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**2024-03-05, Regular Meeting**

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- ▶ [ **Ricardo Tavares** ] I have the opportunity to graduate on site like the alumni that preceded them. And at that time, we were only advised that it would either take place on May 30th or May 31st. It wasn't until just now, February 20th, that we were finally sent communication or saved a date. if you would. That gave us some concrete date and time with two possibilities for graduation site. Judging by some of the previous board meetings, it doesn't look like this project is starting anywhere near on time. Therefore, I'm here to ask the senior class of 2024, the same class that missed out on eighth grade year and activities and the promotion due to COVID, be able to graduate on school grounds on May 31st and that this project be revisited after morally realistic quotes are obtained. Thank you and have a good day.
  
- ▶ [ **Aiden Hill** ] Thank you, Ricardo. OK, great. So Ms. Euster, are there any other comments coming in online?
  
- ▶ [ **Aiden Hill** ] OK. All right. I'm going to make the assumption that we don't. And if we need to revisit that in the next, after we come back from closed session, we can do that. OK, so with that. would like to move on to agenda item two, study session. So this is 2.1 Newark Memorial School Track and Field Project. And purpose to review the scope of the Newark Memorial High School Track and Field Project, including timeline and budget. And I'm not going to read the rest of this because everybody can read. So why don't we do this since it's a study session, if the board can come down to the table in the front so that we can talk about this. And then, so Coach K, since you're a critical part of this, we'd love to have you join in the discussion if you're interested. OK, so come on up. Okay, so we have an hour for this item, and I'd like to read just a brief introduction so that we kind of are all operating with the same set of facts. And then I think, and we don't have any formal presentations. We're not having any vendors coming in. So it's really an opportunity for us to discuss the situation and where we feel we are and thoughts on how we proceed forward. Okay, but no action can be taken under this type of agenda. So just to get everybody on the same page, good evening, everyone, and thank you for joining our NUSD study session on the Newark Memorial High School track and field project. By way of background, on 12-5-22, so December 5, 2022, the board approved a \$6.3 million track and field refresh at Newark Memorial High School. This amounted to over 38% of our total developer fees levied on new development construction projects, as well as existing home remodels in the city. Please note that the government permits the district to levy these fees based on the premise that new construction will lead to additional students. At the time the project was approved, the board hired RGM Kramer to provide planning services associated with this project in the amount of \$36,904. On March 2nd, 2023, a CBO, former CBO Maria Dela Cruz, recommended we hire Verde Design to assist in putting together the detailed design at a cost of \$334,950. And in Verde's contract, there were multiple commitments to the board to receive input as well as official sign-off on final plans before they were submitted to the State Department of the State Architect, also known as DSA. the board has been kept in the dark over project status and the only update we have received at our insistence was on February 6, 2024, over 4 and a half months after the same vendors submitted plans to DSA without board review or sign-off. At this juncture, it's important for the public to understand that this project team not only kept the board in the dark regarding this project, but also kept superintendent DeLeon in the dark regarding the largest single construction effort taking place in the district at this time. As the attachments for this agenda item indicate, the first submittal to DSA was done on July 27, 2023, and Dr. DeLeon was identified as the local agency contact for this multimillion dollar project. Yet it wasn't Dr. DeLeon who signed off on this submittal. It was former CBO Marie Dela Cruz who did so, and neither she nor the vendors who prepared this submittal had the common courtesy to brief Dr. DeLeon regarding this foundational document that they were submitting in her name. In fact, it took until three months later on October 10th, according to meeting minutes from that time, when the project team noted that Ms. Dela Cruz would shortly be resigning from the district and that it might be a good time to get the superintendent involved in the project steering committee. And yet, after that meeting, amazingly, no one called Dr. DeLeon. It

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wasn't until early December, when the new CBO, Tracy Vackar, reached out to RGM Kramer to understand project status, that Dr. DeLeon requested she too be included in the update meeting. And it was at this point that RGM Kramer told CBO Vacar and Superintendent DeLeon that this was no longer a \$6.3 million project, but rather a \$10 million project. Needless to say, the CBO and superintendent expressed shock at this number, and the vendors have been engaging in backpedaling and damage control ever since. We recently witnessed this backpedaling during the vendor's first board presentation on February 6, 2024. We saw incomplete and inconsistent project plans presented to us, with dates in the plans that didn't match the dates in the presentation. We couldn't get clear answers on the scope of the project or the associated budget, which I understand was continuing to change even late last week. And we couldn't get clarity on the project team structure and who the overall project manager was. I saw no one step forward to say that they were accountable for the successful delivery of this project. The above facts were deja vu all over again for those of us who lived through the multi-million dollar HVAC upgrade debacle during COVID. This project was also led by RGM Kramer and experienced numerous scope changes, schedule slippages, and cost overruns. Sadly, though, we continue to live with this legacy. Not only did we significantly overspend on this project, but we were delivered less than what was promised. We now have numerous classrooms where teachers are sweating in the summer, teachers and students are sweating in the summer and freezing in the winter because the HVAC installs RGM Kramer oversaw are not working properly. And when Dr. DeLeon asked former CBO Deva Cruz about installation warranties for this work, she was told there were none because they were quote unquote too expensive. So the district continues to throw good money after bad the school district. The school district may not be violated or corrected with proper oversight. I would like to remind the board of Ed code 3, 5, 1, 6, 1, which states. The governing board any school district may execute any powers delegated by law to it or to the district of which is the governing board. And shall discharge any duty imposed by any of those powers or duties. The governing board, however, retains ultimate responsibility over the performance of those powers or duties so delegated. We, the board, never took an action to delegate oversight of this project to the vendors themselves, nor did we establish a steering committee and choose other district personnel to provide this oversight on our behalf. Although a steering committee apparently was put together assuming these responsibilities, unbeknownst to us. Yet even if we did delegate these responsibilities, we the board retain ultimate responsibility over the performance of these duties. This is because we maintain responsibility for providing fiduciary oversight for all district operations. And our success in persuading taxpayers to support future bonds to repair our aging infrastructure rests upon how effective we are in providing this oversight. Voters are not going to pass bond measures if they feel we are not good stewards of their money. Unfortunately, we are now faced with some troubling history and facts that call this oversight into question, and we have organized this study session to discuss how to bring the situation under control. And what I'd like to do at this point is give Coach K an opportunity, since you've been more involved in the project than we have, and you've sort of seen some different things from what the vendors have been doing, et cetera, that if there's information that you'd like to share with the board that will help us as we evaluate this situation, it would be great to hear.

- ▶ [ **Tracy Vackar** ] If I could just echo a little bit. Coach Kay and I spoke earlier today. I've asked her to share a little bit about the process regarding what the committee worked on, some of the members that were involved, and just kind of give us a little overview on some of the work that they did in coming up with the design process. I think it's important.
- ▶ [ **Aiden Hill** ] OK.
- ▶ [ **Coach K** ] There's a lot that was put into it. OK. Yeah. So first, I mean, thank you for inviting me to be here, because I do think it's important that you hear kind of what the process has looked like and who has been involved in the process. So, I mean, as you all are aware, that this project started actually, conversation of long-term facilities improvement started in August of 2022. And at that time, Dr. Triplett came forward with a plan to do upgrades at the swimming pool. And we attended a board meeting, Coach Crosby and myself came to a board meeting to discuss the opportunity to do the swimming pool upgrades. on August 18, 2022. And at that time, the board directed Dr. Triplett to go back to the community to engage the community because the pool was brought

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forward without community engagement. And so he went back to the community starting on September 14 during a pause roundtable discussion at the high school where the attendance was limited to 50 students. However, there was 54 students that were there in attendance that day. who he took through a process of explaining what capital money could be spent on, where it came from, and how it would work. And he asked the students to come up with ideas as to how money should be spent. And he did that. He gave each student three colored dots. And they were to go to each list that they had come up with and presented to the group. and essentially vote. And at that meeting, it was an overwhelming number one choice that the track and field and the stadium project be executed first as their top priority. He then followed the same process. Let me back up. After that paused discussion, There was, on October 4th, a Google form sent to students by Sara Canales as a follow-up to that student engagement meeting because the attendance was limited to 50 students. At that time, there was 119 responses collected giving feedback to Ms. Canales as to what should be done in what order. Again, the stadium was identified as a top project On October 13th, Dr. Shiplett conducted the same meeting with the staff at Newark Memorial, went through the same exact process, explaining and defining what capital improvement money could be spent on, had them work in groups to identify possible projects and ideas. They presented, were given three dots, and again, the stadium turf and track project was identified as the top priority. November 16th, there was a community meeting for parents and families that was communicated via school messenger. And from the district, it was communicated through school messenger, also communicated via email from myself to families, identifying a time for them to come and give feedback as to what their input would be for such a project. That meeting, there was two meetings held that day on November 16th, one in the morning that was held in Spanish, one in the afternoon or evening that was held in English. And parents, again, went through the same exact process to identify what their possibilities may be, given three dots to vote. And again, the stadium turf and track project was the number one project identified in that meeting. Once that was clear, there was a clear top priority from all three groups that had been asked to provide feedback. There was a decision by Dr. Triplett to come back to the board and say, this is the top priority that has been identified by all three groups. In addition to that, there was water bottle filling stations that appear on all of the lists. However, not the top identified project, but it was present on all of the lists. And so that is how the stadium project became a stadium project. And that is when, on December 5th, that was brought to the board, where it was voted on and approved in a four-to-one vote as the top project identified by the community at the request of the board. And so once that happened, then there were, on February 17th, architect interviews that were conducted, where different contractors came to give a presentation as to what they could offer. It was at that meeting that the discussion was that Verde would give us the best opportunity to design what we were looking for. And so then we fast forward to the March 2nd meeting, where the board did vote unanimously to approve Verde as the design consultant, a contractor, architect, and machine. And shortly after that, we started to build the process as to how we would get the ball rolling and what would happen next. We have a group of students on campus that have been interested in this project from the very moment that Dr. Triplett included them in the conversation as to what are we looking for. And so there was heavy interest from students and parents into what the next steps would be and what they would look like. And so we started the process also with coaches. And you also have to remember a community is small in that we do have many people that wear multiple hats. So if they're teachers and coaches, they're wearing two hats. If they're teachers, coaches, and parents, like myself, they're wearing three hats. They're administrators. They're wearing multiple hats. They're different community members, lots of different people involved, but also representing many different hats that they wear. And so we started to look through samples of turf and infill and all sorts of different things. And that conversation can get very, very overwhelming in what we're looking for. So my first step was one of the things that had been identified from our feedback from our community was the turf that is currently installed at the Silliman Center, which is across the street from York Memorial. And so I reached out to the city of Newark and I asked them for their plans and what they did and how they did it and what it looked like. They sent over to me all of the planning that they had done, what they ended up with. contractor that they worked with, considering, again, water table, location, environment, all of those things literally across the street. And so we were able to get a starting point as to where to begin the conversation and what we're looking for. The first, I should back up, because the first part of the conversation included, what can we afford? Because there's a big difference between what we can afford and what we want. and what's available to us. And so that was really the first starting point, is what can we afford.

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And so we knew right away there were some things that were identified that there's no way that we can afford this, so we're not going to, we're going to eliminate that from the conversation. Then, kind of really looking at this element and what they have already installed, Verdi's experience with doing that in the same general area. That gave us a starting point because there's also things that would be less expensive, however, we would be replacing in a matter of a few years. And so we did not want to go down that road and we're looking really for something in the middle. And so because everything was very narrowed down and our budget is very limited to \$6 million, it sounds like a lot. But when you're talking about a stadium project, you don't really have that many options. And so that's where we started with the turf samples and the things like that. Once we got past that, then the conversation started with the steering committee that was put together. That included myself and Marie, people from the district office that are no longer with us, our Jim Kramer and Bertie, and kind of going through a checklist as to what are the details that we're looking for. And some of the design options that we were given, some were right away, we don't need this. We can eliminate that conversation right away. We can work with what we have. Some were, oh, this would be really nice if we can afford it. Oh, yeah, so here's a turf sample. And yeah. Oh, yeah. And that, too.

▶ [ **Aiden Hill** ] You're going to use all of it.

▶ [ **Coach K** ] You could, I mean. Can I just put it here? No.

▶ [ **Kat Jones** ] Put it on a chair. Or it's fine. I think we can fit it. I think we can fit it. It's OK. Yeah.

▶ [ **Coach K** ] Thank you, Kate. So we had started in the steering committee once we had moved past the turf and just really kind of just talking about the design and some of the things and what options might be available to us in the design. And so some decisions were made, and then, you know, again, taken back to some student community members, some coaches who are also parents in the community. And again, really, I relied on experts in the field, right? I really have to rely, if I want to know what the width of the soccer field should be, I really need to ask the soccer coaches, what should the soccer field width be? And so I did have to consult with people, our track and field coach, as to, OK, are we going to leave the jumps where they are? Are we going to try to move them? What will it be? Do we have an opportunity to clean up the design that we currently have? Because what we currently have is actually not good at all. And so could we kill two birds with one stone with some different sort of layout? And again, always at the front of the conversation is, what can we afford? And so that's where, that's how we landed with the skeleton of what we're looking to do. Then, once we had that kind of completed, we held a community meeting where, that was on May 8th, 2023, where we had many members of the community who had not been included in any of the conversations previously, but had seen the email communications and the postings. I had posted that on our social media accounts. And just to give you some information as to how many people were reached and notified about this meeting, on our Instagram account, there was 1,460 accounts that were reached, 145 accounts engaged, 2,091 impressions, 163 post interactions, and 22 people shared it just on our Instagram, which I will say also Our social media account has the most followers in all of Newark Unified, including the district itself. So I am very confident in the fact that when I post something on our social media accounts, that it is getting to members of our community near and far. Our Facebook account, where it was also posted, 336 people were reached and saw the post at least once. 374 impressions were made, which means that people may have seen it more than one time. So that is in addition to the over 100 emails that I personally sent out to community members and parents at the high school to be able to give their input and feedback into this skeleton of the design phase that we had put together. So on May 8th, we had a community meeting in the library where Verdi was able to put together a slide deck and kind of go through the different renditions of the field. And we were able to kind of explain how some of the decisions were made, why some of the decisions were made. Again, always keeping in mind the budget, always keeping in mind accessibility. And really, if you look at this, and I know many of you have not been to our stadium, so you may not know, but the shot put area is the only thing that has been changed from the existing stadium. Because right now, Outside, I should, yeah, so the shot put area is actually located on the other side, in the upper left. You

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can't see it right now because it's covered in grass and weeds, but it is there. And then the discus throws, which you can see, is that number eight there, Tracy? Right in the turf. Right here. Yeah, is that number eight? Yes. Yeah, OK. So right there. So that actually was moved. Currently, we have a very poor design. It's actually not included in the stadium footprint at all. It is outside of the fencing, which creates a problem for supervision. It creates a problem for coaches. We cannot host a real track meet because of it, because you have the coaches who coach the throws in two different locations. And so you can't be in two places at once. So this was also an opportunity to move the shot put area over to this corner, so where we could keep all of the throws in one area to where we have all of the field events happening on one side of the track. The other thought that went along with that is now in that upper left-hand corner, that space will be empty. Again, going back to budgeting, the first kind of ideal dream world situation would be that we could pave it and asphalt it and use it as another PE outdoor space. Because as a reminder, this is also a classroom, not just built for athletics. But if we could pave that area to where we could use it for an outdoor weight lifting facility, we could use it for storage, we could use it for PE classes, we could use it for another rainy day area. And so by making that change of just moving the shot put from one corner to the other, we kind of killed two birds with one stone in terms of supervision for the throws during a track meet and leaving that space open for potential eventual planning and development. So the first actual, because people get caught up in the aesthetics and the colors and what looks pretty to the eye. The first rendering had a blue track with yellow exchange zones. And I agree, the first site, it looks beautiful. It screams like cougar pride. It is everything that we would want it to be. But my first reaction was, what will it look like in five years after the sun gets to it? And so I did some work with Verde. We did some research. And they went back into some projects that they had with blue tracks. They showed me some pictures and really looking at that blue track in five years, it really looks purple, and that's not what we were going for. So we went with a number of different options, again, all based on budget. What can we afford? Having a colored track, that's what we're looking for. We have seen a gray track that looks just like that. It's beautiful. The fading, the UV rating on that is not the same as it would be for a blue track. And so we thought, OK, if we're not going to get blue, let's go with gray. It's still a complementary color. We'll still look nice. If we can't afford that, then the next step would be to remove the exchange zones. And if we can't afford that, then we have to go back to a basic red track. So in all of this planning and all of these pieces, the budget has been very much at the forefront. We know that there are things that we have to sacrifice. And I'll give you an example. One of the conversations in one of the steering committee meetings included the goalposts. Goalposts are very expensive. And so the question was asked, do we want to have new goalposts? And I said, well, yeah, sure we do. Because we're starting brand new, we should start with new goalposts. And then we found out the price tag of the goalposts. And I went back and shared the information with our students and coaches and parents. Again, remember, we're wearing more than one hat in these conversations. They said, no way, Coach K. We can paint them. We can paint them. Let's not do it. I can do it myself. Let's not do it. So I'm like, OK, well, you know what, really? Our community is saying we should save that money and not do it. And then we found out that we actually have to do it based on the footings that are existing versus new footings that would have to be installed. And so at that time, Marie said, OK, Coach K, well, if we have to do it, then what do you want to give up? You're going to have to give up something because we're going to have to pay for these goalposts that we don't really want to pay for. So those conversations happened over and over again. Some of the decisions that were made, again, I was consulting with the people who are experts in it, like our track and field coaches. When we're talking about the jumps and the pits, do we want to have temporary striping? Do we want to have permanent striping? Do we want to have something where the kids will feel a different material under their feet before they take off and land in these jumps? Do we want to just have it painted? Again, go back to what can we afford? Can we afford to be able to do that? Will it be worth the hassle? We know that this project, I mean, our stadium has not been touched since it was built in 1980 something. And so we know that this stadium will be here much longer than I will be around. And so also in my mind, what will give us the longevity that we are looking for in this district? And so that is really kind of like the process start to finish. some of the decisions that have been made, some of the people who have been included, some of the community outreach that has been happening. And you know, you have seen on multiple occasions, we've had plenty of students here that have been involved in the process that want to continue to be a part of the process, that are waiting to hear and see what the outcomes of these meetings are, to where they can answer questions, give feedback, and all of those things. So that's kind of where it's at now.

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And I do want to also say this. I think that if there have been some missteps in any of this, we are also dealing with a lot of turnover. And within the steering committee itself, even, we have had turnover. We've had administrative turnover at the high school for many, many years. And we have had turnover at the district. So we have people now who are no longer involved in the conversation. And so I think sometimes we get ahead of ourselves and make assumptions that this is the fault of someone. But sometimes circumstances are really to blame in any type of missteps or things that happen. And so it's not necessarily a place to put blame on any one person or even any one contractor, I think that, you know, there should be some just kind of understanding that we're all in situations where the circumstances don't always align with what we're looking for or what are ideal for us. And so, you know, I'm always happy to answer any questions that you have of me or you want to know who's included or, I mean, we have nothing to hide in this, right? And so, again, I think it's something that I want to make sure that people are aware this is not some intentional type of hiding of any type of thing. But it is, again, consulting experts on what should the pitch of the soccer field be, right? Why should we make it? Well, we actually can't really make that decision either because we only have the same footprint that we've always had. So working within the budget that we have, I haven't heard anybody say that this project is now \$10 million, but that's where we're at.

▶ [ **Tracy Vackar** ] Your updates on that. We also talked a little bit about timelines. And I just want to reiterate there was a question that came up in the last board meeting about timelines. If they were extended, what kind of planning would have to go into that? We had a conversation today about we would have to make sure that as we approach football season, that if we were to encroach in the football season that we, you know, make allocations. that the district would have to make sure that we help and support the site with being able to either relocate some of their games, whether it be for football or one of the other wonderful activities that goes on over at the high school in the winter season, because it may encroach upon their playing time if we extend it out a little bit longer. So I just wanted to make sure that everybody was aware that that's a piece that we want to come back and make sure that that doesn't really impact This feels so much better that we consider that within our world.

▶ [ **Coach K** ] Yeah, and I want to speak to that a little bit, too, because I know that, unfortunately, again, we've had a lot of moving parts, a lot of moving parts at the high school in terms of just administration and overall ability to plan school. And so, you know, when the conversation came up about, like, what would the timeline be, right? I mean, I don't have experience in setting construction timelines. And so my comments were, we want to start this the first available opportunity. We don't want to, we know there's going to be delays, so we do not want to build in delays for this project. So whatever the first available option is, that's when we should start it. going backwards, right, and again, and this isn't a perfect world, April was the perfect world date that we were given. Now, I know, we all know that perfect world doesn't exist, and so there's going to be some flexibility in that date. That date also just is the best possible date for athletics, but I also understand that we are at a comprehensive high school that includes many different activities. But if you're asking exclusively about athletics, what is the best season to do it, this is it. Because we have already actually changed some track meets to different sites. We have managed some lacrosse games to put them before any potential start date. We have already arranged a football schedule to where we don't have any home games at the beginning of the season, just anticipating delays. Because we know. And again, we are prepared to have to adjust. However, one of the things that I know has become, like the stadium has become a target for graduation. And I do think that we could have handled that a little bit better as well. But we are where we are. And knowing that there are delays and anticipation of delays being made, we will likely have to, no matter what, make some adjustments to our football season. And that looks very different financially, right? So if we have to move an entire football season, which is 10 weeks, we will have to transport our football teams to the opposing school every week. We do not have a bus driver in this district, so we are forced to use a charter bus. This season, our football games cost us, every away game cost us between \$2,800 and \$3,300 each trip. So if you're looking at about \$3,000 per trip times 10, you're looking about \$30,000 of transportation just for football. You're also going, we're going to have to move some cross country meets, right? Which will be a challenge as well. And so we know that when we have to provide transportation to cross country because the numbers of the teams, there's about 100 kids that run cross country. We're looking at about \$1,800 per trip that we have to bus even to Fremont site. So we're going to have additional costs unless

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we hire a bus driver for football and for cross country that should be considered in the conversation. We also, we will lose all of the gate money. So all of the entrance to every football game, we will lose for the entire season. So you're looking at the gate money, you're looking at the snack bar money that we, which is about \$800 every home game. The football gates can range anywhere from \$1,500 to \$2,400 per gate, depending if it's senior night. You're also gonna have to do some planning for homecoming and spirit week. So that will not look the same for the entire student body next year. And again, these are all things that we can work out. I'm not saying that it's, but definitely needs to be considered when you are making decisions because there is a big, huge financial impact on this, right? I do think we could have done a better job with graduation and the development. I in no way want the stadium to be the label or the excuse made for graduation. I 100%, if we can get the kids to graduate at Newark Memorial, I'm totally fine with that. and not fight against it. I just want to know, I just want everybody to know what we're going to have to manage on the back end of that because I think that those details are important when considering all things.

- ▶ [ **Tracy Vackar** ] Thank you. I appreciate your input on that and I appreciate the conversation. Thank you.
- ▶ [ **Aiden Hill** ] Okay, so let's just open it up for, you know, so we've heard information from prior meetings, we've heard information here this evening, and so I think whoever is interested in sharing, please share.
- ▶ [ **Kat Jones** ] I have a question. The UV rating on the gray versus the red, what's the difference in terms of longevity with those? I know there is a difference, but I don't know what it is. I don't either.
- ▶ [ **Coach K** ] I mean, I can't quote it. I mean, Courtney is, like, Courtney from Verdi, she is really the expert. And, you know, again, I've heard project manager a number of times, right? And I think that in this situation, and I think in many situations, actually, the project manager title, I'm not sure if that is always held with one person, right? I mean, I think that I'm like kind of the site person and connection to the community and gathering input. Courtney is most definitely the project manager when it comes to design. My understanding was that when it comes to construction, the district hired RGM Kramer to be the project manager for that. I believe that Marie was the CBO, part of the steering committee, as the project manager for the budget. We could identify one single person. I think that everybody was managing their own piece of the project. But that's a Courtney question that could give you exact numbers on that.
- ▶ [ **Kat Jones** ] So my other question, and maybe it's better for, you know, kind of more of a Tracy question at this point, when we talk about the travel path, which, you know, basically is the curb on Cedar to the field, was the work that's going to need to be, as I was looking through the report, there was a lot of work that was going to need to be made between A and B, the curb to the field. Is that anywhere in the project at this point? And might that be kind of a costly addition because of ADA?
- ▶ [ **Tracy Vackar** ] It will have to... It will have to be done for what the specs are that... The DSA actually called out, and so that's actually now been put into that project piece. There was some things that were anticipated that might go over. So there was actually some planning money kind of put in there from the initial estimate of being in that \$6 million range. And so it's still falling within that gap of what the \$6 million is.
- ▶ [ **Kat Jones** ] And then also, I just want to say thank you. That was an awesome report of all the steps. You were clear. The only, my only disappointment, I think, in terms of community was, had it been posted on maybe Paris of AUSD, which is much more of an elementary site, those families, those parents, ultimately, this is their project, too, because their students are going to be going to the high school. That is the hope. And so that, I would say, was an audience that we missed in the process, because those parents, they do have a right to be a part of and would want to be a part of. When I've talked to parents at the elementary level, they're like, oh, that would have been great, you know, because it is something that they're hoping that their students, their child, will be able to use. Which was unfortunate, but the explanation that you just gave was a fabulous kind of timeline in history, and I appreciate it. I wish I had known it earlier.

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- ▶ [ **Coach K** ] Yeah, you're welcome. And I just, I mean, and I think maybe if Because I think in this conversation and, you know, I watched the board meeting and got many phone calls and messages about what was the status. To me, it has kind of opened my eyes as to, like, we really as a district need to develop what is the standard for community outreach in this district. Right? What is the standard? Because is the standard parents of NUSD? I don't, I'm not a part of Parents of NUSD. You know, and... That's not a district.
- ▶ [ **Aiden Hill** ] Well, Parents' Square could be now Parents' Square.
- ▶ [ **Kat Jones** ] It could now be Parents' Square and just be put out, you know, district-wide rather than just the kind of the high school community. I think that's what I'm saying. That's the only reason I bring up Parents of NUSD because it is, there's a lot of, you know, there's just a lot of, there are a lot of parents, concerned parents that are on that site. Granted, it's not necessarily condoned by the district, but, and Parent Square would have been, but we just recently, you know, updated that in, so where, where and how could we have pulled in the elementary and more the elementary and junior high community family members.
- ▶ [ **Coach K** ] Yeah, and that's a question I have as well, right? Because the rest of this money has been spent on other elementary projects, right? Security gates, playground structures, things like that. And as an elementary parent, I also was not engaged in any opportunity to give feedback for that. So I'm not, again, going back to look to place blame. I'm looking- I'm not either. Yeah, and that's what I'm saying. This has identified, this conversation has identified the need for the district to detail what is the standard for community outreach, what is the standard for, what is the expectation, right, for people to be engaged in conversations district-wide. And so I think that, again, If we're always looking to get better, that's a place where we can start. What is the standard going to be? I think we've got more mediums, too, that we can do that with.
- ▶ [ **Tracy Vackar** ] As you mentioned, you know, Parallax Square, there's other ways. And I think if we, once we have a conversation about potential bond and how we go out talking with our community about, you know, needs and as we work on projects that should a bond ever be passed, those are things that we definitely want to make sure that we really capture. I gotta tell you though, I think for a high school venue to have as many participants, I think really that outreach was really outstanding, just from a high school type level. And I know a lot of those folks probably also have some littles too at home.
- ▶ [ **Kat Jones** ] Sure, yeah. I mean, I was glad to hear there was as much involvement as there was, so thank you for that.
- ▶ [ **Nancy Thomas** ] One of the things I've always wanted to look at whenever we do a project like this is to look at an overall scope. You mentioned the parking lots and fences and some of the things we've done at the elementary and middle school level. And so I've looked at the data as much as I could of what we've done so far. And this is not including this project, because this is coming out of development. But if you look at what we've done and how we distributed the dollars for our bond, it was pretty good. There's one third of our students are at the high school, and about one third of the cost in spending was at the high school. And at middle school, some went less, the elementary schools, but I thought it was pretty well distributed. So I think whenever we are looking forward, and if I had been involved earlier, I would have asked that we look at the developer fees and have an overall budget for the developer fees that really scoped out what are the priority needs, especially if there's safety involved with safety, and what are those priority needs? make sure that we have an overall plan for the full amount of the developer fees, or if we go out for a bond, that we have an overall plan that is equitable. And that really, because I think what we've, the high school is built in the 80s, but most of our schools are built in the 60s. We're running into a lot of problems with mold, and leaky roofs, and I would like to see the overall budget. I would like to see the overall prioritization. I would like to see the big chunks identified early on Your presentation, it really gives us a lot of history about how we got to where we are. And I think the main thing now is, OK, here's where we are. How do we go forward? And just things like you mentioned about the cost in the fall. And I think most of the cost is a very small percentage of the overall project cost. But in terms of the inconvenience, and having to reschedule where you play and where the students have to travel. I think that's a



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big burden. Hopefully, in the end, with class A new fields, you'll look back and say, OK, it was hard, but it was worth it. So those are my comments.

