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2024-03-07, Special Meeting

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-  [**Aiden Hill**] at 6.03 p.m. Okay, so item 1.2, meeting practices and information. Members of the board may observe the meeting via the NUSD YouTube channel, live transmission on Comcast channel 26, or in person at the NUSD boardroom. Spanish translation will be available via Zoom. The public will have the opportunity to address the Board of Education regarding non-agendized matters and agendized matters with a live audio-only comment via Zoom. with advanced notice requested by email at publiccommentatnewarkunified.org, a written comment by submitting a speaker card via email at publiccommentatnewarkunified.org, or with live in-person comments by submitting a speaker card with the executive assistant. And Ms. Euster, I just want to check. So are we broadcasting right now on YouTube? Yes, we are. Perfect. OK. Wonderful. So we do have one mistake on the agenda. So it says public comment on study session But I think that staff should be commended on pulling together this agenda on such short notice, given that our last meeting ended at 1 o'clock or something like that. And we had to post this by 5 o'clock yesterday. So again, thank you for the yeoman's work in getting that done. OK, so let's move on to item 2, public comment. So 2.1, public comment on closed session items. So Ms. Schuchster, did anybody submit anything to us? No. OK, great. All right, so we're going to now recess to closed session. We're going to cover two items under section three, closed session. So number one, 3.1, public employee performance evaluation, government code 54957, subdivision B-1, title superintendent. And then item 3.2, public employee appointment, Employment, Discipline, Dismissal, Release, Government Code 54957, Subdivision B1. Okay, with that, adjourning to... We need roll call. Roll call. Oh, I'm sorry. I didn't want to interrupt. Okay, let's do roll call.
-  [**Kadie Eugster**] Board Member Thomas? Here. Board Member Nguyen? Here. Board Member Plancarte? Here. Board Member Jones? Here. President Hill? Here. Okay.
-  [**Aiden Hill**] So, adjourning to closed session.
-  [**Aiden Hill**] and actions 4.1. There is nothing to report. Going on to agenda item five, reconvene to open session 5.1. Can we all stand please for pledge of allegiance? 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. So meeting practices and information. 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. For 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 the 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 manner, 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

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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 that 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 6.1, approval of the agenda. Can I get a motion to approve the agenda?

▶ [**Carina Plancarte**] I'll make a motion.

▶ [**Aiden Hill**] You need to pull something? OK. To strike it? I don't think so. I'll second. Why don't we ask our experienced member, Thomas. So there was an error on the agenda because of the haste of putting it together. And we accidentally left on 1.3 public comment on study session. We're already past that item. But I think that member Jones, Vice President Jones, has a question around whether we want to ask to strike that. Is that required?

▶ [**Nancy Thomas**] I don't think so. Okay. It didn't happen.

▶ [**Aiden Hill**] Okay. It didn't happen.

▶ [**Kat Jones**] All right. Then I second the motion to adopt the agenda.

▶ [**Aiden Hill**] Okay. Roll call. Ms. Eugster.

▶ [**Kadie Eugster**] Member Thomas. Yes. Member Nguyen. Yes. Member Plancarte. Yes. Member Jones. Yes. President Hill.

▶ [**Aiden Hill**] Yes. Okay. Motion is unanimous. Moving on to item seven. Public comment, so first public comment on non-agenda items. And let me just read the instructions to make sure we're all clear. So public comments on non-agenda items. We have now reached the portion of the meeting set aside for comments from the public about matters not on the agenda, but within the subject matter jurisdiction of the board. Under board bylaw 9323, comments are limited to three minutes per speaker, and the board will limit the total time for public input on each agenda item to 20 minutes. These limits have been put in place because the board believes that late-night meetings deter public participation, can affect the board's decision-making capability, and can be a burden to staff. If a situation arises where there are more speakers on a topic than total time allotted, the president may ask members of the public with the same viewpoint to select a few individuals to address the board on behalf of that viewpoint. 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. 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. And with that, let's proceed to public comment on non-agenda items. So we first have, I believe, Ms. Rachel Wood, would you like to come forward?

▶ [**Rachel Wood**] Ladies and gentlemen of the board, tonight I want to first address the fundamental importance of the First Amendment right to freedom of speech. It is a cornerstone of our democracy, allowing individuals to express their beliefs and opinions without fear of retaliation or censorship. While California is an at-will State where employees can be let go for any reason at any time, it is essential for the Board, as representatives accountable to their constituents, to understand that their actions will have ramifications. Every action has a corresponding reaction, and it is imperative that the board considers the broader implications of their choices on the well-being of our school community. We cannot heal if we bleed to death first. Right now, we are losing good teachers and staff in an environment that has proved difficult to hire good teachers and staff. I recognize many

