability to learn is honored and that parents feel they can send their kids to school and have them feel safe, that the parents feel then know that their child will be safe on the campus. I know we have things in place to promote positivity with our students. We've got PBIS. We have a lot of things that really help students

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to feel supported and comfortable. But it's not enough right now. It is absolutely not enough. And we need to figure out how to make it enough because this is what is going to drive Newark, Newark Unified, to be the place that people want to come. But if we can't create what I'm talking about, we're going to continue to lose more and more kids and families. And we can't afford to do that because our district has so much to offer the kids in Newark. The teachers have so much that they want to offer. Staff members, teachers, fellow teachers, buddies that want to offer each other the support and that positive, supportive culture that everyone deserves to learn in. So this is going to be something that I am going to continue to work hard on and to do what I can to make a difference on every single one of the campuses. I know I can't be there every day, but I want the students and I want the staff to know that I am there. If I'm not there in person, I am there in spirit and I do have their back. Thank you.

- ▶ [**Joy Lee**] Can I just comment on what you said? I just wanted to thank you so much for saying that because if we're not, I think it's really uncomfortable talking about actually what happens at the middle school and high school sites, especially when it's kind of like ugly. But I think it's important that you brought it up and that we're going to talk about it. And I hope we continue to talk about it more because really when students don't feel safe, we can't grow. And if we can't grow, then we're just going to constant, we're not going to be able, how are we going to reach the same level as all these schools around us? How are we going to be more competitive? How are we going to be better? So I just wanted to echo what you said, and thank you for saying it.
- ▶ [**Kat Jones**] I think maybe in time, a study session to talk more in depth about school site safety would be really important. I'm not saying it has to be done next next meeting but soon because it is really important.
- ▶ [**Aiden Hill**] And I'd just like to add that I definitely echo your sentiments and kind of like what superintendent was mentioning in her superintendent report. So so there's something happening in our society right now and I don't know if it was COVID or what, but I think that we all see that there are changes and oftentimes they're not good changes. And it's morphing into a cultural thing. And culture is one of the hardest things to change. But it's one of the most important, right? And so we cannot shirk our duty. You know, we have to figure out how we can chip away at this and try. Because if we do, it's going to have such enormous dividends for everybody, right? And so I thank you for raising that. And I think we definitely should try to figure out how to have a study session in the future on this.
- ▶ [**Kat Jones**] I have lots of ideas for that study session. I bet.
- ▶ [**Penny DeLeon**] Thank you. And can you pass the Kleenex? Thanks.
- ▶ [**Aiden Hill**] OK.
- ▶ [**Aiden Hill**] So I have only one comment, and it's really just a clarification because in the last board meeting, I had raised concerns about the track and field project. But I think that as that there may be you know, a misunderstanding or misinformation that's circulating regarding, you know, my position on this. And so I want to clarify so that everybody understands. And that doesn't mean that all the board members share this viewpoint. But my viewpoint is I don't believe that we should be canceling the track and field project. So let me restate that again as clearly as I can make it. I am not asking that we cancel the project. My concern is that I believe that the management of this project has serious problems and there are serious implications if we don't address it. And we've seen how mismanagement impacted the HVAC project and the people who are managing the HVAC project are now the people that are managing this project. And so, again, I think that our study session, the intent of this is to really talk about where we are and what we need to do to make sure that this project is successful. So, again, I just want to clarify that that's at least my hope for this study session. Connected to that, though, and I would like to make a request for the board to add this to the study session as a part that we talk about. So superintendent had mentioned when we talked about this in our last meeting that there are a whole bunch of impacts that a project like this has. And it's easy to get into a bubble or a silo and only kind of look at

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some of the immediate things that you need to do, but not understand all the other impacts. And she listed a bunch of them. But one of the things that we know, and I've had parents reach out to me on this topic, is the concerns around how this will impact the upcoming graduation for this year. And I think if we look, even if we make no changes to the project plan, the project and the project plan that exists right now, it seems highly improbable that the project is going to be breaking ground before the graduation occurs. And so, and I think that to plan for alternative venues and all this other kind of stuff, I think that we're way over our skis on this. And I think that we ought to have included the issue of the high school graduation and the plans for the next study session. So that's my request. Go ahead, member Nguyen.