- ▶ [ **Carina Plancarte** ] And my comments are thank you again for that very detailed and in-depth explanation about the process and how it all went. And again, not pointing any fingers at anybody. I don't think anybody really is at fault. You're right, there's been a lot of change over here in the district. I think this is exciting for our community. You know, I think it's great. I also want to, you know, just piggyback a little bit on what Kat said too. I think that As a district, really, we need to have these conversations, and we do need to set a standard about the communications plan, and how it's rolled out, and how it's involved, and really think through who it's impacting. Because as you mentioned, there's things that happen at the elementary level where maybe the upper grade level parents don't know about. And I think that's really we have to set a standard because this has been an issue. The lack of the additional communication to ensure that we, you know, the community is really supporting this because, I mean, these are taxpayers' dollars at the end of the day. And, you know, I want this district to be successful. I want us to come out ahead. I want all of these great things here for our students and for our community, but the reality is that It is concerning when we have a project like the HVAC project where it is costly and certain things were not looked at more carefully to ensure that these projects do run successfully because, right, we have a problem with our aging facilities. I mean, it gets really concerning. we're going to have to make sure that we get the backing from the community. And this doesn't you know the track and field includes things like this right includes our you know, our cafeterias right. I mean, it's just we have to really think through all of these things and I want to make sure that we do get the backing from our community because we are going to be asking for more money to that the community will say, absolutely, you are asking the right questions. You are making sure that you're providing fiscal governance with the money that you're spending on these projects and that we do them well and we execute them because that really says a lot. And I really think that this can help bring our community together. So thank you so much. I mean, everything was great. And I just wanted to also just to clarify you did work with, or not you specifically, but the question was asked to work with the city of Newark and to look at the process that they did with the Silliman Center.
- ▶ [ **Coach K** ] Was that, just for clarifying. So I wasn't asked to do it, I just did it because we were kind of, I mean it can be very overwhelming, right, when you're looking at like all of the options for turf and all of it. I mean, the thickness of the track and what coating is going to go on it and all of these things, right? So, you know, we identified this element center as kind of like something that we would like to investigate. And so I reached out to the city of Newark and asked about where did you start, what did you get, right? And they also used Verde and then they also shared with me their plans and how they did that in just their infill and kind of what it looks like.
- ▶ [ **Tracy Vackar** ] And these types of fields are becoming the standard, right? So we're seeing them all over the place. Our students are playing on these fields when they're competing. So we've got a lot of neighboring school districts. And I've reached out to many of their CBO and facility managers to chat with them about the products that they're using and what works, what hasn't worked, what's been some of their experiences. And also, I think when we go to, go out for bid. I think, you know, talk with our colleagues here in the local areas to who they've used as being part of the vetting process will be really important too.
- ▶ [ **Coach K** ] Yeah, and I just remembered something when I was talking about the thickness of the track surface. When you're talking about the UV ratings, there is a coating that goes on top that we did request and put into the budget because it will extend the life of the track. And so it is kind of a protectant. I mean, that doesn't necessarily give you the number you're looking for. Right, right. But there is that option.
- ▶ [ **Kat Jones** ] So the question that I have is, is this the mid-range? Like, it goes red, this, and then the blue in terms of cost?

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- ▶ [ **Coach K** ] Or is this the most expensive? This is the most expensive. The next one would be basically the same track. But you see the blue exchange zones? Yes. the yellow triangles, you would eliminate those blue exchange zones and the entire track would be gray with the yellow triangles. And then the third option would be the red track.
- ▶ [ **Kat Jones** ] OK, so this is the more expensive. Do you have any idea what the difference is between the cost of the red versus this?
- ▶ [ **Kadie Eugster** ] They already gave us that.
- ▶ [ **Kat Jones** ] Yeah. I didn't think there was an actual cost to that.
- ▶ [ **Tracy Vackar** ] I want to say it was a few hundred thousand dollars.
- ▶ [ **Coach K** ] It was about \$100,000.
- ▶ [ **Kat Jones** ] I didn't remember seeing that, so I just missed that when I was looking.
- ▶ [ **Tracy Vackar** ] As a matter of fact, it was enough that I'd say I would be interested in maybe looking at an even better standard just because of our weather conditions. Got it.
- ▶ [ **Coach K** ] Okay, thank you. I appreciate it. It was about \$100,000, but when we were having these conversations, it was going down to You know, I think students especially were looking at it as if they were spending their own money. And so, you know, there is like kind of the ideal pie in the sky of what can we do, and then there is the reality of what can we afford. And then there is also the reality of like we do not want to spend this much money on a project And then it is paid for something that's not a good product. Right.
- ▶ [ **Tracy Vackar** ] Oh, absolutely. And knowing that it's been so many years since we've invested in our track. Right. I think now is the time to make some of those investments.
- ▶ [ **Kat Jones** ] I'm just curious if there is a, you know, was it a 400,000 difference or a 100,000 difference? Because that's important. It is important. I mean, you know, that potentially a difference pays for some other chunk. We are past our time.
- ▶ [ **Aiden Hill** ] I understand. So are there other comments?
- ▶ [ **Aiden Hill** ] Okay, thank you very much.
- ▶ [ **Aiden Hill** ] Appreciate it.
- ▶ [ **Aiden Hill** ] Okay, so let's conclude the study session and let's return to the dais and we will get ready for a closed session. Okay, so we're moving on to section three, public comment on closed session items. And I don't think that we, I'm sorry, did we miss something? I sincerely apologize. So, Mr. Fink, I'm sorry, I missed your comment. Would you like to come forward and share your comment, please?
- ▶ [ **David Fink** ] This is in respect to the study session just now? Correct. Yes. So I'll be brief. That was very good. I'm glad you guys did that. I would really be interested to see you guys do the same thing with Verde. There's a lot of questions you have. I wouldn't expect the coach to answer. But I am very much will echo the previous gentleman's comment. I am glad to see you guys taking this time. This is a huge project. I really think the district lacked the expertise to enter into this project, that they might have chosen the wrong experts to assist you. That's behind us. We can't do anything about it now. But we can move forward. And we can move forward

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by looking for other experts who can help us. So I just encourage you to continue doing that, asking the important questions. And I would make one note. If we do have to suspend the football season, it's five home games, not 10. So we always play five away games and five home games in our 10-game season. But it is an important thing. So we need to be looking at a \$15,000 additional cost, not 30. That's important to note. Anyway, I just do appreciate what's going on. There's a lot of questions to be asked. We could spend a lot of time together on this. But thank you for that, and I'm glad you guys are doing it.

-  [ **Aiden Hill** ] Thank you, Mr. Fink. Ms. Eugster, we're now in public comment on closed session items. Did we receive any? Okay, we did not. Great. Okay, so we're going to be recessing to closed session. And in closed session, we're going to be discussing 4.1, public employee appointment, employment discipline dismissal release, appointments, director of fiscal services, director of information technology. And then 4.2, conference with legal counsel, anticipated litigation, initiation of litigation pursuant to 54956.9C, two cases. And then finally, 4.3, student expulsion, Ed Code 48918. So recessing to closed session. Thank you.
-  [ **Aiden Hill** ] this meeting to order at 7 30 p.m. open session so agenda item number five report of closed session actions so we have two things to report so the first the first action action taken under government code 5 4 9 5 7 in closed session under the agenda item 4.1 public employee appointment Employment Discipline Dismissal Release. The board took action to approve the employment of Jenny Lee Penaflo, Director of Information and Technology, Salary Range 128E and Vicky Chang, Director of Fiscal Services, Salary Range 135E. The employment start dates of the employees will be negotiated with the Deputy Superintendent of Business Services. The motion was made by Vice President Jones and seconded by Member Thomas. And voting in favor were Member Thomas, Member Plancarte, Member Jones, and Member Hill. And voting nay was Member Nguyen. And I don't know, Member Nguyen, if you want to provide any commentary.
-  [ **Phuong Nguyen** ] Yes, I would. So, in our meeting on June 6th, February 6th. Our superintendent concluding comments. She stated that the financial outlook of NUSD was very clear. The cuts would happen at management level and be kept out of the classrooms as much as possible and wouldn't rehire until a reorg chart is available. Has to be transparent about how to meet the cuts that are needed solely using attrition. Can't serve kids if we are not fiscally responsible. So I'm not opposed to hiring these two new positions. Let's just be clear. But what I am opposed of has been the process and the procedures that have been taking place. We have not had a clear study session or meeting to present a budget reduction plan. It is on a staff report tonight, but as you can see, there's no attachment to it. So I don't even know what's happening right now or tonight, what's going to be on the plan. But those are the concerns that I have. Our process as a board has not been transparent. Normally there would be a study session to and a budget reduction plan would be presented. And then obviously, at approval of a resolution of the items or positions that are being identified, which is also on here tonight. But I noticed that and I know that staff, not staff, but community members have come up to me and told me specifically that there were layoff notices that were or employees were being called in to let them know that they're going to be laid off. but again these positions I Feel like we're doing it backwards. We should be having a reduction plan We should be having a discussion in open session so that it is transparent to the community and so that we are talking consistently about what positions and identifying what positions that Are currently unfilled that we could cut first or and so that we can make a proper plan then so that when it's time to these resolutions come you know yes obviously positions are tied to employees but it isn't quite a shock right and we haven't done that and so therefore I was not I'm not in it I'm not in favor of approving two positions that we desperately do need but without proper planning so thank you
-  [ **Aiden Hill** ] Thank you member Nguyen. The second action that the board took was action taken under government code 54957 in closed session under the agenda item 14.9 public employee discipline dismissal release. The board took action to approve the district service and of notice on employee ID 4499 that the district is exercising its authority to non-reelect the employee under education code section 44929.21. The release and reassignment will be effective at the end of the current school year. Motion was made by member Hill and was seconded by member Thomas and the board took a unanimous decision in support of this action. Thank you. Okay. So moving on to Agenda Item 6, Reconvene to Open Session. So can we all stand and 6.1, say the

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Pledge of Allegiance, please. OK, 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. OK. And section, agenda item 6.2, meeting practices and information. And so allow me to read this very quickly. Greetings, everyone, and thank you for joining. 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 are able to conduct the meeting effectively and efficiently. During the meeting, there will be time for the public to comment on matters not on the agenda. In addition, members of the public may comment on specific agenda items after I, as the board president, ask for public comment on an item. Until it is your turn to speak or if you are here just to observe the meeting, Please refrain from any behavior that prevents others from participating in the meeting. This includes any conduct that prevents members of the board, district staff, or the person making a comment from speaking. We also ask that when you are called upon, you address only the board. While we assume that members of the public intend to participate in the meeting in a civil matter, and while legitimate criticism of the board is protected speech, per board bylaw 9323 and government code 54957.95, we will not permit actual disruption of the board meeting. Disrupting means engaging in behavior during a board meeting that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting. Actual disruption by an individual or group or any conduct or statements that threaten the safety of any person at the meeting shall be grounds for the president to terminate the privilege of addressing the board and remove the individual from the meeting. Prior to removal, the individual will be warned that their behavior is disrupting the meeting and that failure to cease the disrupted behavior will result in removal. If after being warned, the individual does not promptly cease the disrupted behavior, the board president will ask that the individual be removed. Thank you for your attention to these protocols, and we look forward to your participation in our meeting. OK, so moving on to item 7 and 7.1, approval of the agenda. So does staff want to pull any items here?

- ▶ [ **Tracy Vackar** ] Staff is requesting that we move 14.6, 14.7, 14.8, and 14.9 after the public comment on agenda items. OK, so after public comment.
- ▶ [ **Aiden Hill** ] OK, it's Member Thomas.
- ▶ [ **Nancy Thomas** ] I would like to move 10.1, after 11.2.
- ▶ [ **Aiden Hill** ] You want to move 10.1 after 11.2? Yeah.
- ▶ [ **Aiden Hill** ] OK.
- ▶ [ **Tracy Vackar** ] There are no superintendent comments tonight for 10.1. Should we just pull it?
- ▶ [ **Nancy Thomas** ] Yes, please. I'm sorry. Just pull that one.
- ▶ [ **Aiden Hill** ] OK. OK, great. Member Nguyen, did you have another one?
- ▶ [ **Phuong Nguyen** ] No, it was the same one. It was the same as Member Thomas. We're aligned tonight. Just kidding.
- ▶ [ **Aiden Hill** ] OK. OK. OK. And let me make sure that I understand CV of a car. So are we pulling 14.6, 14.7, 14.8, 14.9? We're moving them up on the agenda after 11.2. OK. Okay. So, can I get a motion? Well, you know, it's probably easier just for me to do it. So, I make a motion that we adopt the agenda with the modification that

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we move items 14.6, 14.7, 14.8, and 14.9 after 11.

- ▶ [ **Kadie Eugster** ] Is it after?
- ▶ [ **Aiden Hill** ] After public comments. Okay. There we go. After public comments. Can I get a second? I'll second that. OK. So President Hill motions, and Member Thomas seconds. Can we get a roll call vote, please?
- ▶ [ **Joy Lee** ] Here.
- ▶ [ **Nancy Thomas** ] Here. Oh, yes. No, no, no.
- ▶ [ **Aiden Hill** ] It should be yes or no.
- ▶ [ **Phuong Nguyen** ] Yes or no.
- ▶ [ **Nancy Thomas** ] Yes. Yes. Yes.
- ▶ [ **Phuong Nguyen** ] Yes.
- ▶ [ **Kat Jones** ] Yes.
- ▶ [ **Aiden Hill** ] Yes. All right. Motion carries. Okay. So, moving on and then CBO Vaccaro, if you could just help me if I do forget to make sure that we follow the correct order. Okay. So, moving on to 8.1 Bridgepoint High School ASB President Ashvin Prasad and is Mr. Prasad in The house? OK. Come on up.
- ▶ [ **Ashvin Prasad** ] Hello. Thank you for having me here again. I very much appreciate it. And thank you for the title of ASB president.
- ▶ [ **Aiden Hill** ] Did I tip? I'm sorry. Did I give you the wrong title?
- ▶ [ **Ashvin Prasad** ] Oh, no, no. I appreciate it. I like that one.
- ▶ [ **Aiden Hill** ] We believe in making appointments when we can. OK.
- ▶ [ **Ashvin Prasad** ] Thank you. Thank you. So we would just like to give another update, as we did last time. Tomorrow, we'll actually be having a leadership-wide event, where we'll be taking a trip over to UC Berkeley. It's kind of like a seminar. They're going to have workshops there for us to gain some experience, help us further get more skills for our career, as most of us on leadership are seniors or juniors. We're closer to adults and getting ready to go out into life. So it's a lot of just college skills. We're also going to be hosting some events in support of our LGBTQ plus members, just something so we can get the community together so they can understand more about it, maybe make some people feel more comfortable about it so they can express the way they want to be. We'll also be having an event in support of our disabled members of our community to be able to have people understand the hardships that they have to go through so people can understand their feelings and how they live their daily lives. And now I'm going to hand it momentarily over to my leadership colleague, Vanessa Infante. This is her first time speaking, so.
- ▶ [ **Vanessa Infante** ] Welcome. Hi. As my team member introduced me, my name is Vanessa Infante, and I would like to thank you all for giving us a platform to speak today. We join leadership at the same time and quickly have come to appreciate all the work our advisor, Ms. Janay Shepard, has put in. As for other campus

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events, we have planned a trivia game for everyone in support and representation of Women's History Month. In terms of leadership, we will be taking a trip to the Great Malls LEGO Experience to build synergy between our old and new 2P members. Thank you all for this opportunity and I'll be handing it back to Ashton for closing announcements.

- ▶ [ **Ashvin Prasad** ] So again just as we both stated I'd like to thank you all for having us here and I was just wondering if maybe you guys had any questions we could answer.
- ▶ [ **Aiden Hill** ] Questions from the board
- ▶ [ **Nancy Thomas** ] I'll just thank you very much for coming.
- ▶ [ **Aiden Hill** ] OK. Thank you. Thank you, guys. Thank you very much.
- ▶ [ **Joy Lee** ] Can I say something? As they stated earlier, happy Women's Empowerment Month, everybody.
- ▶ [ **Aiden Hill** ] OK. And I have a point of clarification that maybe the board can help me with. And so student member Lee had come to me right before the meeting. Mentioned that the Newark Memorial High School ASB president is here and would like to make a comment and so I'm wondering if under this agenda item which is Really student report whether we can permit this student. Okay, so Mr. Tavares, why don't you come on up?
- ▶ [ **Shane Tavares** ] Good evening board, superintendent, community members, and NUSD families. My name is Shane Tavares. For those who may not know me, I am the ASU president for Newark Memorial High School and hopefully bring some positivity to this meeting. I came before all of you this evening to formally invite the entire community to the Cougar Event Center at NMHS next Friday, March 15th, to our annual Hats Night Rally. Doors will open at 6.30 p.m. and the student performances will start right at 7 p.m. General admission is \$5 and all NUSD students are free. For those that never heard of it or are new to the district, HATS stands for Hands Across Time and Space. It's our annual event that showcases and celebrates the many cultures that enrich our Newark community. HATS to me is tradition that our student body has produced for many years. Also, it's the one time of year where I feel so much pride living in the Newark community because this event brings the entire Newark Community Together, where we can all celebrate our many differences and we have both on our campus and in our community. As it stands, we have 11 performances during this year's event, which includes Creators University, Drama, Filipino Student Union, K-Pop, Portuguese Student Association, Mecha, Muete Flacorico, Polynesian Club, South Asian Student Union, Vietnamese Student Association, and a poem that was written and being read by a student from our senior class named Sophia. We feature two assemblies, one for all NMHS students during the school day and the other in the evening for Newark community. I would like to note that this event is geared for all ages and it's amazing family event and I hope many of you can come out and support our students that have worked hard the past couple of months creating routines and practicing for their performances. This year I'd like to highlight what the NMHS band and choir is having a concert titled Love Story. Get ready for love, heartbreak, and romantic drama in the music pieces they will perform. This concert includes a dinner, dessert, refreshments, and a raffle where you win a gift basket from the choir or the band along with others. I highly recommend you to buy your ticket for March 9th at 6 p.m. As well as those fun activities, our Newark Memorial NASA SLI team is continuing in design, revise ideas, and rebuilding rockets to compete for a NASA student launch initiative. However, they need our community's help to get there. If you have not heard already, they have launched a GoFundMe aiming to raise \$25,000, which is a lot of money. So far, they have raised around \$11,000, but they still need \$13,199. So you can find them on their Instagram at Newark Rocketry Project or their Linktree, which is found in their bio, [www.linktree.com/slash/NewarkRocketryProject](http://www.linktree.com/slash/NewarkRocketryProject). and find the link to donate to their GoFundMe. Thank you for your time and I hope to see you all there. Thank you.

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- ▶ [ **Aiden Hill** ] Thank you, President Tavares. And any questions from the board?
  
- ▶ [ **Joy Lee** ] And then I also wanted to comment that our boys soccer team, a huge, huge shout out to our boys varsity soccer team. who, as of last Saturday, are the CIF Division III NorCal State Soccer Champions. Yay! So in all of NorCal, our school's boys' soccer team has won.
  
- ▶ [ **Aiden Hill** ] Other questions from the board? Questions, comments?
  
- ▶ [ **Carina Plancarte** ] You did a great job on that report. Thank you for being here.
  
- ▶ [ **Aiden Hill** ] OK. All right. Thank you very much. OK. So moving on to employee organizations. So 9.1. So CBO Vakar, do we have anybody from NTA? Yes. Yes. There we go.
  
- ▶ [ ] There she is.
  
- ▶ [ **Aiden Hill** ] OK. Welcome, Ms. Villa
  
- ▶ [ **Cheri Villa** ] Good evening school board and CBO Vackar. My name is Cheri Villa and I'm president of our Newark Teacher's Association. First, I would like to, again, same as last year and the year before, when it comes time to talking about the budget and creating the budget, compensation for our teachers is, again, not included in the plan. You know, it's about We need to, aside from the facilities like Mr. Berg announced at the last meeting as a priority, keeping our teachers that we have here, not just recruiting and getting new teachers, but keeping the ones that we have. It has to be a priority in our budget. We need the facilities, yes, but we need our teachers. The last two school years, we had resolutions for reduction. in over 40 FTE positions for certificated teachers, over 40. So yes, we didn't do that this year because of attrition and resignations, but we're still feeling the effects of those 40 full-time positions that we lost before. We need teachers in all of our classrooms. We still have 17 openings that are filled with long-term subs. The teachers that we have deserve to be compensated. not just with our salaries, with the working environment. Our SEAL coaches deserve to deliver, to teach SEAL, not just at their sites, but to all school sites. They deserve it. Our boys' soccer team that Member Lee pointed out, our coaches, our NTA members, they deserve a good grasp to play on. Our classroom teachers deserve Subs, they deserve the time to go to professional development. Our teachers are just as deserving as our facilities are. And it's a shame that we don't include that in our plan to build the budget. So, in the second interim, two things that were in there that I'd like to point out. Number one is the committed funds. NTA is officially requesting information on \$4 million that we're committing to spend on curriculum this year? We would like the information on where is that going to? What curriculum are we buying for \$4 million this year? That's the projected spending. And the other thing that's just alarming in the second interim is how much we're paying for contracted teachers. We were averaging \$4 million. Now it's projected to be \$20 million on contracted teachers. \$20 million, a 1% raise for NTA is estimated at \$255,000, 1%. And we're spending \$20 million on contracted teachers. Our teachers deserve that. Now, when we're creating our budget, I don't know, this is just an idea. I mean, FITMAT came in three times since 2017. And our previous administration, our previous board, I guess, We did some of the suggestions that they said we needed to do. So when they come again, I mean, it might be a good idea. We're spending the money for FITMAT and their suggestions. We need to be doing those. So again, NTA is officially requesting the itemized plan for curriculum money this year. And with that, what the resolution or the proposal for our sunshine letter for negotiations is we're officially submitting our sunshine. So I got to read that to you.
  
- ▶ [ **Tracy Vackar** ] So we have you in a public hearing for the sunshine.
  
- ▶ [ **Cheri Villa** ] Should I read it now?

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- ▶ [ **Tracy Vackar** ] You have a different item. Item for your sunshine, we have a different item actually listed. Okay, I can wait.
- ▶ [ **Cheri Villa** ] Okay. Okay. So again, our teachers need to be confident. We need to keep the teachers that we have. School districts are taking full years of service. So conversations are happening that I didn't even realize are our veteran teachers, 25 years plus, they can take all those years with them to another district. And giving up seniority when you go to another district, yeah, but we have teachers thinking about life after teaching. They're gonna be retiring soon. We need to keep our veteran teachers a goldmine of information. Our new teachers, I question if we're properly supporting our new teachers and giving them the chance to develop their skills and learn how to be a teacher. Again, we need to keep our teachers and not laying anybody or not giving anybody notice and doing it through attrition. OK, but that's not that's not an answer.
- ▶ [ **Cheri Villa** ] Thank you.
- ▶ [ **Aiden Hill** ] OK, and if you could hold on, just hold on just one second. And so so thank you. Thank you, Ms. Villa. And then you raised a couple of questions. And then I just want to give CV of a car an opportunity if if If it's brief, if it's possible, do we have any additional information about the \$4 million in committed funds for curriculum? And then I think that there was also a question about the contracted teacher amount. Or is this something that you want to cover during second interim?
- ▶ [ **Tracy Vackar** ] I'd like to cover it during second interim with regards to the committed funds. And I would also like to just get clarification from Ms. Villa with regards to the \$4 million, because I'm not seeing that.
- ▶ [ **Aiden Hill** ] Four million for the curriculum.
- ▶ [ **Tracy Vackar** ] For the curriculum. Take a look at it here while we're... Okay.
- ▶ [ **Aiden Hill** ] Okay, great. Okay, thank you Ms. Vela. Okay, thank you. All right, so next is CSEA.
- ▶ [ **Aiden Hill** ] Okay, all right.
- ▶ [ **Amanda Goliher** ] Good evening members of the board and eCabinet. My name is Amanda Goliher and it's my privilege to be here this evening to speak on behalf of NEWMA, our Newark Management Association. I am here to draw your attention to three pressing concerns that our members have brought to our attention. These issues are critical to the success of Newark Unified School District and addressing them will ensure the delivery of quality education to our students. Our first concern is the escalating number of open positions with the district. The high number of vacancies is adversely affecting the continuity of a robust educational environment and placing an undue burden on the existing staff. We urge the board to take swift action in implementing effective recruitment strategies to fill these positions. Our second concern is a temporary leadership by interims. This situation has resulted in the lack of stability and a disconnect between leadership and the dedicated members of our educational community. We strongly advocate for the appointment of leaders who are genuinely invested in the success and well-being of NUSD, our students, our families, and our employees. Our third concern is the lack of communication and transparency due to the personnel shortage. Timely and clear communication is vital for fostering a collaborative and healthy community. Insufficient staffing has hindered our ability to disseminate important information, leaving our members feeling uninformed and undervalued, despite expressing a willingness to collaborate. We request the board's intervention to address the issue promptly, implementing measures to improve communication channels and transparency. We believe that addressing these concerns will create a more stable, supportive, and thriving educational community. We appreciate your dedication to the success of NUSD, and we urge you to take immediate action to resolve these pressing issues. Thank you for your time and attention.



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-  [ **Aiden Hill** ] Thank you, Ms. Gallagher. Okay, and CSEA?
-  [ **Maria Huffer** ] Good evening. Bear with me, it's a little long. So good evening board members, executive cabinet, NUSD staff and community members. Year after year after year, we find ourselves standing here facing the board trying to figure out why the employees closest to the students are being cut. Cutting a position that keeps our equipment working so our grounds workers can mow their fields, can mow the fields. our kids play on and keep the buses maintained so our field trips are safe, among many other safety issues, including playground equipment. Cutting a library staff member, which is the direct conflict with the budget task force presentation sent to the community, which was question number four, what programs must be funded, bullet point number three, library reading programs. So here we are. I keep hearing over and over that the Newark schools are where parents should enroll their children. The NUSD has the greatest employees, but this board and the revolving leadership show us differently time and time again. Here we are talking layoffs regarding the exact same employees the district calls great. What's going to happen when there isn't any of us left to cut? Where's all this work going to go? Our staff is already working with the impossible. I'm clearly missing something. I've heard over and over in the last few board meetings the district is going to right-side right-size the budget. But we all know that that's going to happen off our backs. District states that we are going to start making those tough decisions and make cuts starting with the top down, just to find out that the district is creating new positions at higher pay or filling positions that employees have resigned from with bigger, better dollar amounts, bringing in many consultants and interims at high cost in this district. And let me add, rude, unprofessional, and outright disrespectful towards our staff. How is this saving the district in right-sizing the budget? Why continue to increase the pay in these positions? I thought the district was making the tough cuts. It doesn't mean let's hire at 13,000, 30,000, 25,000 more than the last hire. These top-heavy positions continue to increase year after year, but our hardworking staff that educate, clean, run, maintain our schools, have to fight just to make ends meet so that we can pay our bills and put food on the table for our families. Classified staff and teachers always seem to pay the price for the continuous neglect and poor decisions the board has made, not paying more attention, asking the necessary ugly questions of the district and how did we get here, constantly just voting without really asking the ugly dire questions and given the opportunity for further discussion to make sure it was well thought out. But then, in the same breath, ask how something got past them. If we don't ask the questions, you won't receive the answers. Isn't that what we teach our students? Here we are in March of the school year, working hard, like always, to get to the end of the school year. And our morale has not been the best. But we are committed to this community, and we are here to keep this district running. Many of our employees have been worried with the constant talk of layoffs and the interim management interim management all year. No one deserves to be laid off by the board and administration. We are worried about the future of this district and the direction we are being taken by the board. We have seen turnover in all our top leadership positions, and we are quite concerned about the consultants and interim appointments that have been made in the past few months. We wonder which of our caring leaders will be gone next. Yet, we are still running our kitchens, cleaning our classrooms, maintaining our grounds, running our offices, and assisting Newark students. It really makes it extremely hard for us to put trust in the hands of the board and the administration with the constant poor decisions that have been made over the current and past few years. The morale of our employees at many sites is extremely low and reflects directly at those sitting on the dais. There is clearly an atmosphere of retaliation for those who speak against the administration agenda. and or members are scared and not willing to speak publicly. As a reminder, I want to further address NUSD gossip. It saddens me to hear of the serious behavior and how it creates an uncomfortable and hostile working environment for all. This behavior can have significant impact on employees' mental well-being and cause employees not to perform their jobs effectively. CACA takes these matters, Seriously, I want to ensure that all NUSD employees are safe and continue to work in a healthy, harmonious workplace. If you are an employee sharing gossip, speaking badly of others, or playing telephone without knowing the facts, you're only contributing but not supporting this behavior. As president of CSEA in Newark Chapter 208, I ask that we all refrain from speaking badly, gossiping about other employees, and casting judgment Please be respectful and refrain from sharing information that has no business being discussed or shared with others, whether it be true or not. Confidential information seems to be part of this bad behavior. This information is supposed to be confidential. But how is this being leaked throughout the district? NUSD staff all




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deserve to come to work without wondering if they are the topic of discussion for that day. We are still hanging on to hope. for future of Newark Unified. We expect to become a trusting, nurturing, and happy environment once again for our students and staff. Let's be the district that our employees want to come to and work without worry, where our community parents want to bring their children to learn and be proud to later in life reflect on the good years they attended Newark Unified. I know we can be this district. Thank you.

- ▶ [ **Aiden Hill** ] OK, thank you very much. We're going to move on to, I'm sorry, so we've pulled superintendent report. So now we're going to go to 11.1, public comment on non-agenda items. Are we moving the other one?
- ▶ [ **Tracy Vackar** ] We're not.
- ▶ [ **Aiden Hill** ] We're doing public comment first. OK, perfect. OK, so public comment on non-agenda items. And let me just read quickly, again, the protocol so that people understand. I'm sorry, go ahead, member Nguyen.
- ▶ [ **Phuong Nguyen** ] I know earlier during the study session I had asked that we extend the 20 minutes.
- ▶ [ **Aiden Hill** ] Yes, so I'm going to speak to it. Thank you. I'm going to speak to it.
- ▶ [ **Adam Bauer** ] There's an open 9-1-1 carrier at someone's cell phone.
- ▶ [ ] Can you guys check your cell phones?
- ▶ [ ] What's the question? Sorry to interrupt. 9-1-1.
- ▶ [ **Tracy Vackar** ] Someone called 9-1-1 from their cell phone. Where are you? Thank you. OK. All right.
- ▶ [ **Aiden Hill** ] So public comments on.
- ▶ [ **Aiden Hill** ] non-agenda items. 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 I'm going to read what we say here, but I'm going to make a clarification. So what we say here is the board will limit the total time for public input on each agenda item to 20 minutes. And so although there's a little bit of confusion around whether this was in the bylaw or not, but we, at the beginning of this meeting, we agreed that we were going to extend it to 30 minutes. So what that means is that, so non-agenda items is an agenda item. And so we have a total of 30 minutes for speaking time. And as I count up the number of people who submitted speaker cards, we have eight. Times three so what it's going to be about 24 25 so I think that we should have sufficient time to cover that. So these, and just so that people understand kind of the logic behind this, so 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 the 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. And then again, just a clarification, this has come up in prior meetings, but to make sure that everybody understands, 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 then finally, 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, I'm calling first person Brandi Wecks.