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names on the list of those leaving who are instrumental in making a difference in my children's lives in the past. I worry about who will be left to teach my children in the future. Transparency is paramount in fostering trust and understanding. When decisions are made behind closed doors, leaving parents and community members uninformed, it breeds suspicion and erodes confidence in leadership. While the anticipation of layoffs may have been expected, the perceived randomness of the individuals affected can still have a significant impact. Surprise and uncertainty regarding the criteria used for these decisions can contribute to heightened stress and morale issues. It's challenging to accept decisions as purely business. Therefore, it's essential for the board to prioritize clear and transparent communication, even when faced with difficult decisions. This approach will not only help to build trust and confidence, but also ensure that everyone feels valued and respected as part of our school community. In this spirit, I propose the implementation of weekly, if not more regular, fireside chats or similar forum for open dialogue. This platform should be highly visible, heavily promoted, and easily accessible to all members of our school community. It would provide an invaluable opportunity for the board and district leadership to directly engage with parents, teachers, and community members, addressing concerns, sharing updates, and fostering collaboration. Importantly, such a platform would serve as a safe and inclusive space where questions can be asked and answered in any language, ensuring that every voice is heard and valued. This commitment to transparency and accessibility demonstrates dedication to accountability and openness. By nurturing this type of environment, we pave the way for positive change and growth within our school district. Together, we can work towards rebuilding our community into a vibrant and supportive place where children and families can truly thrive. Thank you.

- ▶ [**Aiden Hill**] Thank you, Ms. Wood. OK, and then moving on to, well, why don't we hold off on that one? Are there any other public comments on non-agenda items that were emailed or people online? No. OK, great.
- ▶ [**Kadie Eugster**] There's a correction.
- ▶ [**Aiden Hill**] Okay, so let's move on to item 7.2, public comment on agenda items. And we have one comment here from Maria Huffer. Would you like to come forward and speak, please?
- ▶ [**Maria Huffer**] Twice in a week. This is very unusual for me. Good evening, board members. and executive cabinet, staff, and community. I wanted to bring to your guys' attention on the library clerk title that is listed on the layoff list on 8.2. It is still incorrect. We do not have a part-time library clerk. She is a library clerk, period. They are all 19 and a half hours. anything over that is paid from either SPSA, PTA, or some other type of specialty fund budget. So her correct title is library clerk. And as it was stated on Tuesday, we don't have librarians. CSEA doesn't have librarians. That's under NTA. Okay. I just wanted to bring up, well, I want to ask, I'm hoping that the board was able to get in the last 24 hours or shared all the information that was requested on Tuesday in regards to these classified layoffs. And I'm hoping that you received my letter. If not, just let me know. I did bring it with me. And I can either pass it out or I can read it now. So it's up to you.
- ▶ [**Nancy Thomas**] I think we've had a chance to read it.
- ▶ [**Maria Huffer**] OK. I do have it just in case you guys need it. And then lastly, I just I know I talked about a little touch base on this a little bit on Tuesday, but I just wanted to bring it up to you. And it's it's coming from our staff and they are like hounding me and making sure that I constantly speak on this. But they are very disappointed about the ongoing retaliation and unprofessionalism of our leadership that's taking place throughout our district. Most of it's taking place here, sadly. And we are hoping that you guys are looking into this and asking the questions that you need to ask as far as like what's actually happening, what's taking place, because it's not great. And we have a lot of people that are not happy to be here anymore. So instead of going down another hill and losing more important people that dedicate their time to this school and this district, maybe let's see if we can have a resolution as far as that and, you know, tackle it before it gets out of hand. And that's it.