▶ [**Phuong Nguyen**] So, I know that a parent had emailed us and that Superintendent DeLeon had replied back and stated that there is an alternative venue that was secured. So my thing is, if the track project doesn't move forward on time, if they don't break ground in the spring, then there are implications not only, you know, if they commit to having graduation at the, I'm assuming, TAC, and we pay for that, it still would probably be cheaper than busing our students to football games in the fall, because that's going to be an issue, because all of the football games are going to be away, and that's \$3,000 at least per trip and times 10 games, and that doesn't even include cross country. So the amount that we're going to, the amount that is anticipated to secure the, or procure the venue at TAC is cheaper than what is going to cost us to transport the students.

▶ [**Joy Lee**] So. That's the information that I got too, because I asked around.

▶ [**Aiden Hill**] So, so, hold on just one second. So my concern around this, and it connects to the whole project as well, is that graduation is a really big deal. And I think especially for this class, but just in general, it's a really big deal. And the thing that I'm frustrated about is that I think it's something that, It not only impacts the high school, but it potentially impacts the community because the community is participating in that. And so it really is a board level discussion and decision. And I'm disappointed, right, that this, I mean, because quite frankly, this has never been formally brought before the board to discuss. and there have been behind-the-scenes discussions of, oh yeah, we're going to do this, oh yeah, we're going to do that, I think it's completely inappropriate. I mean, there should have been a plan that was formulated and options and it should have been brought before the board and we should have discussed it and we should have made a decision, right? And so, again, I would like to request that that we do what the board should have done in the first place and have a discussion about this during the study session and then make a decision. And maybe it's the same decision, but I think that we ought to discuss it as a board. Go ahead.

▶ [**Tracey Vackar**] If I could just make, you know, I know we are planning on having this discussion. I think there's a couple alternate timelines that we can bring back to be able to share with the board, depending on any kind of direction that might come from the board. There could even be another set of timelines that comes forward that comes along with any part of the discussion. But I think we can look at a couple of different times over the course of the next year that we could sit there and make this happen. There's still, we have to go out to bid. There's things that have to happen still now, that's important. And the other thing is I keep thinking, I had one of the speakers this evening when I was outside speaking with him about maybe serving on the committee with me for the bond. He actually mentioned something that I thought was a really important thing is that these high school students right now, these were our COVID kids. And maybe graduating at their home field right now might really be a great thing and giving us just a little bit more time to come back and take care of some of the planning pieces that we want to take care of and address so that we build this really amazing field. I think we've got some great plans. I think the seeds are good. It might just be a little bit more work that needs to go along with it to be able to meet both the board expectations, the community expectations, and really what we want to do, I think, for the long term for the school district to make sure that that field's in good shape.

▶ [**Phuong Nguyen**] But also I mean just because I mean I just want to give my feedback as a parent who has kids at the high school. I know that there is communication that went out in regards to graduation and that it's not going to be at the high school this year because due to the track project and a lot of parents have already bought into that. and really understand that and now we're pivoting and we have to communicate out again. And if we

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do, we need to do it soon because we can't keep delaying it or not have some sort of answers for the parents and the students that are involved right now.

- ▶ [**Nancy Thomas**] Go ahead, Member Thomas. Well, I was just going to say if we have to, we can have a special meeting to make that decision.

- ▶ [**Penny DeLeon**] Yeah, I think at the study session, when we bring the alternate timelines, I think we need to bring the alternate cost analysis for each of those timelines, too. And we need to really think about all of it. And I do know that there was a lot of thought that went into which season would cost the least amount of money to move sporting events and things like that. I totally get it. I would like to see if we're going to bring to the study session, and I really think we should, all the timelines. The current timeline, if we make it, and any other timeline, and also what the cost analysis is. We need to do a plus and delta. We really, really do need to do a plus and delta on this. I want to see it done correctly. What we're dealing with at the middle school with that solar structure should be a warning to all of us, a red flag about what's happening. And so, yeah, and the HVAC project. So I want this so desperately. I am a huge proponent of artificial turf, all weather turf. I think it's good. It's good for schools just in terms of the use. I think it looks great. It's a boon for the community. I would love to see actually the entire stadium done at a certain point, if we could do that with future bond monies. But I just want to make sure it's correct. So I think this study session is going to be good. We'll bring out all the information, and I think the board will get to study it and see what's happening.