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-  [ **Brandi Wecks** ] Hi, I'm Brandi Wecks, and I teach at Coyote Hills Elementary. In my 16 years as a teacher in Newark, my sites have had an intervention teacher paid primarily from site funds. At Graham, and then at Snow, and in the transition to Coyote Hills, we prioritized this position. We tried different teachers, identifying different students for support, and trying different teaching arrangements, but none of these made the impact that we were looking for. Some intervention teachers in this district have been used to provide English language development. Schools did not have the training or the resources to address student needs in the classroom, as is required in the ELD standards, and used intervention teachers to segregate students for separate learning. This is illegal, and it violates the civil rights of those students. SEAL provides our site with these supports. Every year, I have seen the consistent practice of intervention teachers being asked to provide support in other areas of the school. Most often, they're reassigned as a substitute teacher for another class when one cannot be found. Intervention teachers have also been responsible for a large portion of LPAC testing. The task of testing takes extended periods of time for small group and one-on-one assessments. Every day that our site's sole intervention teacher was subbing or testing, the services that were promised to a student or to their parents in an SST or to their teacher were denied. This happened for weeks and months of every school year. Last year, our instructional leadership team saw this happen once again. We discussed options with our administrators, staff, and parents on the site council. It was agreed that we would try a different model. Instead of one credentialed teacher, we instead used site funds to hire three bilingual paraprofessionals. All three provide direct student intervention daily. In addition to small group support with students, they provide translation and interpretation services, as well as behavioral support. Now, with an additional team of retired teachers, these staff members are completing our LPAC testing, taking the testing time from months to weeks. The data that is being used to justify these budget decisions is from the 22-23 school year, when Coyote Hills had a full-time intervention teacher. However, with our new model, more students are receiving services more consistently. It appears the current administration is unaware of these successes. Our staff has not been consulted on the needs of our site. If you move forward with dismantling the current TOSA team and creating these intervention positions, who is going to teach them? We have classrooms without permanent teachers. Teachers who are not tied to classrooms have been used all year to fill the gaps left by poor leadership. They have been disrespected, threatened with retaliation if they speak out, and left with unknown futures. In the current climate, it would be difficult to support any teacher risking their career by taking a newly created role under this administration. It is not safe. Will these positions be held by brand new teachers who lack the experience to meet the needs of our most at-risk students? Will they be constantly pulled to fill positions across the district? This is not the answer our students need. And we request you cut this deficit in other ways than by eliminating TOSA positions that we need and creating new positions we have not asked for.
-  [ **Aiden Hill** ] Thank you, Ms. Wex. So next is Brianna is that occur acre Okay
-  [ **Brianna Aker** ] Thank you. Hello. My name is Brianna Aker. I teach kindergarten at Coyote Hills Elementary School. You've seen me here speaking before, and I'm here again to advocate for my students. I'm speaking today to express my concern over the release of our four TOSAs and what appears to be a plan to have a new intervention teacher for each site. For reference, in the memo released, it was noted that technology, math, and two ELA TOSAs were released. That's inaccurate. We don't have ELA TOSAs. Our two TOSAs were ELD, English Language Development, specific support for our emergent bilingual students. I know that our district is in a funding deficit. I'm fully aware of the fact that we need to be smart about where we put our money and that we need to make cuts. But we need to make those cuts smart as well. I'm worried there's a fundamental misunderstanding about the funding of our TOSAs. Three out of four of our TOSAs were funded through a grant, not our general fund. A grant that could have been renewed if there was anyone left in educational services to continue with that process. Our fourth TOSA is funded with Title III funds, funds restricted to EL support and money that cannot be used to fund a classroom teacher. Part of these restrictions are that the funds must be used for continual professional development in which it specifically states it cannot be used for one day PD session. I encourage you to take a detailed look at these restrictions so that we are not in violation. With the release of our four TOSAs, my question is that what are we going to be doing with those Title III funds? If the plan is that there's to be an intervention teacher at each site, we would not be able to use those funds for that. I

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think it's misunderstood how inequitable the model of one intervention teacher per school site would be. My school site is 33% multilingual and Schilling is 39% multilingual. That's many, many more students who need ELD support as well as the immense amount of time it takes to proctor the ELPAC testing. If we choose one intervention teacher per site, their workloads would differ drastically and what is equal is not equitable. In the state of California ELA and ELD framework, each classroom is required to have both designated and integrated ELD. This is mandated for each teacher in the state. Integrated ELD is support provided in a whole group setting, while designated is scaffold small group instruction to assist in emergent bilingual students in accessing content. Out of our given curriculum, two have integrated ELD components, and we have nothing provided for designated ELD. SEAL strategies have given support to designated and integrated ELD to be productive and successful at Coyote Hills and Schilling. We bring this to a board meeting because it's the only place I feel like someone might be listening. It feels as though so many decisions are being made, but nobody is asking the teachers, the ones who this will directly impact, about their opinion. It was stated by the superintendent that she needed to consult with the SEAL teachers. When was that going to happen? One of the most important ideals to me is assuming positive intent, and I do that very consistently, and I always will do that. I want to assume that the decisions being made this way is because there's a lack of knowledge and understanding, and I would love to help clear things up if given that opportunity. There's only so much I can get across in three minutes. It's frustrating to have to continue to fight for the equity of the students at my school, but it is important, and I will continue to do so.

▶ [ **Aiden Hill** ] Thank you. Thank you, Miss Aker.

▶ [ **Tracy Vackar** ] No, that's the best part. OK. All right. So Rachel would.

▶ [ **Rachel Wood** ] I don't think I can follow up ice cream, but I'll give it a try. Ladies and gentlemen of the school board, my name is Rachel Wood and I'm a Newark parent with children both at BGP and BGI. I stand before you today deeply troubled by recent events that have unfolded within our school district. As a parent invested in the education and well-being of my children, I feel compelled to address some significant concerns that weigh heavily on my mind, as well as those of many other parents in our community. Today, we received the shocking news of Mrs. Ditto's immediate release from her position as principal at BGP. Ms. Ditto was not just a principal. She was a dedicated educator who tirelessly worked to create a nurturing and supportive environment for our children. Her commitment to our students' success and wellbeing was evident in every decision she made. I deeply appreciated her dedication. For example, during open house, I made a request to Ms. Ditto as she was leaving the school. Without me having to follow up, everything was set up and taken care of by the first day of school. As a parent, this is gold. You cannot buy competence of this magnitude. To see her let go under such circumstances is not just disappointing, it is heartbreaking. To say I'm livid is an understatement. But Ms. Ditto's departure is just one piece of a larger puzzle. Our district is facing a crisis in attracting and retaining qualified teachers to serve our students. This crisis affects the quality of education our children receive and adds unnecessary stress to an already challenging learning environment. We must address this issue urgently and with the seriousness it deserves. Equally concerning is the lack of transparency and communication from the district regarding its decisions and actions. Major meetings are being held behind closed doors, leaving parents in the dark about what is happening within our schools until irrevocable decisions are made. If the district continues to silence dissenting voices and operate in secrecy, how can parents trust the decisions being made on behalf of our children? When faith is repeatedly broken, the answer is we cannot. As a parent, I implore you, the members of the school board, to listen to our concerns and take action to address them. Our children deserve better than what they are currently receiving. We need transparency, accountability, and a genuine commitment to putting the needs of our students first. Let us work together to ensure that every child in our district has access to the quality education they deserve. Thank you.

▶ [ **Aiden Hill** ] Thank you, Ms. Wood. OK, moving on. We have one that has no name. OK. We have Shreep. Is it Shreeram Krishnan?

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- ▶ [ **Aiden Hill** ] Come on up.
- ▶ [ **Shreeham Krishnan** ] To the board members and community, thank you for giving me the opportunity to speak today. I've been a resident of Newark for 10 years, have three kids who are or will be going to Newark schools. currently in the future. I'm really surprised to see there is like leaves of absences and resignations of principals, principals part of your leadership team. Clearly there is something that is very wrong here that is not transparent to parents like me. I did see a video of Ms. Ditto yesterday and I did not find anything wrong or appalling and there was no need for it to be pulled down in such a manner. And it is surprising that I couldn't comprehend the need of firing somebody who has already submitted resignations in August. Good leadership is about listening, acknowledging different opinions, and leading by influence. If the decisions of differences are based on merit, I think the board and the staff should work together, acknowledge differences, move forward the decisions based off of merit. I think there should be a room to discussion. There should be more transparency. Driving consensus is harder, but it is the right thing to do. There seems to be talks of layoffs while we can fill more open positions, yet we fire more people. That doesn't seem right. Could we get more transparency on the budget and know how our money is being spent? I hope the differences get settled and we can do what is right for the community, staff, and the students. Thank you.
- ▶ [ **Aiden Hill** ] Thank you, Mr. Krishna. OK, moving on, Erica Gonzalez.
- ▶ [ **Erica Gonzalez** ] Hello. Good evening, board members. My name is Erica Gonzalez, and I'm a parent at Schilling Elementary School. And I'm advocating for my children and any student under the supervision of Principal Herrera. I would like to express my gratitude to Superintendent Penelope DeLeon for dedicating time to address my concerns. Despite observing and Unprofessionalism conduct from Principal Herrera, I appreciate your assistance and attentiveness. Now, I urge the board members to support us in seeking a more suitable leader for our children. Principal Herrera implementation of unauthorized rules, lack of empathy, is raising concerns among parents. A troubling incident involving a teacher, Ms. Wright, pulling my daughter from her hoodie, lacked the expected level of concern, with both Herrera and Ms. Wright responding with laughter. Such behavior raises questions about why individuals with these tendencies remain in their positions. Moreover, Ms. Wright's refusal to allow my daughter to access to her needed glasses, essential for her learning, is unacceptable and demands attention. It is unacceptable and demands attention. Remember Principal Dr. Wendy as a phenomenal leader who genuinely cared for our children. It is disheartening to witness incidents of retaliation and negligence under Ms. Herrera's leadership. We must ensure the well-being of our children by advocating for competent individuals in positions of irresponsibility.
- ▶ [ **Aiden Hill** ] Thank you, Ms. Gonzalez. Okay, so moving on, Ms. Gutierrez, Lucy Gutierrez.
- ▶ [ **Lucia Gutierrez** ] Earlier today, during the study session, we heard the board members comment about the importance of having a plan and processes in place. I am wondering if the same applies to the board members themselves. I am wondering if this board will follow the current processes in place or if they can decide to follow whatever rules favor them. Tonight, during public comment earlier during the study session, you allowed a public comment to be made after the presentation had been finalized. Not a problem. because the idea is that we want to have our community provide input in these meetings. However, I am curious if I would have been given the same leniency if I wanted to make a comment after the agenda item had already been discussed. Additionally, tonight's agenda, the president and the superintendent decided to change the structure of the agenda against your very own policy that you approved. Yet, the board, and additionally, the board did not have any input as to that change. The president and the superintendent decided to change the allotted time for public comment and again against the governance handbook and without consulting the rest of the board. I am just trying to understand what is happening here. Does President Hill get to implement his own rules and decide what rules will be applied and which ones won't? Our community needs consistency and transparency when it comes to the actions of the board. However, this current board is not providing that, so I do hope that they are able to provide reflection of their own actions when it comes to their self-evaluation. And again, having Newark PD at these

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meetings is not inviting to the community to participate. The parents that come to speak at these meetings are concerned about their children and their education and want to provide a better environment, a better learning environment for their students. They do not come with the intention to harm the district that actually represents their children. Maybe the superintendent is trying to intimidate parents like she has intimidated staff. But I'll tell you what, we parents want the best for our students and we will not be intimidated by Superintendent DeLeon. Newark PD, We the parents of NUSD gladly invite you to all our meetings. And newer taxpayers, we are ready to pay.

- ▶ [ **Lucia Gutierrez** ] Para los papás de que hablan español, uno de los directores de aquí, de esta mesa directiva, me dijo que para poder tener traducción en estas reuniones, que cada individuo tiene que hablar y pedir que le den el enlace de Zoom para que le den la traducción. Les puedo avisar que anteriormente este enlace era publicado Sin que lo hubieran pedido, era publicado en las páginas de redes sociales y en la página de web. Entonces, aparte que estamos en una comunidad que somos más del 14% que habla español, entonces esto ya es un requisito en el cual la traducción tiene que ser disponible. Porque ahorita tienen un traductor en su casa haciendo nada porque no mostraron y hicieron público el enlace. Gracias.

*For the Spanish speaking parents, one of the directors here, of this board of directors, told me that in order to have translation in these meetings, each individual has to speak and ask for the Zoom link to be given to them so that they can get the translation. I can tell you that previously this link was published without being requested, it was published on the social network pages and on the web page. So, apart from the fact that we are in a community where more than 14% of us speak Spanish, this is already a requirement in which the translation has to be available. Because right now they have a translator at home doing nothing because they did not show and make public the link. Thank you.*

- ▶ [ **Aiden Hill** ] Thank you, Ms. Gutierrez. And Ms. Gutierrez, you are always welcome to speak here. So 11.1, David Fink.

- ▶ [ **David Fink** ] Members of the board, President Hill, staff, I am coming to you First of all, to thank you. Two weeks ago, my son presented a discussion about something that had happened at the middle school involving his daughter, my granddaughter. It was a truly disheartening event for our family. And I want to thank President Hill, all the board members, actually, for your kind comments at the end of the meeting as well. This situation brought to life. I have raised two kids in the school district. Now seeing my granddaughters. I have the youngest granddaughter who will be graduating I think in the class of 41. I hope I'm around for that. But I want to be a part of solutions. You have some very active members. Sometimes they get up here and they like to tear down. I want to be a positive. I want to be a change for the positive. What I heard over and over with respect to what happened with my daughter, my granddaughter being attacked was that you're handcuffed. This is what I heard from other administrators, including my niece, who is a principal of middle school in Fresno, that you're handcuffed by laws and codes, that you can't really move forward. To me, these are not obstacles. These are opportunities to make things better. These laws, these codes that protect sometimes the aggressor, sometimes the bad student, those shouldn't be seen as an obstacle. I want to be a part of the change and I am going to encourage this board and the superintendent to work together to come up with an opportunity for parents, teachers to meet, to discuss, to fact find, to brainstorm. How can we address the issues of violence and bullying and our schools, and work within the codes and the laws that handcuff us. We can do this if we strive together as a team. And I want to be a part of that. I'm going to be one of those bugs in your ear. I'm going to be back talking about this. It won't go away from me. And I hope while people want to talk about getting rid of management, no. Management's too new. Let's work with management. Let's fix this. and make a district that we can all be very proud of. Thank you.

- ▶ [ **Aiden Hill** ] Thank you, Mr. Fink. Ms. Lupe Lopez.

- ▶ [ **Lupe Lopez** ] As a community member, I am becoming more and more alarmed about the changes in operation, the comments I hear about how the community believes the district has made it harder and harder to hear and to make comments at the meetings. These are public meetings. The organization is a government

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agency representing students. but as public agency, remember the importance of community input. In this agenda, the board had delayed public comment. Why? Shouldn't you want to have the participation from the community? The opinions of the parents or the students you represent are important and should be heard. This is the opportunity for communities to provide their opinions as a district where you struggle to communicate or community input. Please do not make it difficult for our community to participate. Also, why the police presence? Are we afraid of the community? Are we depriving the community from making public comments? Or is it a need to scare them to come to see these public meetings? Having police here to scare parents, wanting to make a comment seems like a waste of resources and taxpayers. Since when do we intimidate? Since when are we afraid? Why is the agenda not clear and transparent as to what funds are being used or where are the transfers to or from? Are we hiding something? This information is important to the community. Oversight is important in our community. Should be able to understand what actions the board is taking, especially when it comes to finance. And finally, I have noticed a number of staff members leaving, especially when it comes to our principals. What is happening here? It is my understanding that staff is feeling scared and threatened. That has never been the method of operation in Newark. We are a small community and we look out for each other, not to run out people there. I hope this board is looking to what is happening here and to the staff. Ultimately, we need a healthy environment for our students and to have that we need to have happy and healthy staff. Board members, it is time to start looking, and it's time to do your job. Remember, you're elected officials, so do your job.

- ▶ [ **Aiden Hill** ] Thank you, Ms. Lopez. Okay, so we've gone through all the speaker cards, but there was one that was filled out but there was no speaker name. Was there somebody that had actually wanted to come and speak but forgot? Okay, come on up.
  
- ▶ [ **Jacqueline Curillo** ] Good evening, my name is Jacqueline Curillo. I am a Newark resident and a NUSD parent. Three minutes is not enough time for me to highlight the destruction our district is currently challenging. Instead, tonight I want to take a different approach and I want to highlight some recent positive events organized by our amazing and dedicated staff. Newark Memorial High School recently hosted our Shilling Community for Family Code Night at the STAR Lab. It was incredible to see so many families attend and learn to code together. Shout out to Pauline Kim at the high school and everyone else that helped organize such a fun and memorable event. And I know since then I know several other schools have had a chance to do that. What an incredible opportunity to teach our kids coding at such a young age. They had a chance to play games and I mean we did it together. We did Angry Birds, and I was learning with my son and my three-year-old daughter, and it was an incredible event. Since then, my kinder son has enjoyed coding and creating on the Scratch Junior app. Last week, the Newark Memorial High School leadership class visited Schilling Elementary and read to our kindergarten classes. They were given books to take home, and they are still talking about how awesome it was that the big kids came to read to them. Thank you. Thank you, Sara Canales, for all that you do for our students and for helping organize and get your students to our school. These are just two amazing highlights. Imagine how incredible our district could be if the board and superintendent put in a fraction of the effort made by staff. Unfortunately, the recent actions made by the superintendent are continuing to bully out our talented and passionate staff. This is impacting our students. They deserve better. The superintendent's repeated cancellation of advisory committee meetings and interesting absence tonight is not building community trust. Penny is a tornado and will annihilate or retaliate against anyone in her path. The storm will eventually pass and she will eventually destroy our district and move on to another district, just like she has done her two previous. Guess who's going to be left to clean up the mess? Our community. Our kids deserve better, our staff deserves better, and USD deserves better.
  
- ▶ [ **Aiden Hill** ] Thank you, Ms. Carrillo. Oh, ma'am, I need you to take that. Thank you. OK. OK, so we're finished with public comment on non-agenda items. Now we're going to go on to public comment on agenda items. And again, just let me briefly read the protocol. So prior to the board's deliberation on posted agenda items, we will now hear any comments from the public on these items. Comments will be limited to three minutes each, and we will take comments for a total of, again, we're going to do 30 minutes this evening. Public comments on agenda items must follow the guidelines set forth at the beginning of the meeting. OK. We do have an option here, and I

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do think that there's been maybe some misunderstanding. And again, the board can correct me if I am misunderstanding. But I think that we have, as a board, made a decision that we're going to allow public comments at this time on agenda items. We also will allow public comments on agenda items right before the item. And I believe we said even after the item. Am I imagining that?

- ▶ [ **Nancy Thomas** ] I don't remember. He did. He did. He did.
  
- ▶ [ **Aiden Hill** ] Yeah. OK. And so you have your choice. And let me just get to those particular items here. Sorry. Where are they? Here we go. OK. So the first comment on agenda items is 14.4, graduation venue, and it's Leila. And I can't read your last name. Say it again. Malachar. Malachar. So would you like to speak now, or would you like to wait until the actual agenda item comes up?
  
- ▶ [ **Layla Malachar** ] How long is that going to be?
  
- ▶ [ **Aiden Hill** ] It'll be a little while.
  
- ▶ [ **Phuong Nguyen** ] You should speak now. OK. OK.
  
- ▶ [ **Layla Malachar** ] Sorry, guys. Go ahead.
  
- ▶ [ **Layla Malachar** ] OK.
  
- ▶ [ **Layla Malachar** ] Hi, my name is Layla. I am a senior. I am unofficially speaking for the class of 2024 because nobody's really here to speak about it. And I know they were talking about it earlier at five, but I wasn't able to make it due to extracurriculars and everything. Yeah. But as you all know, we are a class of 2024. And before that, we had our eighth grade graduation. that did not go through because of COVID. So if this graduation that we don't have at our own Cougar Stadium, if that doesn't happen, we won't get that attachment that a lot of high school students have. So I personally have been asking several students at our school in our class how they feel about this because most of them do not know what's going on with this. They ask, they don't know. But I've been asking them how they feel and They think it's really weird that we are going to be graduating at a place other than our school when that's been happening for so long now. So I think it's four years at our school to not graduate there shouldn't happen. I know a lot of people at schools don't graduate at their own school sometimes. But when you see other classes go graduate at their own school, you're going to want that for yourself. And I don't know how many other people this has happened to, but my sister is class of 2020 as well. So she didn't have a graduation, and now I possibly won't be graduating at my own school too. So that's a really big disadvantage for my parents. So this is something I'm really. feeling strong about, and I really hope that you make the decision to graduate at our field. And I am part of the athletics community, so I am not against upgrading the field. I think it's a great idea, but I don't think that our graduation should be pushed back just because of a field. This can be done the day after our graduation. It doesn't have to be done before. Thank you.
  
- ▶ [ **Aiden Hill** ] Thank you. OK, and then moving on to fourteen point five roof roof replacement. David Fink, Mr. Fink. Again, you have the option to stay if you want. OK.
  
- ▶ [ **David Fink** ] No offense, but I'll spend that time with you guys. I did want to speak to this simply because in going through the agenda, this caught my eye. I found something really interesting. I wanted to bring it to your attention so that you have an opportunity when you do bring this item up for discussion. The estimates for this project, this roofing project, are all over the place. There's five estimates, and I was just really flabbergasted. By the way, I have been doing this. I was with the city of San Mateo. I'm very familiar with this process, so I'm not speaking just because I own a home. The estimates were wildly off the chart difference, which really surprised me. The selected quote from staff is from Waterproofing Associates. And it happened to also be the shortest least detailed quote. And the primary reason given by staff is the underlayment they use is called armor seal as



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opposed to the industry standard, which is a standard felt paper. This quote is, like I said, it was the second highest of the five quotes. So why do they want to go with this underlayment is the question. And I looked at the pictures from one of the other quotes, this roof looks like probably already 40 years old, at least 30, if not 40. And so here's the red flag. What kind of costs are you going to have in replacing the decking? And all of them have something in those quotes. This quote, the one that they're promoting, says that \$8 a square foot for any found water damage. That works out to be \$384 to replace one sheet of plywood. The other quotes were \$150 to \$175, which means if there's a lot of water damage, this could be very expensive. So it begs the question, if staff does not feel that there's likely a lot of water damage that will have to be replaced, then why, therefore, do you need to spend extra money for a underlayment that will last longer. I don't see a need for it and I think this should be really, I'm just suggesting this get pulled and have staff give you a better explanation as to why they would go with a far more expensive option when I don't see a need for this underlayment. I've re-roofed a lot of public buildings and I would not have gone with this. So just a suggestion that you pull this for further discussion. Thank you for your time.

- ▶ [ **Aiden Hill** ] Great, thank you Mr. Fink. OK, going on to 14.6, resolution number 2023-2424, classified layoffs. Ms. Radcliffe?
- ▶ [ **Ms. Radcliffe** ] I actually wanted to speak on 14.6 and 14.7. They kind of run together in what I want to say. Can I just? Sure. Is that OK?
- ▶ [ **Aiden Hill** ] Yes, ma'am.
- ▶ [ **Ms. Radcliffe** ] Thank you. Good evening Board of Education. Regarding 14.6 and 14.7, 14.6 classified layoffs, this document is missing locations. According to the classified PKS, if approved, the district is technically only laying off one position, the equipment mechanic, and that's an issue that I will address in a minute. The rest of the positions do not align with the district's salary schedule or official position titles. The district does not have manager, network, manager, position control slash budget, director, human resources operations, part-time librarian. The big question here is, are you referring to a classified or a certificated employee? If you review the salary schedules and job descriptions, you will see what I am referencing. Regarding the equipment mechanic, last I checked, and I could be wrong because I have been on a leave of absence, you only have one. So if you lay this person off, you can expect a per charge and the financial impact that comes with that. Regarding item 14.7, Certificated Layoffs, there are some locations missing on this document as well. There are no credentials listed on this PKS. That being said, Why are we continuing to mix vacant positions that we are proposing to be closed with actual layoffs? Why are they not being listed as a separate agenda item with the calculated savings being shown? Mixing real layoffs with closing vacant positions blurs lines. Pre-March 2023, the district listed vacant positions they intended to close as a separate agenda item with the estimated savings. I also want to ask, did anyone notice that between the classified layoffs and the certificated layoffs, the district will not have an HR leader? The HR department was reorganized in 2017. At this time, the assistant superintendent of HR position was replaced with an executive director of HR, which is being eliminated tonight. While there is an assistant superintendent job of HR posted at Android, the job description attached is from 2002. Once again, this position was eliminated when the department was reorganized in 2017. While I've missed the last several board meetings, I have searched and searched and cannot find where this position was brought back, approved, and the department was once again reorganized. If these agenda items are approved, the only approved management employee and human resources will be the confidential administrative assistant. So who will be running this department? Who will be handling negotiations since NTA is sunshining tonight? Similarly, there has been no new org chart for the IT department that I can find. Therefore, I feel there's no overall transparency regarding the FTE and salary showing if there's a savings or an increase to the RE-ORG that you guys are discussing when you're talking about the budget reductions tonight. The board has been an adamant stickler in the past about these things. I know. I worked in the HR department. And I would expect them to continue to do the same thing tonight. These PKSs have a lot of errors, and it's March 5th. These are significant errors that can infect employees. The interims, contractors, or whomever's responsible for preparing these documents need to

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make the appropriate corrections before you approve them. I understand layoffs are necessary to balance the budget. I was laid off last year. But please make the necessary corrections to the job titles, et cetera, and bring them back to a special board meeting before March 15th for approval. Do this correctly. Thank you.

- ▶ [ **Aiden Hill** ] Thank you, Ms. Radcliffe. And we have a just recent submittal from Ms. Wex, right. Please come on up. So 14.7. Hi.
  
- ▶ [ **Ms. Wex** ] I wanted to add a comment specifically about the release of certificated employees. So four of the people that are on that list are instructional TOSAs, or teachers on special assignment. I am one of the few teachers in the district who have made extensive use of their time over the last several years. Both SEAL coaches, Michaela Holback and Kim Nickerson, work with my students on a regular basis and have coached me in learning all the SEAL strategies over the last several years. Melissa Moore comes in and does math talks with my class on a weekly basis. She's been providing me one-on-one coaching as I work toward my national board certification that I'm working through right now. She's been working with my students to build their language development in math alongside our SEAL units. She works with the other coaches at the same time to help me learn about this new learning to support my students. You already heard about the great event that Mrs. Kim led. Pauline has come in and worked with my class for the last two years. I've looped the same group from kinder first grade to now a first and second grade. We started coding using code.org with my kindergartners last year and Pauline came in and did that on a regular basis and my kids were there and they love coding. They think they're really good at it and that's because of Pauline. I'm really proud of the work that I've done with them and that my students have got to do with them. And I think it is criminal how few teachers are utilizing them. I was told recently that another teacher said, no other site cares about the TOSAs, only yours. And that is just terrible. Those teachers should be getting this advantage. And if you eliminate those positions, they don't have the chance and their kids miss out. Specifically for SEAL. Our SEAL units, even those that were begun in 2019, are ever-changing. I was a part of the first class of teachers trained in SEAL, so I am now re-teaching units for the third and fourth time. They are growing, refining, evolving to meet the needs of our teachers and our students. As every good teacher knows, the materials that were right for one class may not be right for the next. And the nature of SEAL is that each unit is tailored to the needs of that particular class, their languages, their background knowledge, their home connections, and their academic levels. No two classes are the same, and therefore no two years of instruction in a sealed teacher's classroom will look exactly the same. No matter how a publisher might try to sell it, no boxed or shrink-wrapped pre-planned program will ever meet the needs of the students year after year, and its effectiveness will always rely on the skill of the teacher to match this content to the needs of the students in their class. This weaving is the art of teaching. SEAL strategies are intended to be flexible and offer the opportunity for all students year over year to participate. The fine tuning of this comes from the teacher. We must train and support our teachers with coaches who know the power of the strategies, who are up to date on the best practices and evolving standards, who see the bigger picture across grades and have seen it happen at different levels. If you get rid of our SEAL coaches, you are killing SEAL and removing English language development instruction from our students.
  
- ▶ [ **Aiden Hill** ] Thank you. OK. And then moving on to 15.2, Vicenta Ditto.
  
- ▶ [ **Vincenta Ditto** ] Good evening. On Tuesday, February 27, I tendered my resignation. This message I'm sorry, I prepared a statement to my school community to let them know of my decision. This message was sent at 5 p.m. on Friday, March 1st. This was done because it is typical practice that the board agenda is posted at that time. As my name and resignation would be included in the personnel report, I felt a simultaneous release of information was appropriate. My statement prepared in video format was deleted from ParentSquare, the district-adopted communication platform. It is notable that this was done by locking me out of my district account by changing my password. I was never asked to take it down. Why was an administrative account not used to take this action? Instead, it appears someone logged in as me. This should raise many questions about what actions are being done that may look like an employee did them. Instead someone with both questionable ethics and possibly nefarious intentions may have logged into an employee's account to take action. Is NUSD condoning this? Is NUSD condoning the silencing of employees with concerns? Does NUSD feel violating an

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employee's First Amendment rights of free speech is acceptable?

- ▶ [ **Vincenta Ditto** ] Today I was informed I am now on administrative leave.
  