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- ▶ [**Aiden Hill**] Thank you, Miss Hufford. OK, any any additional. Emails, OK, great. OK, so moving on to
- ▶ [**Tracey Vackar**] Section 8 new business so 8.1 budget reduction plan goal 2425 so CB over car Reductions that we have identified These were actually within our second interim report as well What I'd like to share with you is they are made up of our vacancy certificate and salaries and benefits. We have a number of vacancies that are going on here in our district. We have over \$2 million in vacancy positions. We're also looking at contracts for maintenance, the operating services, not to confuse that with maintenance and operations, but the operations and services. We are working, and I've been with our extended cabinet, about looking at all of our vendor contracts, looking at which ones are essential, taking a look at the ones that we've brought on during the pandemic that we're paying for, mainly through, primarily through ESSER funds, one-time funds that have now been moved back into our operation costs, and what we can do to help try to reduce those services and step them down. Talking with each of those vendors about doing the 5% reduction as we negotiate contracts with them. and letting them know that we are already taking other kinds of steps in order to help make sure that our budget is aligned to what we can afford. Administrative reductions that we're looking at are a total of \$655,000. And principal and department managers review budgets and propose reductions for all their areas. We looked at that as it being approximately \$600,000. And then ensuring that all construction costs, accounting, looking at our purchasing and other kinds of buying power type programs such as Kupka and other types of associations that we would be able to get some better services through our purchasing making it more affordable for us to be able to purchase some common items, looking at how we can leverage some of those relationships and doing piggyback bids. And then lastly, looking at consultant project management facilities, a cut of \$350,000. The total comes to a little over \$5 million that we're looking at. There were some additional We had hoped we'd find a little bit more revenue in our budget, as I had shared with you during the second interim. And then with the most recent report where we found an additional \$2 million that it looks like we're going to be hit with is to our revenue source. That actually kind of really kind of, I think, caught us a little bit by surprise. We're still investigating that, and we're working very closely to identify with CDE exactly what is causing that and whether or not it is a one-time thing that's going to happen to us. And it appears it's going to happen to us during this year when we receive less revenue. I'm just hoping it's not ongoing costs as we move forward. And the reason I'm concerned is because, as you well know, we use a three-year average when we look at our funding. And so when we have our numbers that are in there and they're kind of somewhat embedded those numbers then roll into what makes up our factor. And so I am concerned that these leveraged challenges that we have been scrutinized over, and it's just not us. I want you to know the list was long here in Alameda County alone. It's the number of districts that were hit with some late elements. In fact, some of my colleagues didn't even know about the report, and I actually shared it with Hayward when I was on the phone with them last week. It was a surprise to them as well. So, you know, I think there's things that we need to go back, we need to go investigate, we need to ask more questions on. Again, this is a very fluid process. As we develop our 24-25 budget, these significant strategies here are really what makes up the 24-25 budget. It doesn't necessarily fix the current budget that we're in, but there's strategies that we're looking at to be able to listen to being our goals if we try to move forward and try to bring that down to a size that we can live within and still provide all the other services and retain as many employees as possible.
- ▶ [**Aiden Hill**] Thank you. Thank you. CBO Vackar. Questions from the board?
- ▶ [**Nancy Thomas**] Member Thomas. I'd like to I just want to get a little bit more of a breakdown on the vacant certificated salaries and benefit savings. I mean, these are \$2 million in positions that are vacant. But my understanding is that the work that's in some of those vacant positions has to be filled in. How can we learn from you how you're consolidating? job descriptions that indicate areas that are going to be combined. But I think it would be helpful to have a picture.
- ▶ [**Tracey Vackar**] So this kind of has almost like the dance of the people a little bit, right? Because you use attrition factors, and you have retirements, you have people that resign. you start looking at, you know, what are your mission critical positions that you need to have? If you need to have a science teacher, by all means, we

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want to make sure that we build that science teacher position. There's going to be very critical positions up here that we need to do something with. But there'll be other positions as we try to maximize our flat size. The FTE work that you shared with us and the FTE work that we're using to be able to give staffing allocations to our sites. We're using those as we look at the size of our actual school populations and also as our class sizes change from year to year. I will tell you, staff has done a really great job in working with a worksheet to make sure that we look at everything that comes before enrollment. We did early enrollment this year. We did a big push in our TK. And staff has done a really great job in trying to make sure that we capture as many students as we possibly can. and make sure that as we sit here and look at these things. And again, part of this will also have to do with the revenues and stuff, too, that we receive based on the student populations that we have. So it kind of has a combination of things. But right now, those are vacant positions that we feel like we need to say to you that we know that there is a cost savings there that continues from year to year because we can't fill everything. And we think that is a piece of it without really touching and going into touching another person who's there, hopefully through this. balance as we look at our attrition, we make these shifts happen where we have to have a critical position. That doesn't mean that all these positions go away. I'm happy to share with you what the vacancies are and provide you with that list.

▶ [**Nancy Thomas**] I think what I'm most concerned about right now is the district office. So we have vacant positions at the district office. It would be nice to have an org chart that shows This is what we had before, and this is what we are proposing. Because that's where we are being transparent with the public in saying, we are making cuts, but we're making them at the district office. This is how we are afforded an opportunity, maybe because there's been resignations or vacant positions. But to show that picture. for us and for the public of the savings at the district office. And then, of course, the savings at the sites, that's something that the sites are going to have to deal with and dig down into and fine tune as they look at enrollment and look at their staffing allocations. And maybe even having a list of staffing allocations for the sites. how many FTE are we allocating at the high school compared to what they have now? Same thing at the middle school, same thing at... These are things that I care about deeply because I look, as you know, I look into the master schedule and the class sizes and things like that. So it's really helpful to me to be able to correlate what staff is projecting to what I've seen happen in the past in terms of staffing and class sizes. Thank you.

▶ [**Aiden Hill**] Number one.

▶ [**Phuong Nguyen**] Thank you, President Hill. I just wanted to say thank you to the staff for a good effort. But again, this isn't what I was asking for. And although you laid down the cost savings of these positions, It doesn't really, we need to see in detail what those vacant certificate of salary and benefits are like in an itemized fashion to really understand what the positions are like what Member Thomas had said. So I am definitely in agreement with what she is recommending. It gives us full transparency and the public full transparency as to how it is really going to affect what is being cut, where it's going to be cut at the sites, and what programs that are going to be impacted. To me, this is a summary of it, but it isn't the details. And it's very difficult for me, personally, to be able to make those decisions when I get a summarized version of something and not the detailed aspect of it. Because I, too, care deeply about all the teachers, all the staff here. Again, you know, I'm very vested because my two daughters are in the district and also I'm a Newark Memorial grad and I want to do right by the students and the families and the teachers and the staff. And for me, this isn't it. You know, this isn't the transparent process that prior administrations have taken when we've done budget reductions and especially when it's impacting positions and and again positions do impact programs and that Even though you're saying that you're cutting positions that far from the classroom. That's not the case. So And so this is for me. I appreciate it I appreciate the effort, but it is still very much in my opinion Not the full picture. And so I just want to let you know that. Thank you.