- ▶ [**Kat Jones**] Yeah. Can I ask one question? Will we possibly be able to get somebody fill us in on the soil report that's been done because it obviously it not enough was done for the solar situation They didn't understand what kind of ground they were in soil They were dealing with and I would hate to see our field flooded in five years Because we didn't have the right information The environmental will have the environmental study for you which I

- ▶ [**Penny DeLeon**] If it's comprehensive, it should include all of the water table studies. It should include also the chemical makeup of the ground. So it's environmental kind. Well, I'm thinking oxnard. We had pesticides was in there, too. Oh, salination is another thing, and acidity. So all of those people's, yeah, all of those pieces.

- ▶ [**Penny DeLeon**] Always in this section. Yeah.

- ▶ [**Penny DeLeon**] Anyway, so all of that, we'll bring all of that with that study.

- ▶ [**Nancy Thomas**] Great.

- ▶ [**Phuong Nguyen**] Thank you. I didn't get to make any requests tonight. Two requests. If we could schedule a meeting for the bond committee, that would be great. And then I know you're going to be presenting to us, but I would like to get a bond committee meeting scheduled. If we can do that, Ms. Vacar, that would be great. Thank you. And then secondly, superintendent evaluation, we still have to schedule that. So I'm just reminding President Hill if we could do that soon. OK. And also a correction. I realized on the comprehensive school safety plan 12.4, we did not pull that one. We talked about pulling it, but we didn't. We approved it. So can you just make the correction to the candidate? Yes.

- ▶ [**Nancy Thomas**] I'd like to put in a repeat request that I've asked before, and that is on our leasing arrangements for our sites. We are paying a company, and we don't have any, we haven't had any reports about what kind of revenue we're getting for leasing our sites.

- ▶ [**Penny DeLeon**] Facilitron, yeah.

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- ▶ [**Nancy Thomas**] And also the demographic, Capture rate study, was that included?

- ▶ [**Tracey Vackar**] I'm sorry. So the capture rate piece was not done yet. They're actually waiting for some additional information. I owe you a board report on that. I actually did talk with the company. They're waiting for some census data that they're expecting. And then they will actually come and do a presentation here at the board level.

- ▶ [**Nancy Thomas**] It would be really nice to keep a list of these requests so they don't fall off. Not just that one, but there's been a lot.

- ▶ [**Penny DeLeon**] You may or may not realize it, but I've been ticking them off all year because I have a very long study session or board request to-do list in my office that gets checked off every day because it makes me feel good to check it off. Do you know anybody who's one of those people that makes lists and goes like that and it feels so great? Yeah. But I do actually, when I get the requests, I have a list of board requests.

- ▶ [**Nancy Thomas**] Yeah, but if that list included Which year it's going to happen?

- ▶ [**Penny DeLeon**] Oh, you're funny. Ouch.

- ▶ [**Penny DeLeon**] Wow. OK, on that note, would you like my superintendent comments?

- ▶ [**Nancy Thomas**] That was tongue in cheek. Come on, give me a break.

- ▶ [**Aiden Hill**] OK, so moving on to 14.1, superintendent comments.

- ▶ [**Penny DeLeon**] I will say on that note, have a good evening, everyone.

- ▶ [**Aiden Hill**] And we're at 1030.

- ▶ [**Phuong Nguyen**] We're at the new target.

- ▶ [**Aiden Hill**] Almost. We have one minute left. OK, one minute. So all right.

- ▶ [**Phuong Nguyen**] I move for adjournment.

- ▶ [**Kat Jones**] I second. All right.

- ▶ [**Nancy Thomas**] Aye. Aye. Aye.

- ▶ [**Aiden Hill**] Aye. OK. Meeting adjourned. Thank you.