- ▶ [ **Vincenta Ditto** ] I have to wonder if this is in retaliation for my statements. I will now read my statement for the entire district watching. I wonder if the YouTube record will be taken down too. It is with a very sad heart that I inform you that this will be my final year as principal of BGP. I want to make it very clear that this community has my heart and I am not leaving because, sorry, I want to make it clear that I am, not leaving this, thank you, because of the experiences or people of our school community. If you've been following any of the board meetings or community input committees, you may know that the district is experiencing significant turmoil. While I believe for the most part this has been impacting management and site leadership, I am seeing and experiencing things that will most likely affect students. My core values are to do what is best for kids with transparency and compassion. I no longer believe the district's path aligns with my core values. It is my deepest hope that our adult Bulldogs will protect our students, their educational programs, and to ensure every student feels welcome, valued, and respected. My service to BGP over the last six years has been my absolute honor. I have enjoyed our Bulldog students, staff and community. I have been humbled by the trust you all have placed in me to lead the school and provide a safe and nurturing learning environment. I am and will remain proud to be a Birch Grove Bulldog.
  
- ▶ [ **Aiden Hill** ] Okay, thank you. Thank you, Ms. Ditto. Okay, so we're finished with public comment on agenda items, and we're now going to go move on to item 12.1, budget reduction plan. So, Ms. Vackar. Oh, I'm sorry. Are we moving the 14.6? I'm sorry. I apologize. So we're moving 14 point. It's give me the numbers again, please.
  
- ▶ [ **Tracy Vackar** ] Yes. 14.6 resolution number 23, 24, 24. No, I'm just an agenda item.
  
- ▶ [ **Aiden Hill** ] 14.7, 14.8, and 14.9. OK, great. OK, so we're moving up 14.6, 14.7, 14.8, 14.9.
  
- ▶ [ **Tracy Vackar** ] So 14.6.
  
- ▶ [ **Aiden Hill** ] which is resolution number 2023.2424, classified layoffs. So CBO Vaccar.
  
- ▶ [ **Tracy Vackar** ] Thank you. I'm going to turn this item over to our interim director of human resources, Yolanda Mendoza.
  
- ▶ [ **Kadie Eugster** ] You got to push the red button. Right, there you go.
  
- ▶ [ **Yolanda Mendoza** ] And is the recommendation The recommendation is that the board approve resolution number 2023-24-24 to lay off or reduce hours of certain classified positions due to lack of funds and lack of work.
  
- ▶ [ **Aiden Hill** ] OK. I'm sorry. OK. So are there questions or comments from the board regarding this agenda item? Okay, so can I get a motion to approve item 14.6 resolution number 2023 dash, I'm sorry, dot 24 dot 24 classified layoffs. You can't make a motion on that. Oh, you have a question. Go ahead. Member Lee.
  
- ▶ [ **Joy Lee** ] I was wondering if the counselor on the Which one is it? She's on the wrong one.
  
- ▶ [ **Kadie Eugster** ] You're on the wrong one? You're on the wrong one.

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- ▶ [ **Aiden Hill** ] Oh, I'm on the wrong one? We're talking about 14.6. OK, sorry. OK, so are you withdrawing your question?
- ▶ [ **Joy Lee** ] Yes, I will withdraw my question. OK.
- ▶ [ **Aiden Hill** ] I have a question. So Vice President Jones.
- ▶ [ **Kat Jones** ] Based on what Ms. Radcliffe said tonight, I'm just questioning whether we can really that we can move forward on this the way it is written or Are there issues with it? I believe there was she was saying something about like the location of those positions Needs to be on there. I'm just I just want the clarification So could we would that be all right so can we hear from
- ▶ [ **Yolanda Mendoza** ] interim HR director there's no need to put there's no need to put location these are singletons and they're in their position they're in the same position they're one FTE they're one position okay I just was I just wanted the clarification to make sure okay I have the same question about the clarification
- ▶ [ **Phuong Nguyen** ] My recommendation is that we do do our due diligence and pull these resolutions so that we can identify positions in their proper position control and the cost allocation like how much money the district is actually saving if we are to cut these like there has not been a transparent process. I'm sorry, but This needs to be done and I would like if we're gonna call a special meeting to To approve these again, and if we're gonna bring these back then we should do it correctly So just a question again for the interim HR director so I
- ▶ [ **Aiden Hill** ] Because I don't think everybody knows who you are. And so maybe you could introduce yourself. Just give us your brief bio and inform us about whether we're following the proper protocol in adopting these resolutions.
- ▶ [ **Yolanda Mendoza** ] Thank you, Mr. President. My name's Yolanda Mendoza. I'm serving as a consultant in HR, but I have 20 years of experience as assistant superintendent in the HR. brought these resolutions to you. Our attorneys have gone through them and have examined them and we've gone back and forth on it. As far as I know, everybody on this resolution is that's the current title. I went through it several times and I'm not I'm not aware that there has to be a location. I've never done that in the past.
- ▶ [ **Aiden Hill** ] Member Thomas.
- ▶ [ **Nancy Thomas** ] I believe there was a comment about the equipment mechanic that that's a singleton position and something about a perp. We could open ourselves up to a perp concern by laying that position off.
- ▶ [ **Kat Jones** ] My understanding is that person's been gone for a period of time is that No, that's not the, okay, it's a different person, sorry.
- ▶ [ **Yolanda Mendoza** ] Tracy, do you want to answer that?
- ▶ [ **Tracy Vackar** ] Yeah, to answer the question, the person who's on this position list is a current employee.
- ▶ [ **Aiden Hill** ] But I mean, if... But I think the question was raised as to whether this layoff would result in a PIRB. If I may... So, hold on a second. So do we know the answer to that one?
- ▶ [ **Yolanda Mendoza** ] I'm not sure what the comment was made about a PERB hearing. Just to remind everybody, the process. This is a March 15th process to lay off these employees. We have until May 15th to resolve any issues that come up. I'm not aware of a PERB decision, and I'm not aware if it's a singleton, because of the singleton, I'm not aware that we would be subject to a PERB decision. I don't know that. But we certainly could find out between now and May 15th. But our attorney went through this and found that it was completely correct.

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- ▶ [ **Nancy Thomas** ] But he may not have known it was a singleton position. And my understanding, I don't have much of an understanding of these things, But if we contract work out that we now have an employee doing, that's an issue with our contract.
- ▶ [ **Phuong Nguyen** ] My question is, have these positions been cross-referenced with your position control in your finance system? I mean, if you guys haven't done that, then there's no reason for us to be approving this. This is a real big concern. And that's why I'm asking you, Mr. Board President, that we should do our due diligence and have a proper process in place. Have the staff present the budget reduction plan, what positions are impacted, how is it tied to position control, how much are we saving in cost? reduction. We don't know that. We don't know that at all. And we are sitting here making decisions off the fly, off the cuff. No, I'm not going to do that. I will vote no on these resolutions because of that.
- ▶ [ **Aiden Hill** ] And I think, Member Nguyen, just to clarify, right, so I am definitely not an HR expert. And I think that Member Thomas has indicated that she's not. And respectfully, member Nguyen, I don't think you are either.
- ▶ [ **Phuong Nguyen** ] Actually, actually, no.
- ▶ [ **Aiden Hill** ] Let me mansplain to you. Ma'am, ma'am, ma'am, excuse me. I'm speaking. I've been respectful to you. I'd like you to be respectful to me, OK? And so if as an individual board member, if I have to make a decision on an item, I'm going to look to somebody that has significant experience in this area. And so, and my sense is, is that interim superintendent Eric Mendoza has this experience. He's worked in multiple, multiple districts. I understand that legal has been consulted. And so again, I don't feel that I'm in the position to actually question this process, particularly since we actually don't have many documented processes here in the district. And we've talked about how that needs to get changed. So if I could please interject. So hold on a second. So so we need to have order. OK. Yes. So so and I as the president and responsible for maintaining order in the meeting. OK. And and remember when I'm the one that calls on people to to be able to answer questions. So let's maintain some decorum. Maintain some decorum. I'm happy to allow member Lee to speak. So remember, remember, allow. So so I'm as the president, I'm the one that calls on people. OK, so please proceed.
- ▶ [ **Tracy Vackar** ] Thank you.
- ▶ [ **Joy Lee** ] I understand that she does have lots of experience, but what I'm also just also as a student, I would also like all these positions, like what kind of correlation do they have to our district? it's a lot of people that we're cutting and also that and also we already have people leaving and so I'm just worried about like all these vacancies and I would agree like I would also like to see like a plan of how this will all play out because so that the challenge member Lee is a student board member right yeah you're not privy to a lot of that information
- ▶ [ **Aiden Hill** ] Oh, sorry. Okay, so But one thing but one thing that is important to understand and I think HR director Mendoza I Believe this is the case, but was mr. Berg also involved in the analysis of All of the positions that we that were in our district. That was not something that he was involved in Okay Okay, all right, so this was really, so can you just explain, HR director, you know, who was involved in this analysis? Can you tell us who was involved in the analysis, the layoff analysis, from our, from the district? I mean, you obviously. Am I, so we've put together a proposal for layoffs. Who was involved in that? analysis.
- ▶ [ **Yolanda Mendoza** ] The recommendation came from the superintendent.
- ▶ [ **Tracy Vackar** ] Okay, great. In addition to that, it was reviewed by the attorney.
- ▶ [ **Aiden Hill** ] Okay, great. Okay.

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- ▶ [ **Phuong Nguyen** ] Member Nguyen. And also, I take offense to you to saying that I don't have experience. I have 22 years of experience in IT and HR and finance systems, so I'm well aware of how to reconcile positions and position control So I do take offense to that and that's why I'm asking the board to do its due diligence by By looking and seeing the plan The reduction plan the positions. What are the costs associated to it? How much savings are we actually saving by cutting a these positions and how is it going to impact our district if we don't have these positions? Granted, we need to know what the vacant positions are to defund them or to cut them out. Those are the positions that we should consider first and then we can look at possible positions or reclassification of positions. So yes, I do take offense to you because I do have the experience and I'm sick and tired of you sitting here saying that you have all this knowledge and in project management. So you know what we're going to and I apologize to member Lee for also interrupting her because her voice is valid. And the reason why she's not privy to this information is because we haven't been transparent. And these are public documents that she should have access to. Yes, she cannot vote on any personnel matters, but she can definitely comment and make her concerns known about why these positions are being affected and why they're being cut and how are they related to any any other positions in the district that is tied together. So no, she has a valid point.
- ▶ [ **Aiden Hill** ] Thank you. OK. So thank you, Member Nguyen. And I think you've expressed your opinion on this matter. So Member Thomas.
- ▶ [ **Nancy Thomas** ] I'd like to ask a question. These positions are being asked to vote on these because there's a March 15 deadline. and it's imminent. But I think it's a valid point that we need to be able to see the broader picture of how this corresponds to our budget reduction plan. And so I'm asking the question, should we schedule a special meeting and give staff a week to present these positions in context of the overall budget reduction plan?
- ▶ [ **Aiden Hill** ] So what I'm wondering is, I think that Director Mendoza had indicated that, although we have to have noticed March 15, that there's time to actually make adjustments up until May. And so what I'm wondering is, because I think that we might be challenged in being able to hit this date and doing a proper analysis. And so, should we approve this and then we can have a study session subsequent that can analyze this and can tweak this?
- ▶ [ **Nancy Thomas** ] I'm sorry. I really think, I'm sorry, can I respond? Okay, I really think that we can pencil out in the next week a broad budget reduction plan that takes into account these positions that are being released along with the dollars associated with the overall budget reduction plan. So my suggestion is that we We ask for that and bring this back at a special meeting that we can before the 15th.
- ▶ [ **Aiden Hill** ] OK. Member, Vice President Jones.
- ▶ [ **Kat Jones** ] Are we not having a budget reduction plan? Because 12.1 is a budget reduction plan. Are we not having that presentation tonight?
- ▶ [ **Tracy Vackar** ] We are having that presentation tonight. Consultant Berg will be presenting the different elements of what we're doing. But really, your budget plan comes into your 24-25 adopted budget. So the decisions that you make tonight don't reflect on your 23-24 budget. They don't even really reflect on your interim budget. They reflect on your new 24-25 budget.
- ▶ [ **Kat Jones** ] I understand that. No, I'm looking at staff report 12.1. Yes. Budget reduction plan. That's separate from the interim, correct? Or is that the interim, the second interim?
- ▶ [ **Tracy Vackar** ] The second interim is down below.

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- ▶ [ **Kat Jones** ] OK, that's what I thought.
  
- ▶ [ **Tracy Vackar** ] So the budget reduction plan isn't going to identify dollars. It's going to identify action items that we need to do in preparation for the 24-25 budget. Got it. OK, thank you.
  
- ▶ [ **Kat Jones** ] My, I'm asking because we keep talking about having a budget reduction plan in order to work on the resolutions and here's this but.
  
- ▶ [ **Tracy Vackar** ] That budget reduction plan isn't, I mean the resolutions are one step of the process within what we have to do to be able to get to the 24, 25 budget to be able to reduce it down and to be within our our sources of revenues and our sources of expenditures that we're using here within the district.
  
- ▶ [ **Aiden Hill** ] So one moment. So I want to make sure that everybody has a chance to speak. So member Plancarte, are there any questions or comments that you have?
  
- ▶ [ **Carina Plancarte** ] Well, I mean, I think that it is important to provide clarity. I understand that we are we have been asked to review the budget and that, you know, Penny ultimately is in charge of ensuring that we drive the district to where we need to go and that there have been, that she has worked with the appropriate individuals to take a look at how effective our programs are and how we are staffed more in the district office versus trying to really stay away from the classroom. And so I think, you know, that I definitely understand. But I do want to ensure that, you know, for clarity's sake and that we are being transparent to the public that, you know, we do we do we do perform this process right, because, you know, that is also part of our oversight as well.
  
- ▶ [ **Aiden Hill** ] Go ahead.
  
- ▶ [ **Phuong Nguyen** ] Thank you, President Hill. I appreciate it. I know that I've been really emotional about this this evening, but You know, it's really important to me that we get it right, because when you're looking at these positions, you know, it may just look like a position to you, but in actuality, you're cutting a program. And it indirectly affects students in the classroom. So it isn't staying away from the classroom. There's an indirect impact. And we need to really make sure that we understand that as a board, and that we, and we take all of those things into consideration. So I'm not comfortable voting on these items tonight. Thank you.
  
- ▶ [ **Aiden Hill** ] Okay. Thank you. So question, question to staff. So member Thomas has suggested that understands the sense of urgency, but I'm wondering from a workload perspective, is it possible for you to present to us a more detailed picture of the layoff? so that we can make a more informed decision on this item and that we, obviously we have to do this before the 15th and I would say not like the 14th. But is it possible from your resource standpoint to provide more detail and to walk us through the process?
  
- ▶ [ **Yolanda Mendoza** ] Mr. President, My job is not the finance portion. My job is to implement what the directives were from the superintendent. So I'm not prepared to give you a financial record.
  
- ▶ [ **Aiden Hill** ] OK. Right. I understand. But I think that one of the things that member one is asking about is understanding the org chart, understanding position control, that kind of stuff, which would fall within HR. And so I think that it's probably a combination of both financial information as well as HR information. So between the two of you, is it possible to prepare a more detailed presentation so that we can understand, ask questions, make a decision? And then let me just again defer to Member Thomas, because it sounded like you had a comment on this as well.
  
- ▶ [ **Nancy Thomas** ] Right. I mean, I wanted to comment on Ms. Becker's mentioning that this is for the 24-25 budget. But right now, we are in the process of laying off positions to meet that 2425. And that's about 6 or 7 million. And it would be helpful to know what staff, what they're scoping out. For example, what percentage are they going to cut from the 4,000s and 5,000 series, how many staff at the high school and at the middle school and at the elementary school, are they planning to reduce for attrition? These are big buckets that if we could

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see the scope and then these administrative positions, if we could see the scope of how to reach that \$6 million and why these positions are important to be. Potentially, I know we don't make any decisions till May, but potentially cut. And unfortunately, the state makes us tell people now before May 15. And in the past, we've done this exercise, and those positions come back after staff gets more refined. But at least to have an overall view of the dollar buckets that we're looking at to get to that six million dollars and how the staff reductions fit into that.

- ▶ [ **Aiden Hill** ] So is this possible?
  
- ▶ [ **Yolanda Mendoza** ] Once again I'm not the financial person and I don't know what you mean by an org chart and I don't know I don't understand that question.
  
- ▶ [ **Aiden Hill** ] Okay so so why don't why don't I guess maybe maybe what we need to clarify here is that so Do you have time available, Ms. Mendoza, to support an effort that would be led by CBO Vacar to provide a deeper analysis to the board so that we can make a proper decision on this? And so, because I think it's really probably you two together. And so, do you have the resources to do this in the next, it's really less than a week probably.
  
- ▶ [ **Tracy Vackar** ] Way less than a week because you would have to be able to prepare another resolution, you have to put it out there for 72 hours in advance. You have to think about all the steps that you have to do. If we could just take a quick 10-minute break, I'd like to be able to just try to map it out real quickly and make sure that we can really come back in a timelined office to you.
  
- ▶ [ **Aiden Hill** ] Okay, so let's take a break.
  
- ▶ [ **Nancy Thomas** ] Isn't it a 24-hour notice for a special meeting?
  
- ▶ [ **Aiden Hill** ] Yes, it's 24 hours for a special meeting.
  
- ▶ [ **Tracy Vackar** ] I'd have to check with the attorney and see if this qualifies as a special meeting.
  
- ▶ [ **Aiden Hill** ] It's correct. It's 24 hours.
  
- ▶ [ **Tracy Vackar** ] I understand, but I don't know if this item qualifies as a special topic.
  
- ▶ [ **Nancy Thomas** ] I think it does.
  
- ▶ [ **Tracy Vackar** ] I don't know. I'd have to. I don't know.
  
- ▶ [ **Aiden Hill** ] But so, let's take a quick break. You can figure out.
  
- ▶ [ **Tracy Vackar** ] I'd like to be able to backwards make it.
  
- ▶ [ **Aiden Hill** ] OK. All right. So let's take a quick break and allow you to do the math on that.
  
- ▶ [ **Kat Jones** ] 10 minutes. 930. Thank you. Thank you.
  
- ▶ [ **Aiden Hill** ] met by that time point. The important thing for people to understand is that there's work that is associated with doing this that doesn't happen instantaneously. And so according to Ms. Mendoza, given what needs to be done, it would probably take a week to properly notice the employees. And again, if we miss the deadline, then we miss the deadline. It's over. And so if we back this up. And we say March 15th really March



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14th because I don't think we want to put March 15th as the day So we take March 14th. We go back seven days. That's March 7th. Okay, so we're March 5th right now So what it's so what we're saying is in order for us to have a discussion on this item and to make a decision to give Miss Mendoza sufficient time to actually follow any instructions. We need to have a meeting by this Thursday Okay, a special meeting. So, and I think that the question that I think is important to consider is, and clarify is, I understand, number one, wanting to get more information, but I think it's also important to understand that we did review this information and we did review in closed session a couple of weeks ago the positions that were under consideration. So we as the board looked at this, we looked at the dollar amounts, we looked at the totals. So now whether there could be additional questions or information, certainly you can always get more information But I think the board needs to make a decision around, do we have sufficient information to make a decision at this point? Or do we need to have a special meeting this Thursday in order to be able to make a decision? Correct, it wouldn't so we would need to special meetings 24-hour notice That would mean that we would need to post an agenda by before 5 p.m. Tomorrow night So do we do we have sufficient in from do we have sufficient information? Go ahead number Thomas.

- ▶ [ **Nancy Thomas** ] The question I have is is about the seven days. I Assume what we're talking about is approving these She she has to notice the employees
- ▶ [ **Aiden Hill** ] And so what she's saying is there's a whole variety of tasks that need to take place for her to notice, and she's estimating that that is going to take her seven days, okay? And the thing that I think is also important to understand is that we do have staffing issues right now, so we need to take that into account. So I'm inclined to say if somebody's telling me that it's going to take them seven days to do something, and it's a human resources issue and it's a legal issue, I'm going to probably trust their judgment on that, right? So I don't think that we should be trying to play with timelines here. So I would say, if we're going to do it right, it's going to be seven days, so we've got to back it up.
- ▶ [ **Phuong Nguyen** ] What's worse, doing it wrong, and then these employees are, well, actually, it might benefit you guys. OK.
- ▶ [ **Aiden Hill** ] I guess the question is, so Member Thomas, you were the one that recommended that we potentially have an additional meeting. Are you still of that mind?
- ▶ [ **Nancy Thomas** ] I would be willing to come back Thursday night for more discussion and voting on these.
- ▶ [ **Joy Lee** ] I think we owe it by our students. We want to get it right and make sure we're not affecting anything. OK.
- ▶ [ **Aiden Hill** ] So, Member Thomas, would you like to make a motion?
- ▶ [ **Nancy Thomas** ] I'd like to hear more from the rest of you. I don't want to make a motion if the rest of you are thinking it's more urgent that we pass this tonight.
- ▶ [ **Aiden Hill** ] Member Jones, Vice President Jones.
- ▶ [ **Kat Jones** ] I guess I have to say that I'm I'm torn. I feel like, you know, asking that we come up with the information that we're asking for in order to formulate a more educated, no pun intended, decision. I'm not sure that what we're asking for can be given in 24 hours. I mean, less than 24 hours. It really is about seven hours tomorrow during the work day, eight hours tomorrow work day.
- ▶ [ **Nancy Thomas** ] I don't. I'm not. I'm sorry. I'm not going to make a motion.

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- ▶ [ **Kat Jones** ] So I don't feel I just don't. What I was going to say is I don't think that we can do that. I think that if we have done something incorrectly from a legal standpoint, we We're gonna have to make those corrections by May 15th. I just don't see how we can kind of... I don't know. It's kind of between a rock and a hard place, frankly.
- ▶ [ **Aiden Hill** ] I think that the... The time frame is just really tight. I think that the important thing to understand here is... So we have... You said you'd take comments until half the time. OK, Ms. Parks, we got until 1 AM. So come on up.
- ▶ [ **Cindy Parks** ] I'm sorry. Excuse me. I have to say that I miss this myself. Ms. Radcliffe did bring something to my attention. What you all don't understand is that you put on their library. You don't have a part-time librarian. You have library clerks. In your elementary, you have library clerks. The only librarian in this district is at the high school, and she's full, or it's he, I think it is, full time. And so the only library you have is a clerk. That to me is a flare. There is one, I can tell you right now off the top of my head, that is wrong on 14.6. You don't have till May 15th. You have till March 15th. March 15th, everything has to be done right. You can let go on May 15th. But March 15th, everything has to be done by the books, labeled correctly. Everything has to be perfect because you're doing it then. That's your deadline. You can resend until May 15th, but March 15th is your deadline. And you need to make sure that the titles that you have are right.
- ▶ [ **Aiden Hill** ] OK. So I think, so again, Miss Mendoza, you know, I know obviously you're new to the district but are but do are there is there a potential that maybe some of these have been labeled incorrectly I Think that she's correct.
- ▶ [ **Yolanda Mendoza** ] I think that it probably was part-time clerk This particular item is a donation That's why this is on here. It's a donation from the PTA and And the PTA doesn't know every year if they're going to have enough money to make this library clerk whole. So in order to be transparent, we put it on the agenda. And I thought I had just copied the last year's agenda, because it was exact. I thought it was. But I stand corrected. If it should be library clerk, then it should be library clerk.
- ▶ [ **Aiden Hill** ] OK. So I think. I guess it's so we have a couple of choices here one is I think we I think you know about the position but but it's labeled incorrectly so we can we can make and we can make a change to that here I think that the question though is is are there other things that we're concerned about OK, so Member Jones, you're familiar with many of these positions. Do you see anything that is a red flag to you?
- ▶ [ **Kat Jones** ] I don't. I don't. I think the only one that just needs to be written as a library clerk, I think that should be able to be amended in the motion. Otherwise, I mean, I was a teacher, not part of all of this exactly, but I recognize the positions.
- ▶ [ **Aiden Hill** ] OK.
- ▶ [ **Carina Plancarte** ] I just have another question, too, because I know that it was brought up and just to make sure, because, you know, I really want to make sure that we get this right. We have to get this right. We cannot get this wrong. The equipment mechanic, I know that something was brought up about that was so that was recent or not. I'm not sure.
- ▶ [ **Joy Lee** ] They said that this was the only position that was filled and is available. So if we get rid of that, we have no more equipment manager.
- ▶ [ **Carina Plancarte** ] OK. Thank you.
- ▶ [ **Tracy Vackar** ] I needed to get that clarified. There is. There's something in the reward with that. I do remember that. I think the position that's being mixed up is an HVAC position.

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- ▶ [ **Nancy Thomas** ] Could you speak up?
- ▶ [ **Tracy Vackar** ] The position that's getting mixed up I believe is an HVAC position that we were talking about.
- ▶ [ **Aiden Hill** ] The HVAC technician.
- ▶ [ **Carina Plancarte** ] Yeah. So that needs to be corrected.
- ▶ [ **Joy Lee** ] I'm concerned because we already have two things that our community has pointed out that has been incorrect that we missed while looking over the board report. And I'm just worried. What else is wrong?
- ▶ [ **Aiden Hill** ] So, Member Lee, if we can clarify. I think we understand that there was... I'm sorry, I wasn't done talking. So, Member Lee... If I could finish... So, could you clarify the two positions, please?
- ▶ [ **Joy Lee** ] The two positions was the part-time librarian and the equipment mechanic that we were worried about, that we didn't know. And I just wanted to say that I'm just worried And I just want to express my opinion.
- ▶ [ **Aiden Hill** ] OK. And so I think we've acknowledged that there's an issue with the library clerk. Is there an issue with this equipment mechanic? Because I didn't catch that part. So there's not an issue from HR's position here.
- ▶ [ **Nancy Thomas** ] Is that the HVAC?
- ▶ [ **Yolanda Mendoza** ] No. No.
- ▶ [ **Nancy Thomas** ] It's not the HVAC. I thought I heard someone say HVAC. People are getting mixed up.
- ▶ [ **Carina Plancarte** ] This is why we have to ask the questions, because we want to clear it up.
- ▶ [ **Aiden Hill** ] I appreciate that. And that's why, again, it's important to restate things and make sure that we're on the same page. So we've caught an issue with- I would actually like to go back and make the recommendation.
- ▶ [ **Tracy Vackar** ] We go back and we go back and review our list. I want to double check the titles that were mentioned in the comments. And as mentioned here, I just want to go back and just do one more check, so that you all feel good about this when you take a vote. Thank you.
- ▶ [ **Phuong Nguyen** ] I really appreciate that. Thank you, Ms. Vackar. That's exactly what I've been asking. Thank you.
- ▶ [ **Aiden Hill** ] OK.
- ▶ [ **Tracy Vackar** ] I'll give you another 24 hours, giving you the list. I pretty much still have the list of how much the money is.
- ▶ [ **Aiden Hill** ] That's not a problem. OK. So if we can, if we maybe, Member Thomas, you make the motion, because we're asking to come back. And really, it's going to be on Thursday.
- ▶ [ **Nancy Thomas** ] I move that we schedule a special meeting on Thursday with 24 hours notice and bring these three resolutions back for... So we're going to bring back all four?

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- ▶ [ **Yolanda Mendoza** ] Well, you voted one out of closed session.
- ▶ [ **Aiden Hill** ] I'm sorry?
- ▶ [ **Yolanda Mendoza** ] You did one out of closed session. Okay.
- ▶ [ **Aiden Hill** ] Right. Right. Okay. All right, so but we're on this.
- ▶ [ **Nancy Thomas** ] And if there's anything else that needed to be added to that agenda, that it can be. That's my motion.
- ▶ [ **Aiden Hill** ] OK. Can we get a second?
- ▶ [ **Carina Plancarte** ] I'll make a second.
- ▶ [ **Penny DeLeon** ] OK. Roll call.
- ▶ [ **Kadie Eugster** ] Board member Thomas? Should you be asking? No, she can't. It's a personal.
- ▶ [ **Nancy Thomas** ] Oh, OK. I'm sorry. Yes.
- ▶ [ **Kadie Eugster** ] Board member Lane? Yes. Plancarte? Yes. Board member Jones?
- ▶ [ **Kat Jones** ] I'm sorry, I was just checking my schedule to see if I could. Come on. Come on Thursday. OK. I have to cancel another meeting, but yes, I could come. So yes. President Hill?
- ▶ [ **Aiden Hill** ] Yes. Motion carries. OK. So we will, so this is 14.6, 14.7, 14.8, correct? OK. All right. And then, and then CVO Ficar. I'll work with you offline just to make sure that we have the proper agenda in place for that meeting. OK, great. OK, moving on.
- ▶ [ **Tracy Vackar** ] Next item is 12.1, which is our budget reduction plan. OK. With that, I look forward to introducing to you Mike Berg, who I believe is online.
- ▶ [ **Phuong Nguyen** ] Question? Yes? Yes. On item 14.9, I know that we had taken action in closed session, but it is agendized in open session. Should we? We should probably need to take a vote on that.
- ▶ [ **Tracy Vackar** ] You did take a vote on that. No, you reported that. Did you not?
- ▶ [ **Phuong Nguyen** ] No, but it was agendized. We shouldn't have voted in closed session if it's agendized as new business in open session.
- ▶ [ **Aiden Hill** ] OK, so that's fine. Right, we can, we can, hold on a second. So, I guess, Ms. Mendoza, so the issue that we approved in closed session was an exception to 14.9, okay? And so, I think that we voted on the exception, right? And so, and I think that what member, is saying is that we also need to vote for the rest of the resolution, right? It's not.
- ▶ [ **Kat Jones** ] No, it's only one person here.