▶ [] Thank you

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- ▶ [**Aiden Hill**] Okay, other questions, comments from the board? Thank you, CBO Vackar. I just had a couple questions. So, and again, I'm always, I have a simple mind, so I like to be able to tie back to basic things. So, in the other night when we had our financial consultant, Mr. Burt, come in, And we talked with him about, OK, so what exactly are the challenges that we're facing? So it's my understanding that he said that we have a \$14 million structural deficit and that we have \$38 million in the bank. And basically, we're going to be draining that money out. And we need to solve that deficit within two years or potentially there's a state takeover. And kind of my sense was that if we were going to eat the apple in bites and try to phase in cuts that you might say \$7 million this year, \$7 million the next year to address the deficit. But I just want to clarify here what you're saying is that we're proposing for the next year \$5.1 million. So that leaves us for the next year another \$9 million potentially that we need to make up.
- ▶ [**Tracey Vackar**] Yes. OK. I would like to give one other clarification. Go ahead. You mentioned the \$38 million was being cashed in the bank. So although I think you asked me what was our cash flow, which is \$38 million, you need to know that's also going to account for our payrolls for the next three months out. So please be aware that that cash flow continues to go down. It's not just based on the reduction.
- ▶ [**Aiden Hill**] Right. So what you were saying is that the snapshot of the bank statement at this time is \$38 million. Right, but obviously there's going to be money that gets spent over the next, before this next fiscal year. Yes. And so, right, and so it's... We're not closing the books with \$38 million. Right, so it's less. Okay, okay. Thank you.
- ▶ [**Tracey Vackar**] I just wanted to provide that clarification.
- ▶ [**Aiden Hill**] Sure, okay. And then, other question, so... in the maintenance operation services decrease 5% vendor costs. You're saying basically we're going to make an effort to try to improve our purchasing and shave 5% off of the things that we purchase. So we're going to try to reduce our purchase prices or purchasing spend by 5%. Is that correct?
- ▶ [**Tracey Vackar**] Correct. Especially on larger services that we do and on common goods that we do. We really want to try to leverage that and really work on that.
- ▶ [**Aiden Hill**] OK. And I understand that, right, we're We're identifying a position to really focus in on procurement exclusively, which we haven't been as focused on before. So obviously, that position won't be able to focus on this. But I just want to really emphasize that, at least from my perspective, that this is something that we have to measure. And we really have to be on top of it, because it's so easy to get defocused. And then we wake up one year from now And if we haven't, you know, if we haven't hit those targets, well then it's not 5 million, it's less than 5 million. That's correct. So I think that it would be good to have a plan, and as other members have said, to have a little bit of transparency around, okay, this is, you know, this is kind of how we're going to do it. And then watch somebody work the plan. So that was one question. And then the other question was, I wasn't, so, the insurers see a uniform construction cost accounting. So it's what you're saying here that we're going to try to piggyback on top of other larger agency procurement contracts and be able to leverage their spending power and basically get improved contractual terms.
- ▶ [**Tracey Vackar**] Yes. I'll give you a good example. Our nutrition services does a great job with this. They have co-ops that they work with and they actually work on that buying power and sometimes you see interagency agreements that we use to be able to purchase food, and we get a substantial reduced cost because we pool our work together. We want to be able to enter in some more of those co-ops. We need some help with being able to manage that, which really is really part of the work of what the Purchasing and Procurement Manager would actually help our various departments work on as a strategy together to be able to reduce those.

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- ▶ [**Aiden Hill**] And do we have a sense, maybe just an example of one that we might be able to go after?
- ▶ [**Tracey Vackar**] You know, I put Cupca on here as being one of the ones that I kind of, you know, want to call out. And although we use that, I don't think we use it enough. And I think, to me, there's a lot of other savings that's there for us to be able to work on that. I am looking at some strategies to be able to bring in and try to be able to use some more of those services so that when we are purchasing goods, we're using vendors that have already gone to those agreements. And they've already done that purchasing power through the couple of costs process. But there's also other organizations. And we'd have to evaluate those to figure out which ones are cost effective for us to move into, what kind of time needs to be invested to be able to be part of those co-ops. Because there is an investment of time. Each district takes on a small piece of it. It's not just one district that does it all. Sometimes it's done as a collaborative. But they definitely are ways that you can move through and you can definitely save some money. And I will share with you, we even had a vendor this afternoon that reached out to us and said to us that he felt that he could do a better job than some of the Amazon orders that we do, right? And he wanted to be able to share his purchasing list and see if we would get that out to the schools because he felt he could offer a better service. But it's going through and actually evaluating services like that to be able to figure out where the cost savings are and then looking at that. and making sure that we come up with a plan to be able to share with the departments and our school sites that are the beneficiaries of needing those particular products that we use.
- ▶ [**Aiden Hill**] Great. And again, just along the lines of what was mentioned before, and then also what we just talked about in terms of procurement, I think that we really need a concrete plan. Because if it's squishy, then it's easy to not be clear about how to do it, and then the timing's off. And so I would really like to, myself as a board member, to be able to see staff come back with a presentation before the next fiscal year and say, here specifically are the areas that we're going to target. And here's sort of our step-by-step plan. And here's the dates so that we can really say we're going to realize these cuts. Because again, if we add up that and that, that's \$1.5 million, right? And so it's big numbers. So we need to make sure that we have a plan.
- ▶ [**Tracey Vackar**] Fair.
- ▶ [**Aiden Hill**] OK. Any additional comments, questions? OK. OK. So moving on to 8.2 resolution number 23-24, classified layoffs. OK. So do I need to read this?
- ▶ [**Aiden Hill**] No. OK.
- ▶ [**Aiden Hill**] OK, all right. So it's resolution 2023.24.24, classified layoffs. The recommendation is that the board approve this resolution to lay off or reduce hours of certain classified positions due to lack of funds, lack of work. So any questions, comments from the board? Go ahead, Member Thomas.
- ▶ [**Nancy Thomas**] I'm wondering if we can take Ms. That's my understanding. I move to approve Ms. Huffer's suggestion and change part-time library clerk to library clerk.
- ▶ [**Yolanda Mendoza**] It is my understanding that the amount of time that we put on the agenda, the equivalent, 0.1125 is a part-time service made by the PTA donation. And that's the reason why I put that there.
- ▶ [**Nancy Thomas**] Oh so the library clerk is not part-time, but the 0.1125 is part-time.
- ▶ [**Yolanda Mendoza**] Part-time donation from the PTA, which they review every year, right? Every year we review, right. But she is correct, Ms. Huffer's correct, she's a full-time, 19-hour employee. And just the part-time is what we are eliminating for. Right, the 0.1125. Right. Okay. Part of the part-time.

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- ▶ [**Nancy Thomas**] Part of the part time.

- ▶ [**Aiden Hill**] OK. Other questions, comments? OK. So, Ms. Euster, if we could get a roll call vote, please. Oh, I'm sorry. We need a motion.

- ▶ [**Kat Jones**] I'll make a motion to accept the resolution.

- ▶ [**Carina Plancarte**] I'll second.

- ▶ [**Aiden Hill**] A roll call vote, please.

- ▶ [**Kadie Eugster**] Yes. No. Yes. Yes.

- ▶ [**Aiden Hill**] Yes. OK, so motion carries four to one member. When would you like to provide any additional comment on this item?

- ▶ [**Phuong Nguyen**] Yes. I'm voting no because, again, I do not believe that this process has been transparent to the public nor to ourselves. We did not get enough information to be able to make a vote or to approve this resolution. And again, you've seen it going back and forth whether or not these titles and positions and FTEs are correct. Thank you.

- ▶ [**Aiden Hill**] Thank you, Member Nguyen. Okay, moving on to agenda item 8.3. resolution number 2023.24.26, reduce the number of certificated employees due to a reduction of particular kinds of service for the 2024-2025 school year and recommendation is that the Board of Education approve this resolution to reduce the number of certificated employees due to a reduction in particular kinds of services for the 2024-2025 school year. Okay, so comments from the Board?

- ▶ [**Nancy Thomas**] Member Thomas. I'd like to ask about the teacher on special assignment technology. The person that's in that position now is not of 1.0 FTE, is it? But the position is a 1.0 FTE position. Is that what you're saying?

- ▶ [**Aiden Hill**] So it's the other way. So when it's down, it's off. When it's up, that's OK. So you're going to push the button. Is this the button up?

- ▶ [**Yolanda Mendoza**] There we go. It is not. She asked to self-demote in the middle of the year. And so it's not a full-time position at this time. But we're laying off the whole position.

- ▶ [**Nancy Thomas**] Thank you.

- ▶ [**Aiden Hill**] Other questions from the board? OK. So can I get a motion to approve resolution number 2023-24-26, reduce the number of certificated employees due to a reduction of particular kinds of services for the 2024-2025 school year?

- ▶ [**Nancy Thomas**] I move that we approve the resolution.

- ▶ [**Kat Jones**] I'll second.

- ▶ [**Aiden Hill**] OK, so member Thomas moves, member Jones seconds. Can we get a roll call vote, please?