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- ▶ [ **Aiden Hill** ] No, no, no, I understand. But I think we were approving the exception and not the overall 14.9.
- ▶ [ **Phuong Nguyen** ] Yeah, we were approving the non-elect, and we did not approve the resolution in closed session. You have a closed session item resolution in open session. We need to vote on it.
- ▶ [ **Aiden Hill** ] All right, so that we don't hold things up. So I'm sorry. I think that we're going to have to dial it back here. So let's re-vote on this special set. Well, actually, I think you said that we had additional items. So we will evaluate whether we need to add 14.9 to that item.
- ▶ [ **Phuong Nguyen** ] Oh, so I apologize. I was unaware. I forgot that we had pulled it. Did we pull it at the beginning of the meeting?
- ▶ [ **Aiden Hill** ] We said we wanted to move it.
- ▶ [ **Phuong Nguyen** ] Oh, OK. Sorry. Apologies.
- ▶ [ **Aiden Hill** ] OK. All right. OK. So thank you, Ms. Mendoza.
- ▶ [ **Tracy Vackar** ] Yes, please.
- ▶ [ **Aiden Hill** ] OK. So moving on to 12.1 budget. Did we finish voting on that? We already voted. So we voted, right? And we're going to potentially add this other agenda item. We just need to talk to legal to clarify that it's what we need to do. OK. So 12.1 budget reduction plan, we have Mr. Berg online. So are you going to hand off to Mr. Berg?
- ▶ [ **Tracy Vackar** ] Yes. Yes, but that's not the correct report.
- ▶ [ **Kat Jones** ] Nope. That's not the correct report.
- ▶ [ **Kadie Eugster** ] Oh, wait. Hold on a second.
- ▶ [ **Tracy Vackar** ] Is that the one? No, that's the comprehensive school safety plan from last week.
- ▶ [ **Kat Jones** ] We're reading at the wrong date.
- ▶ [ **Kadie Eugster** ] Yeah. Young is working on my computer now.
- ▶ [ **Tracy Vackar** ] So we're going to be 12.1.
- ▶ [ **Kadie Eugster** ] Every time I try to take over, he's taken over on the mouse.
- ▶ [ **Aiden Hill** ] Do we want to call him in here?
- ▶ [ **Kadie Eugster** ] I did. I text him.
- ▶ [ **Tracy Vackar** ] I think he's on the wrong board agenda.

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- ▶ [ **Tracy Vackar** ] I'm going to go let him know.
- ▶ [ **Aiden Hill** ] OK. Is this it? No?
- ▶ [ **Kadie Eugster** ] No, no, no, no. OK.
- ▶ [ **Aiden Hill** ] That's not it.
- ▶ [ **Tracy Vackar** ] I'm going to call him. He's on his way.
- ▶ [ **Kadie Eugster** ] And the one that should have been up, budget reduction plan, the one that Tracy had. You had it up before. It's not there anymore. What's that?
- ▶ [ **Kadie Eugster** ] It's not there. It is back. You had it up before. It was there before.
- ▶ [ **Kadie Eugster** ] budget reduction plan. No, those are all, no. Budget reduction plan.
- ▶ [ ] That's it right there, 240. That's it right there. One more. Up, up, up, up. Go up. Go up.
- ▶ [ **Kadie Eugster** ] That's it. That's it. Right there. Yeah, that's it.
- ▶ [ **Joy Lee** ] That was it.
- ▶ [ **Kadie Eugster** ] Is that it, Tracy? Yes.
- ▶ [ **Tracy Vackar** ] Yes, that's it. Great. If we go to the next slide, please. It's my pleasure to introduce Mike Berg. Mike's been our consultant. He started working with Newark Unified School District earlier this year. And with that, he has worked closely with our community. He's worked closely with my team of accountants. and looked at really good practices, things within our budget, areas that we really need to consider as we move into developing the 24-25 budget. Mike, I'm going to turn the mic over to you. Can you hear us?
- ▶ [ **Mike Berg** ] Yes, I can. Can you hear me as well?
- ▶ [ **Tracy Vackar** ] Excellent. Yes. Welcome.
- ▶ [ **Mike Berg** ] Terrific. Thank you. Good evening, all. First, I just want to say, while I'm not happy about having done what you're trying to do right now, a number of times in my career, I empathize with you because it is a very difficult thing to do, but I applaud your courage to move forward with it because it's essential in the fiscal condition you're in. Came to you middle of summer 2023. I don't know, I can't see the slide presentation. So I'll say just if we're on the second slide that begins with budget balancing in July, 2023 through December, 2023, that's what I'd like to be. Are we there?
- ▶ [ **Tracy Vackar** ] Yes.
- ▶ [ **Mike Berg** ] Yes. OK, good. So this just gives you a quick rundown of the kinds of activities that were embarked upon. And I give this to you for context, because as CBO Vacar mentioned, really the first task was just to try and drill down and figure out where the deficiencies were, where the leaks in the boat, if you will, are within the district. And so you see a number of tier. First, just identifying the depth of imbalance, looking at the deficit spending and the assumptions. Unfortunately, unrealistic in many cases. In this case, specifically around


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enrollment and average daily attendance, or ADA. Looked at your internal controls or lack thereof. And unfortunately, your district, as mentioned earlier, does lack some standard operating procedures and some fundamental internal controls. from an accounting standpoint, from a position standpoint, and a number of things. And so it's not a fixing blame, just stating the fact, because it is why you are where you are. You are dealing with significant vacancies in both HR and business. That isn't anything you don't know, but that does explain why there is a great deal of challenge in getting the refined numbers and a great deal of challenge in getting the refined titles. So it is what it is. We did convene the budget task force. That was quite challenging. I facilitated three meetings of that. And I shouldn't have been facilitating three meetings of that. But unfortunately, you've had turnover in the CBO position that necessitated that. So it was my pleasure to do that on your behalf. A little bit challenging to work with your community when I don't know your community as well as your own staff does. So it is what it is. You've hired third party consultants. Myself as one, but you have two others in district that are doing a really great job. to verify the findings that I've stated here and to really refine many of the numbers. In fact, those consultants are what enabled you to do your first and second interim and are able to generate enough numbers out of the ESCAPE system to get you close to the numbers you're seeking tonight. But it is a challenge. It's a significant lift for any consultant to come in and identify the granular detail you're looking for because there's a whole lot of forensic analysis that needs to be done before they can even generate a number. So again, not excuse making, just the facts. As I looked at a lot of things, I identified a disproportionate spending on goods and supplies. And quite honestly, I don't know that it's disproportionate spending on goods and supplies or not enough spent on personnel. And you've heard that. You've heard that your folks would like to see more on the salary schedules, but frankly, There's no room in your budget to put any more on the salary schedule. So we focused on the goods and supplies, the 4,000s and 5,000s lines that you've talked about. Now, they do look extraordinary relative to the size of your district. And so as Vicar and myself and a couple of other staff that I've interacted with during their tenure have talked about how we need to drill down on that. In a few minutes, I'll get to the time frame of doing that work, because it isn't actually yet time to do that. We have been assessing staffing levels, but our greatest concern, which will be mentioned in another bullet as well, is comparing the current staffing levels to what your human resources staffing ratios are. There's a great deal of concern that you're overstaffed. And that's what compassionate districts do. Even though your enrollment's been declining for a number of years, it's easy to track the declining enrollment. It's much harder to size your staff to the enrollment. because we're always hopeful that your enrollment will rebound. In your case, that hasn't happened. And then just comparing spending in your district with like districts. And that's why I can say with confidence that we are concerned about the disproportionate spending. And why I say that is if you look at the pie chart that's in your adopted budget, it talks about roughly 80% going to salary and benefits. when the typical district in the state of California is somewhere around 90 to 92% for the same category. So that suggests that somehow, some way, there's a significant imbalance. I'd like to flip to the next slide unless there are questions there. But this is a pretty brief slide deck. So I thought if I could run through it, I'd be happy to answer questions at the end. So if we can flip to the next slide deck that starts with December 2024. This one starts into the activities that we've embarked. I'm sorry?

 [ **Nancy Thomas** ] I don't think we're on that slide.

 [ **Mike Berg** ] I'm sorry, Member Tom?

 [ **Kadie Eugster** ] There it is. Go ahead.

 [ **Mike Berg** ] Go ahead, Mike. The slide that starts with December 2024 finalized first interim. This is just the beginning of the real nuts and bolts activities. We had concerns about your budget and multi-year projection. We got the first interim, got that generated through your consultants. looked at that and had even greater concern because of the trends that were happening in deficit spending, the erosion of your ending fund balance, the concern that you could potentially not even be positive through the end of the year. We then looked at the governor's proposal in January. We ran the mathematical reduction. I say we, meaning your staff, quite honestly.

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Ran the mathematical reduction scenarios. Not so much what the reduction scenarios would be, but just how deep the hole is, how much reduction we needed to talk about. Then we began assessing causes for extraordinary contributions to general fund. We saw really, really significant contributions to special ed from the general fund and climbing. That was a very frightening trend. The original assumptions in your adopted budget were pretty much a flat line without increases to special ed contribution. And in fact, if you were to project based on the historical trend, it should be a pretty significant increase. But again, an inordinate increase, an extraordinary increase that we're hoping to find a way to curb. February 2024, they were developing the second interim. You're seeing the second interim as we speak. But also in February 2024, knowing that you had significant issues, it's been characterized a lot of ways, but frankly, what you've implemented And rightfully so, in my opinion, is soft freezing on spending. Soft freezing meaning you didn't absolutely stop spending, but you curved your spending habits and you looked at the essential spending. You looked at soft freezes or freezes on hiring, non-essential or at least, essential is a poor choice of word. If we're doing our job right, everybody's essential and everybody's close to the classroom because everybody's affecting what the kids realize in their day-to-day life. But if it's not a teacher, it's less essential than a teacher standing in front of students. I will say that and recognize I'm a classified person, so that's unusual for a classified person to say. We began discussing potential reductions in positions, and while there are a lot of people that might say, well, we're just looking at low-hanging fruit, the truth is, of the 20% you spend on goods and supplies and services, seven to eight percent of that is just bottom line, fundamental things, electricity, natural gas, telephone bills, fuel for your vehicles, maintenance tools. Those things you just can't produce. You can't do without it, the operational components of your district. But there is 5% to 7% to 10% that can be considered. And there's a time and a place for that, which I'll get to in a minute. But bottom line is, with the depth of the reductions you're looking at, you're going to have to dip into personnel, which is what you were talking about tonight. Fortunately, one of the things that has been talked about is you have a significant number of vacancies, so you don't have to look at human beings still filling positions. Hopefully, you can look at a large number of vacancies and assess whether or not those can go first. If they're less essential than those that are filled today, that's a good thing. We concluded the budget task force work, and we reported that last meeting. We also reported last meeting that, wow, that was really good information. We really appreciated what the Budget Task Force did for us in terms of at least signaling to you, the board, what the priorities were. There was that one question about what can't be cut or what programs are non-negotiables, if you will. They were vocal about that. And it was good just for your edification so that when and if you make reductions to program or to services, you have a good sense of what your community is hoping for. So March 2024, second interim, verifying the depth of the fiscal distress, recognizing Newark Unified can't certify positive in 2024.

- ▶ [ **Aiden Hill** ] Mr. Berg, sorry to interrupt you. So can you tell us what slides you're on?
- ▶ [ **Mike Berg** ] I'm still on the third slide overall. What's the title? It's entitled budget balancing timeframe activity. And it's the one that starts with December 2024.
- ▶ [ **Aiden Hill** ] I'm just on the last bullet. I just want to make sure we're on the same page. Thank you.
- ▶ [ **Mike Berg** ] Yep. I'm on the last bullet of that page, which is nothing more than saying, you know, we've talked about whether or not you could defer making reductions this year and do it all next year. I guess the short answer is, I suppose you could, But if you did, you would be compounding your problem. The depth of the reduction would be even greater because of the compounding effect that doing nothing would have on your ending fund balances. So if we flip to the next slide, you'll see that, and this is the one that says budget balancing time frame and activity plan and next steps. It starts with recognize the magnitude. Because of the magnitude of the reductions, And the uncertainty at the state level, when we have a disparity between the governor saying it's \$38 billion deficit and the legislative analyst's office saying it's \$70 plus billion, this is not a time to gamble on what the state will deliver to you in revenue. So to identify reductions to the extent possible, to implement at least 50 percent of those which is this which is what six to seven million dollars in reductions would do for you as I believe what your business staff is trying to present to you tonight and now subsequently Thursday night. If you are to



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implement particular kinds of services noticing which is what was being discussed tonight this will be unpopular but I'm not here to be popular I'm telling you what my experience tells me which is anytime you You issue notices. You notice deeper than you think you need to notice. And the reason for that is there are mistakes. There are things that are negotiated away between the time you notice on March 15 and the time you activate those notices in May 15. And an activation is an affirmative action in this case. You can either rescind or you can activate. The issue here is if you need 100% of whatever that value is and you don't notice 110 or 120%, you're going to be in a world of hurt if you don't have enough reductions identified. So the recommendation is to go a little deeper than necessary in the noticing with the intent to only activate up to that 100%, not up to that 150%. So then you see the bullet that says March through May. require school and department heads to recommend site reductions. I do not recommend the board or the district office unilaterally tell the schools what they can reduce. And you heard a lot of voices in your audience tonight talking about that. You had your teachers' representatives talking about that. You had your CSEA representatives talking about that. It is important those folks have voices in the room. And so to the extent that you notice positions, that's really step one. Now what you have is two months between now and May 15 to have that dialogue with the stakeholders that we're referring to and the stakeholders that stood up tonight to say, what can we do to mitigate the number of those notices that you need to activate come May 15? So I would, this is the plan that you were asking for last time. I would require your business department, your HR department to interact with the schools, with the principals, with the teacher groups, with the classified groups, with whomever identifies themselves as a stakeholder group that somehow otherwise doesn't have a voice. Really important is this next bullet, and that's why the three words at the end of the sentence are in bold. When and if you set priorities to make reductions, and when and if you vote on those priorities, make sure those priorities are clear and make sure you're comfortable with them because I would highly recommend that you don't put yourself or your community through the heartache coming back. If you're going to make reductions 1 through 10, the recommendation is you be prepared and even talk out loud about it and when the revenue returns, here's how we're going to rescind or restore those reductions. And so you've already declared for everybody around you what the intent is when the money is restored. And that way you're not having to churn through this discussion again. It's not that you won't make adjustments to that, but it's a good idea. It's what I do when I walk into distressed districts as either a state representative or an interim superintendent or CBO representative, because it's hard enough to do this work going down. It's frankly just as hard to do it coming back. So just a word to the wise. Third bullet there, under March through May, determine the contracts that are essential. You do spend a lot of money on consulting contracts. Some of them are essential for lack of staff. Some of them are essential because they're specialized skill sets that you have in district staff or in positions because of the size of your district. So some are essential. You can't live without your attorney. You have consultants for your facility program, for instance. Some of those are essential. You can do some things within those categories more cost effectively, but it's important to try and curb the appetite to spend in those areas. Compare actual site staffing to staffing ratio. I mentioned that a minute ago. If there's an overage, and secondary is a lot harder to identify than elementary, but if there's an overage, you need to tighten the belt there. If your staffing ratio is 1 to 24 in elementary school and your staff at 1 to 19, which isn't uncommon. And if you're not doing combination classes and you're not doing a lot of things to maximize your capacity and the capacity of your teachers, they're very difficult conversations. But you really don't have any choice at this point but to make those decisions, to get as close to your staffing ratio as you can without violating those agreements so that you can say in good faith, you've done all you can to maximize the agreements you have, maximize the dollars that you get. Eliminate all the vacant authorized or vacant budgeted funded positions. If they're not full now and you're functional, they're less important than the folks you have in positions that are working. Free spending and hiring, except in exigent circumstances until the 24-5 budget is adopted. That is to say, save as much money as you can right now to bolster your ending fund balance. Because cash is king, if you haven't heard that from anybody else. Your budget is nothing more than a plan. You have to really closely look at the cash that underwrites that budget to make sure, if nothing else, you make payroll through June 30. Freeze overtime. It's really easy to dole out overtime, and it happens everywhere I go. But freezing overtime does two things. It saves you money, but also if there's something that's absolutely essential to be done, maybe for lack of staff, so that you're forced to deploy other folks on time and a half, Suddenly, when you freeze overtime, the red flags go up and it identifies where the greatest concern is and the greatest need is. It's tactic, but it's also an

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effective way to save money. And then suspend capital facility projects. There's been conversation about pushing forward with capital facility projects. I would advise against that right now, at least through June 30. Not long term, but at least through June 30, again, to preserve cash. You're going to need to position yourself that if something falls through in terms of your budget revenue projection, or in terms of the state fiddling around with your apportionments, that you have a little bit of slack between your cash and your budget plan. You flip to the next slide, which is entitled Budget Balancing Next Steps Plan Continued. It says May through June 30. This is where you haven't quite gotten to May 15 yet. We get to the May revise. Hopefully they're on time. Hopefully you get it before May 15. We get a look at that because that's where the reality comes in. That's where the legislature and the governor's office negotiate. That's where we decide who's right and who's wrong between the governor and the LAO about that multi-billion dollar deficit. You look at what it does to your revenue, whether it's up or down, whether they change the COLA. You weigh the impacts of those changes that are pretty close to firm in terms of the state's budget, and you apply those to your Newark unified revenue projections. If your revenue goes up or looks like it's going to go up, great. It eases your pain a little bit. But if it's static or going down, you have to do as much or more than you already plan to do. You adjust if necessary. Your business office, of course, will report the impacts or potential impacts of the May revise. You adjust the proposed reductions and noticing as necessary. Hopefully it's noticing because your revenue went up, therefore your noticing or your activation of the noticing can go down. You then activate the notices necessary to meet the resulting budget reduction that you forecast. At this point, before the June 30 adoption, this is where you look at all your contracts and you say, who has a term clause, and hopefully most all your contracts have a term clause, and you terminate those you can somehow live without. Even if it means you work your salaried employees a little harder, most of those are your management staff. It's a tough time, but that's what your good management staff will do for you. They'll give you 110% when it's necessary. And it's not just management. I know your teachers in Classify do the same. But they're in a different classification than the managers are, where we can ask the managers to do more. and do not count on the facility bond to save you operational expense. I heard that conversation a little bit about a week ago. As quickly as I can say this, even if you authorize going out for a bond today, and even if it passed, let's say it's June, in the June election, you won't see that money until probably January of 2026 because of the way the money has to go through the process of prioritizing the money, prioritizing the projects, designing a project, going through DSA, and then issuing bonds to actually fund those projects. Realistically, January 2026 is actually extraordinarily optimistic. It would probably be February or March of 2026 at the best. We're talking a year and a half away. In theory, passing a bond, launching a huge facility program will help you long-term in your maintenance and operations department, but it won't help you curb this budget problem. It'll be too late for that. So I'm not saying you shouldn't do it. I'm just saying don't count on that to solve your problem. Finally, the last slide and the one after this is merely just asking you what questions you have. As you adopt your budget June 30, you continue to scrub the budget. A lot of people get to that budget and then they relax for a little while. You're going to adopt that June 30 budget and continue working the next day to look at what you need to do now for the following year because then you have a healthy six months before the January of what will be 25, Governor's proposal to really say, okay, we went halfway, what's the next half look like? And those are tougher decisions. You're getting low-hanging fruit right now, believe it or not. Those next decisions are going to be tough. Things like further staffing reductions, Attendance boundaries, if you can be more efficient about how kids get to school and how you allocate kids and teachers. Closing of additional schools if they're less effective to operate could be combined. Outsourcing services where it's more cost effective than doing it internal. And some of the speakers talked about FERB. Some of that is appropriate, some of it's not. And those have to be looked at. Curtail travel and conferences. Everybody likes professional development. It is good for your district. But it's not good for your district if you can't be solvent and do that at the same time. And keep that soft freeze on hiring and spending. And if you're not familiar with a soft freeze, that is just like a hard freeze, except you use a little escape hatch that says you can ask for anything, but it's going to take the highest level of the organization, means your executive cabinet, superintendent, to consider every single hire, every single purchase, which is extraordinarily labor intensive, but it's also a really good practice. when you're in fiscal distress. Do actual attendance headcounts if you don't already the first two weeks of school. It's critically important that whatever you've projected for ADA, which translates into revenue, is validated very, very early in the year so that you don't end up overstaffing or so that if you have probes or temps, you have the flexibility to

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reduce staff directly related to the whites of their eyes as they show up. Push comes to shove, and worst case, and this is probably the least popular of all, consider regressive bargaining if necessary. If you have to go back to the table, back to your employee groups and say, guys, we've done all we can and we haven't gotten far enough, is there a concession to be had? Because some groups will choose, done this in district, some groups will choose to take a short-term reduction in pay scale versus having their colleagues be laid off. Some will, some won't. And it's, but it's worth the conversation because when it gets that bad, you employ every possible tactic you have. That is an outline of a plan. I'm hoping that you didn't think the plan would give you the granular detail, the names and positions and numbers. That's not what a plan is. What you're asking your business staff to do is putting flesh to the bones of this. This is the outline of a, not just a typical plan, a plan for districts that are in fiscal distress and the way that It's been four different districts now, actually five considering my last permanent district when I first arrived there. Five districts that I've implemented this plan and it's been highly effective. But it is a tremendous amount of work and it's a very difficult task. With that, last slide is questions. I am happy to answer any questions and feel free to refer back to any slides.

- ▶ [ **Aiden Hill** ] And so thank you, Mr. Berg, for the very detailed presentation and walking through the steps. Before I open it up to the board for questions, could we just go back to one of the earlier slides? So did you clarify, just so that everybody's on the same page, what is the hole that we're digging out of, right? So we say that our budget is imbalanced, meaning that we have more spend than we do income, so what is the whole, or what is the number that we need to achieve to get in balance?
- ▶ [ **Mike Berg** ] You know, I don't have your second interim immediately in front of me, but the last number I thought I saw in year three, really year two, because you're two-thirds of the way through year one, current year, I believe was 11 plus million in deficit spending, and you only had eight million left in your reserve,
- ▶ [ **Aiden Hill** ] Ms. Vicar, can you validate that? So, Ms. Vicar, our deficit spending right now is \$12 million. So, can you please tell us what the imbalance is?
- ▶ [ **Tracy Vackar** ] Let me just go back here and tell you what it is. Our deficit spending is... About 17 million. I'm sorry, that's not right, that's 24, 25. Sorry, I grabbed the wrong one. Thank you, 15 million.
- ▶ [ **Mike Berg** ] Yeah, that's 15 million. 15 million per year.
- ▶ [ **Aiden Hill** ] Okay. And so, because my recollection in the last meeting that we had, and I understand that numbers are being refined, but my understanding when we talked last, it was like 14 million. And so I think we said that we needed to look at \$7 million in reductions this year and \$7 million in reductions the following year in order to remain solvent, which is a fancy term for not going bankrupt. So is that a correct statement?
- ▶ [ **Mike Berg** ] That is, for any of you that knew Ron Bennett from school services years ago, he used to say approximately right, exactly wrong. The numbers are fluid and they will be constantly changing. But yes, Member Hill, you are very close.
- ▶ [ **Aiden Hill** ] Okay, right, so I understand. Okay, so with that, questions from the board? Member Thomas.
- ▶ [ **Nancy Thomas** ] I had a question about the putting halts on capital spending to allow cash flow. What is our cash flow issue and how will putting a halt on on, at least through the end of June, you said, on capital spending. How does that equate?
- ▶ [ **Mike Berg** ] Well, any time, maybe Ms. Vicar can speak to cash flow, specifically cash in county, but one of the biggest concerns I have about districts that are in fiscal distress, or districts that are burning down their ending fund balance, is it's a little like your home checkbook. There are a lot of people that balance their checkbook down to the penny. And there are a lot of people that never balance their checkbook. They just keep a few extra dollars in it, hoping that they'll never get that close to a zero balance. School districts are no different. What you see in your budget is not cash. It's a plan. And so you always have to be looking at cash as compared

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to budget. And in the event that you're reducing down to what looks like zero or negative numbers, which you are, fund balance projections, you need to look at your cash or you need to preserve as much cash. So even if you get right down near zero, hopefully you'll have just a little bit of cushion where you've budgeted some expenditures but not spent them. So I'm saying anywhere you can avoid spending every penny that you've put in your expenditure side of the ledger, the better you are. And while capital facilities money or Title I money or anything else might be very categorical, there is always the opportunity to inter-fund borrow just to cover your cash flow issue until you're replenished with the right kind of money at which point you journal entry those expenses and you put the monies right back where they belong. But at the end of the day, if you run out of cash, you're all up.

- ▶ [ **Aiden Hill** ] And thank you, Mr. Berg. And again, I know that also cash is potentially a fluid issue. But again, if we're talking about, OK, cash is king, and we've got to make sure that we don't accidentally get overdrawn because we're not going to get overdraft protection. So how much cash do we have on hand, approximately?
- ▶ [ **Tracy Vackar** ] I don't have that answer. That would be a business office. Yeah, it's fund 17. I just had to go look it up. Sorry.
- ▶ [ **Nancy Thomas** ] While you're looking that up, I can't have 38 million dollars.
- ▶ [ **Aiden Hill** ] So we have 38 million in cash right now. Okay, and And our and and basically we are overspending by 14 million a year Right. Okay, rough estimate. Okay, so we got 38 million in cash We're roughly overspending by 14 million a year, right and 17 next year so essentially what we're saying is is that we're draining the piggy bank and And that if there aren't course corrections that probably by year three we will run out of cash Okay, all right Right so I understand I understand that you as an experienced CBO understand the dark arts of finance and can, you know, figure out how to, you know, find on a temporary basis monies. But I think that the important thing that needs to get brought back to the district is you can only do that for so long, right? And so we need to lay out in stark relief our situation. We are spending \$14 million more per year than we have coming in, and we only have \$38 million in cash. So by year three, we're out of money pretty soon.
- ▶ [ **Mike Berg** ] Before you get to the end of year three, an AB 1200 will say, unless you can demonstrate you'll have it through the end of year three, your overdraft, you do have overdraft protection, but it's not the one you want. The state will write a check.
- ▶ [ **Aiden Hill** ] Right, so there's so what you're saying.
- ▶ [ **Mike Berg** ] Mr. Berg is that there's the state version of a lone shark That is correct They'll write the check and they'll send somebody like me in to usurp your authority and your superintendent's authority and tell you what cuts you're going to make Okay, great.
- ▶ [ **Aiden Hill** ] So so member Thomas you had another question.
- ▶ [ **Nancy Thomas** ] No, that's all.
- ▶ [ **Aiden Hill** ] Thank you other questions from the board
- ▶ [ **Carina Plancarte** ] And I wanted to ask about the, you know, one of the things that came up was the freezing overtime. And so I just wondered, you know, if it doesn't have to be right this moment, but if there is a percentage at least of what we are spending on overtime, obviously we want to make sure that, you know, we're paying people if they are working overtime. But is there a way to truly curb that? And what does that look like as far as like,

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- ▶ [ **Tracy Vackar** ] It's really, I'll be honest, overtime's a little difficult and it's tricky right now here in this district because we do have vacancies, right? And so when you need to have evening custodial support and there's not somebody there to do it, we actually have to pay overtime and have somebody from the daytime crew go in and do the nighttime shift, right? To make sure those things happen. I think we do try to be mindful as much as we possibly can around overtime. Again, I think we can crank it up just a little bit, but It's hard, and it's really hard when you've got vacancies. And so when you are having a hard time attracting people to come in and come work, that is a hard thing to do. And it's hard when you're closer to the minimum wage margin for some of those positions to find people that want to come work for us versus working someplace else here in the area, or maybe more local to their home. Because a lot of people can't afford for those jobs to even live here in this community, which means they have to commute in here, right? So it's really a hard, It's a hard piece. I mean, it's one of those things that I think we understand that there are certain services that are essential that we have to use OT for. But there's other ones that we need to really be thoughtful about and think about how we're spending those funds.
- ▶ [ **Carina Plancarte** ] And just for clarity's sake as well, too, you know, so I understand that. So we have about roughly 38 million and we're spending 14 million more than what we have and so generally we're working backwards right like from a three-year standpoint and that it was brought up as well about PICMAT coming in like at what point just also to understand and to really not to create any you know chaos or anything but like what are we talking about here when that happens like if PICMAT comes how close would a district be to like, let's say, a state takeover or something like that?
- ▶ [ **Tracy Vackar** ] Yeah, there's a couple of things that qualify when FCMAT comes in. And Mike, you're welcome to help weigh in with this with me. If there's numerous changes to your CBO and superintendent, that's a reason for FCMAT to come in and have some oversight. If you're constantly showing that you are qualified or negative in your multiple year projections, another reason for FCMAT to come in, right? So there are certain things, if you're showing instability and the county has concerns, they can raise that concern with FCMAT. Another reason for FCMAT to come in. What else am I missing, Mike?
- ▶ [ **Mike Berg** ] Well, I think directly to the board member's question, AB1200, Assembly B1200 is that regulation, that statute under which even FCMAT exists. And what happens is, Your County Office of Ed and FCMAT will make a lot of noise when you start showing fiscal distress. They're both very aware right now, already. The truth is, they will tell you. Mike Feinfurth will tell you, well, make a lot of noise and we can give you lots of warnings. They have zero authority to make you do anything until the point that you go negative. And as soon as you go negative, meaning you can't demonstrate that you can make your third year on your multi-year projection, That's when, if you don't make the changes, if you don't, for instance, authorize the reductions, the state will write the check to make sure you're solvent. But they also put somebody in there to, quite frankly, retrieve their money. Retrieving their money is their first priority, not your kids, not your staff, not your community. And so what Mike Fine will say is we park the ambulance at the bottom of the hill. Instead of saving you from going off the cliff, we just wait till you land. we pick up the pieces and we give it back to you, we put it back together, but it's too late. You've already lost control.
- ▶ [ **Aiden Hill** ] Yeah, other questions? Thank you.
- ▶ [ **Joy Lee** ] This might digress from what we're talking about, so please let me know if it does, but I was just wondering, like looking at this, I saw like a lot of our budget ends up going into our staff and how is it and I just need help like understanding how is it that so much money goes into our staff but we're still like behind compared to other districts of like how much money we pay them?
- ▶ [ **Mike Berg** ] Well that's a good question that's actually a very good question I asked myself the same question that your staff might be as close to comparable as you can afford as a district. The biggest challenge you have is you may have too many staff and so you're spreading the finite amount of money you have over too many people. So if you right size your staffing, which is why I suggested that you look at actual staffing or actual

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number of teachers per school and classified for that matter, against your staffing ratio. If you're supposed to have 24 to one average, and you have 20 to 1 average, you have too many people. So you're spreading that same money over too many people. And if you got down to the right number of people, there would be more money to distribute to fewer people, which would raise their comparability as related to other districts. Does that make sense?