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- ▶ [**Kadie Eugster**] Member Thomas? Yes. Member Nguyen? No. Member Boncate?
- ▶ [**Carina Plancarte**] Yes.
- ▶ [**Kadie Eugster**] Member Jones? Yes. President Hill?
- ▶ [**Aiden Hill**] Yes. Okay, motion carries 4-1. Member Nguyen, would you like to comment on this particular item?
- ▶ [**Phuong Nguyen**] Yes, please. Thank you. Again, we haven't been, it hasn't been a transparent process. The board is unaware of what programs will be affected by the layoff of these positions and especially and there's a TOSA and the special technology and that we just expanded or is trying to expand our STAR Academy and that is that is not okay. The program is going to be suffering because of that and then also our two teachers on special assignment for ELA and that is going to be affecting the SEAL program and then also any math interventions with our math TOSA so no I'm not happy about this and the process is once again you know yes it's positions but we don't understand that these positions are tied to programs and there was no explanation made out in public to be transparent about that and the process again is not been transparent where we have identified extensively in detail what positions is going to be impacted, how much cost savings is going to be, and where it's going, and why. You know, nobody's asking why. So, that's why I'm voting no. Thank you.
- ▶ [**Aiden Hill**] Thank you, Member Nguyen. Okay, moving on to Agenda Item 8.4. So, Resolution 2023.24.27, Release and Reassignment of Certificated Administrative Employees Pursuant to Education Code 44951. The recommendation is that the Board of Education approve the resolution to release and reassign certificated administrative employees pursuant to Education Code 44951 for the 2024-2025 school year. So, questions or comments from the Board? Okay, can I get a motion to approve the resolution?
- ▶ [**Kat Jones**] I'll make a motion to approve the resolution.
- ▶ [**Carina Plancarte**] I'll second.
- ▶ [**Kadie Eugster**] Roll call, please. Board member Thomas? Yes. Board member Nguyen?
- ▶ [**Phuong Nguyen**] I'm going to be consistent and say no, thank you.
- ▶ [**Kadie Eugster**] Board member Pankaj? Yes. Board member Jones? Yes. President Hill?
- ▶ [**Aiden Hill**] Yes. The motion carries four to one. Member Nguyen, would you like to comment on
- ▶ [**Phuong Nguyen**] Your position? No, it's been the same. Thank you. OK, thank you.
- ▶ [**Aiden Hill**] OK, great. OK, moving on to agenda item nine. So Board of Education Committee reports, announcements, requests, debrief, and discussion. So Member Thomas, would you like to make any comments?
- ▶ [**Nancy Thomas**] No, but I do have a request that staff work with Ms. Huffer to understand the concerns about retaliation and report to the board.
- ▶ [**Aiden Hill**] Okay, thank you. Okay, member Nguyen.

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- ▶ [**Phuong Nguyen**] Yes, thank you, President Hill. My one request is that, you know, this board has asked in the past for exit interviews and to staff I want to know if that's been happening since I would like to go back since Since the resignation of our previous HR executive HR of human resources, I'm sorry executive human resources director and and every position since have we been taking exit interviews and And I would like to know what the sentiments of those exit interviews are and where we can do better and why staff has chosen to leave or resign. So I'm curious about that. And then I just want to make a statement. I think it is very detrimental to the district that my fellow board members are willing to make decisions and approve such resolutions and such tough hard decisions without proper information, detailed information. Yes, it's great that we get summarizations. Yes, we get snippets of this and that. But we did not have a study session regarding any budget reorganization presentation. We did not get a list of all vacant positions that are going to be impacted. We did not get a list of what the cost savings are. To our knowledge, we are just given summaries. And for the public, is that acceptable? Okay. And as a board member, it is not acceptable to be making decisions based on that. I can only make the best decisions I can with the information that I have, and I choose not to make these bad decisions based on the information that has been given to me. So, thank you.
- ▶ [**Aiden Hill**] Thank you, Member Nguyen. Member Plancarte.
- ▶ [**Carina Plancarte**] Yes, I'd like to say something as well. Nobody here is happy, not the staff, not the community, not the teachers and not the board and not the students. These are hard decisions. We are at the point where we have to make these decisions. And yes, we all collectively have to do better for every single student in this district, for every site that is a part of it and for our students. But how do we do better when we are in a looming financial situation? One that is not new to our district, but one that has been in the way as discussed here. And I want to implore you to please take a look at the last FCMAT report that was provided and presented here on September 3rd of 2020, so that you can understand some of the decisions that being made today were held off by money provided by COVID relief funds. In addition to the COVID money, the State Department of Education also gave districts a three-year reprieve of how we calculate the rolling average of daily attendance. By 2024 and 2025, this rolling average will no longer be influenced by pre-pandemic higher average daily attendance that temporarily inflated revenues. Additionally, Newark is not exempt to the current financial crisis and tough decision-making that has to happen now. Surrounding districts face the same financial situations and tough decision-making that was held off due to an influx of COVID relief money that has to happen elsewhere too. Post boards understood and acknowledged that this was dire information and that our district was in a financial crisis and tough decisions would have to be made. Additionally, passing resolutions accordingly and made some changes to correct some of the financial deficits that we are currently facing. Fast forward to today, I realize that the hard decisions and work has to continue and we have no additional relief coming in. We lie in wait to see what relief may come from the state, but we don't know what that's going to look like. And for now, the time has come for the current board to make a very hard, very hard decisions in order to right this district and keep our local control so that we can stave off a state takeover. The truth is, We want to avoid this as a state takeover entails no local control and no community input. They reserve the right to make decisions on their own that may include making decisions on our properties, whether vacant or not, on staffing, and there are no ties to this community where the state is concerned. The governing board is ultimately responsible for the district's budget. Management has the responsibility to present sound financial and transparent data. we need to be transparent. Information and information that is based on current and accurate data so that the board can make more informed decisions. The failure of the district to act decisively on accurate information could result in fiscal insolvency and loss of local control here. I also want to make it clear that in no way is what I am saying today right now meant to instill fear in our community. but it is only simply to bring awareness to the bigger picture and the tough decisions that we have to make today. Just as any local business owners here in our community, employers that are located here and elsewhere, companies, and even us as individuals and parents and families who run our households, we understand that at some point, some heavy decisions have to be made and they are not popular. And here at our district, as our historic district enrollment data shows, as continued declining enrollment since the 2009 and 2010 years, the money available to run this district without making these tough decisions today is simply not there if we are looking ahead at the next two to