▶ [ **Tracy Vackar** ] Yes. Let me see if I can explain it a little bit better. So at the high school level, I think you have a 32 to 1, 34 to 1 staffing ratio, right? Some districts have a 36 to 1, which means there's 36 students instead of 34 students. If you spread that across the board and we move everybody up, you might have a savings of an extra teacher that would then go back into the budget, right? And then that becomes money that then helps raise the comp level of how much they're being paid. So just to kind of break it down just a little bit, right? So making sure that your staff, I'm sorry. No, please go. Yeah. So making sure that your staffing is really tight is what he's suggesting. You want to make sure that you're keeping it as tight as possible to your contracts. You may, if things get really bad, go back and have to look at your contracts and say, is this an area that you want to do something with in order to make sure that staff can actually either get an increase in pay? or to be able to help support your budget goals that you need to, you may need to look at, you know, that might be one of the many different things that you can look at to be able to save money, right? So, but the staffing piece can be a big piece, especially when staffing is 80% of your budget. And you're right, it's a big chunk of our budget. So, really observant, thank you. Okay, cool.

▶ [ **Joy Lee** ] Thank you so much for explaining.

▶ [ **Aiden Hill** ] And one more thing on that topic. So, you may have heard Member Thomas talk in a number of sessions about the importance of the master schedule at the high school. And the reason that she's so focused on this is for this reason, and she can maybe elaborate further, but at a basic level, if you have a teacher that teaches a subject, and let's say it's an unusual subject. So let's say it's, you know, I don't know, Underwater basket weaving okay for a lack of so some unusual so so that teacher has a fixed salary Okay, so so and let's just say for the sake of our I mean, I don't know what's the average teacher salary right now in our district Let's just say a hundred thousand. Okay, so a hundred so you've got a teacher that's making a hundred thousand dollars the challenge that we have though is that that teacher gets paid a hundred thousand dollars and whether there's one student in the class or whether there's 36 in the class. And the challenge is that we get revenue for students, but if we don't have enough students in the classroom, basically we're really kind of overspending. And so even though the desire is to try to provide as many learning opportunities as possible, we can't do it if we don't have the money. Right? And so that's where, that's why staffing becomes so important. And I don't know, Member Thomas, if you want to add to that, or if I just like butchered it.

▶ [ **Nancy Thomas** ] No, no. You covered it.

▶ [ **Aiden Hill** ] Okay, great. So, other questions from the board?

▶ [ **Carina Plancarte** ] You know, I have another question, and this is touching on our contracted positions. And I understand that we've not been able to fill, for instance, in special ed, we've not been able to hire directly for the district and so we've then had to go out and and hire you know special ed teachers on these contracts and so I'm wondering is there a workaround here in education where could we look at if we are hiring these contracted positions and we're giving again I'm not sure what the salary ranges are but could we look at increasing the pay for these positions, certain positions, and, you know, do away with a lot of these contracted positions as a way to save money. So not to say that we're going to match exactly what the contracted positions are getting paid, but I do understand that once you are hiring a contracted employee, at least in the business world, you're spending a lot more money versus if you were just hiring someone to bring them on as part of the company, because then at this point you're paying the agency and you're paying all these extra fees and such. So I'm just trying to understand what are the roadblocks for that, just so that that's clear, too, with our community. Because I know

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we need special ed. We cannot cut there. That's critical, right? But we also want to get direct hires, and we'd love to save money.

- ▶ [ **Tracy Vackar** ] Sometimes you can look at various things. You could look at increasing special positions that are hard to fill and paying a premium. Those are things that you can do. Those are things you can negotiate. And we could take a look and see if there's some sort of balance there with what we're doing. You could do a hiring bonus. There's different things you can do as incentives to be able to try to attract people to come into some of our positions. But we need to sit there and make sure that we carve out a program to be able to do that and to be able to show here's what that cost saving looks like. Very much so, like, you know, a member of WIN was asking, like, what does that plan look like if you were to do that kind of a program? Is it cost effective or are we going to have to up front money to begin with to be able to get that cost savings later? Those are really good ideas, and I think those are ones that we really do need to explore, especially when you look at the contribution that we're making towards all those contracts, because we can't find the people to come here and come work. So it's really an observant problem that we have, and figuring out what are some of the solutions we can do to be able to reduce the vacancies, have regular full-time people that work for us, people that we know, people that get to really know our kids, right, instead of being a rotation. And I think those are some things that we can definitely go back and go explore.
- ▶ [ **Aiden Hill** ] Other questions? So I have a couple of questions, Mr. Berg. And I just want to make sure that we're all clear kind of about what we're facing. So obviously, this is a very tough topic. I mean, you've said, right, it's a tough topic. And you said, but at the same time, it's an urgent topic that we have to address. So we've identified the fact that we're overspending by \$14 million a year. We got \$38 million in the bank. By end of year two, if we don't change that trajectory, that the state is going to take us over. And I think that what you'd indicated was that, although we do see that there are a lot of loose protocols and a lack of internal controls how we spend money, particularly on goods and some services as well. And certainly there's opportunity to cut there. But I think that I also heard from you, Mr. Berg, and I think that Ms. Vacar just stated it as well, that the largest area where we spend money is personnel. So 80% of our budget goes and our spending goes towards personnel. And so it sounded like what you were saying, Mr. Berg, is that there is no way around doing some type of rightsizing from, or I should really say downsizing from a personnel standpoint, if we're going to avoid bankruptcy, right, insolvency. Is that a correct statement?
- ▶ [ **Mike Berg** ] That is a correct statement because at least half of that 20% that's non-personnel is just essential operating expense, power, and so forth. And so if you look at 10% of your revenue, it's not \$14 to \$17 million that would offset your deficit spending. You have no choice but to reduce personnel.
- ▶ [ **Aiden Hill** ] OK. And I think also, again, just to make sure that we understand, obviously, when we deal with people, it's a very personal issue. And so we know people. We have relationships with people. That part is tough. We also have connections to certain programs that we feel passionately about. And seeing them either reduced in terms of personnel support or potentially eliminated, that's a very tough thing. But I guess, but I think what I'm hearing you say is that We don't have a choice but to cut in the personnel area. And I think what you had said was that given the laws in the state of California, that we have to sort of take a broad brush first step in terms of noticing on by March 15th, And I think what you said was that you essentially, you identify what the level of cut is that you're going to have to take from a financial perspective and you multiply that by 150%, right? And so you're saying that basically if you really needed to cut your budget in the first year in terms of personnel by a million bucks, you need to notice, meaning that you need to give layoff notices on March 15th for 1.5 million. And then from March 15th through May, The staff, along with the board, is going to take a second look at those proposals and make adjustments and hopefully whittle things back. But if you don't notice at that point, you can't come back in May and say, oops, it was \$1.5 million rather than one, and we only did one. So as I describe that, was I hearing you correctly, Mr. Berg?

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- ▶ [ **Mike Berg** ] Yes, you were. That is correct.
- ▶ [ **Aiden Hill** ] OK. And so I think that that's one thing that we, the board, really need to consider is that although it's tough, it's emotional, we're fast approaching a survival situation. And although there's going to be some discussion about what positions are truly needed and which ones we're going to have to forego in the short term, the hope is to be able to build back. And the hope is to try to be able to get enrollment up, et cetera. But I think what you had indicated also, Mr. Bergen, let me clarify and make sure I understand. For those people that think, well, maybe if we just pass a bond, maybe that'll get us out of the situation. And I think you said in your slides, that's not really in the short term. Is that a correct statement?
- ▶ [ **Mike Berg** ] That's correct. It takes too long for that bond to turn into real dollars to offset your operational costs.
- ▶ [ **Aiden Hill** ] OK, great. Member Lee?
- ▶ [ **Joy Lee** ] I just had a question about, like, so we need to cut down on personnel, clearly. But what just doesn't add up for me is, like, we're also having, like, shortages in, like, we're having shortages of teachers in our classrooms. So just, like, I'm hoping you guys can also explain, like, The two and two aren't connecting for me.
- ▶ [ **Aiden Hill** ] Member Vercari, you want to talk about that?
- ▶ [ **Mike Berg** ] I think maybe the easiest answer for that, and I'm not sure it's the answer to your question, but some of the shortages, a large majority of the shortages in all schools, not just Newark schools, is because certain credential areas are more challenging than others to find personnel. Special ed, mathematics, science, speech, All certificated positions are very, very challenging to even find people who are qualified. The universities are not producing enough of them. So it's not always a dollars and cents challenge as much as it's just finding the right person with the right credential.
- ▶ [ **Aiden Hill** ] And to add on to that, and I think it's an important point, and Member Plancarte raised it earlier. So we have a, we are required by law to serve all students, to provide services to all students. And if they face specific challenges, nevertheless, we still have to serve them. But in certain situations, particularly in special ed, although the state has said you must serve, they have not provided extra money to do that. So that's what's called an unfunded mandate. And then what's happened in addition to that is that as Mr. Berg is indicating some of these areas require very specialized expertise which is difficult to find and I can tell you that like even in my own district and we and we actually have Significant revenue because we're actually a basic aid district and we get money from from property rolls from tax taxing property But even even though we can pay higher salaries, we still have trouble Actually finding special ed teachers and so but we as it all districts are required to serve these people and and Member Clint Blancarty was hitting about on on this and we were talking Earlier about it that we still have that responsibility and if we can't do it we have to outsource and so what you'll see is you'll see a lot of contracts that are coming through on the consent agenda saying, you know, well, we need to provide this for this particular student or this. And it is exponentially more expensive. And so, but it's something that we can't eliminate. And the other thing that I think that Member Polancarti was hitting on and something that maybe that you're, you know, that you're seeing as well, we have teaching positions But we've had an issue of losing teachers. So we've had to be bringing in people on a contract basis. And oftentimes, it's more expensive. So that's the problem.
- ▶ [ **Joy Lee** ] I understand. Thank you.
- ▶ [ **Aiden Hill** ] OK. So again, we've got a whole short term. We're not going to see enrollment turn around. It's going to take time. We're not going to, a bond is not going to save us short term. I think that you indicated again, Mr. Berg, that we can cut in other areas in goods and services, but it's not going to be enough to totally solve our



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deficit problem. And then I think the other thing that you noted was we've been fortunate, the entire state of California has been fortunate over the past couple of years where we've been getting massive injections of money from the state for COVID. But that has ended now. And not only that, the state is out of money. The state faces its own. So we don't have a rich uncle or aunt or whatever you want to say that can actually cut a check for us. And so we now have to figure out how to solve this problem. And it's an urgent problem, right? So are there any other comments or questions that the board has or Superintendent Vicar that you would like to make?

- ▶ [ **Tracy Vackar** ] I think just a couple of things real quickly. One of the other challenges that has happened with our budget, and you're aware of this, we've been hit with some fines from the state. And that really has impacted into our revenues and serious impacts. And when we talk about the second interim, I'm going to show you some of those numbers because they're scary. And they really do have an impact. And I think it's a multiple year factor that we're probably going to see because we had a rolling average that we were able to use with this year and the prior two years, right? We're still going to see those penalties in the outlier years, and so we're planning for those. That doesn't help, and so we need to come up with some strategies to figure out whether or not we can actually battle that and get those reduced by the state or get them eliminated so that we actually have that funding. It really does add an additional burden to our budget on top of the budget woes of having had that infusion of money, right, and now having to really, you know, look at how do we make sure that our FTEs are tight at all of our school sites. And that, you know, we're saving as wherever we can. It's going to be a tight line for us to be able to provide the services and offer the staff a competitive salary with where we're at with our budget. It's just going to be really tight. We don't get a whole lot of extra LCFF. I am going to show you something later on. And we're real close to being able to get a little extra infusion of money if we hit a number for our un-nucleated count. And so I'm looking forward to kind of sharing that with you. We're close to that number. we might be able to get there with some other strategies, too. So there's some pluses. There's work to be done. There's work to be done in reduction. There's work to be done on trying to gain additional revenue.
- ▶ [ **Aiden Hill** ] Great. So thank you, Mr. Berg, for all the work that you've done and the very detailed presentation. And thank you, Ms. Volkar. And then, Ms. Euchter, if you could help make this available, this presentation available out on our website so that people can review it, that would be wonderful. OK, so thank you, Mr. Berg. Sorry to keep you up so late. No problem. Thank you. Thank you. OK, so moving on to 12.2, review feasibility and next steps for placing a general obligation bond on the November 2024 ballot.
- ▶ [ **Tracy Vackar** ] Yeah. Thank you very much. I'm excited to be able to introduce this particular We'd actually change out the slides if we could. I'd like to be able to move to the introduction of potential 2024 Geobond presentation. It's actually the second presentation. 12.2? It is 12.2, and it will be the introduction of potential 24 Geobond presentation. Mr. Bauer, would you like to join us at the podium?
- ▶ [ **Kadie Eugster** ] That's it. I don't know. It's an introduction.
- ▶ [ **Adam Bauer** ] Good evening.
- ▶ [ **Kadie Eugster** ] Yeah, that's the one.
- ▶ [ **Adam Bauer** ] I have hard copies as well. So if that's easier, I can hand those out.
- ▶ [ **Tracy Vackar** ] Yeah, that'd be great. Thank you very much.
- ▶ [ **Tracy Vackar** ] Thank you.

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- ▶ [ **Adam Bauer** ] It's down here. It's gone. Thank you. And generally, this topic is bifurcated from the one before that, two very different funding sources. You've already talked about the operations. In your case, you get funded on enrollment or attendance. And for some other districts, they get funded based on assessed value. But that's relatively uncommon. What this is focused on is funding for school facilities. And generally, this money cannot be used for operations. But in some cases, some of the project managers are able to be funded for operations. So just want to make sure, I know you spent a lot of time on that, and that this, I don't want this to get mixed up with that. Are we OK on the presentation yet? Looks like it's not coming up. So I'll just start.
- ▶ [ **Tracy Vackar** ] I don't know if you could just introduce your company for just a moment. That would be great.
- ▶ [ **Adam Bauer** ] OK, thank you. My name is Adam Bauer. I serve as CEO and president of Fillman Rollapin Associates. what you call a municipal advisor, but also known as a financial advisor. And we advise school districts on finance matters like general obligation bonds or other types of financing that you would be undertaking. And so what we look at on that first slide is your district's historical assessed value. And you've performed very well. Your assessed value has grown at a greater rate than a lot of other school districts throughout the state of California. And so really, the work from anywhere, I think you've had some real benefits from that. The last two years, you've had more than 10% annual increases in your assessed value. That's very, very high. Oftentimes, we look for somewhere between 4% and 5%. Your assessed value with all your district boundaries is \$14.4 billion. And once again, that's very high. We show you some averages there. For those who are watching online, the five-year average is 8.85. The 30-year average growth is 6.36. And once again, those are very good. At the bottom of this slide, we show the district's assessed value and how that generates a statutory bonding capacity. For every school district, you would multiply every unified school district. You'd multiply your assessed value by 2.5% to get a statutory bonding capacity. That does not mean anything to you in the bond world unless, one, the board votes to have a measure considered by the voters, and two, the voters come out and support it. Then that means something to you. But the district has a statutory bonding capacity of \$361 million. You only have \$63 million and change of bonds outstanding. And so that would leave a remaining bonding capacity of 297 million. The reason why I dwell on that detailed calculation there is you have done a lot with what you've asked for your voters when it comes to general obligation bond measures. And so compared to a lot of other districts, you have a lot less of your statutory bonding capacity that you've issued. And then the next slide is slide two. And that shows the overall tax rates for all the school districts in Alameda County. And what stands out is Newark School District is close to the middle at 70.7. When I say close to the middle, it's probably just slightly under the average. And so that's it. OK, so I'm on slide two. And so that red line in the kind of middle-ish there, that's your district. And what makes the program that we're looking at as a possibility this evening is that number would not change. Most of the time when I'm having this conversation with the board, I'm saying, if we do a GO Bond measure and the community supports it, we're going to leapfrog all these other districts. That's not the case with what we're looking at here. And I'm going to show you why in a moment. We lost it.
- ▶ [ **Tracy Vackar** ] Next page. OK.
- ▶ [ **Aiden Hill** ] So now I am I have moved on okay So if we can get to that one with the bar charts there that's really what I'd like to talk about next The district has two geo bond measures the 1997 measure is on a tax roll and
- ▶ [ **Adam Bauer** ] at approximately \$45 per 1,000. And what we're showing here is that between 2024 and 2027, that measure would be fully paid off if the district and the voters were to take no action. So this is what I want you to, just in the back of your mind, remember as I get to some other slides here. On the next slide, slide four, is your 2011 measure. In this measure, we are looking at, I guess, paid off to now in 2042. And while this one gets layered on with the other one, there'd be no action that we'd look for here. So if we get to slide five now, scroll a little bit more, this is how your two measures work together. You can see there at the top, I listed two measures. So one more page, please. So on this page, we've summarized these two measures, the 97B and the 2011 Measure G. Then the bottom there is that tax rate per 1,000 slide, but we've put both these measures on one

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slide. And hopefully what you're noticing is since that 1997 measure tapers off, you can see that tax rate drops over time if no action were taken. And then on the next page, slide six, what we've looked at here is if we did something where we said, look, can we do something where tax rate, instead of having it decline, just don't have it drop. We do a tax rate extension. And what would that generate for the district? So these blue bars, the navy blue, are that 1997 measure on the tax roll. And you can see them fading between now and 2027. And then the red, green, purple, and light blue, that doesn't exist today. That is a projection to say, should you have a tax rate extension, how much could you generate for facilities without increasing taxes? And so here what we're showing is bonds being sold between March of 2025 and August of 2031. I want to make sure that I'm not conflicting with the gentleman that just spoke before me. I believe he's referring to our budgetary items. So if a school bond was passed by the voters in November of 2024, we could sell bonds and have the initial funding available to the district in this time frame. But I think what we're referencing in some of the prior slides is it would take you three years to spend that money. So it's not like it's going to impact your budgeting that initial year. And maybe it will down the road. That's something you can work on. But what I think is really attractive about this is that you can do a tax rate extension, not increase taxes, but still generate \$200 million for projects between now and 2030. The takeaway from that slide, if we go to the last slide, is an abbreviated schedule. And what we're really focused on here is a GO Bond measure needs to be called 88 days before an election. And so the next election coming up is November of 2024, and we need to call for that election by August 9. And then backed up from there, what we did was he said, well, what would be kind of a reasonable timeframe? You don't have a July board meeting. So what we looked here is we looked at a June 18th meeting. And then from there, we backed up. In order to do any of this, you'd want to look at a survey. When we look at these throughout the state of California, generally school districts that have a tax rate extension option generally get about 10 percentage points more support than a brand new GO bond measure. The other thing that we oftentimes see is a bump in support for a November election. I'm sorry, a presidential election. So the combination of a presidential election and not increasing the taxes can give you substantial boost in support from your voters. And all that is based on need, but we certainly looked around and have talked with district staff about the significant need that you have in your community. And we know this only puts a dent in it. But anyway, that's a summary of the schedule that we've that we've taken a look at. And from there, I'm available for any questions.

- ▶ [ **Aiden Hill** ] What's your name again, sir? Adam Bauer. How do you say your last name? B-A-U-E-R. Oh, Bauer. OK, great. So Mr. Bauer, thank you. Questions from the board?
- ▶ [ **Nancy Thomas** ] Could you explain why it's not going to, why it's a continuation?
- ▶ [ **Adam Bauer** ] Yeah, let's go back. I'm sorry to make you do that. But if we go back to the slide where it's like maybe four, slide four. That one. Go up one more. One more. This slide is your 1997 measure. And when bonds were sold on that, they would have been fully prepaid or paid off by 2027. And so the taxpayers are currently paying that. And if you don't do anything and they don't vote for anything, that would drop off and no longer be in the tax bill. And so the reason why it would not increase is we would just structure or set up the next series of bond measure to pick up when the last one tapers off.
- ▶ [ **Nancy Thomas** ] So we wouldn't sell any bonds until 2027?
- ▶ [ **Adam Bauer** ] You can sell the bonds before that, but we'd fund the interest out of bond proceeds. And so we got past that.
- ▶ [ **Tracy Vackar** ] OK. But then moving forward, if you ask voters to consider a bond extension, They basically wouldn't be paying any more money necessarily than what they're paying today. You would continue just keeping it stagnant, but it would allow for that additional funding. So it's not a whole brand new reassessment. It really just is keeping it where it was, something that they're familiar with already. And that sometimes is more palatable to a community. Yeah, exactly. The other thing is on their assessed value. It's not on their market value. So big difference there, right? So trying to get out that messages. And then the other thing is staff would have a lot of work to do, even if you gave us the authorization to consider looking at a tax extension. Before you actually take

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that and put it on the ballot, there's work that we need to do. We need to do a communication plan, we need to do some surveys. We need to bring that back to you so that you can make an informed decision as to whether or not the community would even consider a tax extension.

▶ [ **Tracy Vackar** ] And for what?

▶ [ **Tracy Vackar** ] And for what they would actually consider using it for? So you have some information to really be able to use to be able to structure your campaign before you would put it on the ballot.

▶ [ **Aiden Hill** ] And that, I think, is really the essential issue in my mind, CBO Bakar. So there's no doubt that the district could benefit from a box. I don't think there's any doubt. There's no doubt that probably doing an extension is a low-paying way to make this offering. It's certainly the fact that it's a presidential election, and you're going to have higher voter turnout. Those are all things that weigh in favor of this. But I think the million-dollar question in my mind is, as we just spent, you know, the last hour and a half on, we have a lot of fish to fry. And you're telling us that this is going to take significant staff time. I mean, do we have the resources? So, do we have the resources to do this at this time? And I think also, if we were going to do it, we decided how much money we would be going out for, And do we have a sense of what are the burning priorities that we would need to get this money for, that they would need to be spent before the next election cycle?

▶ [ **Tracy Vackar** ] Yeah. I think those are all really great questions. And actually, your survey work will help lead you to know what the voters would actually consider. And in that survey work, they're going to look at what could you actually ask them to do in that tax extension? How much are they willing to pay so that we receive certain funds?

▶ [ **Aiden Hill** ] Right. But I'm sorry, because I understand that if this were in a perfect world, okay, and we weren't in dire need of resources and money, that would be the proper way to do it, right? And so it's like, hey, there's a lot of things that are, you know, that are potentially, you know, we could use bond money to fix, let's go poll the community, let's get input, you know, blah, blah, blah. That's the standard process, okay? But I think right now, given the fact that we're going to have to spend, significant staff resources and other resources to organize this. I don't think it's, I don't think this is an issue that, that, that, how can I put it? If it's a nice to have, it seems to me that it would be something we would do in the next election cycle. If it's a must have, I think we need to know what are the things that we must get the money for that drive the urgency of this project.

▶ [ **Tracy Vackar** ] Let's go take a tour of the facilities. I was just going to say that. The swimming pool. I can go down the project list. It's huge. Joy sends me pictures. Thank you, Joy. Seriously, we have got to take care of our buildings. We've got to do it for our kids. We've got to do it for our staff. I'm more than willing to go put in the time. But more importantly, we need to make sure that we bring the team of partners on that can help us do this work. We're not doing it alone. We're doing it with people that are highly skilled in this particular area to be able to help us. The people that will do the survey work, the people that will help us with some pre-communication work. Those are things that we can ask partners to help us with. And yes, we would be paying for that service to be able to get the information. But I gotta tell you something, this is an opportunity. And the idea that we might lose this one opportunity, it's like the perfect timing. This is like, to me, everything's kind of lining up. You're getting ready to lose your tax rate where people aren't going to be paying it. You're asking them to continue what they've already been paying for all these years, right? To me, that's a great leverage. Even then, \$200 million goes fast. Let me just tell you, it goes really, really fast. We talked about a \$6 million project tonight, just one project. So those projects are going to go really, really fast. But we have a high need, and I want to make sure that our roofs are going to hold up, that we've got good looking ceiling tiles, that we have a refresh where we need to have it, that we're not putting duct tape down on the floor, that areas that the beams are rotting, that we're taking care of those things. Those are things we should take care of, and they're essential to take care of. The restrooms, and the look of the restrooms need a refresh. I can keep going on. We need to make sure that technology and other kinds of things happen within our buildings to be able to teach kids. Those are really essential items. And it's really good for the overall, want to be able to bring more kids into our district. If our sites look good, and if we

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have the right kinds of classrooms with the right kind of tools and equipment, people are going to want to come here. And we need to make sure that we choose and pick our projects wisely. to be able to show the community, look how we're spending your money, because you're going to come back and ask them for another bond to continue doing some of this stuff. This is, to me, just the intermediary piece. But you have the perfect storm of getting ready to be able to lose a rate. And I guess this is why I think it's so important to bring this to you now.

▶ [ **Carina Plancarte** ] And you know, I think I want to just sort of, I think I know possibly what you're getting to, President Hill. But yes, absolutely. Our kids, our families, our teachers, they deserve to have safe facilities that are not falling apart. It is sad to go to my kids' sites and to see the dire need that they are in of repair and to ask our teachers, our staff, to go into these portables that are, you know, we question, is there mold and are there going to be other health issues? I mean, it is just, it is a dire, dire need. And now to get to my other point is I think I understand where, you know, maybe President Hill and please correct me if I'm wrong, but also the fact that yes, you touch on the resources and this does mean that we don't have these resources. So what's going to happen is that we are going to need to bring on people and we're going to need to hire people. And, um, understanding that this is a very sensitive issue given tonight's discussion. I think that this is where it's critical that we do have a communication plan that is well laid out where we not only are communicating with our community but we need to really have all hands on deck with our staff and they need to understand that this is exactly why we're hiring additional people because of this to oversee these projects. And also, I think it's just better for collaboration sake as well, you know, between our staff and our community. So I think if we can really ensure that we have a good communication plan in place and we are asking people to join us and to understand why these additional hires to support need to be made, then I think we would be okay. Anyway, I will let you speak.

▶ [ **Aiden Hill** ] Thank you. So member when?

▶ [ **Phuong Nguyen** ] Yeah, I think in the past where we I'm not going to say failed, but our attempts did not resonate with the community is the fact that we didn't identify the needs correctly. And and also we did really miss an opportunity in 2020 with. And then in 2022, obviously, when we went back out and did The survey, it is a smaller pool of voters for a non-general election, I mean, a presidential election. So looking at it now in 2024 and holding off, we're able to increase even a little bit more money, right? And also, if we do the rate extension, I think that because everybody is already comfortable seeing that on their tax bills every year, that is a very good point. It's something that is, yeah, palatable and very acceptable. I mean, it's, oh no, no, it's fine. But yes, so I have been in favor of passing a bond. I know that with member Plancarte and I on the committee, we can do that additional work. I'm already volunteering you. Or committing you to the work. Volunteered myself, I am. I think it is a necessary need. And of course, I would love to have new technology in the classrooms for our students. It was a huge, it was a huge, I had so much joy watching all of the kids and their families come to the high school, be part of the STAR Lab. And that's just a small fraction and a small investment that we made to do improvements in that area that has been sitting so long without a program in there or needs. So for families to come here and tell us tonight what an impact it made for them to be able to have the coding, Family Code Night there, and be able to enjoy learning how to code with their elementary school students. And if we are able to do that at all the sites, to be able to put in new facilities, improvements to be able to have that kind of renewed, you know, excitement. I think it's well worth it.

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

▶ [ **Nancy Thomas** ] Thank you for hanging in here so long.

▶ [ **Aiden Hill** ] And I just have just since since member Plancarte was trying to read my mind. So there's not a lot there. But that was part of my question, right? I mean, I 100% agree that we have numerous facility problems. And a lot of it is just purely due to age, right? And so it's time for a refresh. And not only a refresh, but potentially even adding more capabilities, computer capabilities, et cetera, 100%. And that not only is going to empower

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our existing student populations' learning, but it's also potentially going to attract additional students into our district, right? So those are all good things. But the thing that I just think that we, the board, need to really just make sure that we're aware of is that we only have so many people working right now. We only have so many hours in the day, and there's only so many things that we can do. And so I think what, so we just need to be in agreement that we're going to be placing a strategic bet here and saying we want to go for it, but I think that we've got to give some grace to CBO Vaccar and others where when we say, well, we want this additional report of this other thing, that we realize that they're already at 90% capacity. And not only that, the unfortunate thing, the thing that I think it's hard to understand as Member Polancarti is saying, but it's hard to say in the same breath that you're going to do layoffs and then at the same time potentially bring in some consultants to go do work. But the fact is that these are very specialized resources and if we want to get the \$200 million or whatever it is, we're going to have to pay that money up front. It will pay us back later. But again, we need to be in agreement as a board that we say, yes, we commit that the district is going to prioritize this. And maybe there's other things that come off their plate. And also that we feel comfortable bringing in the necessary support to make it happen. And this is not an action item. This is just for information, correct?

- ▶ [ **Tracy Vackar** ] Thank you. Right now, I need direction, I suppose. So although it's a staff report, I am going to need direction to be able to move forward.
- ▶ [ **Aiden Hill** ] So should we turn to our bond committee members for direction?
- ▶ [ **Tracy Vackar** ] Actually, no, not yet. OK. The bond committee members will actually, they really won't be doing their work really until after the board makes a decision to go on to do the actual election. Your hard work will happen. After June, after you make that formal decision, after you have all the facts, right? That's really when you guys go super to work to be able to go help lead that bond initiative. Up until that time, you have an education code, I believe, that you have to follow. Is that correct? Is there some kind of code that they have to make that our board members can't participate yet in doing anything with the bond until after they take the formal action?
- ▶ [ **Adam Bauer** ] Yeah, anything that the district staff and the district is paying for had to be informative in nature. And then if you were to call for an election, then what we do is have a legal counsel come and explain to you what advocacy meant and when you can and can't do that sort of thing.
- ▶ [ **Phuong Nguyen** ] But I think we could still take part in like helping identify the needs and certain assessments prior to that, correct?
- ▶ [ **Tracy Vackar** ] There's certain things you can do. You can help weigh in with some of the survey questions. Yes. That piece you can help with.
- ▶ [ **Phuong Nguyen** ] Yeah, we did that last time.
- ▶ [ **Aiden Hill** ] Thank you. OK, so do we, the board, feel comfortable in providing direction to the CBO to proceed? Are there any objections?
- ▶ [ **Carina Plancarte** ] I have no objection.
- ▶ [ **Aiden Hill** ] OK, I think you have a green light. Thank you. OK, thank you, Mr. Bauer.
- ▶ [ **Phuong Nguyen** ] Thank you, Mr. Bauer. Thank you so much. Member Hill. Board President Hill. I just have one request. I know that we have one of our students, or a couple of our students here. Is it possible to skip to item 14.4? I know that we normally don't do that, but I know they're interested in the outcome of that. Correct, Shane?

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- ▶ [ **Aiden Hill** ] Sure. Well, so is the board willing to make an adjustment to the order of the schedule so we can bring 14.4 up? the graduation venue?
- ▶ [ **Nancy Thomas** ] Yes. Is there any information we need from any of those previous items to?
- ▶ [ **Aiden Hill** ] No.
- ▶ [ **Nancy Thomas** ] OK. OK.
- ▶ [ **Aiden Hill** ] OK, so can we get a motion to, I don't know if we need a motion.
- ▶ [ **Nancy Thomas** ] Can we move forward? I'll make a motion. I'll second.
- ▶ [ **Aiden Hill** ] OK, all in favor? OK, great. OK, so thank you, team, for staying so late. So we've moved up 14.4, Newark Memorial High School graduation venue. And then, Superintendent Vacar, do you, I'm sorry, CBO Vacar, do you want to give us any additional background on this topic?
- ▶ [ **Tracy Vackar** ] Yeah, just a little bit. As you heard some concerns this evening, they really want to know where their graduation venue is going to be, whether or not we are moving forward at a quicker pace with the track and field project, and whether or not they would be able to actually have the graduation currently at their stadium that they have at the high school, which is where traditionally their graduation has been held versus going to an outside facility, should we be under construction of doing the track and field.
- ▶ [ **Aiden Hill** ] OK. So comments from the board or questions? Go ahead, number one.
- ▶ [ **Phuong Nguyen** ] So initially, prior to the study session today, I know that I was in favor of us to move forward with the track and field project. But now that, I mean, after the study session and in regards to possible delays and the fact that Coach K had mentioned that, you know, The timeline can be adjusted. We just need to make a decision right now on where we're going to have graduation. Because if we have secured a secondary venue already, then I would say, hey, OK, fine. We're going with the secondary venue. But if we have not, so that's my question to you, Miss.
- ▶ [ **Tracy Vackar** ] Yeah, it's on hold. And we've confirmed that with the other school district. that we have that facility on hold, should we be moving forward to be able to meet the timelines and start construction before May 30th? I don't believe we would.
- ▶ [ **Aiden Hill** ] So clarification. So we've asked them to hold this venue, but we have not made any financial commitments for this.
- ▶ [ **Tracy Vackar** ] We have not made any financial commitments for it.
- ▶ [ **Phuong Nguyen** ] OK. So I'm in favor of having the graduation at Newark Memorial.
- ▶ [ **Aiden Hill** ] Vice President Jones.
- ▶ [ **Kat Jones** ] I am also in favor of having it at the Newark Memorial. These kiddos have missed out on their eighth grade graduation. Just even hearing the one or two students who got up to speak tonight, I know they are speaking on behalf of a good number of the kids who it's really important to them to have graduation at the site. I think it's important. I feel like after the study session tonight, I don't think we're going to be ready in April to break ground. And holding up, you know, maybe we'd be postponing the start by a couple weeks. And I would hate to say, oh, yeah, we're starting construction on May 21st. And 10 days later, they could be graduating on their

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campus. I think it's important to really honor that for them. they missed out on eighth grade, they shouldn't have to miss out on 12th on their home turf.

▶ [ **Aiden Hill** ] Other questions?

▶ [ **Carina Plancarte** ] I would just like to echo the same as well as, you know, Member Jones. I think these kids have been through so much and we owe it to them to have this graduation here at their high school. And, you know, they're so deserving and our families as well, you know, they deserve this too. I think it really just solidifies that we're truly putting our students first, and this is a very special occasion for them. So I'm in agreement to do that as well.

▶ [ **Aiden Hill** ] Other questions, comments?

▶ [ **Joy Lee** ] I'm just happy that our seniors will be graduating on Cougar territory. Thank you so much for your decision. Well, hold on, hold on.

▶ [ **Phuong Nguyen** ] You get to decide too, Joy.

▶ [ **Aiden Hill** ] Don't jinx it.

▶ [ **Joy Lee** ] You make the motion. I will make the motion.

▶ [ **Aiden Hill** ] Wait, wait, wait. Hold on, hold on, hold on. I'm sorry.

▶ [ **Joy Lee** ] I'm getting ahead of myself here.

▶ [ **Aiden Hill** ] So would members of the public like to come and offer any additional commentary on this? Because I think you did fill out a slip.

▶ [ **Shane Tavares** ] Oh, well, this was yes, this was just for my little my little school board report on the our hats performance. But I just want to say thank you to the board and the district for finally seeing our struggle that we've been waiting for almost over six months now. It's just really relieving to know that we finally have some stability and we know where we're going to graduate.

▶ [ **Aiden Hill** ] Be honest. We're going to we're going to we're going to make a decision. So don't jinx it. But we're going to work. We're going to make a decision. So. So. So student member Lee, you want to make that motion?

▶ [ **Joy Lee** ] I would like to make a motion on agenda item 14, 14, 14.4 of having our seniors graduate at our Newark Memorial High School.

▶ [ **Kat Jones** ] I'd like to second it as a teacher of the district.

▶ [ **Aiden Hill** ] Roll call, Ms.

▶ [ **Nancy Thomas** ] Huchester. I think you should start with the student preferential vote.

▶ [ **Joy Lee** ] Yes. Yes.



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- ▶ [ **Phuong Nguyen** ] Yes. Yay, Joy, come on. I know it's 1120, but where's the enthusiasm? No, I'm just kidding.
  
- ▶ [ **Carina Plancarte** ] An astounding yes.
  
- ▶ [ **Kat Jones** ] Yay.
  
- ▶ [ **Aiden Hill** ] Thank you. Yeah. And and it's good to have certainty. I'm sure everybody feels good about having certainty around that.
  
- ▶ [ **Joy Lee** ] So I'm so excited to announce this to everybody tomorrow during our ASB meeting.
  
- ▶ [ **Aiden Hill** ] Excellent.
  
- ▶ [ **Phuong Nguyen** ] And I just want to make one point. I know that there may be additional expenses for delays, but or with movements and schedule changes. But again, it's so important for you guys to be able to graduate Home turf and considering everything with pandemic It's the least we could do so.
  
- ▶ [ **Aiden Hill** ] Thank you Thank you great, but you're welcome to stay until one if you like Okay, okay, so going back to 13.1 public hearing so This is The Educational Employment Relations Act requires the board to hold a public hearing on the initial proposals of a bargaining unit in the school district before collective bargaining may commence. NTA President Cherry Villa presents the initial bargaining proposal. The district will present its proposal at the March 19, 2024 regular meeting. Attached is the Newark Teacher Association initial bargaining proposal. So this is a public hearing, so I just have to say like open and then are there any comments, right? Opening the meeting the public meeting. Are there any comments from the public? I know that was too forceful for 1120 in the evening So any public comments on this on this hearing? Okay closing the hearing Okay, great, okay moving forward so Second interim soup CBO the car
  
- ▶ [ **Tracy Vackar** ] if they were going to have to.
  
- ▶ [ **Kadie Eugster** ] You need that slideshow too?
  
- ▶ [ **Tracy Vackar** ] I do.
  
- ▶ [ **Aiden Hill** ] Yeah, let's take a five minute break while we get the slides up.
  
- ▶ [ **Tracy Vackar** ] to be able to introduce you the Newark second interim budget report. So a couple of things. On our agenda, we're going to be talking about some of our budget assumptions, the COLA, the ADA, our revenues, our expenditures, our ending balance, our multi-year projections, and our other funds. A couple, I think, misnomers sometimes I think about the first and second interim is everybody thinks that we're developing the new budget here. This is not where we develop the new budget. But this is the landscape of where we are at currently in our budget right now. And whether or not if we were to have the same kind of budget moving forward for the next two years, would we be able to maintain that? And that's really what they really want to know. And you're still allowed to use assumptions as you look at those outer years. But you're really not developing your budget there. You're really just being able to show that you're able to sit there and keep the educational program in balance, really, for over this year and the next two years. So we can move down to the next slide. So one of the things within our budget assumptions that we really look at is that COLA. You might remember that we were conserving our COLA for the outer two years in our last report. We still received the 8.22% for this year. Our enrollment is at 4828. Originally, when the board adopted their budget, and what you see there is the board approved budget from June. And then looking at it now, Where are we at? We're a little bit lower in ADA than what we were, I'm sorry, in enrollment. And we're really right on par with where we thought we were going to be

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at with the ADA. And that's because we get to use the three-year rolling average, right? So that's a good thing. Then we look at our unduplicated count being at 53%. And that change is based on CALPADS, a slight little change. And then we look at the prior year LCFF and any corrections by CDE. This is actually a negative, and right now that's over \$3 million. And that's some of those unfortunate penalties that we've received because we weren't accurate in our reporting in our outer years for 2021, 2021, 22, with either our enrollment or with our ADA. And because of that, we're being penalized, right? Some of the things we've been able to get- That's definitely a piece that we have to sit and look at. And what does that affect not only this year, but also for the next two years because of that rolling average. So we're using some assumptions there, right? Then we look at our revenues. And within our revenues, some of the things that we're looking at is that we've gone up just slightly in our revenues, ever so slightly. We're spending a little bit more in our LCFF. And then our federal and our other state revenues and our other local revenues are sitting there. Overall, the difference in our variance is a little bit less than unrestricted, a little bit, about 1.6 million less for revenues. And then you look at your expenditures, right? And this really kind of tells the story of like where we're kind of spending our money at. Where is our, was the board approved? Where are we at right now in the second interim? And then also what the difference is between the interim and the budget. Like, what are those differences? And really, the real one big difference that really is sitting out there has to do with our certificated salaries. As you can see, we're spending more in certificated salaries than we had originally anticipated. And then just kind of that wash that kind of comes with it. So, as you look at that, our expenditures, we're spending \$1.7 million more in expenditures. If you look at contributions, this is a really important item. This is where we were really doing our kind of our negative spending that we talked about, right? And these contributions are important because they really help the overall program. However, they are costly to the overall general fund. And so when you look at that, originally the board had planned on a \$15 million contribution. We're a little over \$17 million right now here at second interim, which is an additional almost \$2 million increase from what we initially thought. Again, that's because really, as you look at our special education in particular, that's really where the greatest amount is going to. And then we're also looking at our routine restricted maintenance. As you well know, we've been spending more on maintenance. Our facilities have some greater needs to be taken care of. When things break now, it's no longer just the patch. We're really having to go off and do some of those replacements. And I will say the HVAC element has been a really difficult piece for us to deal with. Also the maintenance on our two schools that are city vacant, they require a lot of maintenance even though there's nobody in there. They're constantly being destroyed by by community members that are doing the wrong thing. They're a target. So they take up time to go off and go do things. So those are some of the biggest things, I think, are probably those two areas there. The other piece is we have some grants that, although they were grant funds, they were actually spending the negatives. And we made a contribution to be able to help support them for the rest of the year. Looking at our fund balance and our committed funds. So earlier, if I understood what Ms. Villalobos was saying, I think she was asking, I have to go get some clarity. The only thing I can see in here is the \$4 million that we were spending for facility improvements. And I think she was asking why isn't that being spent on instructional programs. But then she said something about the \$4,000. If I look at the \$4,000 line, we actually did spend \$4 million. if we go back and go take a look at that. So we did spend that kind of money. So I want to make sure I get some clarification of what she was talking about. She mentioned the other commitments. I just want to make sure I fully understand, and I'll go back and review that with her, make sure I have some clarity on her question. We were trying to follow what she was saying, and I didn't quite catch it all. You can see the variances in what we're spending and the fact that we've moved some funds up into operational budget to be able to help and support.

▶ [ **Aiden Hill** ] So I think the question was, some of those interpretations was that we were allocating \$4 million towards instructional, or like curriculum. And where is that?

▶ [ **Tracy Vackar** ] So she mentioned the committed funds. And if you look at the committed funds, I don't know if she looked at the wrong line or not. But the instructional program improvement pieces that are in here and the textbooks, those are the two. This is 500,000, right? And then the textbooks is \$900,000 for this year that we've set aside because we've got a textbook adoption that's happening. So that's sitting there. So that wasn't the \$4 million. The only thing I saw \$4 million on was our facilities improvement that was board approved. And then

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we've moved \$1,000 up into the operational fund to be able to help support some of the facility improvements that we need to make. So there may have been some. I need to go back and get some clarity on that. I know I heard her say \$4 million, too. I wrote it down. But that's why I said, you know, what fund are you talking about? And she said, it's in the \$4,000s. And I thought, well, \$4,000s. Yes, if I go to the \$4,000s on one of our funding lines inside of our book, and I think it's on page, maybe it's page 77, I think, is where I was at. Let me see. I don't know what it was. Maybe not. That was my cash balance page. If I go to the \$4,000 in my, yeah, I was looking at cash flow on page 77. I'd have to go back and go figure out where I, I did see a \$4 million line of what we've spent for instructional materials and supplies, and it was about \$4 million. So she was correct that that was spent on instructional supplies. It's not very much money. for our instructional program for supplies. What's the amount? That was a little over \$4 billion. I have to go back here and go find it. What page are you talking about? Hang on. I'll give it to you in just a second, please. It was. Again, I was just trying to figure out from what she was saying. I was trying to follow her and what her concerns were. I may not even have it accurately.

▶ [ **Nancy Thomas** ] What page are you on? I don't see that on page 77.

▶ [ **Tracy Vackar** ] No, I'm sorry, 77 was the cash flow page, so you asked me the cash flow question. No, if you go on page 98. 76, yeah. For the multiple year restrictions. Underneath books and supplies, where there's a \$4 million price tag there. That's the only place where I really saw \$4 million. for books and supplies. And she mentioned the \$4,000 in her comment, right?

▶ [ **Kat Jones** ] It's on page 98. And then books and supplies.

▶ [ **Tracy Vackar** ] Yeah. That's the only other place. She said she used the term committed funds, which is a different section. So I just want to make sure I've got some clarity from her, and I can make sure I can address her questions in the future.

▶ [ **Aiden Hill** ] OK. And then also there was a question. like \$20 million for contracted teachers. Services and pastoral care. Well, yeah, but that's not, I mean, I don't think that's an accurate, that's not the same thing.

▶ [ **Tracy Vackar** ] I just need to go back and get some clarity with her. I'm sorry, I was trying to follow everything she was saying.

▶ [ **Aiden Hill** ] She was spitting out a lot. And then if you could provide feedback to the board on that too, what you found out. OK.

▶ [ **Tracy Vackar** ] OK. All right. So then looking at our committed funds, you can see that we are trying to save as much of our committed funds as possible. The only other change that you're going to see on the committed funds that we're asking the board to consider tonight is to be able to move underneath the audit findings and appeal.

▶ [ **Kadie Eugster** ] Excuse me. What slide are you on?

▶ [ **Tracy Vackar** ] We are on ending balance and committed funds.

▶ [ **Kadie Eugster** ] That was page seven.

▶ [ **Tracy Vackar** ] Yes. Yes, right there. So right there. So if you look at the line that says audit findings, pending appeal, we were actually asking the board underneath another resolution here this evening to move those committed funds back up into the operational cost so that we can pay for some of the deems that we've received on both our audit findings as well as the CDE findings.

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- ▶ [ **Aiden Hill** ] And it's my understanding also, because some of these CVE findings came in late, like a few days ago, and that we're not really clear exactly what they are. So we're trying to get clarity on those as well.
- ▶ [ **Tracy Vackar** ] We are. We're working on that right now. And so I've got a call into the state, and we're kind of going back and forth to be able to learn a little bit more, because it was a recent change that we did not see in the first interim and came out late. And we were not the only district that was hit. There are many districts that were hit with something else.
- ▶ [ **Nancy Thomas** ] Did you find out specifically what it was?
- ▶ [ **Tracy Vackar** ] Not yet.
- ▶ [ **Nancy Thomas** ] My gosh, how can they just throw a number at us and we have no idea?
- ▶ [ **Tracy Vackar** ] Well, we threw a number at them. So they're coming back and saying, your number wasn't accurate, right? So like in our assumptions, we tell the state, this is what we're using for assumptions. And if our assumptions aren't correct, and the information we don't put in is correct, and they come back later on, they are able to do that. Unfortunately, it really penalizes the program a couple of years later. So they're not doing it in real time. They're waiting a few years. And so you really feel that hit, and now that we're
- ▶ [ **Aiden Hill** ] As Mr. Byrd described, they let you drive off the cliff and totally destroy the car, and then they put it back together.
- ▶ [ **Tracy Vackar** ] If we go to the next slide, please, Katie. Thank you. So looking at our COLA, we used the school services DART board for our COLA assumptions for 24, 25, and 25, 26. Our COA actually went down a little bit more than we predicted at first interim. First interim we were at 1%. It's actually 0.76% right now on the DART board. And then for 25-26, it's at 2.73% is the prediction. So we're using that number. It's a conservative number still. We'll still continue to use the DART board as being our guide as we continue to develop the 24-25 budget as well. And then we look at our funded ADA. Again, it's going down a little bit each year, right? So you've got to pay really close attention to that. And then looking at our unduplicated pupil count, this is an important one. This is one I told you I wanted to come back and talk about, because that 55% number is a really important number. It means that we get more LCFF dollars. So if we hit 55% in 24 and 25, we're close. Look at that. We're at 53.88%. We might be able to come up with some strategies to make sure that we identify our students that might be more at need and be able to actually hit that 55% count. And if so, that means more money to our revenue stream. That's really important. And it's worth a campaign to sit there and try to make sure that we let our parents know how important it is that they share their information with us, because it means money to our schools. Again, that's a communication tactic that we really need to be able to work with. And then looking at STRS and PERS, STRS is staying pretty consistent, but PERS is going up slightly.
- ▶ [ **Nancy Thomas** ] I have a question about funded ADA and what our ADA is. Is it about 92%? And how is it trending? Because historically, we've been up as far as 96% or 97%.
- ▶ [ **Tracy Vackar** ] Help me with the percentage. I want to make sure I understand your percentage question.
- ▶ [ **Nancy Thomas** ] Yeah. If our ADA is based on what percentage of our students are. Yeah. And that percentage was 92% recently. And how is it trending? And are we looking at strategies to get it up to the typical 96%, 97%?
- ▶ [ **Tracy Vackar** ] Yeah, I think there's a couple things that are happening with it. are very cautious when they send the kids to school now when they have a cold. Everybody's taking a little extra caution than what they used to. I think you're probably hearing some of these things at CSBA where they're talking about asking for some more leniency because people are kind of conditioned from COVID. You can have a fever, you stay home, right?

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You're showing signs of congestion, you stay home. That message has kind of been out there. And I got to say, I think kids are staying home and parents are being cautious. And in some ways, I'm kind of thankful because it doesn't get everybody else sick, right? So I think there's like a double-edged sword here, right, that's kind of happening with it. But I would have to get you the exact count. I can ask Barbie and Marie to pull that for us so that I actually have the percentage. And I'm sorry, I didn't see the percentage total in here. I'll make a note next time to put a percentage in here for us. Looking at our multiple year projections, You know, this is really where, you know, Mr. Berg was really kind of hounding us about, you got to be careful because you're going to be spending one time money and spending your one time money to be able to cover what you need to. And he's right. Those are some concerns that we need to take a look at because those outlier years are very concerning, especially when you get into the 25, 26 budget and you start looking at, you know, what that multiple year projection looks like. And then when you move down to the next slide and you look at the ending balance, More importantly, you can see where our committed fund line has gone from \$11 million down to \$6 million down to now almost \$1.6 million in the 25-26. So we're really eating up those one-time funds in order to be able to pay for things. And that's still with even taking and doing certain actions to continue doing our reductions. So it does take into account that proposed budget reductions in 24-25 and in 25-26 would need to occur. And so we want to make sure that we hit those marks of an additional \$5 million for next year in 24-25. That's why it's important for us to make sure that we're making some of our budget adjustments now to prepare for our 24-25 budget. The \$3 million you

- ▶ [ **Nancy Thomas** ] specified from our restricted ending fund balance. Is that reflected in the multi-year projections?
- ▶ [ **Tracy Vackar** ] You're talking about the \$3 million that we just got hit with?
- ▶ [ **Nancy Thomas** ] This \$3,107,876.
- ▶ [ **Tracy Vackar** ] I believe, yes. I believe you carried some of that over, not the entire dollar amount, because we didn't know about the \$2 million. But we definitely put it into our current year's budget for 23-24. We don't know the outcome, whether or not it's a multiple year factor. So we're trying to find that out. We'll have to investigate that.
- ▶ [ **Nancy Thomas** ] So the \$3 million is what you've accounted for, but there is an additional \$2 million that we might still have to send up to the- We don't know that yet.
- ▶ [ **Tracy Vackar** ] We need really clarity before I go off and stick that in there. We have not received a letter yet from the state for the most recent change. Our last letter that we received, we received in November. So think about how long that could be before we even see that letter telling us that, you know, if they do the same thing for next year, tell us about our \$2 million that we discovered in a report. We may not see that letter until November. So again, I think there's factors that kind of go back and forth with it. I think there's a check and balance that happens with that. And I'm hoping that we'll be able to correct that action.
- ▶ [ **Phuong Nguyen** ] Yes. I have two questions, one regarding the revenues. Can you tell us why there's a \$3 million difference between, or why is there a \$3 million deficit in the second interim in terms of the LCFF funding?
- ▶ [ **Tracy Vackar** ] She's looking at the revenue page on page, I think it's three, four, page four. So what I can tell you is that our LCFF revenue that we received is less than what was predicted at the time of the board adoption. And part of that is probably because we have less students that we actually have in enrollment. And therefore, we're going to have a lesser number that's actually coming in. So the number that was originally projected for our original enrollment was a much higher number. As you recall, we reset it at first interim. And we brought it down to where it should be.

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- ▶ [ **Phuong Nguyen** ] So the enrollment number, there's a difference of, sorry, my math is not that great. About 120.
- ▶ [ **Nancy Thomas** ] Yeah. 120 equates to \$3 million?
- ▶ [ **Phuong Nguyen** ] Yeah, that's what, I mean, I don't think it, that's my next question. Why is 117 equating to \$3 million in less revenue for the school district? And then the other question I had was that funded ADA for the assumptions on the 23-24 budget and second interim right here is 5,027.82. And then for the multi-year projections in 24-25 is 4,662.57. And then in 20-20, 25-26 is even lower than that. Can you explain why it's down by 350 plus ADAs and the assumptions?
- ▶ [ **Tracy Vackar** ] The assumptions for 24, 25? I'm just going to my slide here so I can take a look at it.
- ▶ [ **Phuong Nguyen** ] Oh, sorry.
- ▶ [ **Tracy Vackar** ] I can do that again. Yeah, we made some adjustments in the outer years as we were looking at the multiple year factor, knowing that we were already getting penalized. So we've started making some adjustments over here. So knowing that if you look at the three year, if you look at the average, we were trying to figure out how they go off and kind of counter that to be able to come up with their numbers. And so we actually used a projection tool to be able to come up with those numbers.
- ▶ [ **Phuong Nguyen** ] I mean, but that's like significantly a lot less than what we're using currently. And then in 2025, and then we're going down by like another 200. So that's really conservative projections.
- ▶ [ **Tracy Vackar** ] That is the assumption that we felt was was an important one to go off and go use just based on what we've been looking at historically with the averages. And we also don't know whether or not in 25-26, whether or not we'll even be able to use a three-year average. Right. Right. That's the year that we don't know about yet. We are expecting to be able to use it for 24-25, but we don't know about 25-26. Will you bring it down to a more true alignment?
- ▶ [ **Nancy Thomas** ] Going back up to the revenues, we went from about \$6 million to \$8 million between the board-approved budget and the second interim. What accounts for the \$2 million increase in other local revenue?
- ▶ [ **Tracy Vackar** ] That would be our tax base that we've received. So as we were getting our property tax allocations, those would be some of the local revenues that we would be looking at there, and then also grants. We've also received some grants, and that would be part of our local revenues as well.
- ▶ [ **Nancy Thomas** ] How does the tax work? Because, I mean, I thought we got LCFF that property, our property tax goes up to the state and they send it back as LCFF. I didn't know we got extra taxes.
- ▶ [ **Tracy Vackar** ] We do. We've been getting a small extra tax fee that's been coming for the last few years and they actually gave it to us again this coming year and so we've actually, you're marked in here inside the budget. And so it was supposed to actually stop this coming year and they wrote us a letter and said that we were getting a little extra revenues for taxes. I have to go back and look at the exact dollar amount because there's a couple other factors that are tied in here. But I can get you a breakdown of that if that's something that you want to have an actual breakdown of. It's good news for us. The one thing I'm really excited to tell you about is that we have three positive years in our budget. So I am doing a, our budget report shows three positive years. We are no longer qualified. We've worked really hard, but it's going to be based on some additional actions that you have to do in order to help us really get there in 24, 25, and 25, 26. Otherwise, we'll be right back on the same spot when we go to adopt our budget. We'll show that our budget's not actually, we do our multiple year factor at the time of budget adoption. If we don't make some of those actions, we'll be back either qualified or negative. So it's important that we stay on track, that we really work hard on our budget reductions as much as possible, that we

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try to do as much to increase our revenues where we can. This again is a very conservative approach, especially in the outer years where we talked about the importance of staying extremely conservative. I would love to see those numbers change to be something else that just means more revenue to us. But we wanna make sure that we plan and that we plan well.

- ▶ [ **Kat Jones** ] I think being conservative is really important at this point.
- ▶ [ **Aiden Hill** ] So just quick time check, not to shut down. But we're almost at 12, so we've got one more hour. We still have a few agenda items that we need to cover. So do we feel comfortable taking an action to certify the second interim budget?
- ▶ [ **Nancy Thomas** ] I move that we accept the second interim. I have one more question. Go ahead.
- ▶ [ **Phuong Nguyen** ] So I know that you're stating that we have positive, you know, the clear that we have enough reserves but on your presentation here I don't see what percentage of reserves we have or what is it what is the reserves for current second interim and then that the multi-year projection
- ▶ [ **Tracy Vackar** ] So we have to maintain a 3% reserve, and you'll see that on page 99 on your multiple year projection. And it actually shows what that balance is and what the line funding line is to be able to do that. So if you look at item D and E on page 99.
- ▶ [ **Phuong Nguyen** ] So this is a 3% reserve.
- ▶ [ **Tracy Vackar** ] Yes. OK.
- ▶ [ **Phuong Nguyen** ] And this accounts for all the budget cuts and the structural deficit?
- ▶ [ **Tracy Vackar** ] It accounts for, if we continue to go towards actions for this year, for this year, this covers our budgets for this year. Then we've got projections for 24, 25, and for 25, 26. OK. So there's still more work to do. But the good news is that we meet our reserve limits that we need to have, and we also meet the ability to offer a positive certification. But there's still important actions that have to be taken in order for us to be able to maintain the snapshot. The real true fact is that we don't continue to look at those measures, do some of the cuts that we need to do. and start to really paragon our budget for 24-25, that multiple year projection will fall right back into the red again.
- ▶ [ **Phuong Nguyen** ] So what is our, I'm looking at first interim and second interim and for the fund 17, there is no reserves for economic uncertainties in regards to fund 17 in second interim. Can you please tell me what page you're on? 99.
- ▶ [ **Tracy Vackar** ] So that's for new capital outlay. Right now, we're currently not really budgeting anything for that at this point for special reserves. Like, we aren't really doing anything right now with Fund 17 that's projected.
- ▶ [ **Nancy Thomas** ] Is Fund 17 empty?
- ▶ [ **Phuong Nguyen** ] Yeah, because we normally always have a projection reserves for economic uncertainty when it comes to Fund 17. So I'm just, when I was looking at it initially, I was like, wait, I didn't see any there. So is that why we're positive?
- ▶ [ **Nancy Thomas** ] Well, we don't have to have 3% to Fund 17, right? We just have to have 3%.

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- ▶ [ **Phuong Nguyen** ] I know, but it's still pretty bad. OK.
  
- ▶ [ **Tracy Vackar** ] I want to make sure I understand your question. So it's especially for other capital outlay. We haven't done a capital outlay project, so we haven't shifted money in there from any of our facilities that we're doing a specialized project with. And even with the attractive field, that's actually coming from your developer fees. It's not coming from a special capital fee. Like, we're not doing something where we've used money to be able to work on a project.
  
- ▶ [ **Phuong Nguyen** ] I'm just curious, because in the first interim, There was \$2 million allocated to the reserves for economic uncertainties for Fund 17. So in the second interim, I don't see that allocated for either the current year or projected 24-25 or 25-26. So I'm just asking, why do we have an allocation in the first interim and not in the second one?
  
- ▶ [ **Tracy Vackar** ] First, they were probably carried over from the adopted budget. And as we continued to refine where we needed to have the funds, we made shifts in our funds to be able to bring us some balance. OK. Thank you. Can I see the names?
  
- ▶ [ **Phuong Nguyen** ] So are there any other questions?
  
- ▶ [ **Kat Jones** ] Thank you for that. You're welcome.
  
- ▶ [ **Aiden Hill** ] So, can we get a motion?
  
- ▶ [ **Nancy Thomas** ] I move that we accept the second Andrew. I'll second.
  
- ▶ [ **Aiden Hill** ] Yes.
  
- ▶ [ **Phuong Nguyen** ] sure how I feel about it just yet because I know that we are, you know, we always comment on the fact that we have a deficit going into multi-year projections and I'm just, and now we have a positive certification so I'm a little bit uncertain because I don't, I guess I don't see where the numbers are and so for right now I'm going to vote no.
  
- ▶ [ **SPEAKER\_31** ] Yes.
  
- ▶ [ **Kadie Eugster** ] Board Member Jones?
  
- ▶ [ **SPEAKER\_31** ] Yes.
  
- ▶ [ **Kadie Eugster** ] President Hill?
  