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three years. Again, these are not easy decisions. Aside from my role as a current board member for Newark Unified School District, Newark has been my community for a long time and I care very much for this city, my neighbors, our local businesses, its schools, the children and the staff that run this district. I have the outmost respect. I want to state that I'm a mother of two young children who have many more years to go as Newark Unified School District students. I have built many valuable relationships. And one resounding commonality that always stands in relation to our school district are the following questions. How can we do better for our students, our teachers, and those who support them, our school sites, and our entire district overall from a safety, academic achievement, equitable distribution, and from my financial standpoint, just to name a few. I also want to make it clear the decisions that we are faced to make as a board, again, are not easy and they are not light. And yes, we have to do better. And I truly do hope that the community will work with us and understand these decisions that we're making and hopefully will support the hard decisions and the hard questions that are being asked and that have to be made. Thank you.


▶ [**Aiden Hill**] OK, thank you. Thank you, Member Plancarte. Member Jones.

▶ [**Kat Jones**] As a board member and after working in the district from 1988 to 2022, it is hard to sit up here knowing what it was like to be out there, to be a teacher, to have worked under really, really hard times when things were cut back. Bringing my own children here in second and fifth grades in 2000 and going through the junior high, because that's what it was at the time, and having zero opportunities for electives because we were cutting things back so far that we had to take away all the electives at the middle school or the junior high. They survived. It wasn't easy as a teacher. It wasn't easy as a student. But they survived. And we are in a situation now as I sit on this side going, wow, it is a really difficult decision. I was a TOSA. I know how valuable those positions can be to the teachers. But I also know that when we need teachers in our classrooms, we have to make sacrifices. The training that the sealed TOSAs have given has been invaluable to those teachers, and it's now the opportunity for those teachers that have that training, that have that SEAL certification for that, to be able to take that knowledge and to use it themselves, to talk to their colleagues who have had that training, and to be able to rely on each other rather than having the opportunity to have that TOSA help them. They've got to rely on themselves now. That's not always easy as a teacher when you have to take the information that you have been given. Tweak it for your current class, as Ms. Weeks was talking about, or Ms. Rex was talking about on Tuesday, where it is, you have a different class every year. You cannot teach the lessons in the exact same way as you did before. And so taking, now teachers have to take that information, that training that they have. I know I'm repeating myself, and I don't, make the decisions that I made tonight lightly as when you say yes you don't get to say anything. So I wanted to just let it be known that I made those making those decisions are really tough. But it is what we have to do in order to get through this next period of time to make things work in the district. Lean times are hard. It demands change. It demands picking yourself up by your bootstraps and making it work. Working with your colleagues, working with colleagues at your grade level at other sites to make things work, to help yourselves. And we have tried very hard to keep as many of the cuts away from the classrooms by just not filling the positions that we haven't been able to fill, moving things around, making sure that our class sizes are going to be maximized. Those are critical things that we can do. To make a difference so that we're not laying off teachers, we're just not hiring more. There is a difference to that. So it's not easy, but we will do it. We can survive this, and we will make it through. And I've been on the other side, and I know it's possible.