- ▶ [ **Aiden Hill** ] Yes. Okay, motion carries. Thank you. Okay, moving on to 14.2 CSBA Delegate Election. So, CBO, book on.
  
- ▶ [ **Kadie Eugster** ] Is this another slide show, Tracy?
  
- ▶ [ **Tracy Vackar** ] Yes, please. So before you this evening is the Delegate Assembly. This is where the board has the opportunity to be able to vote for who will be serving with us on the elected Delegate Assembly. Before you is a memo from CSBA. The official ballot, and there are two names on there. There's Kelly McCashey and our very own Nancy Thomas.



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- ▶ [ **Aiden Hill** ] It doesn't look like there's a presentation.
  
- ▶ [ **Kadie Eugster** ] There's not a presentation here.
  
- ▶ [ **Tracy Vackar** ] No, there's not a presentation, but it's just a- That's what I was asking. Just documents. Just documents, yeah. Got it. So this does require a board action to be able to approve this. It needs to be turned in by March 15 to CSBA.
  
- ▶ [ **Aiden Hill** ] So we're voting to nominate Nancy Thomas to serve in this role.
  
- ▶ [ **Nancy Thomas** ] I think we should nominate both. We should vote for both.
  
- ▶ [ **Tracy Vackar** ] You actually can vote for the four people. There's only two people.
  
- ▶ [ **Aiden Hill** ] OK, I'm sorry. All right, so then can I get a motion to vote for both candidates?
  
- ▶ [ **Carina Plancarte** ] I'll make a motion.
  
- ▶ [ **Kat Jones** ] I'll second.
  
- ▶ [ **Kadie Eugster** ] Board member Thomas?
  
- ▶ [ **Nancy Thomas** ] Yes. Board member Nguyen? Come on. Of course, Nancy.
  
- ▶ [ **Kadie Eugster** ] Board member Plancarte? Yes. Board member Jones?
  
- ▶ [ **Aiden Hill** ] Yes.
  
- ▶ [ **Kadie Eugster** ] President Hill?
  
- ▶ [ **Aiden Hill** ] Yes, thank you. Moving on. So, 14.3 resolution designating certain general funds as committed fund balance. So, CBO Valcar?
  
- ▶ [ **Tracy Vackar** ] Yes, thank you. In order to be able to help us balance our second interim budget, we are asking you to move funds from that were earmarked as being committed reserved funds. I'm looking for the exact dollar amount. I apologize. Let me describe it.
  
- ▶ [ **Aiden Hill** ] It says 11, right?
  
- ▶ [ **Tracy Vackar** ] Describe the resolution. Hang on a second. The amount is \$675,876.
  
- ▶ [ **Kat Jones** ] Thank you.
  
- ▶ [ **Tracy Vackar** ] So with that, I'm asking you to take the resolution to be able to move those committed funds, and that will actually go to the county. It's a requirement, whenever we move committed funds.

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- ▶ [ **Nancy Thomas** ] And why is it not \$3 million? Because \$3 million is?
  
- ▶ [ **Tracy Vackar** ] Because I didn't have that much. Well, we found other funds to be able to use to be able to offset that. So from our savings that we had been working on in our budget plan for the last three months, we've been looking at ways that we can be able to reduce and save. And so some of the funds were already shifted, and we also got a little bit more revenue.
  
- ▶ [ **Aiden Hill** ] OK. So can I get a motion to approve the resolution?
  
- ▶ [ **Kat Jones** ] I'll make a motion to approve Resolution 2023.24.25. I'll second. Okay, roll call.
  
- ▶ [ **Kadie Eugster** ] Board Member Thomas? Yes. Board Member Nguyen? Yes. Board Member McCarty? Yes.
  
- ▶ [ **Kat Jones** ] Board Member Jones? Yes.
  
- ▶ [ **Aiden Hill** ] President Hill? Yes. Okay, motion carries. Okay, 14.5. So we heard a We've heard a public speaker comment on this earlier. And quite frankly, I think that the- I'm happy to pull this item. Yeah, I think we ought to pull this.
  
- ▶ [ **Nancy Thomas** ] I agree. OK. And just in general, I'm thinking that our facilities plan might end up surplusng that property. And if so, you know, to- to do both projects or even a more expensive one project for buildings that might be demolished in the future. I'm just hoping you'll keep that in mind when you bring it back.
  
- ▶ [ **Tracy Vackar** ] We need that kitchen for a while yet. So I will say the kitchen is a private one.
  
- ▶ [ **Nancy Thomas** ] Well, no, that's what I meant, the kitchen. If we keep the kitchen, but at \$93 million, \$93,000, excuse me, and let it go at that to see what happens with that property. Just a thought.
  
- ▶ [ **Aiden Hill** ] OK, regarding items 14.6, 14.7, 14.8, and I think we're probably going to add 14.9, we're going to hold a special meeting planned for this Thursday. And I will work with CPO Vaccar to get the agenda put together for this. So unless there's other questions, we'll move on to 15 consent agenda personnel items. Does anybody want to pull the personnel report? Okay, go ahead.
  
- ▶ [ **Phuong Nguyen** ] Just for a quick comment. Go ahead. I just want to, I know that there are retirements on here, and I just wanted to recognize our staff and employees who are retiring this year and would like to really thank them for their service and dedication and hard work to the district. I'm going to have two in particular. Ms. Cheryl Jorgens, thank you so much for all your hard work and dedication to our students because I know her personally. Also, Paul Weiss, who's my coach, and when I was in high school. And I just owe a lot of gratitude and appreciation for him. And I hold them both in high regard. So I just wanted to personally thank them for their contributions to NUSD. Thank you so much.
  
- ▶ [ **Nancy Thomas** ] And I completely agree with that. I did want to make a comment, as long as we are making comments. Just a little bit of a concern that we have resignations of two science teachers and one math teacher from the middle school. And that's a concern.
  
- ▶ [ **Aiden Hill** ] Thank you. Other comments? Do you have a comment?
  
- ▶ [ **Kat Jones** ] How did you know what subjects they were teaching? Or do you just know?

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- ▶ [ **Nancy Thomas** ] From the master schedule, I looked them up.
- ▶ [ **Phuong Nguyen** ] So with that, I'd like to make a motion to approve the PAL.
- ▶ [ **Aiden Hill** ] You're making the motion? Yes. OK. Second. Can we get a second?
- ▶ [ **Nancy Thomas** ] I'll second it.
- ▶ [ **Aiden Hill** ] OK. Roll call.
- ▶ [ **Kadie Eugster** ] Board member Thomas? Yes. Board member Nguyen? Yes. Board member Pantate? Yes. Board member Jones? Yes. President Hill?
- ▶ [ **Aiden Hill** ] Yes. OK, motion carries. OK, moving on to consent agenda, non-personal items. Do we want to pull any items?
- ▶ [ **Nancy Thomas** ] Yes, I would like to pull 9320, board bylaw 9320. So that's 16.5. Yeah, and I'd also like to pull all of the minutes, 16.13 through 16.19.
- ▶ [ **Aiden Hill** ] Okay. Okay, so can I can I get a motion or I'll just make it so I move to approve 16.2 16.3 16.4 16.6, 16.8, 16.9, 16.10, 16.11, 16.12, and 16.20. Can I get a second? I'll second. OK. Roll call, please.
- ▶ [ **Kadie Eugster** ] Board Member Thomas?
- ▶ [ **Nancy Thomas** ] Yes.
- ▶ [ **Kadie Eugster** ] Board Member Nguyen? Yes. Board Member Plancante? Yes. Board Member Jones?
- ▶ [ **Penny DeLeon** ] Yes.
- ▶ [ **Kadie Eugster** ] President Hill?
- ▶ [ **Aiden Hill** ] Yes. OK, motion carries. So first item is 16.5, the bylaw 9320. So Member Thomas.
- ▶ [ **Nancy Thomas** ] Yes, on page 3, we neglected to fill the blanks. And so I would like, and I wrote this down so I can give it further minutes. But I would love us to approve this with inserting on page 3 the following. The board shall hold two regular meetings each month. Regular meetings shall be held at 7 PM on the first and third Tuesdays at the district office, unless posted otherwise. So with that, I would like to make a motion with that one change that we accept board bylaw 9320 or approve it.
- ▶ [ **Kat Jones** ] I will second.
- ▶ [ **Tracy Vackar** ] Clarification? Yes. now hold board meetings in July, too? Or are you staying dark in July? I just want to know.
- ▶ [ **Nancy Thomas** ] Unless otherwise posted. So we post the whole year. OK. And so if it's not posted in July.

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- ▶ [ **Tracy Vackar** ] Got it. OK. Just want to make sure I understood.
- ▶ [ **Kadie Eugster** ] Board member Thomas? Yes. Board member Nguyen? Yes. Board member Pankaj? Yes. Board member Jones? Yes. President Hill? Yes.
- ▶ [ **Aiden Hill** ] Yes. Motion carries. OK. So moving on to It's 16.7, right? Yes. Meeting conduct, so number one?
- ▶ [ **Phuong Nguyen** ] It's on the second page. I'm sorry, apologies. One, two, three. Page four. Yeah, page four. Thank you, Member Jones. I appreciate that. On page four, at the end, last.
- ▶ [ **Aiden Hill** ] Can I make a comment? Sure. Can we try to put page numbers on everything? I mean, so like our presentations and these documents, I mean, it would be very helpful. So but anyway. It's over here. It's just, if you go to print it out, it's not there. That's true. Right. Correct. Correct. So OK. So I'm sorry. So you're on page four.
- ▶ [ **Phuong Nguyen** ] Page four, last paragraph. I would like to change the item to, to 30 minutes instead of 20 minutes?
- ▶ [ **Aiden Hill** ] So I'd like to make a comment on this topic, and especially given that we're here at 12.15 in the evening. So there are some dear friends here, Amadeus, who have strongly suggested that I try to get more training from CSBA, which I did at the beginning. of this year and I went to the board president's training meeting and it was very good and they talked a lot about this particular topic and they said that being a board member is hard enough and that We don't want to, we don't, so one of the things that causes board burnout and turnover and blah, blah, blah is late meetings, right? And so how can we run more efficient meetings? And this is one little area. And the way that they suggest it is, so the standard language that they say is it's 20 minutes per, but then there's language, and I think that there's language here that says, well, it says here that if the board determines that the item has been substantially changed, well, no, where, is that the right one? Where am I looking? Sorry. Yeah, so however, in exceptional circumstances, when necessary to ensure full opportunity for public input, the board president may, with board consent, adjust the amount. And so I think that that really covers it. And so in this evening situation, Right? So we agreed to extend it, and everybody got a chance to speak. And I don't think that we're trying to shut down speech. I think we're just trying to figure out how we can be efficient. And just my concern is that nature abhors a vacuum, right? So the minute that we say it's 30 minutes, we're going to fill up that 30 minutes, right? And then the next time is going to be an hour. So I'd like to suggest that since we have flexibility in the language, that we try to stick to 20, but if we feel that we need, that there needs to be more public comment, that we agree as a board to extend it. So, do you feel okay with that, member Nguyen?
- ▶ [ **Phuong Nguyen** ] Well, personally, I mean, these kinds of long meetings don't, I mean, long public comment sessions don't happen often. So, for me, I mean, I like the fact that it's been past practice. This is what our community is used to. So, you know, the 30 minute, is what I know that you know change or whatever is fine and that we can do this but it just allows for that one it just allows for consistency and then not only that but it's something that you don't necessarily have to like if we come and then there's you know a lot of people that want to make comment then you know we have to spend that time making the adjustment but again you know it's your it's the prerogative of the board and If the majority is fine with this language, that's fine with me. But, you know, I'm just trying to, based on what we've done in the past and for consistency's sake between this documentation and our board governance and how we conduct business, you know, based on that. I mean, those are all things that we, you know, have to talk about anyways and probably bring back. it's just an input at this point.
- ▶ [ **Aiden Hill** ] Okay, thank you. Vice President Jones.
- ▶ [ **Kat Jones** ] So if we go back up to the top of this one, it says black both in CSBA and NUSD policy. The last time this policy was updated by NUSD was 2013 and it read 20 minutes at that time. If you go down to the bottom or to page four at that bottom paragraph, all the green is new CSBA, which is not in our documents. So

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in the past, since 2013, it has been 20 minutes. And the board consent, with board consent, we could allow more time. All the green is new.

- ▶ [ **Phuong Nguyen** ] No, I understand that. What I'm saying is that we don't have consistency between this, the bylaws. We haven't really been, yeah, we haven't been really going off the bylaws. We've been doing it more off of the governance handbook. So for me, when I look at this, I'm like, oh, I'm used to the governance handbook. So I'm like, why don't we make a change for consistency's sake? And I had a conversation, I, you know, And I think that Member Thomas would agree with me on that. But again, it's just input. I don't, you know, it's fine if you guys.
- ▶ [ **Nancy Thomas** ] I think what it demonstrates, though, and this is important, is that when we need to read our bylaws, we need to follow our bylaws. And when we got sat down and did the board handbook, we somehow said 30 minutes, you know, and never referred back here. So we should have changed this long before you know, now because we've been operating at 30 minutes.
- ▶ [ **Kat Jones** ] Or change the handbook to read the 20 minutes. Right. So I'm just saying, it's either or. It's either or. I think going with the, since we are in the process of really trying to update all our board policies and our ARs, that, I don't know. I agree with President Hill from the standpoint It's saying 20 minutes as a norm with the ability to be able to change it. I think we've done a really good job of updating things and not changing a lot of what CSBA's recommendations are. They've made recommendations for reasons. I don't really feel like if we don't, if we, I don't really feel like going with this is going to make a huge difference because we can always extend it. But we don't, I mean, I'm not crazy about staying until 1220 at night. Let me, I'll just be honest with you there.
- ▶ [ **Phuong Nguyen** ] But most of the time it's not because of public comment. I mean, the reason why you want to extend it, the additional 10 minutes, it may be insignificant, but, you know, it's welcoming the community in to be able to to give input. What's taking up time is the presentations and the way that we conduct business. And so those are the things that we should definitely talk about. But again, I just want to make an environment where our community feels like they can come and give us input.
- ▶ [ **Kat Jones** ] I mean, I understand that. And I want the community to come and to be able to speak. I just, I mean, That's all I'm going to say. Whatever. I'm not going to fight it. I don't agree with it, but I won't fight it.
- ▶ [ **Nancy Thomas** ] With your whatever and member Hill's statement, I think keeping this as it is and has been and is fine. because we do have the flexibility to extend it and to fix our board handbook when we review it.
- ▶ [ **Carina Plancarte** ] I would agree. I will just chime in that I think absolutely our community is always welcome to come and speak, but keeping it the standard 20 that it is, I'm OK with that. And then absolutely shifting that 20 to additional time to allow for comments when they're needed. Absolutely, but I want to make it very clear that our community is always welcome here.
- ▶ [ **Nancy Thomas** ] The public's been really good I think in past times when we've had a huge number of people and we've asked them to keep their comments short if they would or to to combine if someone else makes a point that they've made to please not make it again and I think we have a good community when it comes to the way they monitor their time.
- ▶ [ **Kat Jones** ] And I think, you know, by keeping to the 20 minutes as it's written, I think that when we are flexible with that, it does show the community we're totally willing to listen to what they have to say. But we've created, you know, we've created a little bit of a boundary, but we're willing to push those boundaries when it's appropriate to do that, which is when we've got a room full of people that want to speak.
- ▶ [ **Aiden Hill** ] So Member Thomas has a motion on the table. Do we hear a second?

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- ▶ [ **Carina Plancarte** ] I'll second.
  
- ▶ [ **Kadie Eugster** ] Board Member Thomas?
  
- ▶ [ **Nancy Thomas** ] Yes.
  
- ▶ [ **Kadie Eugster** ] Board Member Nguyen? Yes. Board Member Blancate? Yes. Board Member Jones? Yes. President Hill?
  
- ▶ [ **Aiden Hill** ] Yes. Motion carries. OK. So moving on to what was the next one?
  
- ▶ [ **Nancy Thomas** ] I pulled the minutes.
  
- ▶ [ **Aiden Hill** ] Was it the minutes? OK, so do you want to do them one by one?
  
- ▶ [ **Nancy Thomas** ] No, I think just in general. I think there's enough issues with most of them that we can pull them all and bring them all back next time. I had input from two community members, and one community member made pretty substantial suggestions, which I passed on to CBO Becker. I think we should just bring that back. And if you want to bring it back, if it's done in time for Thursday, we could even tack it on to Thursday.
  
- ▶ [ **Aiden Hill** ] And I'd like to make a suggestion on this. So meeting minutes were really important when you didn't have technology. But now, increasingly, the fact that we've got our board meetings basically preserved on YouTube, and now that there's the ability to actually provide transcripts of those word-for-word transcripts, it seems to me that minutes are kind of an artifact at this point, and that people are not really going back to the minutes to see what was going on. It used to be, when that was all you had, that you... I used your minutes all the time.
  
- ▶ [ **Phuong Nguyen** ] It's actually a lot faster because I mean granted YouTube it's really I mean like you have to remember the cycle it's easier to like skim through exactly the agenda item and then it triggers your memory but with additional detail to those minutes it will help staff to recollect certain items that was missed and that that is more time-saving than actually sitting down and trying to watch the whole YouTube video to capture that.
  
- ▶ [ **Aiden Hill** ] Right. But one of the innovations that we've seen from some of our... I mean, literally, right? And by the way, I was in a training for teachers last Friday on AI and how to use AI as a teacher in the classroom. And it's truly remarkable, right? So we're on the cusp of massive changes. So hold on a second. All I'm saying is, is that I think that we ought to think about, again, are there opportunities for efficiency? And so I'm not saying that we're getting, that we should get rid of the minutes. So, because quite frankly they're required by law. But what I am saying is, is can we develop a format that is very streamlined and standardized. Because literally, if you could take a transcript of the entire YouTube video, and you can go do a word search on that, I mean, you could do that faster. I mean, you will get more information from that than you will from reading minutes that were constructed based on faulty memory. Or the alternative, or the, I mean, seriously, or, Or the alternative is that we take somebody's time, and we've already talked about how we're limited in resources, and we hook them up with a, you know, onto YouTube with a headphone, and they're literally sitting there spending five hours transcribing, right? And so, and I really have to ask, is that a value-added, you know, use of people's time, especially in our constrained environment? And so, I'm not asking for any, for any action or anything like that. But I am just saying I think that we ought to consider how can we streamline this and make this efficient. So that's number one. And then number two, it's my understanding that there are some very highly paid people that are involved in putting this together. And we need to be looking at, again, efficiencies and is that a wise use of time. And I think that we really need to focus in on, OK, if we are going to do this, how can we streamline it? And how can we get the right people doing it? And if we don't have the right people, we need to get the right people.

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- ▶ [ **Nancy Thomas** ] OK, I'd like to say a few things. Number one, the state law allows that we have to keep the recordings, but only for 30 days. And YouTube is keeping them. You know, YouTube could go away tomorrow. Yet, as you said, it's the law. And I think we have something like 20 or 30 years that we have to keep minutes. Ms. Bacar, do you know how many years we have to keep minutes? But here's the deal. Let me finish. I maintain we do have a streamlined process through board docs, which automatically, when we use the automatic voting it automatically puts our votes in. And so I think we're just playing catch up because we have not had an admin assistant doing this. And once we get someone, an admin assistant, I think it will go real fast.
- ▶ [ **Aiden Hill** ] Well, and so that's kind of the point, right, is that we need to get on it, right? And so we need to get on it. But then also I think that we ought to streamline it too. and one of my personal pet peeves, because when I first joined the board, I was very, you know, focused on the minutes because I didn't understand the other tools that were available. But I will say that after having served on the board, and it's particularly in the audit committee meeting, and I would just be very frank, that I felt that the minutes that were being produced in the audit committee meeting were, really did not give the public any idea of what was going on. If I really wanted to know what was going on, I had to go back to my notes. Right? And so again, we're having somebody spend time doing something that really adds like very little value. And so we need to be focused on everything that we do. It has to be adding value. We don't have any other resources. So that's just my comment. Okay. So again, we're at 30 minutes. So we need to go. Were there anything additional? So we're pulling these, correct? Is that what you're asking? OK, so we're pulling all the minutes. So we're done with consent. So student expulsion, we're going to have to have that come back because we didn't cover that, right? We didn't talk about it. We didn't cover this in closed session. So we've got to bring this back, student expulsion.
- ▶ [ **Kat Jones** ] Or can we just vote if everybody read it? We didn't talk about it. But did everybody read it? I mean, I can vote.
- ▶ [ **Aiden Hill** ] OK, can we get a motion?
- ▶ [ **Nancy Thomas** ] I move that we accept the staff recommendation on the continued suspended enforcement of student expulsion case number 2224-04.
- ▶ [ **Kat Jones** ] I'll second.
- ▶ [ **Kadie Eugster** ] OK, roll call. Board member Thomas? Yes. Board member Nguyen? Yes. Board member McCarty? Yes. Board member Jones? Yes.
- ▶ [ **Aiden Hill** ] Yes, motion carries. Okay, moving on to Board of Education Committee Reports, Announcements, Requests, Debrief, and Discussion. So, Member Thomas, would you like to share any information with us?
- ▶ [ **Nancy Thomas** ] No, I would just like to say thank you for the addition of the Zoom link for the online Spanish translation that's on the first page of the of the agenda?
- ▶ [ **Aiden Hill** ] I think we should thank the superintendent, right? Because it's my understanding that she pushed to make that happen.
- ▶ [ **Nancy Thomas** ] Well, OK. Thank you, superintendent.
- ▶ [ **Aiden Hill** ] OK, great. So member Nguyen?
- ▶ [ **Phuong Nguyen** ] No board committee updates. I just wanted to have some. I wanted to highlight some of the good stuff that was going on the last week. The boys again student student board member Lee mentioned it earlier, but the boys varsity soccer team represented an MHS and our Newark community by winning the CIF

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NorCal Division three state championships. Congratulations to an amazing undefeated season in MVALs and now champions. You guys have worked hard, persevered and played with grit, determination and heart. Well done, Cougars. And Read Across America started last Friday. I had the privilege of starting last Friday in Ms. Aker's kindergarten class. It was so fun. The little kindergartners were great. We read, what did we read? I forgot what we read. Shoot. Oh, and I gave the book to them, and I totally forgot. But anyways, it was really cute. And then Mr. Moreci's second grade class, we read Green Eggs and Ham. And I'm looking forward to attending BGP's class on Wednesday. But I'm sad that I will not be missing an opportunity to read to our students at Lincoln. And I would love to attend other sites if available this week. Family Code Night was a success for all the elementary school sites. I was able to attend the Lincolns, and BGP, and BGI, and Kennedy's. And I did miss Schilling, so that was a missed opportunity.

- ▶ [ **Aiden Hill** ] And thank you.
  
- ▶ [ **Phuong Nguyen** ] Oh, yes, and thank you to all the board members.
  
- ▶ [ **Aiden Hill** ] And tell me who I need to pay for the pizza.
  
- ▶ [ **Nancy Thomas** ] Yeah, I paid for the pizza, so.
  
- ▶ [ **Phuong Nguyen** ] And thank you. Yes, thank you. to our fellow board members and superintendent and everyone who contributed to getting snacks for some of the events. And I also wanted to thank Mrs. Paulina Kim for walking families through the coding sequences and exercises. And thank you to Ms. Leonora Robesora and all the principals, teachers, and staff that helped facilitate this wonderful and fun experience for our young students and their families. And that's it. I just want to acknowledge I know that there has been low morale in the district and that's real. The perception that this board has as being unorganized and not having proper processes and procedures are real. I have addressed those concerns on prior agenda items throughout this meeting. You know, we are, and I'm going to say it, we are failing our students, principals, teachers and staff by not being transparent on the budget reductions, positions, position cuts, and they are indirectly affecting programs due to those cuts. And we need to hold ourselves accountable. And I don't think that we have been. So that's my perspective from From where I sit right now, I'm not here to attack my fellow board members. I know that they work really hard. We do have different views. And I can respect that. But at the end of the day, I think that we need to be mindful that, especially if we're going to say that perception is reality, then we better be bringing our A game. Because right now, the reality is we don't look that great up here. So thank you.
  
- ▶ [ **Aiden Hill** ] Okay, thank you. Member Nguyen. Member Boncarte.
  
- ▶ [ **Carina Plancarte** ] I don't have any committee updates. I did just want to say that I was over at Coyote Hills for Read Across America last week and I really had a great time. Thank you so much for inviting the board members to come by and stop by the site. Also, I did stopped by the STAR Lab as well for Family Code Night. I went by myself on a couple of occasions, and then I also stopped by with my son, and he had a great time, and so the efforts of the staff, I really appreciated that. And then also, I just wanted to simply say that we really are at a point where we do have to make some really tough decisions, and it's not easy, we do have to do right by our students at the end of the day and our teachers. And we've got to ask the, you know, the tough questions. And so I also want to say that, you know, I appreciate, you know, my fellow board members for asking those tough questions, but, you know, I also appreciate, you know, you Tracy and, you know, Superintendent DeLeon for, you know, really trying to ensure that we can, you know, come out of this fiscally strong and that we can be sustainable because, you know, change is not easy, change is hard but we have to ask the right questions and at the end of the day we we do have to make some tough decisions and so that's all I want to say. Thank you.



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- ▶ [ **Aiden Hill** ] Thank you Member Plancarte. Vice President Jones.
- ▶ [ **Kat Jones** ] Yeah I wanted to thank the superintendent and deputy superintendent for the hard work in evaluating all the aspects of the district's financial health. And in light of that information, you've had to ask some really tough questions and you're creating a restructuring plan and determining the minimal number of layoffs as far away from the classroom as possible. I know that staff is committed to working together to make the changes necessary in order to move the district forward, holding people accountable and asking that they complete their jobs with professionalism and respect for others, just as we ask our students to do. We can't expect our students to work hard and act responsibly if the adults in their lives do not model what we ask of them. We have an opportunity to move the district forward, to stop lamenting what was, and to stop pointing fingers and criticizing others. We must create a new trajectory for our students and staff of NUSD. Change is challenging and difficult work. Some may be asked to take a risk. Others may have to step back and evaluate how they can best complete their job. And many will have to dig deep into their souls to be the best that they can be. We have so many amazing people in NUSD striving for a positive work environment, even when faced with difficult circumstances, such as BGP did recently. We can come together and support each other because we put kids first.
- ▶ [ **Aiden Hill** ] Thank you, Member Jones. So just to echo a little bit of what some of the other board members have said. So we're obviously going through a tough time in our district. And as we heard in detail during the budget balancing presentation, as well as second interim, we're essentially. I think that I feel, I don't have complete information, but I feel that for many years the district has been avoiding a lot of tough financial decisions. And we're at a point where we can't avoid them anymore. And it's unfortunate. And I know that when Member Thomas was on the board a number of years ago, she was speaking out about these issues, but it didn't have a sense of urgency at that point. But we have a sense of urgency. And it's not something that is fun to do. And obviously, we get a lot of feedback and a lot of frustration. And we were elected as the board to deal with that. And that's our job. And so I'm not asking for any tears for the board. But I would like to say that so Mr. Berg who is one of our financial consultants and who was the super former superintendent of Fresno? And now has been a consultant specializing in coming in and rescuing districts that are in financial trouble. And he as you can see he has a game plan. He is around how to do this and. And he said something at the beginning that I would like just the board to recognize. And he basically said, he's applauding us for taking on this task. And so it's a tough task. But I think that in these moments, it takes some courage to go. deal with it, and hopefully we're able to deal with it a way where we write the district and we get it set on a really positive trajectory. So I just want to encourage the board to continue to try to do the right thing and really try to get our house in order so that we can build and grow. So that's number one. Number two, there have been comments over the past couple of meetings about how you know, a feeling that we're not, we the board and in our board meetings are not welcoming public comment. And that, you know, there's efforts to shut people down. There's efforts to intimidate people. And I've heard a few of those comments. But I think that it's important for the public to know that the proof is in the pudding. And I think that if you look at both this meeting and the prior meeting, we practically had a full house. So there was nobody that was kept out of this meeting. And I think that what's also important to understand is there was not one time where we tried to shut down speech that we found uncomfortable or that we disagreed with. We welcomed everybody and their input. And I just want people to know, and for those of you that have been watching board meetings for a while, when I first joined, oftentimes I had the minority opinion on things. And so I know what it's like to have an opinion that not everybody shares. But in our democracy, thankfully, we have the opportunity for the minority to express their opinion. And so that's something that's near and dear to me. And I will defend that personally. you know, quite frankly, to my death. I mean, that's what Voltaire said. You know, I may not agree with what you say, but I will defend to the death your right to say it. And so, and I think that we've had this protocol in the board, and my feeling is that we're going to insist that it continues. And so, and although, as we were talking earlier about, okay, should we limit time, et cetera, I think it's really more from trying to be efficient with things. But at the same time, even in this evening's meeting, there were a lot of people that showed up. We curved out time. Everybody had a chance to speak. And I feel that people had the opportunity to say what was on their mind. And so I just want to encourage anybody in the public

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that's interested in our affairs and wants to participate, that you are welcome. And we appreciate you coming. We appreciate you sharing your input. And whether we initially agree with it or not, I think that we all sit and we reflect on it. And sometimes it changes our mind. And I think that we even saw some minds change this evening on a couple of different topics. That's what democracy is about. And I just want to say that, at least from my standpoint, that's what we're trying to encourage here. So with that, CBO Vacar, any ending, departing messages? I don't know what the right term is here. What is it? Superintendent's concluding cards.

▶ [ **Tracy Vackar** ] I have 17 minutes.

▶ [ **Aiden Hill** ] Yep. Yeah, take it all. Go for it.

▶ [ **Tracy Vackar** ] With that, I would like to bid you all good night. We've got some work to do tomorrow, and I'd like to get a couple hours sleep.

▶ [ **Aiden Hill** ] Sounds like a plan. OK, so can we get a motion to adjourn?

▶ [ **Kat Jones** ] I'll make a motion to adjourn.

▶ [ **Kadie Eugster** ] I'll second. OK. Board member Thomas? Yes, there you go.

▶ [ **Aiden Hill** ] OK. All right, meeting adjourned.