▶ [**Aiden Hill**] Thank you, Vice President Jones. And so to echo my other board members, Obviously, whenever you're needing to go through a restructuring, it's a really painful thing. And not only does it affect the students and the teachers and the classroom, but it affects all the employees. And that's a tough thing. And as Member Jones had mentioned, Although I spent most of my career in business, I am currently a teacher. And I didn't become a teacher so that I could just worry about downsizing all the time and not be focused on trying to help my kids be the best that they can be. And I think that people in our district were focused on that. And so it's tough. But I think the thing that we also need to recognize, and Member Plancarty was hitting on it, and our financial consultant, Mr. Berg, had mentioned it the other day, that we are in dire financial straits. And I think that this was a long time in coming, and I know that Member Thomas had been warning about it for many years, being on the

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board, and the can was kicked down the road. COVID came, and then the massive COVID influx kind of hid the structural deficit, but it didn't address it. And now we're at a point where we're forced to deal with it, right? There's really no choice. And I think that really the focus here, and as Mr. Burgood said, In the short term, there's not going to be anything riding to the rescue. So even if we were to pass a bond and be able to use some of that money towards some of the costs that we need to spend money on, by the time we're able to access that money, it's probably too late to have an impact. We can't count on the state because the state has its own financial troubles at this point. We're not going to immediately turn around declining enrollment. That's our goal, but that's a longer term thing. So these options are not available to us. And so unfortunately, we have to look at a restructuring. But I think that what everybody really needs to understand is that we're trying to restructure so that we can fight another day. And if we're able to do it successfully, it'll give us a little breathing room to actually start to put some things in place so we can turn things around and really rebuild. As Mr. Burke had mentioned, unfortunately, the state takes a very cold eye to this. And so essentially, as he said, if we don't do anything, they're going to let us drive off the cliff. And then they are going to pick up the wreckage. And we are going to have zero input into it. And so while we still can, we need to be able to try to take the steering wheel and see what we can do to get things corrected to get things course corrected. So again, I'm sorry that we have to go through this. I'm sorry for all the people that are impacted. And I'm just, I think we need to be focused to make sure that we're able to do this successfully and we're able to get things back on track. So again, I'm sorry. So I think we're at the point of superintendent concluding comments. Are there any additional comments or updates you'd like to provide?

 [Tracey Vackar] I'd just like to make a comment on behalf of our executive cabinet. These were very hard decisions to make. Every time that you have positions that have impacted children in our schools, the support of our sites, work that's important, and having to sit there and pare them down in order to be able to either make room for some new things that we need to have that are also essential, but also, where can we cut and save? They're difficult decisions to make, and they came with a heavy heart. Every idea that people have needs to be implemented for cost savings. I will share with you, one came to me the other day. It was an important one, one that I had never really thought about, And I have been a user of probably not maybe making the best choice in the decision to go off and hit my print button. It cost me more to use my own printer than to send it to the print shop, substantially more. We're gonna work on trying to message some of those ideas out. There's huge cost savings across the entire district to be able to do those things. And yet every day, I know all of us for convenience, probably hit the local print button. But there can be huge, huge savings involved. And by thousands of dollars, tens of thousands of dollars, I believe, could be saved in just all of us being and recognizing, especially when you're doing large volumes that you're printing, if you're doing a class set, to be able to send the print shop could be a real savings. Again, it's just one idea. But every idea, I think, is important. And we need to vet those through. And those are important. I think also looking at, we still have vacant positions in our district that go unfilled that are essential. And we need those positions. They are part of the health and safety, part of the learning that goes for our children, and they're essential. The board has taken some very difficult decisions this evening. I'd like to thank you for your study and your hard work on this. I know it came with a heavy heart. I know they were difficult decisions to make. I've been in your shoes in the past. I remember the cuts of 2008 and how hard they were. And I don't look forward to some of the future decisions that we may have to make that impact our programs, impact the services to our schools and to our community. And I invite our community, if you have an idea, share your idea. And I love the idea of offering different community events where those ideas can be shared. I love the idea of the fireside chat, so I want to thank the speaker who brought that up. I think that could be a really good element to be able to help and be able to come up with other ideas. It kind of expands the whole entire budget committee that look at some of these ideas. that came up with things. And so I think to have a bigger outreach and figure out how we can do those fireside chats, whether it's with board members getting out there and reaching out or a staff member joining a board member so that we can have those by each of our school communities or asking our PTAs in our various clubs to let us come in and have those chats with them. I think it would be really essential to be able to get as much word out as we can and to also give feedback on other ideas. Every idea that we can do a savings with is going to be critical to us being able to help this district. That concludes my comments for this evening. I want to thank, actually one more. I do

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want to thank all the staff that was involved with preparation. It's very difficult to do these things and do the work and know that your other colleagues and staff members might be affected. And so I just want to thank everybody for your time. Those are my remarks.

- ▶ [**Aiden Hill**] Thank you. Thank you. Thank you, CBO Vaccaro. Okay, so moving on to item 11, adjournment. So, can I get a motion to adjourn?
- ▶ [**Nancy Thomas**] I move that we adjourn.
- ▶ [**Kat Jones**] I'll second. Okay.
- ▶ [**Aiden Hill**] Sorry. That's okay. So, motion to adjourn was moved by Member Thomas and seconded by Vice President Jones. So can we do a roll call vote?
- ▶ [**Kadie Eugster**] Board Member Thomas? Yes. Board Member Nguyen? Yes, thank you. Board Member Polancante? Yes. Board Member Jones? Yes, thank you. And President Hill?
- ▶ [**Aiden Hill**] Yes, thank you. Okay, good evening. Meeting adjourned.